

Honolulu, Hawaii

Feb 29, 2008

RE: H.B. No. 3331
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3331, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to specify dispute resolution procedures related to the interpretation or enforcement of a condominium association's bylaws, house rules, and other management matters. Among other things, this bill:

- (1) Cites specific sections of chapter 514A, Hawaii Revised Statutes (HRS), that may be matters subject to mediation;
- (2) Allows parties whose dispute is not resolved by mediation to file for arbitration no sooner than 30 days from the termination date of mediation; and
- (3) Makes more widely available the option for an administrative hearing.

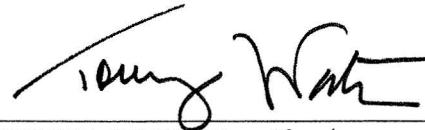
The Hawaii Council of Associations of Apartment Owners and Hawaii Independent Condominium and Cooperative Owners testified in support of this bill. The Community Associations Institute, Hawaii Chapter, opposed this measure.



Your Committee is in basic accord with the purpose of this measure, but has concerns that certain stakeholders have not reached consensus concerning the June 30, 2009, sunset date of section 514A-121.5(b), HRS, relating to the condominium dispute hearings process under the Department of Commerce and Consumer Affairs. Accordingly, your Committee has amended this bill by changing its effective date to January 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3331, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3331, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



