

Testimony of the Hawai'i Real Estate Commission

**Before the
Senate Committee on Commerce and Consumer Protection
Wednesday, February 5, 2025
10:00 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 801, RELATING TO MANAGING AGENTS**

Chair Keohokalole and Members of the Committee:

My name is Derrick Yamane, and I am the Chairperson of the Department of Commerce and Consumer Affairs' Hawai'i Real Estate Commission (Commission). The Commission offers comments on this bill.

The purpose of this bill is to require managing agents for residential condominium properties over seventy-five feet in height to have commercial property management experience.

The Commission has concerns that this bill, as drafted, does not: (1) specify a minimum duration of months or years of commercial property management experience required to satisfy the proposed requirement; and (2) provide a definition for "commercial property management." Broadly interpreted, commercial property management could range from managing office buildings, retail spaces, shopping centers, to industrial warehouses. As such, the Commission anticipates difficulties enforcing the proposed experience requirement as it is unclear to ascertain whether a managing agent has the necessary proposed qualifications. Residential condominium properties that exceed seventy-five feet in height may also face similar difficulties when contracting with a managing agent.

To address the concerns raised in this bill, the Commission respectfully suggests consideration be given to Act 43, SLH 2024, which appropriated funds from State general revenues and the Condominium Education Trust Fund for the Legislative Reference Bureau (LRB) to study how other jurisdictions handle similar issues involving condominiums. The scope of the LRB study particularly examines the strengths and weaknesses of other states' approaches to governmental regulation and enforcement of condominium operations and governance, including licensing requirements for

individuals involved in the management of condominiums. Along with the study, the Condominium Property Regime Task Force, established by Act 189, SLH 2023, is subsequently tasked with submitting to the Legislature a final report of its findings on issues regarding condominiums, including any recommended legislation, no later than June 30, 2026.

Thank you for the opportunity to testify on this bill.

SB-801

Submitted on: 2/2/2025 12:33:46 PM

Testimony for CPN on 2/5/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Emery	Testifying for Hawaii First Realty	Oppose	In Person

Comments:

It seems to me that this Bill is attempting to address maintenance of residential condominiums. Residential and commercial condominiums are vastly different. Residential condominiums are highly regulated with duties exercised by volunteer elected owners, not a single owner as in a typical commercial property. Residential condos and its Board must comply with meeting requirements, reserve study obligations, Roberts Rules of Order, among a host of other operating differences not typically found in commercial properties. About 80% of Hawaii condominiums hire a Managing Agent but many are self-managed. But the scope and duty of a Managing Agent contract varies widely and often the contract only requires limited services such as financial statements. Managing Agents that participate in national industry organizations receive training on building maintenance obligations and solutions. More than 50% of Hawaii's condos are less than 50 units. The Bill itself is broad with limited definitions that will only lead to problems. I oppose SB801 for the reasons stated.



P.O. Box 976
Honolulu, Hawaii 96808

February 2, 2025

Honorable Jarrett Keohokalole
Honorable Carol Fukunaga
Committee on Commerce and Consumer Protection
415 South Beretania Street
Honolulu, Hawaii 96813

Re: SB 801 (Oppose)

Dear Chair Keohokalole, Vice Chair Fukunaga and

The Community Associations Institute (CAI) is a national and statewide organization of individuals involved in the operation of community associations, including homeowners, directors, managers and business partners of community associations.

For the following reasons, CAI opposes SB 801.

I. Commercial Property Management Differs Greatly from Residential Condominium Management

First, commercial property management and residential condominium management differ greatly.

For residential condominium management, the managing agent serves essentially as the business administrator of the condominium and assists with compliance with the myriad requirements of HRS chapter 514B. They collect maintenance fees, facilitate board meetings, enforce the house rules, send out notices, conduct annual owner meetings, mail out proxies, assemble an annual budget, arrange for reserve studies to be completed, and work with contractors on the upkeep of the common elements.

However, commercial property managers operate differently, and commercial properties are much less regulated than residential condominiums. Usually, commercial property managers only have to report to one owner who makes all decisions. They do not need to

facilitate annual meetings, conduct reserve studies or assemble annual budgets.

Accordingly, because commercial property management is so different, requiring commercial management experience would not add to the quality of property management services provided by condominium managing agents.

II. Commercial Experience will Add Nothing to the Procedures of Maintenance and Repairs

To the extent that this bill is aimed at addressing repairs and maintenance, it should be noted that the process is the same for residential and commercial property managers.

Commercial property managers are not engineers, plumbers, electricians or construction professionals, in the same way that residential property managers are also not engineers, plumbers or construction professionals. If an issue needs to be addressed, both residential and commercial property managers will call in an expert to assess the situation and repair the problem. There is no difference that commercial property management experience would bring to the process.

III. Condominium Managing Agents are Experienced Brokers who are Well Trained by Industry Standards

Under the law, managing agents must be "licensed real estate brokers." The requirements to become a "broker" include three years of experience, educational requirements and an examination. These are not brand new, first year real estate professionals.

Condominium managing agents already undergo thorough training through industry organizations. They are trained in all aspects of administering the condominium, including the responsibilities described above, as well as facilitating capital projects, plumbing repairs, spalling, and other maintenance issues. There is nothing that having commercial property management experience would add.

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Honorable Jarrett Keohokalole
Honorable Carol Fukunaga
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IV. The Harmful Effects of the Bill

Lastly, this bill would hurt many of Hawaii's residents. Around 400,000 Hawaii residents live in condominiums. This bill would severely curtail the number of managing agents who are available to assist condominium boards with the management of the property. Such a sharp reduction in managing agents would lead to poor management of condominiums. This bill would operate only to the detriment of the consumer.

Thank you for your time and consideration. If you have any questions, I will be available to answer them.

Very truly yours,

/s/ Dallas H. Walker

Dallas Walker, Esq.
The Hawaii Legislative
Action Committee of the
Community Associations
Institute



February 5, 2025

The Honorable Jarrett Keohokalole, Chair

Senate Committee on Commerce and Consumer Protection
State Capitol, Conference Room 229 & Videoconference

RE: Senate Bill 801, Relating to Condominiums

HEARING: Wednesday, February 5, 2025, at 10:00 a.m.

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 10,000 members. HAR **supports the intent** of Senate Bill 801, which requires managing agents for residential condominium properties over seventy-five feet in height to have commercial property management experience.

Residential high-rise condominium properties have complex operational, safety, and financial management needs similar to commercial buildings. Additionally, these condominiums may also have space available to lease to other other commercial businesses as well. Volunteer condominium board members rely on managing agents to navigate these challenges effectively. As such, requiring managing agents to have commercial property management experience can help ensure these properties are managed efficiently and responsibly.

HAR would note that the requirement for managing agents to have commercial property management experience may need further clarification to provide clear guidance for condominium boards.

Mahalo for the opportunity to provide testimony on this measure.

SB-801

Submitted on: 2/1/2025 8:40:47 AM

Testimony for CPN on 2/5/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Philip Nerney	Individual	Oppose	In Person

Comments:

Having commercial property management experience has no obvious correlation with the tasks of a condominium property manager.

SB-801

Submitted on: 2/2/2025 1:44:15 PM

Testimony for CPN on 2/5/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Miri Yi	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of SB 801

Aloha Committee Chairs and Members,

My name is Miri Yi, and I am a condominium owner submitting testimony **in strong support** of SB 801, which seeks to ensure that property managers overseeing residential condominium properties over seventy-five feet in height are properly licensed and experienced.

I appreciate the intent of this bill; however, I respectfully request that the committee consider expanding its scope to include additional safeguards that will enhance the professionalism and accountability of property management personnel. Specifically, I recommend the following:

1. **Annual Criminal Background Checks** – All property management candidates, including those from property management agencies, should be required to pass an annual criminal background check. Property managers have access to residents' personally identifiable information (PII) and protected health information (PHI), making it imperative that individuals in these positions undergo regular vetting.
2. **Accredited Educational Requirements** – Licensure for property managers should be obtained through accredited educational institutions rather than organizations that merely claim to be professional community association institutions. Proper training in data management, cybersecurity, and compliance with Hawaii Revised Statutes (HRS) is essential for safeguarding resident information and ensuring competent property oversight.

The necessity for these measures is underscored by my personal experience. At my condominium, we have seen over twenty resident and site managers come and go in less than a decade. With each turnover, vital building and resident data have been lost, misplaced, or erased. Additionally, individuals with prior felony criminal convictions are allowed to serve in advisory roles to the board of directors—gaining access to residents' personal information, overseeing hiring/firing, contractor bidding and implementation decisions, participating in executive sessions and more.

Further concerns include:

- **Selective enforcement of rules**
- **The hiring of unlicensed contractors**
- **Refusal to provide essential records**, such as plumbing drawings, contractor licensure and insurance certificates, and contract details
- **Lack of responsiveness** to owner inquiries and requests for information

These issues are not limited property management agencies and their representatives, but extend to individual site managers and on-site/on-call staff/vendors. A serious deficiency in adherence to HRS and best practices persists, leaving residents vulnerable to mismanagement and misconduct.

Requiring property management professionals to meet higher standards—including **background checks, accredited education, and stronger regulatory compliance**—will lead to **better protection for residents, improved property oversight, and increased accountability** for those entrusted with managing our communities.

I urge the committee to please consider these enhancements to SB 801 and thank you for your time and attention to this critical issue.

Very Respectfully,

Miri Yi

SB-801

Submitted on: 2/2/2025 8:38:32 PM

Testimony for CPN on 2/5/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcia Kimura	Individual	Support	Written Testimony Only

Comments:

I support this measure.

There is currently no recourse for condo residents to regulate the actions and behavior of personnel like resident managers who can virtually write their own ticket to their policies and behavior on duty, with their unprofessionalism.

I believe that residents are consumers of these individuals' services, but the DCCA claims not to wield the authority to receive and render judgments on complaints submitted about these managers.

Committee on Commerce and Consumer Protection

SB 801: Relating to Managing Agent Experience

Wednesday, February 5, 2025 @ 10:00 AM

My name is Jeff Sadino, I am a condo owner in Makiki, and I **SUPPORT** this Bill.

I am glad to report that my current Managing Agent representative is doing a good job. However, these reports are few and far between.

In my experience, the representatives from the Managing Agents are oftentimes very poorly trained with very high turnover. We often hear that Board Members are just volunteers who can't really be expected to know very much. Hawaiiana hired a new representative, assigned him to my property, and asked him to manage a lawsuit that had been going on for 3 years and a second dispute that had been going on for nearly a year, all within less than 5 days of his start date. Since he had no idea what he was doing, he promptly entered me into attorney status.

The real-world result is that he was charging my account \$400/hr to hire association attorneys to teach him how to do his job. The end result of the incompetence of the Managing Agent was the loss of over \$50,000 in legal fees for the association. This money would have been better spent on deferred maintenance or insurance premiums.

Passing this Bill will cost money in the short term, but **it will save money in the long term.**

While more knowledgeable Managing Agents will not solve the problem completely, it is a big step in the right direction.

Thank you for the opportunity to provide testimony,

Jeff Sadino

JSadino@gmail.com

(808) 371-2017

SB-801

Submitted on: 2/3/2025 2:23:23 AM

Testimony for CPN on 2/5/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Misakian	Individual	Support	Remotely Via Zoom

Comments:

While I support the intent of SB801, both the preamble and the bill are not clearly written.

Please amend this bill as follows:

1) Strike the section pertaining to the height limitation of the building, as this makes no sense and does not define what a commercial building is.

2) Properly define what a Community Manager is, which is a managing agent that currently works for management companies that oversee condominium associations. They currently do not need to hold any real estate license or broker's license. Only one person at the company is required to hold a Real Estate Brokers license.

Licensing of all Community Managers, General Managers, Resident Managers, and Site Managers is needed. Please look at HB1312 for the proper and most effective bill.

Gregory Misakian

SB-801

Submitted on: 2/3/2025 7:43:19 AM

Testimony for CPN on 2/5/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Comments	Written Testimony Only

Comments:

I agree with Section 1 of this bill that describes the need for this legislation, thus, the provisions of this bill have merit, especially since Condominium Management Property Agents are the first line of advisors to the Association of Apartment Owners of condominiums on such issues as their budget and contract management (negotiation and management of contracts with suppliers)

However, this legislation may impact upon the supply of qualified Condominium Managers and increased costs to Association of Apartment owners. Further, the legislation does not define or describe what constitutes commercial property management “experience.” Thus, please give consideration to these factors in deciding upon whether to pass this bill out of your committee.

SECTION 1. The legislature finds that residential high-rise properties are held to the same standard as commercial buildings with regard to structural conditions like repairs, maintenance, and reserve requirements. However, the level of experience and expertise that volunteer association of apartment owners (AOAO) board members possess is not comparable to that of business organizations whose facilities are managed by professional property management companies. The legislature also finds that existing statutory requirements for managing agents are inadequate to protect AOAO board members and unit owners from incompetence, negligence, and lack of property management experience. Concerning qualifications, existing law requires only that managing agents be licensed real estate brokers. The lack of requirements for commercial property management experience may cause AOAO board members to suffer losses due to fraud, misrepresentation, or deceit of the managing agent or its employees.

**The Senate
The Thirty-Third Legislature
Committee on Commerce and Consumer Protection
Wednesday, February 5, 2025
10:00 a.m.**

To: Senator Jarrett Keohokalole, Chair
Re: SB 801, Relating to Managing Agents

Aloha Chair Jarrett Keohokalole, Vice-Chair Carol Fukunaga, and Members of the Committee,

Mahalo for the opportunity to testify to SB 801 with comments.

In an earlier testimony, I wrote that on November 2, 2023, Dathan Choy, Condo Specialist with DCCA reported in an email that there are roughly a quarter of a million condominium units in Hawaii. Similar data is unavailable for planned community associations and cooperative housing corporations because they are not required to register with the State. However, in their most recent report available online, The Foundation for Community Association Research reported that 30% of the U.S. population reside in community associations,¹ amplifying the significance of common interest communities, their management, and governance.

A common interest community association is usually governed by a board of directors, but those directors are typically volunteers with limited time and without the expertise necessary to properly run the association's business. Consequently, most associations retain the services of managers who, for compensation, implement the association's governing documents which govern the operations of the association, oversee the common elements of the association, administer the financial aspects of the association including contracts with third party providers of goods and services utilized by the association, and advise, supervise, and direct association activities.

Currently in Hawaii, individual common interest community association managers are not required to fulfill any educational or skill requirements and are not required to be licensed although the magnitude of their responsibilities demand accountability.

In Hawaii, only one person from every management agent (i.e., management company) is required to be licensed and is licensed as a real estate broker whose education requirements are inadequate for the needs of a professional association manager. **This scarcity of licensed managers and the type of licenses they hold are significant to the health and safety of Hawaii's common interest community associations.**

¹ <https://foundation.caionline.org/wp-content/uploads/2024/01/2023StatsReviewDigital-002.pdf>

While I support the licensure of managing agents and that commercial property management experience is demanded for the safety of residents and owners of common interest communities, I am opposed to their licensure as real estate brokers for the reasons explained below. Instead, I support the licensure of individual managing agents, with relevant educational requirements, as **community association managers**.

Many of the existing problems with association management and governance are systemic, built into the Hawaii Revised Statutes, for instance, HRS 514B², causing confusion and conflict, and creating opportunities to bypass the very rules that are presumed to provide consumers with accountability and protection.

“514B-3 Definitions:

"Managing agent" means any person retained, as an independent contractor, for the purpose of managing the operation of the property.

“Person” means an individual, firm, corporation, partnership, association, trust, or other legal entity, or any combination thereof.

514B-132 Managing agents.

(a) Every managing agent shall:

(1) Be a:

(A) Licensed real estate broker in compliance with chapter 467 and the rules of the commission. With respect to any requirement for a corporate managing agent in any declaration or bylaws recorded before July 1, 2006, any managing agent organized as a limited liability company shall be deemed to be organized as a corporation for the purposes of this paragraph, unless the declaration or bylaws are expressly amended after July 1, 2006 to require that the managing agent be organized as a corporation and not as a limited liability company; or

(B) Corporation authorized to do business under article 8 of chapter 412...

(d) The registration requirements of this section shall **not** apply to active real estate brokers in compliance with and licensed under chapter 467.”

² https://www.capitol.hawaii.gov/hrscurrent/vol12_ch0501-0588/hrs0514b/hrs_0514b-.htm

Those definitions are consistent with DCCA’s instructions for Condominium Managing Agent Registration³:

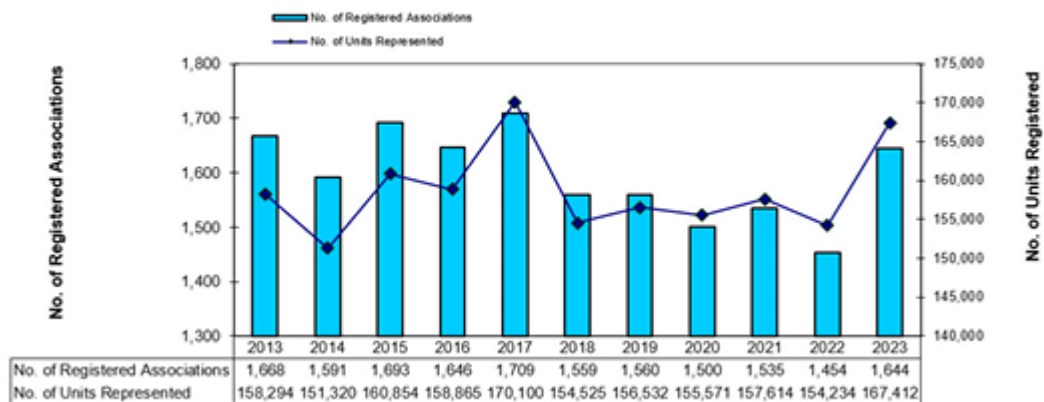
“[t]he registration requirements do not apply to condominium managing agents who are licensed active real estate brokers and who manage the operation of the property,”

but conflicts with the registration instructions for the completion of an association’s biennial registration that states,

“**Condominium Managing Agent** [CMA] refers to a managing agent currently licensed as a real estate broker in the state of Hawaii providing for the operation of the condominium project or a corporation authorized to do business as a trust company under HRS Chapter 412, Article 8, and *registered* with the Real Estate Commission as a condominium managing agent,”⁴

and may be a cause of the low condominium association registration numbers⁵ that contrasts with Dathan Choy’s estimation of 3411 associations that “would generally be required to register their AOOU”:

CHART 18. CONDOMINIUM ASSOCIATION REGISTRATION



Registration of a condominium association provides the government and consumers basic information about the association including transparency about the management of the association. And registration ensures the association that it has legal standing in Court.

The most recently available DCCA Fiscal Year 2022-2023 Program Of Work And Budget⁶ encourages the Condominium Review Committee to:

³ <https://cca.hawaii.gov/reb/files/2017/12/cmaapp.pdf>

⁴ <https://aouo.ehawaii.gov/public/instructions.html>

⁵ <https://cca.hawaii.gov/reb/files/2024/01/2023-AnnualReportoftheRealEstateCommission.pdf>

⁶ <https://cca.hawaii.gov/reb/files/2023/03/pow22-23.pdf>

“...procure continuing education classes for licensees who specialize in condominium sales, existing condominium board members, and account executives/community managers...[and] distribute informational post cards, electronic copies of chapter 514B, HRS, and Rules to each registered association and *registered* condominium managing agent (“CMA”).”

Further, the DCCA Fiscal Year 2022-2023 Program Of Work And Budget urges the Laws and Rules Review Committee to

“provide educational seminars to boards of directors, unit owners, and CMAs on the purpose of alternative dispute resolution, mediation, and arbitration, as well as providing training to consultants[.]”

Noticeably, **real estate brokers are not mentioned**, potentially allowing noncompliance with regulations, including educational requirements, which protect consumers.

The December 2005 State of Hawaii Auditor’s “Sunrise Analysis: Condominium Association Managers,”⁷ stated that “*condominium association manager* is not a title that is commonly used in Hawaii for those who work for managing agents,” and reference to a now unused license designation, Condominium Managing Agent, CMA, was found in the November 1999 issue of the Hawaii Condominium Bulletin; a copy of that page is attached as an addendum to this testimony.

Thus, the first step in fulfilling the purpose of SB 801 should be to ensure consistency by government officials (including legislators), DCCA, and relevant Hawaii Revised Statutes such as HRS 514B, HRS 421I, and HRS 421J, in defining and naming the profession addressed.

In 2023, the nationwide association management industry trade group, Community Associations Institute (CAI) had on its website:

“In states that propose mandatory regulation of community association managers, CAI will support a regulatory system that incorporates adequate protections for homeowners, mandatory education and testing on fundamental management knowledge, standards of conduct and appropriate insurance requirements. **CAI opposes the licensing of community association managers as real estate brokers, agents or property managers....**

By definition, property managers perform facilities management and leasing services – not community association management. Community association managers perform additional/different job functions, requiring different knowledge than that required of real estate brokers, agents or property managers. Any regulation of community association managers as brokers, agents or property managers does not provide community association residents the assurance that these managers have the knowledge

⁷ <https://files.hawaii.gov/auditor/Reports/2005/05-10.pdf>

and skills required for professional community association management. While licensure of real estate brokers, agents or property managers protects consumers in sales transactions, it does not protect consumers during the ongoing management and operation of community associations...

CAI will support a regulatory system that provides legal recognition of the community association management profession and provides assurances to the public that individuals representing themselves as being involved in the profession have met minimum qualifications for education and/or experience as a community association manager.

CAI *prefers* the licensure of individual community association manager practitioners as opposed to licensure of management companies...

To ensure adequate consumer protection and appropriate representation of the community association management profession and to obtain CAI support for the adoption of legislation regulating community association managers, the following provisions must be included in the legislation.

A. Definitions

"Community Association Manager"

If the term "community association manager" is not included or defined properly in legislation, community association managers may be required to become real estate brokers, property managers or members of other professions. "Community Association Managers" must be distinguished from brokers and property managers in any legislation. Sample definitions include:

An individual who, in an advisory capacity, for compensation or in expectation of compensation, whether acting as an independent contractor to, employee of, general manager or executive director of, or agent of a common interest development, provides management or financial services, negotiates an agreement to provide management or financial services, or represents himself or herself to act in the capacity of providing management or financial services to a common interest development.

An individual who may be a partner in a partnership in the capacity to advise and direct the activity of a licensee, or who acts as a principal on behalf of a company that provides management or financial services to a common interest development.

An individual operating under a fictitious business name that provides management or financial services to a common interest development.

An individual who agrees to provide management or financial services to a common interest development.

A supervisor of an individual who provides management or financial services to a common interest development.”⁸

Currently, there are only 113 “CAI credentialed professionals”⁹ that oversee Hawaii’s vast population of common interest communities. Five (5) of these “credentialed professionals” are companies. The remaining credentialed individuals include resident or general managers, hotel and timeshare companies’ employees, association attorneys, reserve specialists, and insurance specialists.

Less than half of the credentialed individuals are directly affiliated with a “managing agent” and of those, sixteen (16) are individuals at Hawaiiana Management, sixteen (16) at Associa, ten (10) at Hawaiian Properties, and five (5) at Touchstone Properties, the four largest “managing agents” in Hawaii.

As of the date of this testimony, Hawaiiana Management’s website states:

“...Hawaiiana is the largest association management company in Hawaii, with over 750 properties under contract, representing over 120,000 units state-wide...With over 90 Management Executives, 50 Administrative Assistants and 75 Accounting professionals, plus state-of-the-art resources and technology, Hawaiiana is pleased to provide personal attention and responsive, proactive "service with aloha" to your association.”¹⁰

Hawaiiana Management also reports a “\$29 billion portfolio estimation.”¹¹

Currently, Hawaiiana Management has five Real Estate Brokers’ licenses (RB-13476) for each of their offices (Kapiolani Blvd., Kapaa, Kahului, Kailua-Kona, and Kukui Grove). Only two of their employees are licensed as Real Estate Salespersons or Real Estate Brokers,¹² of which one is specifically designated as a Principal Broker. Its CMA license expired at the end of 2002.¹³

⁸ <https://www.caionline.org/Advocacy/PublicPolicies/Pages/Community-Association-Manager-Licensing-Policy.aspx>

⁹ <https://www.caionline.org/directory-of-credentialed-professionals/?searchText=&state=HI&credential=&sortDirection=asc&sortBy=lastname&page=12>

¹⁰ <https://hmcmtg.com/about/>

¹¹ <https://hmcmtg.com/about/>

¹² <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=RB-13476-0>

¹³ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=CMA-49-0>

Associa Hawaii, continues to be licensed as “Certified Management Inc” (RB-16152) and has four licensed offices. Only two of its employees are licensed as Real Estate Brokers, of which one is designated as its Principal Broker.¹⁴ Its CMA license expired in 2002.¹⁵

Richard Emery, then-Vice President of Government Affairs for Associa, in an August 18, 2016, ThinkTech Condo Insider program said that his firm managed over \$100 million in association reserve and operating funds.¹⁶

Hawaiian Properties, currently reports that they have been in business for 95 years, have 140 employees, and manage 39,739 units of which 37,411 are community association units. They also manage government housing units, rental leases, and vacation rentals.¹⁷

Hawaiian Properties has Real Estate Brokers’ licenses for each of its three offices (RB-8372) and fourteen (14) employees are licensed as Real Estate Salespersons or Real Estate Brokers, including one designated as its Principal Broker.¹⁸ In 2002, their CHO (condominium hotel operator) and CMA licenses expired.^{19,20,21}

Despite their many licensed Real Estate Salespersons or Brokers, a condominium association that was under the management of Hawaiian Properties, alleged over \$300,000 missing from their funds.²²

Touchstone Properties was founded in 1990 and has a management team with “more than five decades of combined experience”²³ but does not provide measurable details about its association clientele or number of employees. Currently, Touchstone Properties’ office is licensed as a Real Estate Broker (RB-15260) and has three employees licensed as Real Estate Salespersons or Real Estate Brokers of which one is designated as the Principal Broker.²⁴ Its CMA license expired in 2002.²⁵

Hawaii’s population of real estate licensed association managers and “credentialed professionals” is dwarfed by the magnitude of their responsibilities and is proportionately minuscule compared to the population of common interest communities.

¹⁴ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=RB-16152-0>

¹⁵ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=CMA-169-0>

¹⁶ <http://thinktechhawaii.com/2016/08/19/should-condo-managers-be-licensed/>

¹⁷ <https://www.hawaiianprop.com/>

¹⁸ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=RB-8372-0>

¹⁹ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=CHO-230-0>

²⁰ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=CHO-31-0>

²¹ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=CMA-272-0>

²² <https://www.civilbeat.org/2023/10/this-waianae-condo-development-has-lost-hundreds-of-thousands-of-dollars-to-embezzlement/>

²³ <https://www.touchstoneproperties-hawaii.com/about-us>

²⁴ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=RB-15260-0>

²⁵ <https://mypvl.dcca.hawaii.gov/public-license-details/?licenseId=CMA-139-0>

Management and governance problems persist in common interest communities because there is little or lax oversight enabled by statutes that provide scant enforcement of consumer rights and protections and no effective means for owners to enforce those rights and demand those protections.

Licensure of management as **individual community association manager practitioners** imposes educational standards, provides greater oversight of the profession, and assures increased accountability to owners.

Mahalo for the opportunity to provide these comments.

Aloha,

Lila Mower

Addendum

Registered Condominium Managing Agents and Condominium Hotel Operators as of October 27, 1999

THIS INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE. CONTACT LBIS AT 587-3222 TO VERIFY CURRENT STATUS OF REGISTRATION.

CMANO.	Condominium Managing Agent	CHO No	Condominium Hotel Operator		
00090	A-A MANAGEMENT CORPORATION	00156	MAKAI & ASSOCIATES INC	00102	CAND H PROPERTIES INC
00110	AALA REALTY & MANAGEMENT INC	00201	MAKAI MANAGEMENT LTD	00227	CAPITAL INVESTMENT OF HAWAII INC, MARINA APARTMENT RENTALS & SALES
00071	AGENT SYSTEM U.S.A. CORP	00027	MANAGEMENT INC	00143	CASTLE RESORTS & HOTELS INC
00230	ALA KAI REALTY INC	00200	MAP VISION INC	00218	CBP INC, COLDWELL BANKER ISLAND PROPERTIES
00128	ALI OHANA PROP MANAGEMENT INC	00191	MARCUS & ASSOCIATES INC	00132	CHASE N RAINBOWS REAL ESTATE INC
00180	ASSET PROPERTY MANAGEMENT INC	00191	MARCUS & ASSOCIATES INC	00021	CLASSIC RESORTS LIMITED
00238	AUGUSTINE REALTY	00218	MARRIOTT HOTEL SERVICES INC	00162	CORWIN & ASSOCIATES INC
00105	BELLO REALTY INC	00206	MARYL REALTY INC, MARYL COMMERCIAL	00172	DESEER, GERALDINE, DESEER REALTY
00104	BILL RAMSEY INC	00107	MAX SHERLEY & ASSOCIATES LTD, USA PROPERTY MANAGEMENT SERVICES	00098	DESTINATION MAUI INC
00184	BOB KEOWN LTD, MAKAI PROPERTIES	00102	METROPOLITAN MANAGEMENT INC	00171	DESTINATION RESORTS HAWAII INC
00135	BOB TANAKA INC	00012	MANAGEMENT CONSULTANTS OF HAWAII INC	00123	EQUITY ONE REAL ESTATE INC
00209	C & C REALTY INC, TURTLE BAY CONDOS	00117	MAHA PROPERTIES INC	00179	ESTATES AT TURTLE BAY INC, THE FRIENDLY ISLE REALTY INC
00075	CADMIUS PROPERTIES CORPORATION	00006	NATIONAL MORTGAGE & FINANCE COMPANY LTD	00102	GERALTOR PACIFIC REALTY INC, THE PRUDENTIAL WEST HAWAII REALTY
00212	CASTLE RESORTS & HOTELS INC	00184	NETTLESHIP, RUTH V, RUTH REALTY	00209	GRANTHAM NANCY H, GRANTHAM RESORTS
00252	CE RICHARDELLUS INC	00087	OHANA PROPERTY MANAGEMENT & SALES INC	00084	HALE KAI RESORT RENTAL INC
00178	CEI INC	00038	OISH'S PROPERTY MANAGEMENT CORP	00163	HALEKALA SHORES RESORT
00047	CEN PAC PROPERTIES INC	00223	OPERATING & MANAGING SERVICES INC, PROPERTIES PLUS MAINTENANCE CO.	00107	HANA KAI-MAUI RESORT
00099	CENTURION REALTY CORP	00126	OUTRIGGER HOTELS HAWAII, OUTRIGGER HOTELS & RESORTS	00106	HANA KAI-ALPHA RENTAL MANAGEMENT INC
00092	CENTURY 21 REALTY SPECIALISTS CORP, MANAGEMENT SPECIALISTS COMPANY	00126	OUTRIGGER HOTELS HAWAII, OUTRIGGER HOTELS & RESORTS	00182	HANA KAI-NORTHSHORE PROPERTIES LTD
00109	CERTIFIED MANAGEMENT INC	00207	PACIFIC COMMERCIAL REALTY CORPORATION	00109	HANORAI INC
00020	CHANEY BROOKS & COMPANY	00125	PAHO RESORTS INC	00008	HARBOR SHORES APARTMENTS INC
00041	CITY PROPERTIES INC	00105	PALU KAI INC	00180	HAWAII RESORT MANAGEMENT INC
00095	CLASSIC RESORTS LIMITED	00124	PAR MANAGEMENT INC	00219	HAWAIIAN CONDO RESORTS INC
00258	COLDWELL BANKER COMMERCIAL PACIFIC PROPERTIES LTD	00000	PARADISE MANAGEMENT CORP	00031	HORASSOCIATES
00070	COLLERS MONROE FRIEDLANDER MANAGEMENT	00103	PATDI INC	00017	HOTEL CORPORATION OF THE PACIFIC INC, ASTON PROPERTY MANAGEMENT
00227	COMMERCIAL PROP OF MAUI MANAGEMENT INC	00257	PREMIER RESORTS INTERNATIONAL INC	00211	INTERSTATE HOTELS CORPORATION
00231	COMMERCIAL REALTY CORPORATION	00101	PROFESSIONAL ISLAND MANAGEMENT LTD	00108	IPM INC, ISLAND PROPERTY MANAGEMENT
00138	COND OMNIUM FISCAL MANAGEMENT INC	00031	PROPERTY MANAGEMENT HAWAII INC, SUNQUEST VACATIONS	00225	ISLAND RESORT RENTALS INC
00254	DAYLUM RENTAL & MANAGEMENT INC, DAYLUM RENTALS	00251	PRUDENTIAL LOCATIONS LLC	00141	JOSEPHSON, K. DAVID, MAUI PROPERTY MGMT AND SALES
00114	DESTINATION MAUI INC	00140	PWI REAL ESTATE INC	00224	KANAPALI BEACH PROPERTIES INC
00109	DESTINATION RESORTS HAWAII INC	00214	QUALITY RESORT MANAGEMENT INC	00100	KAHANA FALLS LIMITED PARTNERSHIP
00023	DYNAMIC PROPERTY MANAGEMENT INC	00202	QUINTUS VACATION MANAGEMENT LLC	00220	KAMAOLE MANAGEMENT SYSTEMS INC, KUIS REALTY
00188	EQUITY ONE REAL ESTATE INC	00213	ROI MANAGEMENT INC	00189	KAPAA SANDS RESORT INC
00095	EQUITY PROPERTIES INC	00253	REG LLC REAL ESTATE SERVICES	00111	KAPALUA LAND COMPANY LTD, THE KAPALUA VILLAS
00044	FIDELITY MANAGEMENT INC	00144	REALTY MANAGEMENT CORPORATION	00102	KAUAI PARADISE VACATIONS INC
00200	FRED SANDS WADO REALTY INC	00201	REGENCY PACIFIC REALTY LLC	00183	KAUAI VACATION RENTALS & REAL ESTATE INC
00143	FURUTA, GARY S, HAWAII INVESTMENTS	00107	REP MANAGEMENT INC	00169	KHEI MAUI VACATIONS INC, QUALITY REAL ESTATE
00142	GINCOZA REALTY INC	00147	SHO-PROPERTIES INC	00119	KIMBERLY, C.J., C.J. KIMBERLY REALTORS
00259	HARISENBY, MICHAEL A	00205	SHORELINE PROPERTIES CORPORATION	00057	KLAHANI RESORTS CORPORATION
00234	HARRIS, FREDERICK Q, HARRIS REALTY MANAGEMENT	00208	SKYBIRD PROPERTIES INC	00107	KNUTSON, MARILYN S, KNUTSON & ASSOCIATES
00221	HAWAII EQUITIES INC	00106	SOUTH KOHALA MANAGEMENT CORP	00201	KUMULANI VACATIONS AND REALTY INC
00243	HAWAII FIRST INC	00182	SULLIVAN PROPERTIES INC		KUMULANI RENTALS
00220	HAWAIIAN ASSET MANAGEMENT & INVESTMENTS CORPORATION	00187	TEAM REAL ESTATE INC	00033	LE SURE PROPERTIES, INC
00049	HAWAIIANA MANAGEMENT COMPANY LTD	00204	TOBEI REALTY INC	00110	LOVE, MARY M
00157	HERITAGE PROPERTIES INC	00139	TOUCHSTONE PROPERTIES LTD	00204	LOWRY PROPERTIES INC
00090	HOTEL CORPORATION OF THE PACIFIC INC, ASTON PROPERTY MANAGEMENT	00250	TRADING PLACES INTERNATIONAL	00167	MARRIOTT HOTEL SERVICES INC
00004	INDO OMNI MANAGEMENT INC	00094	TRIAD MANAGEMENT INC	00040	MAUI CONDO AND HOME REALTY INC
00004	INDO HAWAII REALTY CORP	00181	TURNER, JIM C, JIM'S INVESTMENT MANAGEMENT	00108	MAUI KAI RENTAL PROGRAM
00255	INTERSTATE HOTELS CORPORATION	00036	VILLAGE RESORTS INC	00205	MAUNA LOA VILLAGE RESORT INC, REWAX RESORT PROPERTIES
00050	INVESTMENT PROPERTIES CORPORATION	00203	VISON PROPERTIES INC	00041	MORVILLE INC, MOR MAUI DIVERSIFIED REAL ESTATE
00225	IRUI INC, ISLAND PROPERTY MANAGEMENT	00082	WE OMISSION CORPORATION, MARINE SURF WAIKIKI HOTEL	00056	NAHA PROPERTIES INC
00247	JAMES, BRYAN, ALL COMMUNITY MANAGEMENT			00005	NAPILUKA LTD
00133	JAMES, CHOON H, C.J. REAL ESTATE INTERNATIONAL	00125	A & A OCEANFRONT CONDO RENTALS INC	00178	NORRIE MARGARET J, MARGARET NORRIE REALTY
00211	JOSEPHSON, K. DAVID, MAUI PROPERTY MANAGEMENT AND SALES	00208	ACTION TEAM REALTY INC	00050	NOVELL, JACK H, RIDGE REALTY RENTALS
00239	KAHANA FALLS LIMITED PARTNERSHIP	00181	ALA KAI REALTY INC	00048	NOVELL, JOHNITA, J. NOVELL REALTY
00026	KER MANAGEMENT & REALTY LTD	00184	ALL WORLD INC, ALDRIDGE ASSOCIATES-REALTORS	00168	OCEANFRONT REALTY INTERNATIONAL INC
00130	KLAHANI RESORTS CORP	00207	ALOHA INTERNATIONAL REALTY INC	00037	OHANA PROPERTY MANAGEMENT & SALES INC
00177	LANI PROPERTIES CORP	00187	AMERICAN RESORT MARKETING INC	00127	OUTRIGGER HOTELS HAWAII, OUTRIGGER HOTELS & RESORTS
00219	LIFE CARE SERVICES CORPORATION OF HAWAII INC	00128	ASSET PROPERTY MANAGEMENT INC		PACIFIC PARADISE PROPERTIES CORP
00236	LIZAMA REALTY INC	00174	BELLO REALTY INC	00096	PAHO RESORTS INC
00011	LOWELLD FUNK INC	00194	BIG ISLAND HAWAII REALTY INC, CENTURY 21 BIG ISLAND	00046	PALU KAI INC
		00038	BIG ISLAND MANAGEMENT SERVICES INC	00050	PANALO HALE RENTAL INC
		00203	BLUE WATER DEVELOPMENT INC	00002	PARADISE MANAGEMENT CORP
		00109	BLUM, JEANIE, WAIKIKI BEACH CONDOMINIUMS	00082	PETAGNO, GAIL M.H., GAIL PETAGNO REALTOR
			C & C REALTY INC, TURTLE BAY CONDOS		