

STAND. COM. REP. NO.

170

Honolulu, Hawaii

February 10, 2017

RE: H.B. No. 177
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 177 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to provide greater protection for condominium owners from issues that arise when confronting problems with the condominium's management or governing board.

Specifically, this measure prohibits associations of apartment owners, boards of directors, managing agents, resident managers, and condominium owners from retaliating or discriminating against a condominium owner who uses lawful actions to address, prevent, or stop a violation of Hawaii's condominium law or a condominium's governing documents, or who exercises any other right as a condominium owner.

The Hawaii Council of Associations of Apartment Owners dba Hawaii Council of Community Associations, Mauna Luan, and numerous individuals testified in support of this measure. The Hawaii Chapter Community Associations Institute, Associa, and two concerned individuals provided comments.

HB177 HD1 HSCR CPC HMS 2017-1817



Your Committee has amended this measure by:

- (1) Extending the prohibition on retaliation and discrimination to other board members, managing agents, resident managers, and employees of associations; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 177, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 177	Committee Referral: CPC JUD	Date: 2/4/17		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.				✓
4. ITO, Ken	✓			
5. SAY, Calvin K.Y.	✓			
6. TAKAYAMA, Gregg	✓			
7. TODD, Chris	✓			
8. YAMANE, Ryan I.	✓			
9. FUKUMOTO, Beth	✓			
TOTAL (9)	9	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <i>Linda Ichiyama</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				