

Condominium Association Biennial Registration

Department of Commerce & Consumer Affairs

All information provided is public information
(Online application created on April 21, 2023)

1. Project Registration Information

Project Registration Number:

646

Name of Condominium Project:

MAKANI KAI MARINA

Project Street Address:

45-995 WAILELE RD

Total # Units:

80

Expiration of bond on file with Commission:

06/05/2022

NOTE: If no information is printed in the "Expiration of bond on file with Commission" field, the AOUE has previously applied for a fidelity bond exemption (all fidelity bond exemptions expire at the conclusion of the biennial registration period). Question #5 of this application allows the AOUE to select a fidelity bond exemption.

Association Information

2. Officers & direct contact

2a. AOUE Officers: (public information)

President:

MALECEK, BRIAN

V. President:

FRYSTAK, RON

Secretary:

NEGLEY, EVAN

Treasurer:

CLINTON, BILL

2b. Designated Officer From Section 2a for Direct Contact:.

Title:

PRESIDENT

Last Name:

MALECEK

First Name:

BRIAN

Officer's Mailing Address(public):

45-995 WAILELE RD 5
KANEHOE, HI 96744

Day Phone:

808-235-6168

Public Email:

BRIAN.MALECEK@ENVISIONNS.COM

3. Notices & Authorization

3a. Person to receive correspondence from Commission:

This Individual will receive notices to update fidelity bond coverage, as well as correspondence from the Commission.

Title:

PROPERTY MANAGER

Last Name:

KUHLMAN LOW

First Name:

CINDY

Mailing Address(public):

680 IWILEI RD STE 777
HONOLULU, HI 96817

Public Email:

CINDY@TOUCHSTONEPROPERTIES-HAWAII.COM

3b. Individual responsible for implementing access policy for service of process.

Name Primary:

JAMES M MERRELL

Title:

PRESIDENT

Telephone:

808-566-4100

Name Alternate:

KEVEN WHALEN

Title:

VICE PRESIDENT

Telephone:

808-566-4100

Pursuant to HRS § 514B-106.5, please identify the individual designated to provide reasonable access to persons authorized to serve civil process, in compliance with Hawaii Revised Statutes Chapter 634.

4. AOUE Management Status

Managed by Condominium Managing Agent

Management Company:

TOUCHSTONE PROPERTIES LTD

Officer's Mailing Address(public):

680 IWILEI RD STE 777
HONOLULU, HI 96817

Day Phone:

808-566-4100

Public Email:

INFO@TOUCHSTONEPROPERTIES-HAWAII.COM

5. Bond Information

Fidelity Bond Exemption: An AOUE that is unable to obtain a fidelity bond may seek approval for a bond exemption from the Commission (HRS §514B-103(a)(1)). Select which type of exemption the AOUE is requesting. The AOUE may submit only ONE type of bond exemption if the AOUE meets all the conditions and terms stated on the application. An additional \$50 nonrefundable bond exemption application fee will be added to the

total amount due. If the bond exemption is denied, then the AOOU must submit evidence of current fidelity bonding no later than the May 31, 2023 biennial registration deadline. All fidelity bond exemptions expire at the conclusion of the biennial registration period, shall be reapplied for each biennial registration period, and shall be submitted at least 30 days prior to the biennial registration deadline.

No Exemption Requested

Fee & Assessment

6. Owner occupancy:

Percentage of residential use units in the project which are owner-occupied

51.3%

7. Annual operating budget:

Did the AOOU board of directors adopt an annual operating budget?

Yes

8. Reserves:

(see [Instructions \(instructions.html\)](#))

8. Is the AOOU funding a minimum of fifty percent of the estimated replacement reserves OR funding one hundred percent of the estimated replacement reserves when using a cash flow plan?

Yes

If yes, what is the percent funded?

100.0%

Other information

9. AOOU Educational Materials

Does your AOOU maintain and make available for owner-review during reasonable hours a reference binder containing the Board of Directors Guides, Real Estate Commission brochures, HRS Chapter 514B, HAR Chapter 107, copies of the declaration, bylaws, house rules, and any amendments?

Yes

If yes, where are the materials kept?

MANAGER'S OFFICE, ON SITE

10. Mediation/Arbitration

Has the AOOU utilized mediation or arbitration to resolve condominium disputes within the past two years?

No

CERTIFICATION OF CONDOMINIUM ASSOCIATION OFFICER, DEVELOPER, 100% SOLE OWNER or MANAGING AGENT WITH DELEGATION OF DUTY TO REGISTER

For the Period of July 1, 2023 - June 30, 2025

1. I have read and understand the Instructions.
2. I certify that this application is complete as required, and is accompanied by the required documents and fees.
3. I certify that I am authorized to sign this certification on behalf of this condominium association, that the information provided is true and correct, and that there are no material omissions. *(It is unlawful for any AOOU, its officers, board, or agents to file with the Commission any information that is false or contains a material misstatement of fact (HRS §514A-134 and 514B-99.3). Any violation is a misdemeanor.)*
4. I certify that any changes to the required information provided in questions one (1) through five (5) of the registration application information, as required by HRS §514B-103(a)(1), shall be reported to the Real Estate Commission, in writing, within 10 days of the date of change. I further certify that the condominium association shall continue to update all other information during the biennial registration period as required by statute and provide updated information as requested by the Real Estate Commission. Also, written notification shall be provided to the Real

Estate Commission at least 30 days prior to cancellation, termination, or a material change to the information provided in the evidence of fidelity bond coverage.

5. I certify that this condominium association does maintain continuous fidelity bond coverage in compliance with HRS §514B-143(a)(3), and that evidence of fidelity bonding or bond exemption shall be filed with the Real Estate Commission throughout this entire registration period. This condominium association acknowledges that its registration shall be automatically terminated for failure to provide the Real Estate Commission with evidence of continuous fidelity bond coverage (if applicable) through June 30, 2023.
6. This condominium association has received sufficient notice that if it fails to submit a completed registration application and fails to maintain continuous fidelity bond coverage or an approved fidelity bond exemption, it shall not have standing to maintain any action or proceeding in the courts of this State until it properly registers (HRS §514B-103(b)).

**Name of Association Officer, Developer, 100% Sole Owner, or
Managing Agent with Delegation of Duty to Register Completing this Application:**

STEPHANIE GERMAN

- Managing Agent with Delegation of Duty to Register (/static/pdf/aouo_delegation_of_duty.pdf)

Name of Condominium Project: **MAKANI KAI MARINA**

Reg.....593.....\$64.00

CETF.....906.....\$7.00 x 80 = \$560.00

CEM.....CEM.....\$3.00 x 80 = \$240.00

CRF.....583.....\$100.00

Total Amount Due for Registration = \$964.00

Payment Method: ECHECK

Received On: May 8, 2023

Contact Email: MARYJANE@TOUCHSTONEPROPERTIES-HAWAII.COM

Condominium Association Biennial Registration

Real Estate Branch, Association Registration, DCCA

335 Merchant Street, Room 333 • Honolulu, HI 96813

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