

JAN 24 2013

A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to permit the real
2 estate commission to ensure compliance by enforcing any rule,
3 order, decision, demand, or requirement of the commission issued
4 pursuant to chapter 514B, Hawaii Revised Statutes.

5 SECTION 2. Chapter 514B, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§514B- Enforcement action. In addition to its
9 authority under sections 514B-67 and 514B-68, whenever the
10 commission has reason to believe that any person has violated or
11 failed to comply with a rule, order, decision, demand, or
12 requirement of the commission issued pursuant to this chapter,
13 the commission may take whatever enforcement action is necessary
14 to ensure compliance with this chapter. A person who has been
15 found by the commission to have violated a rule, order,
16 decision, demand, or requirement may obtain a review thereof in
17 the appropriate circuit court within thirty days after service
18 upon the person of a written enforcement order."



1 SECTION 3. Section 514B-61, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

- 3 "(a) The commission may:
- 4 (1) Adopt, amend, and repeal rules pursuant to chapter 91;
- 5 (2) Assess fees;
- 6 (3) Conduct investigations, issue cease and desist orders,
- 7 and bring an action in any court of competent
- 8 jurisdiction to enjoin persons, consistent with and in
- 9 furtherance of the objectives of this chapter;
- 10 (4) Ensure compliance with this chapter by enforcing any
- 11 rule, order, decision, demand, or requirement of the
- 12 commission issued pursuant to this chapter;
- 13 [~~4~~] (5) Prescribe forms and procedures for submitting
- 14 information to the commission; and
- 15 [~~5~~] (6) Prescribe the form and content of any documents
- 16 required to be submitted to the commission by this
- 17 chapter."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: *Carolyn A. Beh*

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*Chairman & President
D.C. Council*

From Paducah



S.B. NO. 1368

Report Title:

Condominiums; Real Estate Commission; Enforcement Action

Description:

Permits the real estate commission to ensure compliance by enforcing any rule, order, decision, demand, or requirement of the commission issued pursuant to chapter 514B, Hawaii Revised Statutes.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

