

MAR 18 2009

SENATE RESOLUTION

URGING THE REAL ESTATE COMMISSION TO ALLOW DEVELOPERS AND
ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN
ELECTRONIC FORMAT.

1 WHEREAS, during the last two years, the Legislature has
2 implemented "paperless" initiatives, with great success both in
3 terms of reduction of paper usage and streamlining the
4 legislative process; and

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6 WHEREAS, the public has access to many governmental
7 services via the Internet, allowing individuals to file State
8 income tax returns electronically, obtain Certificates of Good
9 Standing for Hawaii businesses, register businesses, register to
10 obtain a Hawaii state identification card, and perform many
11 other tasks; and

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13 WHEREAS, similarly, other state and federal agencies have
14 also initiated paperless filing procedures, such as electronic
15 filing of income tax returns with the Internal Revenue Service,
16 renewal of real estate licenses in various states, and
17 submission of applications for many types of licenses; and

18
19 WHEREAS, the federal judiciary, to a large extent, allows
20 electronic filing of pleadings in federal courts, as over
21 thirty-three million cases are on the federal case management
22 systems, and more than four hundred thousand attorneys and
23 others have filed documents over the Internet; and

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25 WHEREAS, the federal Department of Housing and Urban
26 Development now permits a developer subject to the Interstate
27 Land Sales Full Disclosure Act, 15 U.S.C. 1701 et seq., to
28 submit subdivision registration documents via CD-ROM; and

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30 WHEREAS, even though the Real Estate Commission posts
31 approved condominium public reports on its website in PDF
32 format, it nonetheless still requires developers and their
33 attorneys to submit their condominium project registration
34 materials in paper format; and



1 WHEREAS, draft condominium public reports and supporting
2 documentation can be several hundred pages long and can be
3 expensive and cumbersome for the developer, its attorney, and
4 the Real Estate Commission to produce and handle; and
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6 WHEREAS, upon receipt of the application documentation from
7 a developer or its attorney, the Real Estate Commission must
8 transmit the bulky materials to the private consultant retained
9 by the Real Estate Commission via mail or courier or hold these
10 materials for the consultant to pick up, which can unnecessarily
11 delay processing of the condominium registration application;
12 and
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14 WHEREAS, after the registration review process is
15 completed, the supporting documents for each condominium project
16 registration are held at the Real Estate Commission for a time
17 and then are archived offsite, and retrieval for public or
18 government agency viewing can be time-consuming; and
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20 WHEREAS, the Legislature believes that if the Real Estate
21 Commission begins accepting application materials for
22 condominium registration in electronic format, such as CD-ROM,
23 this practice will: cut down on unnecessary delays if the Real
24 Estate Commission sends application materials to its private
25 consultants via electronic mail, as opposed to by regular mail
26 or holding the materials for the consultants to pickup; save the
27 cost and expense of reproducing and handling bulky submission
28 materials; permit easy archiving of older condominium projects;
29 and streamline the condominium registration process for the Real
30 Estate Commission, its private consultants, and developers and
31 their attorneys; now, therefore,
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33 BE IT RESOLVED by the Senate of the Twenty-fifth
34 Legislature of the State of Hawaii, Regular Session of 2009,
35 that the Real Estate Commission is urged to accept filings for
36 condominium registrations and supporting documents in CD-ROM or
37 other electronic format compatible with chapter 489E, Hawaii
38 Revised Statutes; and
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40 BE IT FURTHER RESOLVED that the Chair of the Real Estate
41 Commission is requested to report on the measures taken by the
42 Real Estate Commission to accept condominium registration
43 filings in electronic format, to the Legislature twenty days
44 before the convening of the Regular Session of 2010; and



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2 BE IT FURTHER RESOLVED that certified copies of this
3 Resolution be transmitted to the Director of Commerce and
4 Consumer Affairs and the Chair of the Real Estate Commission.
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OFFERED BY: _____





