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## A BILL FOR AN ACT

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

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

1           SECTION 1. Chapter 421J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§421J-       Repairs to property for the common use or  
5 benefit of association members; written demand; deduction from  
6 assessments. (a) An association member may make a demand for  
7 an association to make repairs to property within the planned  
8 community for the common use or benefit of association members.  
9 The demand shall be in writing.

10           (b) The association shall have thirty days to do one of  
11 the following:

12           (1) Issue a written response to the demand for repairs  
13           that specifies any reasons for not conducting the  
14           repairs; or

15           (2) Initiate the repairs that were demanded.

16           (c) An association member may conduct reasonable repairs  
17 to property within the planned community for the common use or



# H.B. NO. 1839

1 benefit of association members if the association does not take  
 2 action pursuant to subsection (b). Costs for the repairs shall  
 3 be deducted from the association member's assessments. If the  
 4 costs of the repairs exceed the amount of the association  
 5 member's assessments, the excess amount shall be deducted from  
 6 all subsequent assessments until the costs have been covered;  
 7 provided that repairs may be deductible only if the repairs were  
 8 performed by a licensed contractor or a person or entity  
 9 licensed to perform such repair.

10 (d) Repairs for private roads shall be performed by a  
 11 licensed contractor. In no event shall the association impose a  
 12 lien on any association member's property resulting from a  
 13 demand for repair or maintenance of a private road when there  
 14 are no repairs or maintenance routinely scheduled at least twice  
 15 within the year preceding the demand."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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See notes

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H.B. NO. 1839

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JAN 16 2020



# H.B. NO. 1839

**Report Title:**

Planned Community Associations; Members; Repairs; Written Demand

**Description:**

Allows association members to make written demand to planned community associations to make repairs to common property. Allows association members to make repairs under certain conditions and deduct costs for the repairs from the association assessments under certain conditions. Outlines limitations for repairing private roads.

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

