



Condo Owners' Rights and Responsibilities

State law lays out the way to a well-functioning community association

When you purchase a condominium unit, you automatically become a member of an association of unit owners. Condominium associations are designed to be, and operate as, self-governing entities. Hawaii condominium law is based on the principles of self-governance and owner enforcement, with little or no government intervention. In order to create better associations, owners should know their rights and responsibilities.

These are some of the key rights and responsibilities for owners.

Owners' rights

As an owner, you have the right to a competent and responsive association that spends prudently, budgets properly and maintains adequate reserve funding, a board that meets its fiduciary responsibility toward the association, and honest and respectful treatment by your association and managing agent. That includes fair and consistent application of your association's rules and bylaws.

You are entitled to a well-maintained community, participation in your association and having your voice heard in governance decisions. You also have access to documents and records and should receive up-to-date information regarding your association and notice about elections, fines, maintenance fee increases, special assessments, borrowing, bylaw changes and special meetings.

If issues or disputes come up, you have a right to access a fair and open appeals process, mediation and arbitration. If you fall behind or default on payments, you have a right to cure your default or submit a reasonable



payment plan pursuant to §667-19, Hawaii Revised Statutes, the Hawaii foreclosure law.

Owners' responsibilities

Along with your rights, you also have responsibilities. These include understanding and complying with the declaration, bylaws and house rules. You are also responsible for making sure that your tenants, relatives, guests and household members—including pets—follow your condominium's rules.

You should pay your maintenance fees and any fines on time. You must also maintain your unit and limited common elements. These could include your parking space, doors, balconies and lanai.

As an owner, you should stay informed, vote on important issues and respond to association requests. You need to keep your contact information up-to-date so your association can reach you when necessary.

You also have a responsibility to treat board members, resident managers, property managers and other

unit owners with respect. A little bit of aloha goes a long way. If a dispute occurs, you should act in good faith in any appeals process, arbitration or mediation session. ❖

Lorie K. Sides is the condo education specialist in the state Department of Commerce and Consumer Affairs' real estate branch. (808) 586-2644 or hawaii.gov/hirec

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that will allow for faster charging time, associations will have multiple options from which to select in establishing parking facilities that will be "electric vehicle charger-ready." But they should act now to gather the information necessary to allow them to make that accommodation while minimizing the cost to their members. ❖

Jane Sugimura is a Honolulu attorney specializing in condominium law. ysugimura@paclawteam.com