STAND. COM. REP. NO. 389

Honolulu, Hawaii

Feb 14, 2007

RE: H.B. No. 1626

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1626 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to assist condominium associations in collecting delinquent maintenance fees by making permanent the law allowing condominium associations to assess delinquent maintenance fees against a person who, in a foreclosure proceeding, purchases an apartment to which the fees are attached.

The Real Estate Commission, Hawaii Legislative Action Committee of the Community Associations Institute, Outrigger Hotels Hawaii, Hawaii Council of Associations of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Poipu Kapili AOAO, Kahala at Poipu Kai AOAO, Nihi Kai Villas AOAO, Sunset Kahili AOAO, Makanui AOAO, Manualoha AOAO, Regency AOAO, Poipu Sands AOAO, and numerous concerned individuals testified in support of this bill. The Hawaii Bankers Association submitted comments.

Your Committee finds that section 514B-146(g), Hawaii Revised Statutes, includes a temporary provision allowing a condominium association to recover up to \$1,800 of the last six months of delinquent maintenance fees from the purchaser of a delinquent apartment in a foreclosure sale, or subsequent purchaser. This bill removes the provision's sunset date of December 31, 2007.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1626 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Date:	Date:			
нв 1626	February 7, 2007				
Committee Referral:		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	☐ Pass, with amendments				
☐ Hold	☐ Pa	 Pass, with amendments, for recommittal for further consideration 			
CPC Members	Ayes	Ayes (WR)	Nays	Excused	
1. HERKES, Robert N. (C)	X				
2. McKELVEY, Angus L.K. (VC)	×				
3. CALDWELL, Kirk	X				
4. EVANS, Cindy	×				
5. GREEN, Josh, M.D.				X	
6. ITO, Ken	×	<u> </u>	100 A		
7. LUKE, Sylvia	<u> </u>				
8. MORITA, Hermina M.		<u> </u>		×	
9. SONSON, Alex M.				×	
10. SOUKI, Joseph M.	×	3, 41, 41, 41, 41, 41, 41, 41, 41, 41, 41			
11. TSUJI, Clift	X				
12. YAMANE, Ryan I.	*	<u> </u>			
13. YAMASHITA, Kyle T.	* * *				
14. MARUMOTO, Barbara C.	X		<u> </u>	<u> </u>	
15. THIELEN, Cynthia	Ý.				
TOTAL	12			3	
The recommendation is:					
☐ Not Adopted					
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If joint referral,	nittee acronym(s)	ort recommendation	•	
Vice Chair's or designee's signature:					
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