



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.

Subscribe

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

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: DEVELOPER'S PUBLIC REPORTS

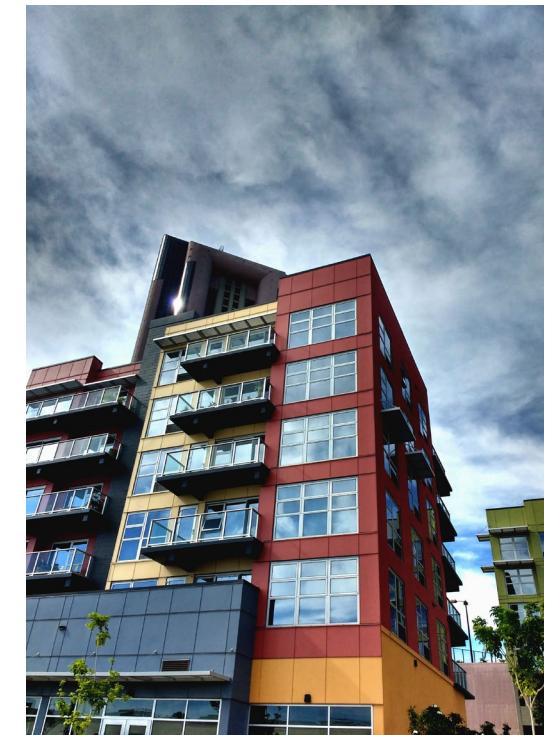
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*Real Estate Branch
Department of Commerce and
Consumer Affairs*

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Developer's Public Report

For a developer to legally sell condominium units, it must provide a developer's public report to buyers.



The report exists to protect consumers by requiring developers to disclose all material information regarding the condominium

project and the units they are selling. With key material facts, buyers can make informed decisions about buying.

The report includes various sections detailing all important aspects of the project, units, and amenities.

Special Attention Section

The special attention section, at the very beginning of the report, highlights the most important parts. The special attention section often notes what can't be built, any lack of utilities, and future development plans. However, the entire report is important for understanding a purchase of a condominium.

Rights & Restrictions

Pay close attention to the restrictions on what can and cannot be built or whether

additional county requirements must be met. For instance, agricultural properties tend to require farm plans approved by the county, to build additional homes. Some properties in agricultural and preservation zoned areas cannot legally have homes. Make sure the report does not have explicit prohibitions or restrictions against your vision for the property.

The developer may also detail their reserved rights to change the project prior to completion. Be cautious about the luxuries and amenities a developer promises as they may change.

There also may be restrictions in the bylaws that allow an association to control the looks and usage of units, the materials and colors used in renovations, pets, and smoking policies.

Conversion & Construction

The report will note if a developer converted an older building into a condominium, which is called a "conversion." Use this information to ask the developer or their agent about the building's history to ensure there are no surprises. While the law requires the developer to have the relevant county certify that the building was up to code at

the time of construction, building codes, permits, and requirements change over time.

If buildings are to be constructed, the status of construction will give a timetable for when the project should be completed.

General Content

Aside from restrictions on use, the developer's public report may contain information on the following:

- Parking
- Reserve Funds
- Maintenance fees
- Easements
- Collateralized financing
- Amenities and shared facilities
- Future master development plans
- Short term rentals restrictions
- Warranties
- Utilities and existing infrastructure
- Water rights
- Construction materials
- Dwelling and unit size limits
- Development rights
- Zoning and land use details
- Mediation/Arbitration
- Nearby industrial facilities