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## A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1           SECTION 1. Chapter 96, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§96-           Real state commission; certain matters. (a)

5 With respect to the investigation of any complaint against the  
6 real estate commission regarding the commission's duties under  
7 section 467-4(9), the ombudsman's findings shall be issued no  
8 later than           days after the filing of the complaint with the  
9 ombudsman.

10           (b) This section shall not be construed to establish the  
11 ombudsman as an authority to which any party may file an appeal  
12 in any matter relating to the real estate commission."

13           SECTION 2. Section 467-4, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           "§467-4 Powers and duties of commission. In addition to  
16 any other powers and duties authorized by law, the real estate  
17 commission shall:



- 1           (1) Grant licenses, registrations, and certificates  
2           pursuant to this chapter;
- 3           (2) Adopt, amend, or repeal rules as it may deem proper to  
4           effectuate this chapter and carry out its purpose,  
5           which is the protection of the general public in its  
6           real estate transactions. All rules shall be approved  
7           by the governor and director of commerce and consumer  
8           affairs, and when adopted pursuant to chapter 91 shall  
9           have the force and effect of law. The rules may  
10          forbid acts or practices deemed by the commission to  
11          be detrimental to the accomplishment of the purpose of  
12          this chapter, and the rules may require real estate  
13          brokers and salespersons to complete educational  
14          courses or to make reports to the commission  
15          containing items of information as will better enable  
16          the commission to enforce this chapter and the rules,  
17          or as will better enable the commission from time to  
18          time to amend the rules to more fully effect the  
19          purpose of this chapter, and, further, the rules may  
20          require real estate brokers and salespersons to  
21          furnish reports to their clients containing matters of



1 information as the commission deems necessary to  
2 promote the purpose of this chapter. This enumeration  
3 of specific matters that may properly be made the  
4 subject of rules shall not be construed to limit the  
5 commission's broad general power to make all rules  
6 necessary to fully effectuate the purpose of this  
7 chapter;

8 (3) Enforce this chapter and rules adopted pursuant  
9 thereto;

10 (4) Suspend, fine, terminate, or revoke any license,  
11 registration, or certificate for any cause prescribed  
12 by this chapter, or for any violation of the rules,  
13 and may require additional education or reexamination,  
14 and refuse to grant any license, registration, or  
15 certificate for any cause that would be a ground for  
16 suspension, fine, termination, or revocation of a  
17 license, registration, or certificate;

18 (5) Report to the governor and legislature relevant  
19 information that shall include but not be limited to a  
20 summary of the programs and financial information  
21 about the trust funds, including balances and budgets,



1 through the director of commerce and consumer affairs  
2 annually, before the convening of each regular  
3 session, and at other times and in other manners as  
4 the governor or the legislature may require concerning  
5 its activities;

6 (6) Publish and distribute pamphlets and circulars,  
7 produce seminars and workshops, hold meetings in all  
8 counties, and require other education regarding any  
9 information as is proper to further the accomplishment  
10 of the purpose of this chapter;

11 (7) Enter into contract or contracts with qualified  
12 persons to assist the commission in effectuating the  
13 purpose of this chapter;

14 (8) Develop a curriculum for leadership training for  
15 condominium boards of directors, including pertinent  
16 provisions of chapter 514B, association governing  
17 documents, and the fiduciary duties of board members;  
18 [and]

19 (9) Receive and investigate complaints by condominium unit  
20 owners against associations that are subject to  
21 chapter 514B; and



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1        [~~9~~] (10)    Establish standing committees to assist in  
2                            effectuating this chapter and carry out its purpose,  
3                            which shall meet no less than ten times annually, and  
4                            shall from time to time meet in each of the counties."

5        SECTION 3.    This Act does not affect rights and duties that  
6   matured, penalties that were incurred, and proceedings that were  
7   begun before its effective date.

8        SECTION 4.    Statutory material to be repealed is bracketed  
9   and stricken.    New statutory material is underscored.

10       SECTION 5.    This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

*James Orr*

JAN 23 2024



# H.B. NO. 2524

**Report Title:**

Condominiums; Real Estate Commission; Unit Owners; Associations;  
Ombudsman

**Description:**

Requires the Real Estate Commission (Commission) to receive and investigate complaints by condominium unit owners against associations that are subject to chapter 514B, Hawaii Revised Statutes. Requires the Ombudsman to issue findings within an unspecified number of days after a complaint is filed with the Ombudsman against the Commission regarding the Commission's foregoing duties.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

