
HOUSE CONCURRENT RESOLUTION

REQUESTING THE REAL ESTATE COMMISSION TO REVIEW VOTING BY PROXY
AT MEETINGS OF A CONDOMINIUM ASSOCIATION.

1 WHEREAS, for condominiums created within this State after
2 July 1, 2006, section 514B-123(d), Hawaii Revised Statutes, sets
3 out conditions for a proxy to be valid; and
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5 WHEREAS, standard proxy forms authorized by the condominium
6 association must contain boxes wherein the owner indicates the
7 purpose for which or the persons to whom the proxy is given; and
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9 WHEREAS, section 514B-123(d)(3)(C), Hawaii Revised
10 Statutes, specifies that one of the boxes must indicate that the
11 proxy is given "[t]o the board as a whole and that the vote is
12 to be made on the basis of the preference of the majority of the
13 directors present at the meeting"; and
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15 WHEREAS, section 514B-123(d)(3)(D), Hawaii Revised
16 Statutes, specifies that one of the other boxes must indicate
17 that the proxy is given "[t]o those directors present at the
18 meeting with the vote to be shared with each director receiving
19 an equal percentage"; and
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21 WHEREAS, repealing section 514B-123(d)(3)(C) and (D),
22 Hawaii Revised Statutes, may help to level the playing field and
23 allow association members to elect association board members of
24 their choice and make association board members more conscious
25 of the association's desires; now, therefore,
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27 BE IT RESOLVED by the House of Representatives of the
28 Twenty-seventh Legislature of the State of Hawaii, Regular
29 Session of 2014, the Senate concurring, that the Real Estate
30 Commission is requested to review the desirability and effect of
31 amending section 514B-123(d)(3), Hawaii Revised Statutes, by
32 repealing subparagraphs (C) and (D); and



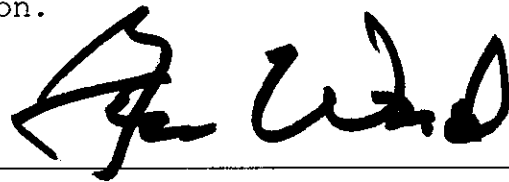
H.C.R. NO. 148

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2 BE IT FURTHER RESOLVED that the Real Estate Commission is
3 requested to submit a report of its findings and
4 recommendations, including any proposed legislation, to the
5 Legislature not later than twenty days prior to the convening of
6 the Regular Session of 2015; and

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8 BE IT FURTHER RESOLVED that certified copies of this
9 Concurrent Resolution be transmitted to the Chairperson and
10 members of the Real Estate Commission.

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OFFERED BY: _____



MAR 07 2014

