
SENATE RESOLUTION

URGING THE REAL ESTATE COMMISSION TO ADOPT AND SUBMIT A
STRATEGIC PLAN TO ALLOW DEVELOPERS AND ATTORNEYS TO SUBMIT
CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT.

1 WHEREAS, during the last two years, the Legislature has
2 implemented "paperless" initiatives, with great success both in
3 terms of reduction of paper usage and streamlining the
4 legislative process; and

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6 WHEREAS, the public has access to many governmental
7 services via the Internet, allowing individuals to file State
8 income tax returns electronically, obtain Certificates of Good
9 Standing for Hawaii businesses, register businesses, register to
10 obtain a Hawaii state identification card, and perform many
11 other tasks; and

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13 WHEREAS, similarly, other state and federal agencies have
14 also initiated paperless filing procedures, such as electronic
15 filing of income tax returns with the Internal Revenue Service,
16 renewal of real estate licenses in various states, and
17 submission of applications for many types of licenses; and

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19 WHEREAS, the federal judiciary, to a large extent, allows
20 electronic filing of pleadings in federal courts, as over
21 thirty-three million cases are on the federal case management
22 systems, and more than four hundred thousand attorneys and
23 others have filed documents over the Internet; and

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25 WHEREAS, the federal Department of Housing and Urban
26 Development now permits a developer subject to the Interstate
27 Land Sales Full Disclosure Act, 15 U.S.C. 1701 et seq., to
28 submit subdivision registration documents via CD-ROM; and

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30 WHEREAS, even though the Real Estate Commission posts
31 approved condominium public reports on its website in PDF
32 format, it nonetheless still requires developers and their
33 attorneys to submit their condominium project registration
34 materials in paper format; and

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2 WHEREAS, draft condominium public reports and supporting
3 documentation can be several hundred pages long and can be
4 expensive and cumbersome for the developer, its attorney, and
5 the Real Estate Commission to produce and handle; and
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7 WHEREAS, upon receipt of the application documentation from
8 a developer or its attorney, the Real Estate Commission must
9 transmit the bulky materials to the private consultant retained
10 by the Real Estate Commission via mail or courier or hold these
11 materials for the consultant to pick up, which can unnecessarily
12 delay processing of the condominium registration application;
13 and
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15 WHEREAS, after the registration review process is
16 completed, the supporting documents for each condominium project
17 registration are held at the Real Estate Commission for a time
18 and then are archived offsite, and retrieval for public or
19 government agency viewing can be time-consuming; and
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21 WHEREAS, the Legislature believes that if the Real Estate
22 Commission begins accepting application materials for
23 condominium registration in electronic format, such as CD-ROM,
24 this practice will: cut down on unnecessary delays if the Real
25 Estate Commission sends application materials to its private
26 consultants via electronic mail, as opposed to by regular mail
27 or holding the materials for the consultants to pickup; save the
28 cost and expense of reproducing and handling bulky submission
29 materials; permit easy archiving of older condominium projects;
30 and streamline the condominium registration process for the Real
31 Estate Commission, its private consultants, and developers and
32 their attorneys; now, therefore,
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34 BE IT RESOLVED by the Senate of the Twenty-fifth
35 Legislature of the State of Hawaii, Regular Session of 2009,
36 that the Real Estate Commission is urged to adopt a strategic
37 plan to accept filings for condominium registrations and
38 supporting documents in CD-ROM or other electronic format
39 compatible with chapter 489E, Hawaii Revised Statutes; and
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41 BE IT FURTHER RESOLVED that the Chair of the Real Estate
42 Commission is requested to submit the strategic plan adopted
43 pursuant to this measure and a status report on the steps taken
44 by the Real Estate Commission to accept condominium registration

1 filings in electronic format to the Legislature twenty days
2 before the convening of the Regular Session of 2010; and

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4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the Director of Commerce and
6 Consumer Affairs and the Chair of the Real Estate Commission.