
A BILL FOR AN ACT

RELATING TO REAL ESTATE.

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

1 SECTION 1. The legislature finds that some owners in
2 condominiums and time share projects have experienced
3 difficulties receiving association-related documents in a timely
4 manner.

5 The purpose of this Act is to specify that the principal
6 broker in a brokerage firm is responsible for ensuring that:

7 (1) Associated real estate licensees who are responsible
8 for providing property management services to
9 community associations are responsive to requests from
10 owners regarding association-related finances,
11 documents, records, and information; and

12 (2) Any request from the real estate commission to
13 distribute commission-generated information,
14 materials, or documents to an association, a board of
15 directors, or a unit owner in a common interest
16 community is completed within ten days after receiving
17 the request.



1 SECTION 2. Section 467-1.6, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The principal broker shall be responsible for:

4 (1) The client trust accounts, disbursements from those
5 accounts, and the brokerage firm's accounting
6 practices;

7 (2) The brokerage firm's records, contracts, and
8 documents;

9 (3) All real estate contracts of the brokerage firm and
10 its handling by the associated real estate
11 salesperson;

12 (4) The proper handling of any commission application,
13 real estate license application, or renewal
14 application that the principal broker or the brokerage
15 firm expressly agrees to handle on behalf of the
16 applicant, including without limitation, verifying for
17 completeness and appropriate fees, and mailing or
18 delivering the appropriate documents to the commission
19 by the required deadline;

20 (5) Developing policies and procedures for the brokerage
21 firm concerning the handling of real estate



- 1 transactions and the conduct of the associated real
2 estate licensees and other staff, including education
3 and enforcement of the policies and procedures;
- 4 (6) Setting a policy on continuing education requirements
5 for all associated real estate licensees in compliance
6 with the statutory requirement;
- 7 (7) Ensuring that the licenses of all associated real
8 estate licensees and the brokerage firm license are
9 current and active;
- 10 (8) Establishing and maintaining a training program for
11 all associated real estate licensees; [~~and~~]
- 12 (9) Ensuring that all associated real estate licensees are
13 provided information and training on the latest
14 amendments to real estate licensing laws and rules as
15 well as other related laws and rules[-];
- 16 (10) Ensuring that all associated real estate licensees who
17 are responsible for providing property management
18 services to community associations, including but not
19 limited to cooperative housing corporations under
20 chapter 421I, planned community associations under
21 chapter 421J, and time sharing plans under chapter



1 514E, are responsive to requests for finances,
2 documents, records, and information, whether
3 maintained, kept, or required to be provided pursuant
4 to chapter 421I, 421J, or 514E; and
5 (11) Ensuring that any request from the commission to
6 distribute any commission-generated information,
7 printed material, or documents to an association, the
8 board of directors of an association, or unit owners,
9 shall be completed within ten days of receiving the
10 request."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2099.



Report Title:

Real Estate Licensees; Common Interest Communities; Principal Brokers; Documents, Records, and Information; Real Estate Commission

Description:

Requires principal brokers to ensure associated real estate licensees are responsive to association-related requests from owners and Real Estate Commission-generated information is distributed to an association, board, or unit owner within ten days after receiving a request for information. (HB1524 HD1)

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