



*The Judiciary, State of Hawaii*

**Testimony to the Senate Committee on Ways and Means**

Senator David Y. Ige, Chair  
Senator Michelle N. Kidani, Vice Chair

Tuesday, February 25, 2014, 9:15 a.m.  
State Capitol, Conference Room 211

**WRITTEN COMMENTS ONLY**

by  
Calvin Ching  
Deputy Chief Court Administrator  
First Circuit

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**Bill No. and Title:** Senate Bill No. 2477, Relating to Land Court.

**Purpose:** Authorizes the use of a master certificate of title for common interest communities to simplify and streamline the operation of the land court.

**Judiciary's Position:**

The Judiciary respectfully takes no position on Senate Bill No. 2477, however would like to provide comments. Under the current land court system, any amendments to documents governing a condominium or planned community must be noted on the certificate of title for each unit. This is to ensure that there is continuous chain of title.

This Judiciary would like point to a number of issues which are of concern:

1. Senate Bill No. 2477 creates confusion in the undivided interest for condominium units should the undivided interest change for units;
2. Section 2, subsection (c) states that the association of a common interest may petition the court for issuance of a master certificate of title however, it is not clear what court would approve a petition and what that process would be.



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Although the Judiciary does not take a position on the policy decision, in lieu of adding a new section, HRS§ 501-75 should be amended to add a (a) New Transfer Certificate of Title to identify the project name Homeowners.

Thank you for the opportunity to testify on Senate Bill No. 2477.

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**SB2477**

Submitted on: 2/22/2014

Testimony for WAM on Feb 25, 2014 09:15AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christian Porter	Community Association Institute	Support	No

Comments: I am the Chair of the Legislative Action Committee for the Community Association Institute, and we support SB 2477 as it will assist all boards that have to record documents against Land Court Property and now file on everyone's TCT, which at times can be over 1000. This is costly, unnecessary and can be addressed by this Bill. Thank you.

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