
A BILL FOR AN ACT

RELATING TO PROPERTY.

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

1 PART I

2 SECTION 1. Chapter 521, Hawaii Revised Statutes, is
3 amended by adding a new section to be appropriately designated
4 and to read as follows:

5 "§521- Absentee owner or landlord; on-island agent
6 registry; required; penalties. (a) The department shall
7 establish and maintain a registry of agents that shall contain
8 the information of an on-island agent designated by an absentee
9 owner or landlord to act on the owner's or landlord's behalf
10 pursuant to section 521-43(f).

11 (b) The department shall make the registry available for
12 public access on the office of consumer protection's website.

13 (c) Within thirty days of an absentee owner or landlord
14 designating an on-island agent, the absentee owner or landlord
15 shall register with the department:



1 (1) Any on-island agent designated to act on the owner's
2 or landlord's behalf pursuant to section 521-43(f);
3 and

4 (2) The properties that the on-island agent is designated
5 to manage on behalf of the absentee owner or landlord.

6 (d) An absentee owner or landlord shall notify the
7 department within thirty days of any changes in:

8 (1) The identity of an on-island agent or an on-island
9 agent's contact information; and

10 (2) Any property that an on-island agent is designated to
11 manage on behalf of the owner or landlord.

12 (e) The department shall adopt rules pursuant to chapter
13 91 to implement this section.

14 (f) For the purposes of this section:

15 "Absentee owner or landlord" has the same meaning as
16 defined in section 521-43(f).

17 "Department" means the department of commerce and consumer
18 affairs."

19 SECTION 2. Section 521-43, Hawaii Revised Statutes, is
20 amended by amending subsection (f) to read as follows:



1 located shall designate an on-island agent and shall provide the
2 board with the name and current address of the on-island agent,
3 regardless of whether the unit is a rental unit. The managing
4 agent, resident manager, or board shall keep an accurate and
5 current list of members of the association and their current
6 addresses, and the names and addresses of the vendees under an
7 agreement of sale^[7] or on-island agents, if any. The list
8 shall be maintained at a place designated by the board, and a
9 copy shall be available, at cost, to any member of the
10 association as provided in the declaration or bylaws or rules
11 and regulations or, in any case, to any member who furnishes to
12 the managing agent or resident manager or the board a duly
13 executed and acknowledged affidavit stating that the list:

- 14 (1) Will be used by the owner personally and only for the
15 purpose of soliciting votes or proxies or providing
16 information to other owners with respect to
17 association matters; and
18 (2) Shall not be used by the owner or furnished to anyone
19 else for any other purpose.

20 A board may prohibit commercial solicitations.



1 Where the condominium project or any units within the
2 project are subject to a time share plan under chapter 514E, the
3 association shall only be required to maintain in its records
4 the name and address of the time share association as the
5 representative agent for the individual time share owners unless
6 the association receives a request by a time share owner to
7 maintain in its records the name and address of the time share
8 owner."

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

11 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

DCCA; OCP; Registry of Agents; Absentee Owners and Landlords;
Condominium Associations

Description:

Requires the Department of Commerce and Consumer Affairs to establish and maintain a Registry of Agents available for public access on the Office of Consumer Protection's website. Requires an absentee owner or landlord to register any agents managing a property on the owner's or landlord's behalf with the Department of Commerce and Consumer Affairs. Prohibits an absentee owner or landlord from designating a tenant as an agent. Requires members of a condominium association who live outside the State or on another island of the State from where the unit is located to provide the association's board with the contact information of a designated on-island agent for the unit, which shall be included on the address list maintained by the association. Effective 7/1/3000. (HD1)

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

