
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. The legislature finds that homeowners who
2 subdivide their property into as few as two units under a
3 condominium property regime are considered developers under
4 existing law. Developers are required to file an annual report
5 and pay a corresponding annual fee of \$50 until all units have
6 been sold. This law has unduly burdened homeowner-developers
7 who permanently reside in one of the units and therefore cannot
8 satisfy the requirement of selling every unit, which would
9 otherwise eliminate the need to file an annual report and pay
10 the annual fee.

11 The purpose of this Act is to relieve from the burden of
12 filing annual reports and paying the corresponding annual \$50
13 filing fee those individual homeowners whose development
14 consists of no more than two units, one in which the developer
15 has resided as their principal residence for at least ten years
16 and one for which the initial sale of the other unit has been
17 completed, under certain conditions.



1 SECTION 2. Section 514B-58, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The developer, its successor, or assign shall be
4 relieved from filing subsequent annual reports pursuant to this
5 section [~~when~~]:

6 (1) After filing an annual report notifying that the
7 initial sales of all units have been completed[-]; or

8 (2) Where:

9 (A) The project consists of no more than two units;

10 (B) One of the units has been the principal place of
11 residence of the developer, its successor, or
12 assign for at least ten years after the
13 anniversary date of the first effective date for
14 a developer's public report; and

15 (C) The initial sale of the other unit has been
16 completed;

17 provided that if there are any changes to the
18 conditions specified in this paragraph, then the
19 developer, its successor, or assign shall resume
20 filing subsequent annual reports."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Condominiums; Homeowner-Developers; Annual Report

Description:

Excludes a homeowner-developer from the annual requirement to file a developer's report and pay a fee if the homeowner's development consists of no more than two units, one in which the developer has resided as their principal place of residence for at least ten years and one for which the initial sale of the other unit has been completed, subject to certain conditions. Effective 7/1/3000. (SD1)

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