

JAN 21 2026

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 the Hawaii supreme
2 court recently issued a summary disposition order interpreting
3 existing law relating to condominiums to require managing agents
4 to make available to unit owners sufficiently detailed financial
5 information and other records relating to the private resale of
6 units, such as a project information form (Form RR105C) and a
7 statement of account (SOA). *Caven v. Certified Mgmt, Inc. dba*
8 *Associa Hawaii*, 156 Hawaii 401, 575 P.3d 491 (2025). The order
9 further provides that the statutorily mandated disclosures are
10 not limited to pre-existing documents, and if they are made
11 available to the unit owner electronically or for download
12 through an internet site, they are to be provided at no cost to
13 the unit owner or the owner's authorized agent. *Id.* Because
14 forms used for private sales transactions are for the use and
15 benefit of the parties to the sale and not for the benefit of
16 the association, the legislature believes that these forms are
17 not "association documents" as interpreted by the Hawaii supreme



1 court, and that it is unfair to pass on the cost of providing or
2 preparing non-association documents for a private sales
3 transaction to all unit owners in an association, thus
4 increasing association costs for condominium unit owners.

5 Accordingly, the purpose of this Act is to clarify that an
6 association's or managing agent's obligation to keep records
7 sufficiently detailed to enable compliance with requests for
8 information and disclosures related to resale of units at no
9 cost is limited to providing pre-existing documentation and does
10 not include the completion or provision of documentation or
11 forms used to facilitate private sales transactions that are not
12 already in existence at the time of request.

13 SECTION 2. Section 514B-152, Hawaii Revised Statutes, is
14 amended to read as follows:

15 **"§514B-152 Association records; generally.** The
16 association shall keep financial and other records sufficiently
17 detailed to enable the association to comply with requests for
18 information and disclosures related to resale of units[.];
19 provided that no association or managing agent shall be required
20 to provide a document that is not already in existence, or to



1 complete any form, for the purpose of facilitating any specific
2 resale transaction.

3 Except as otherwise provided by law, all required financial
4 and other records shall be made available pursuant to section
5 514B-154.5 for examination by any unit owner and the owner's
6 authorized agents. Association records shall be stored on the
7 island on which the association's project is located; provided
8 that if original records, including but not limited to invoices,
9 are required to be sent off-island, copies of the records shall
10 be maintained on the island on which the association's project
11 is located."

12 SECTION 3. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: Carol Johnson



S.B. NO. 2301

Report Title:

Condominiums; Association Records; Resale Transactions

Description:

Exempts condominium associations and managing agents from providing documentation not already in existence or preparing forms to facilitate a private sales transaction.

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

