
A BILL FOR AN ACT

RELATING TO COMMON-INTEREST DEVELOPMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that common-interest
2 developments are the fastest growing form of housing in the
3 world and a significant form of land development in the State.
4 In the State, common-interest developments exist in a variety of
5 forms, including condominium property regimes, planned
6 communities, and cooperative housing corporations. In these
7 developments, individuals own property within the development,
8 share ownership and use of common property with all other
9 owners, and participate in a system of self-governance through
10 an association or corporation of the owners within the
11 development.

12 The legislature further finds that the governance documents
13 of the association or corporation provide the manner for
14 resolving any disputes that may arise within the development.
15 However, while owners within condominium associations may also
16 request the department of commerce and consumer affairs,
17 including the real estate commission and regulated industries



1 complaints office, to facilitate in the resolution of or
2 intervene in a dispute, the owners in other developments are
3 unable to request such support. Instead, the owners in those
4 developments must privately resolve their disputes through their
5 internal processes or judicial process. Such a resort may be
6 costly to the owner in comparison to the gravity of the dispute
7 and an alternative mechanism for oversight should be examined.

8 Accordingly, the purpose of this Act is to establish a
9 common-interest development oversight task force to study and
10 recommend to the legislature the feasibility of bringing the
11 various common-interest developments in the State under the
12 oversight of the department of commerce and consumer affairs.

13 SECTION 2. (a) There is established a common-interest
14 development oversight task force within the department of
15 commerce and consumer affairs for administrative purposes that
16 shall consist of the following members:

17 (1) A representative of the department of commerce and
18 consumer affairs, to be designated by the director of
19 commerce and consumer affairs;



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- 1 (2) A member of the house of representatives, to be
2 designated by the speaker of the house of
3 representatives; and
- 4 (3) A member of the senate, to be designated by the
5 president of the senate.
- 6 (b) The task force shall:
- 7 (1) Investigate the feasibility of bringing the various
8 common-interest developments in the State under the
9 oversight of the department of commerce and consumer
10 affairs, including but not limited to registration and
11 enforcement of the controlling statutory chapters
12 421I, 421J, and 514B, Hawaii Revised Statutes; and
- 13 (2) Develop any necessary legislation to effectuate the
14 purposes of paragraph (1).
- 15 (c) The members of the task force shall serve without
16 compensation, but shall be reimbursed for reasonable expenses
17 necessary for the performance of their duties, including travel
18 expenses.
- 19 (d) The task force shall submit a report of its findings
20 and recommendations, including any proposed legislation, to the



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1 legislature no later than twenty days prior to the convening of
2 the regular session of 2024.

3 (e) The task force shall cease on June 30, 2024.

4 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *Robert Am*

JAN 25 2023



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Report Title:

Common-Interest Development Oversight Task Force; DCCA;
Condominium Associations; Planned Community Associations;
Cooperative Housing Corporations

Description:

Establishes the common-interest development oversight task force to examine the feasibility of bringing the various common-interest developments in the State under the oversight of the department of commerce and consumer affairs.

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