

STATE OF HAWAII
OFFICE OF THE AUDITOR
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DEPT. COMM. NO. 38

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March 18, 2008

The Honorable Colleen Hanabusa
President of the Senate
State Capitol, Room 409
Honolulu, Hawai'i 96813

Dear Madam President:

I transmit to you a copy of our report, *Sunrise Report: Condominium Commission*.

Senate Bill No. 1837, which proposes the creation of a condominium commission in the Department of Commerce and Consumer Affairs (DCCA), does not meet the sunrise criteria requiring evidence of harm or potential risk to Hawai'i consumers. While the outcome desired by proponents may be an entity that focuses attention on the rights of condominium owners, the proponents have not provided documented evidence of harm that is sufficiently real or serious to warrant the creation of a condominium commission. Moreover, the bill as proposed is flawed as it would create a commission without specific regulatory functions, responsibilities, jurisdiction or authority.

We hope that the report will assist you in reviewing the issues examined. We will place the report on our website, www.state.hi.us/auditor, and release it to the public and press, on Wednesday, March 19, 2008.

Sincerely,

Marion M. Higa
State Auditor

Enclosure

c: ✓ Carol Taniguchi, Senate Clerk