

ACT 112

S. B. NO. 910

A Bill for an Act Relating to Fees for Horizontal Property Regime Registration.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 514-30, Hawaii Revised Statutes, is amended to read:

“Sec. 514-30 Questionnaire and filing fee. The notice of intention shall be accompanied by a fee of \$250 and by a verified copy of a questionnaire properly filled in. The questionnaire will be in such form and content as will require full disclosure of all material facts reasonably available.”

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SECTION 2. Section 514-34, Hawaii Revised Statutes, is amended to read:

“Sec. 514-34 Public reports and issuance fees. When the real estate commission makes an examination of any project, it shall make a public report of its findings, which shall contain all material facts reasonably available. A public report shall neither be construed to be an approval nor disapproval of a project. No final public report for a condominium project will be issued until execution and recordation of the deed or master lease, the declaration with a true copy of the bylaws annexed thereto, and floor plans as approved by the county officer having jurisdiction over the issuance of permits for the construction of buildings, as provided by sections 514-3, 514-13, and 514-19.

No additional fee shall be imposed for the issuance by the commission of the first public report. The developer shall be assessed a fee of \$150 for the issuance of a subsequent public report and \$75 for the issuance of a supplementary public report.”

SECTION 3. Section 514-44, Hawaii Revised Statutes, is amended to read:

“Sec. 514-44 Request for public report or hearing by developer. If, within thirty days after notice of intention is properly filed pursuant to sections 514-29 and 514-30, a public report has not been issued by the real estate commission, the developer may, in writing, request of the commission that the report be prepared by a private consultant, and when requested by the commission, the director of regulatory agencies is authorized to contract with private consultants for the preparation of public reports prescribed in this chapter. The cost of preparation of public reports by private consultants shall be borne by the developer; provided, that upon payment of the cost of the first public report, the developer shall be reimbursed one-half of the filing fee paid under section 514-30, or upon payment of the cost of subsequent or supplementary public reports, the developer shall be reimbursed one-half of the respective fee assessed therefor under this chapter. If the commission does not request the director to let the contract, or if the director determines not to let the contract, or when a final or preliminary public report is not otherwise issued within a reasonable time after notice of intention is properly filed pursuant to sections 514-29 and 514-30, or when a substitute public report is not issued within a reasonable time after requested or required, or if the developer is materially grieved by the form or content of a public report, the developer may, in writing, request and shall be given a hearing by the real estate commission within a reasonable time after receipt of request.”

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

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

(Approved May 17, 1973.)

*Edited accordingly.