
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514B-137, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§514B-137 Upkeep of condominium.** (a) Except to the
4 extent provided by the declaration or bylaws, the association is
5 responsible for the operation of the property, and each unit
6 owner is responsible for maintenance, repair, and replacement of
7 the owner's unit. Each unit owner shall afford to the
8 association and the other unit owners, and to employees,
9 independent contractors, or agents of the association or other
10 unit owners, during reasonable hours, access through the owner's
11 unit reasonably necessary for those purposes. Unless entry is
12 made pursuant to subsection (b), if damage is inflicted on the
13 common elements or on any unit through which access is taken,
14 the unit owner responsible for the damage, or the association,
15 if it is responsible, is liable for the prompt repair thereof;
16 provided that the association shall not be responsible to pay
17 the costs of removing or replacing any finished surfaces or



1 other barriers that impede its ability to maintain and repair
2 the common elements.

3 (b) The association shall have the irrevocable right, to
4 be exercised by the board, to have access to each unit at any
5 time as may be necessary for making emergency repairs to prevent
6 damage to the common elements or to another unit or units.

7 (c) The board of directors shall be responsible for the
8 operation of the property, as defined by section 514B-3, which
9 shall include the administration, fiscal management, and
10 physical operation of the property inclusive of the maintenance,
11 repair, and replacement or construction of additions and
12 improvements to the common elements, and shall maintain the
13 project in accordance with the requirements of the reserve study
14 pursuant to section 514B-148 and any state and county
15 requirements applicable to the project."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on January 1, 2023.



Report Title:

Condominiums; Maintenance; Operation of the Property; Reserve Study

Description:

Requires the board of directors of a condominium project to be responsible for the operation of the property, including the administration, fiscal management, and physical operation of the property inclusive of the maintenance, repair, and replacement or construction of additions and improvements to the common elements, and to maintain the project in accordance with the requirements of the reserve study and any state or county requirements applicable to the project. Effective 1/1/2023. (SD1)

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