

STAND. COM. REP. NO.

1456

Honolulu, Hawaii

APR 06 2017

RE: H.B. No. 177
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 177, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit associations of apartment owners, boards of directors, managing agents, resident managers, condominium owners, and persons acting on behalf of associations or condominium owners from retaliating or discriminating against a condominium owner, board member, managing agent, resident manager, or association employee who files a complaint; acts in furtherance of a complaint, report, or investigation of an alleged violation of the State's condominium laws or a condominium's governing documents; or exercises or attempts to exercise any right as a condominium owner.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners, Associa, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that although many condominium owners are comfortable raising condominium-related complaints or concerns to their association, its board, a managing agent, or a resident



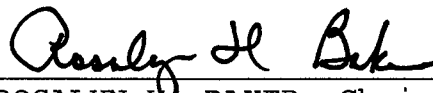
manager, this experience is not universal. Furthermore, condominium owners, minority members of a condominium board, or association employees who are not comfortable bringing up complaints or concerns may fail to do so because of a fear of retaliation. Accordingly, this measure strengthens protections by prohibiting condominium associations, boards, managing agents, resident managers, other owners, and persons acting on behalf of an association or condominium owner from retaliating or discriminating against a condominium owner, board member, managing agent, resident manager, or association employee who files a complaint, acts in furtherance of a complaint, report, or investigation of an alleged violation, or exercises or attempts to exercise any right as a condominium owner.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2070, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 177, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 177, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



