

Chapter 467, Hawaii Revised Statutes (HRS) Real Estate Brokers and Salespersons

Project Name _____
 Project Owner _____
 Management Company _____

HRS §467-7 states that "No person within the purview of this chapter shall act as real estate broker or real estate salesperson, or shall advertise, or assume to act as real estate broker or real estate salesperson without a license previously obtained under and in compliance with this chapter and the rules and regulations of the real estate commission."

"Real estate broker" is defined in HRS §467-1 as meaning "any person who, for compensation or a valuable consideration, sells or offers to sell, buys or offers to buy, or negotiates the purchase or sale or exchange of real estate, or lists, or solicits for prospective purchasers, **or who leases or offers to lease, or rents or offers to rent, or manages or offers to manage, any real estate, or the improvements thereon, for others, as a whole or partial vocation;** or who secures, receives, takes or accepts, and sells or offers to sell, any option on real estate without the exercise by the person of the option and for the purpose or as a means of evading the licensing requirement of this chapter." (**emphasis added**).

Is the project being managed by a Real Estate Broker licensed in the State of Hawaii?
 Yes No

If "Yes," please list the Hawaii Real Estate Broker license number: RB-_____

If "No," indicate under which HRS §467-2 Exemption the property manager qualifies:

- HRS §467-2 **Exceptions.** The provisions requiring licensing as a real estate broker or salesperson shall not apply:
- (1) To any individual who, as owner of any real estate or acting under power of attorney from the owner, performs any of the acts enumerated in the definitions of real estate broker and real estate salesperson with reference to the real estate; provided that the term "owner" as used in this paragraph shall not include any individual engaged in the business of real estate development or brokerage or include an individual who acquires any interest in any real estate for the purpose or as a means of evading the licensing requirements of this chapter; and provided further that the term individual "acting under power of attorney" as used in this paragraph shall not include any individual engaged in the business of real estate development or brokerage or any individual who acts under a power of attorney for the purpose or as a means of evading the licensing requirements of this chapter;
 - (2) To any person acting as a receiver, trustee in bankruptcy, personal representative, or trustee acting under any trust agreement, deed of trust, or will, or otherwise acting under any order of authorization of any court;
 - (3) To any individual who leases, offers to lease, rents, or offers to rent, any real estate or the improvements thereon of which the individual is the custodian or caretaker; (refer to HRS 467-1 for definition of Custodian or Caretaker)
 - (4) To any person who manages, rents, or operates a hotel; or
 - (5) To any provider agency owning, leasing, operating, or managing a homeless facility or any other program for the homeless authorized under part XVII of chapter 346.

If Item (1) above selected, please indicate:

Name of Power of Attorney	
---------------------------	--

If Item (3) above selected, please indicate:

Name of Custodian or Caretaker	
Position Title	
<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Other:	
Employer	
List Project(s) Employee is Custodian and/or Caretaker for:	

Owner Signature: _____ Ownership Entity: _____
 Title: _____ Date: _____

