



## 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](http://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?
- How do I obtain a real estate license?
- What are the laws and rules for real estate licensees?

## 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.

### Subscribe

Receive emails on relevant condominium educational materials. Sign up now at <http://cca.hawaii.gov/reb/subscribe/>

### Contact Us

Condominium Hotline: 1-844-808-DCCA (3222), Ext #1 then #8  
Hours: 9:00 AM – 3:00 PM  
Email: [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov)  
Web: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec)

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



### CONDOMINIUM: 2021 LEGISLATIVE SESSION UPDATE

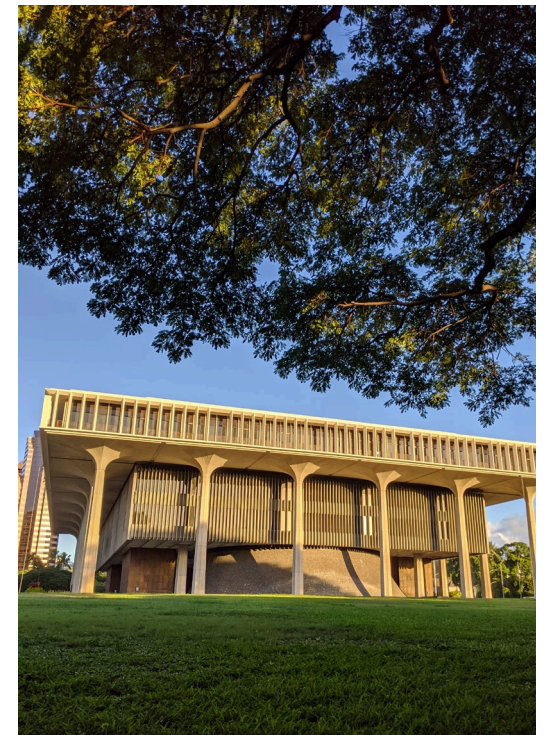
Real Estate Branch  
335 Merchant Street #333  
Honolulu, HI 96813

## CONDOMINIUM:

## CONDOMINIUM 2021 LEGISLATIVE SESSION UPDATE

*Real Estate Branch  
Department of Commerce and  
Consumer Affairs*

*July 2021*



## 2021 Legislative Session Update

The 2021 legislative session adjourned with several condominium bills enacted into law. Please consult with legal professionals regarding these new laws. The following descriptions are summarizations of a few Acts meant to provide only general information.



### Senate Bills:

[Act 94, SLH 2021](#), pertains to condominium associations in agriculturally zoned areas where private agreements before July 8, 2003 restricted agricultural activities. Subsequent deed, sale, or conveyance of property deems such agreements new and therefore subject to the prohibitions on agricultural use and activities under section 205-4.6, HRS. Effectively, a new deed, sale, or conveyance of such real property would invalidate such restrictive clauses, thereby allowing the property to be used in agricultural activities.

[Act 98, SLH 2021](#), allows a condominium board to dispose of unclaimed personal property of owners whose identity and address are known after thirty days following the notification of the owner of

the personal property and the board's intent to sell, store, donate, or dispose of such property.

If the owner's identity and address are unknown, the board may directly dispose of the property. In both cases, the proceeds of disposition become property of the association.

### House Bills:

[Act 77, SLH 2021](#), provides additional clarification on farm dwellings and the fining process for illegal farm dwellings, and requires condominium projects containing more than five units in agricultural districts to provide additional disclosures regarding available infrastructure, and impacts on government plans, environment and resources, as well as any county ordinances and rules. This disclosure statement by the developer must also include county comments on the application for project registration.

[Act 83, SLH 2021](#), expands the capacity of associations to hold annual, regular, or special meetings remotely with voting during a state of emergency pursuant to chapter 127A, HRS. This Act was in reaction to the COVID-19 pandemic to allow associations to conduct required

business according to recommended health guidelines and overrides any provision in an association's declaration or bylaws that would conflict.

### Legislative Process:

Are you interested in the legislative process? Check out the Hawaii State Legislature website here: <http://www.capitol.hawaii.gov/> for the legislative calendar, legislator contact information, citizen's guide to the legislative process, broadcasts of hearings, bill information, online bill testimony submission, and much more!

The Public Access room, located on the fourth floor of the Capitol building, serves to help Hawaii residents understand and participate in the legislative process. Visit it here: <https://lrb.hawaii.gov/par/>

Contact legislators in the interim between sessions to voice your concerns and see if they are willing to champion your proposed bill. Work with them to draft a bill, address concerns, and fine tune for submission during the first weeks of the legislative session.

