
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514B-154.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Notwithstanding any other provision in the
4 declaration, bylaws, or house rules, if any, the following
5 documents, records, and information, whether maintained, kept,
6 or required to be provided pursuant to this section or section
7 514B-152, 514B-153, or 514B-154, shall be made available to any
8 unit owner and the owner's authorized agents by the managing
9 agent, resident manager, board through a board member, or the
10 association's representative:

11 (1) All financial and other records sufficiently detailed
12 in order to comply with requests for information and
13 disclosures related to the resale of units;

14 (2) An accurate copy of the declaration, bylaws, house
15 rules, if any, master lease, if any, a sample original
16 conveyance document, and all public reports and any
17 amendments thereto;



- 1 (3) Detailed, accurate records in chronological order of
2 the receipts and expenditures affecting the common
3 elements, specifying and itemizing the maintenance and
4 repair expenses of the common elements and any other
5 expenses incurred and monthly statements indicating
6 the total current delinquent dollar amount of any
7 unpaid assessments for common expenses;
- 8 (4) All records and the vouchers authorizing the payments
9 and statements kept and maintained at the address of
10 the project, or elsewhere within the State as
11 determined by the board, subject to section 514B-152;
- 12 (5) All signed and executed agreements for managing the
13 operation of the property, expressing the agreement of
14 all parties, including but not limited to financial
15 and accounting obligations, services provided, and any
16 compensation arrangements, including any subsequent
17 amendments;
- 18 (6) An accurate and current list of members of the
19 condominium association and the members' current
20 addresses and the names and addresses of the vendees
21 under an agreement of sale, if any. A copy of the



1 list shall be available, at cost, to any unit owner or
2 owner's authorized agent who furnishes to the managing
3 agent, resident manager, or the board a duly executed
4 and acknowledged affidavit stating that the list:

5 (A) Shall be used by the unit owner or owner's
6 authorized agent personally and only for the
7 purpose of soliciting votes or proxies or for
8 providing information to other unit owners with
9 respect to association matters; and

10 (B) Shall not be used by the unit owner or owner's
11 authorized agent or furnished to anyone else for
12 any other purpose;

13 (7) The association's most current financial statement, at
14 no cost or on twenty-four-hour loan, at a convenient
15 location designated by the board;

16 (8) Meeting minutes of the association, pursuant to
17 section 514B-122;

18 (9) Meeting minutes of the board, pursuant to section
19 514B-126, which shall be:

20 (A) Available for examination by unit owners or
21 owners' authorized agents at no cost or on



1 twenty-four-hour loan at a convenient location at
2 the project, to be determined by the board; or
3 (B) Transmitted to any unit owner or owner's
4 authorized agent making a request for the minutes
5 within fifteen days of receipt of the request by
6 the owner or owner's authorized agent; provided
7 that:
8 (i) The minutes shall be transmitted by mail,
9 electronic mail transmission, or facsimile,
10 by the means indicated by the owner or
11 owner's authorized agent, if the owner or
12 owner's authorized agent indicated a
13 preference at the time of the request; and
14 (ii) The owner or owner's authorized agent shall
15 pay a reasonable fee for administrative
16 costs associated with handling the request,
17 subject to section 514B-105(d);
18 (10) Financial statements, general ledgers, the accounts
19 receivable ledger, accounts payable ledgers, check
20 ledgers, insurance policies, contracts, and invoices
21 of the association for the duration those records are



1 kept by the association, and any documents regarding
2 delinquencies of ninety days or more shall be
3 available for examination by unit owners or owners'
4 authorized agents at convenient hours at a place
5 designated by the board; provided that:

6 (A) The board may require unit owners or owners'
7 authorized agents to furnish to the association a
8 duly executed and acknowledged affidavit stating
9 that the information is requested in good faith
10 for the protection of the interests of the
11 association, its members, or both; and

12 (B) Unit owners or owners' authorized agents shall
13 pay for administrative costs in excess of eight
14 hours per year;

15 (11) Proxies, tally sheets, ballots, unit owners' check-in
16 lists, and the certificate of election subject to
17 section 514B-154(c);

18 (12) Copies of an association's documents, records, and
19 information, whether maintained, kept, or required to
20 be provided pursuant to this section or section
21 514B-152, 514B-153, or 514B-154;



- 1 (13) A copy of the management contract from the entity that
2 manages the operation of the property before the
3 organization of an association; [~~and~~]
- 4 (14) Other documents requested by a unit owner or owner's
5 authorized agent in writing; provided that the board
6 shall give written authorization or written refusal
7 with an explanation of the refusal within thirty
8 calendar days of receipt of a request for documents
9 pursuant to this paragraph[~~-~~]; and
- 10 (15) Contracts between the association and the general
11 manager or resident manager, as the case may be;
12 provided that personal information may be redacted
13 from the copies, including but not limited to, the
14 manager's date of birth, age, signature, social
15 security number, residence address, telephone number,
16 non-business email address, driver's license number,
17 Hawaii identification card number, bank account
18 number, credit or debit card number, access code or
19 password that would permit access to the manager's
20 financial accounts, or any other information that may
21 be withheld under state or federal law."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2112.



Report Title:

Condominium Associations; Documents; Unit Owners

Description:

Requires contracts between the association and the resident manager or general manager to be made available to any unit owner, and allows certain personal information to be redacted from the contracts. (HB1498 HD1)

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

