



Learn more about the Real Estate Branch (REB) of the Department of Commerce and Consumer Affairs

Check out the REB website
www.hawaii.gov/hirec for more information and some frequently asked questions.

- What services does the REB provide to the condominium community?
- Where can I get help with association disputes?
- What laws apply to my condominium association?
- How do I get a copy of my association documents?

Real Estate Branch

About Us

The Real Estate Branch, as part of the Professional and Vocational Licensing Division, assists the Real Estate Commission in carrying out its responsibility for the education, licensure and discipline of real estate licensees; registration of condominium projects, condominium associations, condominium managing agents, and condominium hotel operators; and intervening in court cases involving the real estate recovery fund.

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Contact Us

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This brochure is for informational purposes only and not intended for the purpose of providing legal advice. Information provided is subject to change.



**CONDOMINIUM:
AGING IN PLACE
AND THE DISABLED**
Real Estate Branch
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*Real Estate Branch
Department of Commerce and
Consumer Affairs*

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Aging in Condominiums

Many condominium owners are often focused on the cost and concerns of maintaining their aging buildings, but it is not just buildings that are aging in condominiums.

Many older people live in condominiums, and like all age groups, have their associated issues and concerns.



Changing Demographics:

16.5% of Hawaii's population in 2015 was 65 years or older with an expected increase by 93% by 2030.

Condominium owners should be aware of the specific aging laws within the condominium law and how it may impact their communities in light of the rapidly growing older population.

§514B-142 – Aging in Place:

As people age or become disabled, they sometimes lose the ability to maintain an

independent state of living. Occasionally, some suffer from mental confusion, or may cause harm to others or themselves in abusive ways.

Hawaii Revised Statutes §514B-142 limits the liability of a broad set of people in the association with respect to any action, non-action or recommendation the board takes on reports, observations, complaints, related to an older (as defined as age 62 or older) or disabled resident or owner who may require additional services so that the person does not pose any harm to themselves or others.

§514B-142 also allows, but does not require the board to request a functional assessment of the resident upon receiving a report, observation, or complaint regarding an older or disabled resident in which the following characteristics are reported:

- The inability to clean and maintain an independent unit
- Mental confusion
- Abusing others
- Inability to care for oneself
- Inability to arrange for home care

The board may then recommend, without liability, available services including assistance from government agencies and non-profits to assist the older or disabled

resident to avoid harm to the resident or other residents.

Should the resident ignore or reject the request for assessment or the recommendations, the association may, without liability, file the appropriate information, pleading, notice or the like with government agencies or courts to seek appropriate resolution.

Best Practices:

Communities such as condominium associations should seek to address any issues or concerns of older and disabled residents early on to maintain a harmonious community. This often requires building relationships with the residents, along with their families to maintain strong support networks.

Regularly checking in on the well-being of older and disabled residents may reduce any feelings of isolation while increasing their safety and protection.

