Bill 41 (2021), CD1
Testimony

From: CLK Council Info
Sent: Thursday, January 20, 2022 4:54 PM
Subject: Council Testimony

Written Testimony

Name	Richard Edward Danskin
Phone	
Email	Rickdanskin@yahoo.com
Meeting Date	01-21-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	I'm an owner at the luana waikiki. It's a legal daily rental condo hotel and I paid a premium for this zoning and I pay huge property taxes etc. I'm retired and need some income supplement. I was with the hotel pool under outrigger management for many years. Aqua management forced them out because they own the front desk and maids rooms etc. Owners have no management choice or alternative. Aqua proceeded to steadily add fees until they were basically taking all profits and paying no expenses for maintenance or taxes. I was basically forced into looking for independent management. As are a steady growing amount of owners. I can completely understand the need to restrict airbnb etc in ordinary residential condos. But please leave the few specially zoned condo hotels alone! We are now, and have always been, a clearly business and daily rental zoned building. Please leave us the owner freedom of our expensive business condos. I seek only freedom of ownership under the terms of my purchase. Otherwise I can only view the proposed changes as corrupt and communist. The zoning is already extremely clear. It only needs enforcement. I'm seeing a cash grab proposal for crazy fees to allow a bypass of the zoning. This is simply punitive and will hurt legitimate condo owners of legal daily rental units. I'm also hearing about clear conflict of interest in involved parties. This reeks of potential corruption.
Testimony Attachment	
Accept Terms and Agreement	1

From: CLK Council Info
Sent: Friday, January 21, 2022 6:12 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jonathan Kahn
Phone	
Email	Jonathanmkahn@gmail.com
Meeting Date	01-20-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	New restrictions on previously permitted condo-hotels that would deny an owner from habitation of the premises and denying self management of rentals are unfair. It is an illegal and unconstitutional taking of property and restraint of trade. Please delete this from the bill. Jonathan Kahn 1777 Ala Moana Blvd #1725 Honolulu, HI 96815
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, January 21, 2022 1:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Keith Yoshida
Phone	
Email	hiwaikele@gmail.com
Meeting Date	01-20-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Proposed CD1 to Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	While proposed CD1 is an improvement to Bill 41, the restrictions applicable to B&Bs and TVU's in Resort zones need to be removed. Resort zones are in place to support the visitor industry including providing short term rentals for visitors. Fair treatment should be applied to Hotels, B&B's and TVU's in Resort zones. Hence, B&B's and TVU's in Resort zones should be Permitted without restrictions. Mahalo.
Testimony Attachment	
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IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, January 21, 2022 3:25 PM
Subject: Council Testimony

Written Testimony

Name	Gina Marcus
Phone	
Email	gina.c.marcus@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Families want to travel together. Hotel rooms are nice for a couple of people, but I believe vacation rental homes have gained popularity because families want to meet in beautiful places and reconnect with each other. From local families who are hosting their family reunions to new or returning travelers, vacation rentals are an important, accessible, way to stay on Oahu. Vacation rentals support many family structures. Families with young children often need to be in one space larger than a single hotel room. Families with grown children often need separate spaces but want a common area to enjoy cooking and playing games together. Multigenerational families with older adults likely benefit from the accessibility and communal nature of vacation rentals. The renters of these spaces are often respectful, quiet, and seeking to enjoy Hawaii in a more relaxed setting. Hotels aren't set up for this kind of vacation adaptability, and they know it. The Marriott Bonvoy is an example, as it copies the vacation rental model in an attempt to satisfy the needs of modern vacationers. Spending large amounts of their budget on multiple hotel rooms to accommodate a large family may prevent travelers from spending money at local businesses. I feel strongly that vacation rentals are an important option that meets the unique needs of many travelers and Kama'aina seeking to come together, and I feel there is no better way to live aloha than at one of these properties. Mahalo
Testimony Attachment	

From: CLK Council Info
Sent: Friday, January 21, 2022 5:38 PM
Subject: Council Testimony

Written Testimony

Name	Jonathan Wu
Phone	
Email	jonathanwu2593@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	All, My name is Jonathan Wu, and I currently own a house on the windward side of Oahu. I am in the military and purchased this house saving/investing for 6 years. I rent out two rooms on my lower level for no less than 30 days per reservation on Air BNB. Bill 41 would absolutely devastate my small business. My house is located in Ahuimanu, and I have never had one noise or traffic complaint from my neighbors. What needs to happen is the DPP needs to enforce Ordinance 19-18 and stop making excuses on why they can't enforce it. Tourists are vital too many small business rentals and this law would unnecessarily punish those owners. Please vote no on Bill 41. Best, Jonathan Wu
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 6:34 AM
Subject: Council Testimony

Written Testimony

Name	patricia c lashoto
Phone	
Email	pumpkinpatty8558@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	By owning a condo for rent at the WAIKIKI BANYAN on Ohua St. I employ 20 individuals thru my property management co. I feel it would be a great economic impact/loss for these people if they are to lose their jobs because of this bill, not to mention the local economy around Waikiki beach, bars, restaurants, gift shops, etc. Haven't people suffered enough from COVID related issues? Let people work and vacation as they wish. Why do hotels get special treatment? It is wrong.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 7:32 AM
Subject: Council Testimony

Written Testimony

Name	Michael Brant
Phone	
Email	michaeljbrant@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Let's be clear - no one is defending bad actors doing illegal STR rentals. We don't need to hear more horror stories. What we DO need is smart enforcement action that, as the Bill describes, protects residential neighborhoods while not crippling long-term, legitimate operators who have nothing to do with these problems. DPP has admitted that their enforcement efforts thus far have been poor, with no dedicated staff for this, so of course the public has been calling for action and stewing about their unanswered complaints. But even before Bill 89 - which DPP has admitted that they haven't been utilizing, due to their own lack of clear internal regulations - there was ROH Section 21-5.730 which allowed for permits to be revoked if there were neighborhood complaints about a nuisance operation. It is not that statutory authority has previously been lacking. The public outcry about poor enforcement should not be used as a cover to drive legitimate operators out of business. Vacation rentals make important contributions to the essential local economy AND to City tax revenues. Longtime, ethical hosts deserve better treatment than being viewed as shady flybynight crooks! Crippling vacation rentals is, unfortunately, not going to make any difference to rising real estate values which are driven by many more factors than this. And my 300 sq. ft. studios in Waikiki are not going to become long-term housing for anyone; they are not suitable for that use. They will only become worthless if more obstacles are thrown my way, after substantial investment and doing my best to provide a good service for years, and support the City's economy. Please do not throw out the baby with the bathwater - whether

intentionally or not - by penalizing small business people who have nothing to do with the problems that Bill 41 claims to correct. Mahalo.

Testimony Attachment	
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IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 10:54 AM
Subject: Council Testimony

Written Testimony

Name	Joan McCarthy
Phone	
Email	Kailuajoan@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I didn't buy my home to have small hotels next door to me with people I don't know coming and going. We need rentals available for residents.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 11:12 AM
Subject: Council Testimony

Written Testimony

Name	Heidi kreul
Phone	
Email	hkreul@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha, Thank you for allowing me to submit testimony in support of Bill 41 cd1. As a life long resident of Kailua, Oahu. This bill would help to restore our long term residential neighborhoods. Residential zoning areas need to be protected. The zoning was created to protect long term housing for residents. Though I support the bill I would prefer that it was take back it the original 180 minimum. I have seen the fabric of our community change from residential to transient. An exorbitant numbers of homes in Kailua are renting short term to tourist, displacing families for profit. We desperately need to have long term housing for teachers, firefighters, police officers, nurses and other residents living here. There will be many from the rental/real estate industry testifying that we are destroying their investment or their livelihood. While they have the ability to testify in person, the people most hurt by this industry are working 2 or 3 jobs to afford to live here. Every home, room or ohana unit rented short term is a housing opportunity taken away from a long term resident. I would like to thank Zoning Chair Brandon Elefant, Vice Chair Ester Kia'aina, Council member Calvin Say and Council member Radiant Cordero for working so hard to try to protect housing for long term residents. Mahalo nui loa, Heidi Kreul

From: CLK Council Info
Sent: Saturday, January 22, 2022 4:53 PM
Subject: Council Testimony

Written Testimony

Name	Priscilla Magallanes
Phone	
Email	cinomagz@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am a retired Hawaii DOE teacher. We bought our Kuilima Estates condo to help supplement our fixed income. The funds generated from our condo are used to support local cleaners and allow us to have a little extra to spend here in Hawai'i. The state has already raised the TAT, which we pay monthly. The Kuilima Estates condos already spent thousands of dollars a few years ago for litigation that has established us a legal vacation STR. It is starting to appear very obvious our government only supports the hotel industry whose corporate ownership does not support local residents. Please use your resources for investigating illegal rentals and please leave Bill 89 as is. There are way more pressing problems you should be focused on(crime, homelessness, roads, education, natural resources, agriculture, sustainability, etc).
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 9:43 PM
Subject: Council Testimony

Written Testimony

Name	Andy Lee
Phone	
Email	allee227@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I own a condo unit in the Apartment Precinct Area in Waikiki. I hire a local property management company to manage my 30 day minimum rentals. I'm paying property tax, GET and TAT with the income of my condo. All listing websites like Airbnb, Expedia, or Japanese listing platforms are technically restricted from taking any reservation less than 30 days. All legal.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Stefan Soder

Date 01/23/2022

Signature

stefan.60.soder@gmail.com

From: CLK Council Info
Sent: Sunday, January 23, 2022 7:02 AM
Subject: Council Testimony

Written Testimony

Name	Ernest schenk
Phone	
Email	Ernestschenk@yahoo.com
Meeting Date	10-12-2022
Council/PH Committee	Council
Agenda Item	Bill 41cd1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I own a condo unit in the Apartment Precinct Area in Waikiki. I hire a local property management company to manage my 30 day minimum rentals. I'm paying property tax, GET and TAT with the income of my condo. All listing websites like Airbnb, Expedia, or Japanese listing platforms are technically restricted from taking any reservation less than 30 days. All legal. Highlights of the current amended Bill 41 CD1: · 30 day rentals will increase to 90 days outside of the Resort Zone · Condos are limited to only 50% vacation rentals, including the Resort Zone · NUC fees have increased from $600.00 to $4,000.00 · Registration Fees in the Resort Zone but not for hotels
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Accept Terms and Agreement	1

IP: 192.168.200.67

City Council Meeting

January 26, 2020

Opposition to Bills 41 and 4

I am a resident and landlord of both long term and short terms properties. I oppose both Bills 41 and 4 as they will eliminate an entire rental market on our island while financially crippling another. These are very drastic measures for an island barely making it out of the pandemic economically.

I was very disappointed at the recent Zoning Committee meeting when a Committee Member said the callers were just there to vent and complain. This left most of us questioning whether our participation even matters. Please know that we put time in to research the Bills, prepare our testimony and take time off our regular lives to show up to speak. We do this because these Bills have devastating financial implications for us and our families.

I oppose Bill 41 as it puts an unfair burden on those that are renting legally and seeks to completely eliminate monthly rentals on the island. A Zoning Committee member mentioned that Kauai and Maui have the 180 day rule, but please be reminded that they both offer permits for short-term rentals. This Bill eliminates new short-term rentals and the monthly rental business. Those of us that have been renting monthly consider this a "taking" and will expect compensation or a permit for non-conforming use if this Bill passes. Please ask the DPP to provide data on the number and types of people that are renting for less than 90 days. Please look at the tax revenue that would be lost and if it is justified to eliminate this housing category entirely.

I also oppose the huge increases to my bi-annual NUC fee (from $600 to $4000). Director Ushida said the fees would pay for his staff to go and inspect our smoke alarms and other new requirements. In researching other cities across the country, I found the average short-term rental annual fee to be between $50 - $100. Please trust that as landlords we will protect our assets and tenants by following building codes and obtaining adequate insurance. We will also make sure they know where to park. We don't need the government to do this for us. This is a major overreach and should make everyone wonder, what's next?

One thing everyone will agree on today is that we need better enforcement. Had the DPP implemented Ordinance 19-18 and the MOU, we would not be here today. Having been a landlord for 20 years, I know the best way to eliminate illegal activity is to cut off the advertising. Why wouldn't we take the free help of the platforms to do this?

Bill 4 will quadruple property taxes for those renting their units less than 90 days. They will be taxed as hotels without the benefits and building rights of hotels. The hotels can afford these rates as they are allowed much greater density and have income from restaurants, shops, etc. As the Oahu Real Property Tax Advisory Committee noted in 2019, the business models differ and they should be taxed differently. Please consider a new tax category rather than lumping STR's with the Hotels. The current B & B category only applies to the current nominal number of legal B & B's. Why not change the name to all Short-term rentals?

Please reconsider these measures and ask the DPP to implement Ordinance 19-18 and the MOU before making more drastic changes. We all want enforcement, but the solution is not more rules & fees for the rule-followers.

Thank you,

Jill Paulin

Haleiwa, HI

jillpaulin@gmail.com

From: CLK Council Info
Sent: Sunday, January 23, 2022 10:08 AM
Subject: Council Testimony

Written Testimony

Name	Charles Cohn
Phone	
Email	cohncs2@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bll 41. CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I own a condo unit in the Apartment Precinct Area in Waikiki. I hire a local property management company to manage my 30 day minimum rentals. I'm paying property tax, GET and TAT with the income of my condo. All listing websites like Airbnb, Expedia, or Japanese listing platforms are technically restricted from taking any reservation less than 30 days. All legal. Highlights of the current amended Bill 41 CD1: · 30 day rentals will increase to 90 days outside of the Resort Zone · Condos are limited to only 50% vacation rentals, including the Resort Zone · NUC fees have increased from $600.00 to $4,000.00 · Registration Fees in the Resort Zone but not for hotels The vast majority of rentals operate responsibly and legally, and eliminating the few bad actors who do not operate responsibly would benefit the County and its visitors. This is why the rules we already worked so hard to come to and the MOU signed by the county must be enforced. The MOU is working effectively on Kauai and could benefit Oahu as well if enforced correctly. The moves being proposed are malicious and transparent. It's obvious the intent it s first take away all possible (eveil) profit from current owners of 30 rentals. This will tank their values, and transform their properties from a source of support to one of carrying increasing negative cash fluw. This will prevent or dissuade prolonged legal resistantce. Properties will be maintained in an ever deteriorating condition. Properties will be condemned by eminant domain, paying only for the property they're on. Current condo properties in the zone will be bulldozed and new high rise hotels and permanent housing

units will be built. This of course will be a "legal" illegal taking, but that doesn't bother those for whom the current owners are only an obstacle to be moved out of the way of their (good) profits.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 10:35 AM
Subject: Council Testimony

Written Testimony

Name	Paul D. Fischer
Phone	
Email	fischerd@live.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I own a condo unit in the Resort Area in Waikiki. I hire a local property management company to manage my short-term rental. I'm paying property tax, GET and TAT with the income of my condo, which is all legal. All listing websites like Airbnb, Expedia, or Japanese listing platforms are technically restricted from taking any reservation less than 30 days. All legal. The vast majority of rentals operate responsibly and legally, and eliminating the few bad actors who do not operate responsibly would benefit the County and its visitors. This is why the rules we already worked so hard to come to and the MOU signed by the County must be enforced. The MOU is working effectively on Kauai and could benefit Oahu as well if enforced correctly. Passage of this bill which has been so obviously rammed forward despite so much opposition, and which takes away private property rights and creates a privileged class for the hotels, will be challenged vehemently, first through the legislative process, and then through the local/state/federal court systems if need be!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 11:49 AM
Subject: Council Testimony

Written Testimony

Name	Richard Hagstrom
Phone	
Email	rehagstrom@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41, CD1 for the following reasons: 1. It will increase housing availability for long term renters. 2. It will improve DPP's ability to enforce illegal activity. 3. It will reduce the overcrowding of residential communities. 4. It will keep short-term rentals in hotel/resort and apartment zoned areas where they belong.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 11:53 AM
Subject: Council Testimony

Written Testimony

Name	Francine Hagstrom
Phone	
Email	francine33333@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41, CD1 for the following reasons: 1. It will increase housing availability for long term renters. 2. It will improve DPP's ability to enforce illegal activity. 3. It will reduce the overcrowding of residential communities. 4. It will keep short-term rentals in hotel/resort and apartment zoned areas where they belong.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 12:41 PM
Subject: Council Testimony

Written Testimony

Name	Claudia L Webster
Phone	
Email	clwswim@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 CD1 regarding vacation rentals. Living in Kailua this seems like a way to control the vacation rentals which have seemed to have grown without any control or enforcement. Thank you for voting yes.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 1:19 PM
Subject: Council Testimony

Written Testimony

Name	Lisa Lai
Phone	
Email	Lisalai2070@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Oahu's economics depend heavily on diversified business models to keep the locals employed , keep the city in harmony without crisis . No benefits to shut down short term vacation rentals — the hotel rates are doubled and tripped than Kuilima East and West condos rates and still could not keep up with the occupancy — short term rentals are paying a lots of taxes to the city and it is a good supplement income for the city in the events that the hotels are shut down completely when crisises come such as the COVID's — it is not fair that only the hotels controlling rental businesses — it is completely discrimination to the locals — most of the hotels are from mainlands or other counties — we must turn our Oahu economic around to have self sufficient support systems that reply on more local business to strive for long term. !! We must continue to allow more shorter rentals to continue !! Mayors change every few years — but the locals are here for generations; we can't depend on short term policies set by short term mayors to create a long term business model to help the locals to survive . Therefore , we must eliminate any rules and regulations that interrupt the local businesses !! I vote against the Bill 41 . Thank you !!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 1:59 PM
Subject: Council Testimony

Written Testimony

Name	Yongsoo Park
Phone	
Email	sysnec@lilac.ocn.ne.jp
Meeting Date	01-22-2022
Council/PH Committee	Council
Agenda Item	BIII41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	投資した目的が失われ、詐欺にあたる。 法案を進めている連中はホテル業界の手先である。 ハワイ全体の利益に反する法案であって、 一部ホテル業界の利益だけであってはならない。
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I strongly recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I strongly recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name NORIFUMI NAKAMURA

Date 01/23/2022

Signature

nnorifumi.nn@gmail.com

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name SHINYA OHI

Date 1 / 26 / 2022

Signature Shinya Ohi

ohiohitonosan@yahoo.co.jp

From: CLK Council Info
Sent: Sunday, January 23, 2022 3:17 PM
Subject: Council Testimony

Written Testimony

Name	DR. MARSHA D. WELLEIN
Phone	
Email	welleinmd@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	I do not support Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I believe that 30 days (and not the change to 90 days) is sufficient (to rent a vacation unit, or BB unit). It is draconian to change the minimum number of days to more than 30. Do you realize what it means to require a minimum of 90 days? Some property owners may not survive this economic blow. Hawaii is already too expensive for many to live here. Why would you want to hurt so many Hawaii residents who depend on funds for 30 or more days of rental? I oppose this Bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 3:18 PM
Subject: Council Testimony

Written Testimony

Name	DR. MARSHA D. WELLEIN
Phone	
Email	welleinmd@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	I do not support Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
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Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 3:18 PM
Subject: Council Testimony

Written Testimony

Name	Yongsoo Park
Phone	
Email	sysnec@lilac.ocn.ne.jp
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41,CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please see the attached testimony with my signature
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 3:41 PM
Subject: Council Testimony

Written Testimony

Name	Mark Phillipson
Phone	
Email	reelrelaxed@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Community first. Mahalo
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 3:47 PM
Subject: Council Testimony

Written Testimony

Name	Linda Legrande
Phone	
Email	malamamanoa12@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Organization
Organization	Malama Manoa
Written Testimony	Aloha Chair Waters and Council Members, The mission of Mālama Mānoa is to promote community; celebrate our cultural diversity and heritage; and preserve, protect, and enhance the special qualities of historic Mānoa Valley. On behalf of our 4,100+ members, our board of directors has unanimously approved to send written testimony in SUPPORT of Bill 41 CD1, however we suggest an amendment to make it tougher. It is extremely vital to save our residential neighborhoods from vacation rentals to preserve our quality of life and sense of place. The language should be more stringent about allowing transient accommodations in or near resort areas. A very low quantity, expressly enumerated, would be preferable than leaving it open ended. DPP Director Uchida should be consulted to confirm that this bill could possibly flood the market with upwards of about 20,000+ vacation rentals in the Waikiki area alone. That seems outrageous to consider even as a remote possibility because those units are currently, most likely, rented out to local people. So the big question looms: Where will everybody go? We already have a crisis with a lack of affordable housing. That part of the bill unchecked could worsen the situation our communities face. Thank you for your consideration. Sincerely, Linda Legrande President, Mālama Mānoa
Testimony Attachment	

Kathleen M Pahinui
67-237 Kaui St
Waialua, HI 96791

January 26, 2022

Chair Tommy Waters
Council Members
530 S. King St
Honolulu, HI 96813

RE: Bill 41 - Relating to Transient Accommodations – IN SUPPORT

Aloha Chair Waters and Council Members:

I am writing in strong support of Bill 41.

The effects of these types of businesses on our communities and residents' daily lives are never mentioned by the illegal transient vacation rental (TVU) owners – I lived next to 2 different TVUs and it was not a pleasant experience – late night noise and partying was the norm.

Their comments only focus on how much good they do (debatable at best).

Economically, these visitors spend 20% less than those staying in hotels. Their first stop is Costco, as they generally cook most of their meals, not eat out. And as they are much more likely to be repeat visitors – their shopping habits are very different from visitors who come the first or second time – they are less likely to purchase trinkets to take home. The fact that TVUs stays have grown, and visitor spending dropped is not an anomaly – visitor data bears this out for 2019.

In addition, the much-touted mantra: we support the local economy by providing jobs – works out to a landscaper or two and a house cleaner. Generally, these workers are being paid cash under the table so there are no taxes collected or other benefits provided for those doing the work. An unregulated gig economy.

Much is made that all of the money charged by hotels goes off-island. What about all those employees that work at that hotel? What about their salaries and benefits? These go directly back into our economy not offshore. By comparison, about 70% of the rentals are foreign owned. Where does this money go? Yes offshore.

This also puts to lie their pushing forward the occasional kupuna who rents out a room in their house. Put these very limited stories against the many North Shore families who have lost their homes because the owner decided to turn it into a vacation rental.

During the height of the pandemic, many illegals turned to the long-term rental market, as soon as visitors came back, these owners did not renew leases and turned back to illegal vacation rentals.

There are almost no long-term rentals on the North Shore and families are scrambling to find housing. Most of the vacation rentals on O'ahu are in the Haleiwa zip code (96712). This is a fact supported by data for our North Shore Sustainable Communities Plan revision. This means local families cannot find housing and are forced to move out of the community they were born and raised in.

Please support the DPP and the City Administration's efforts to eliminate loopholes and improve its enforcement activities regarding illegal vacation rentals. Please support the Planning Commission's consensus that short-term rentals are inappropriate for "residential-zoned" neighborhoods and lodging businesses should be restricted to resort districts only. Commissioners specifically cited the fact that short-term rentals are impacting Oahu's housing supply and housing costs.

And in support of the current legal operators, who have followed the rules all these years, please don't penalize them – they should be grand-fathered in. For now, let's focus on getting the illegal operators in line and not operating anymore.

We need strong regulation and effective enforcement of vacation rentals; and we need to get them out of our neighborhoods. You will hear many comments today on why we must turn our communities into resort areas and why tourists are more important than residents – please do not let this happen. Please keep our neighborhoods for us, the residents who live here, pay taxes, and support our local businesses.

Mahalo for your time and consideration.

Mālama 'āina,

Kathleen M. Pahinui
Waialua Resident

pahinuik001@hawaii.rr.com

January 26, 2022

Council Chair Tommy Waters
Council Chair
Honolulu City Council
Honolulu Hale
530 S. King St
Honolulu, HI 96813

Aloha Council Chair Waters and Council Members;

This letter is being sent by the representatives and supporters of several organizations that have been fighting, in aggregate, over 20-years against the proliferation of illegal transient vacation rentals (TVUs). Together our groups represent well over a 10,000 O'ahu residents who wish to keep the zoning integrity for their communities and not allow them to be overrun with this illegal use of property.

We also represent communities across the island - we are hard-working, middle-class working families who value the concept of community, the safety of knowing your neighbors, and enjoying the peace of our neighborhoods. This illegal proliferation of TVUs has hurt our housing market, making it near impossible to buy a reasonably priced home and next to no long-term rentals in some areas. It is turning our island into the land of haves and have-nots.

Finally, with the recent passage of the O'ahu General Plan, we want to ensure that its objectives and policies are being considered and followed:

> **Balanced Economy Objective B Policy 3**
> Guide the development and operation of visitor accommodations and attractions in a manner that avoids unsustainable increases in the cost of providing public services and infrastructure, and that respects existing lifestyles, cultural practices, and natural, cultural, and historic resources.
>
> **Housing and Communities Objective B Policy 2**
> Discourage speculation in lands outside of areas planned for urban use, reduce the prevalence of vacant dwelling units, and reduce the use of residential dwelling units for short-term vacation rentals.

We reviewed with great interest Bill 41 and your CD 1 and are heartened by the number and types of changes you are recommending and would like to comment on and suggest a few others:

- The 180 days or less to 90 days or less definition change for STR's (This would allow STR's to potentially do 4 STR rentals per year. We still advocate for 180 days as it solidly blocks any potential loopholes that the illegal providers may try and exploit as they have done with the current 30-day rule.

- It takes two Notices of Violation (NOV) before a fine can be issued. We strongly recommend a fine with the first NOV. This illegal operation is lucrative and operators will not comply if there are no significant fines attached. DPP issues NOVs that are constantly ignored as there are no fines attached to them. Our current laws and practices have no teeth. In addition, fines should apply equally TO use violations and the advertisement violations.

- Advertising violations and offering/rental violations are still considered different types of violations. So, an advertising violation followed by an actual rental violation would not be considered a reocurring violation and would not trigger a notice of order/fine. Any type of STR violation should be consider a recurring violation.

- All ads without a permit # must include the following statement: "This property may not be rented for less than 90 consecutive days. Rental prices will not be reduced or adjusted based on the number of days the rental is actually used or occupied." Language should be added that the renter has full rights to use the property for 90 days and the property may not be subleased. No other renters may occupy the property, including the owners or their guests during the 90-day rental period. This same language should be included in other sections of the bill, but elaborated on. We need to make sure the owners are not able to claim the rental is for cohabitating with them. Otherwise, they could have 4 vacation rentals per years and utilize the property whenever they want.

- Publishing companies and internet service providers will not be held responsible for the content of advertisements that are created by third parties. We should not let Airbnb, VRBO and other platforms off the hook. They say they don't condone illegal activity but they do nothing to discourage it and have specifically campaigned for STRs in residential-zoned neighborhoods where it is forbidden. They must be held to the same standards as any other business and cannot be allowed to claim either ignorance of the law or be allowed a pass. The existence of these platforms has led to the proliferation of illegal rentals and many communities across the world are taking a stand and are holding them accountable.

- There should be language that requires the DPP inspectors to interview renters, gather contact information, specify how long they rented and/or occupied the property, if they compensated the owner and sign a statement stating the information they gave is truthful. The inspector must also explain lying to an inspector is a crime. Lack of doing so by the renters could be considered prima facie evidence.

- We recommend additional language be added that declares daily or avg. daily rates are not allowed for non-permitted rental advertisements. And the rental advertisement must include a monthly rate. The Bill should also state that any advertisements that implies the rental cost could be reduced based upon a less than 90-day occupation could be used as prima facie evidence.

- There also needs to be language added that makes violations reoccurring if the violator is the same induvial or entity and owns or manages/promotes different properties. At the moment the violation is only reoccurring of it's the same property.

- We support removing the Gold Coast from the areas of considering for expansion of TVUs. We have no idea of the impact on long-term rentals as well as the impact it could have on

current owners and their ability to enjoy their home in peace. Expanding TVUs into the Gold Coast area is a discriminatory benefit in a clearly defined residential area.

Additional concerns regarding NUC's:

- NUC B&B's are no longer limited to 2 rooms and 4 guests. They can rent to two adults for every bedroom on the property.
- B&B & TVU's may have gatherings/parties for guests and additional 10 people.
- Quiet hours were changed from 10pm to 8am to 10pm to 7am.
- It takes 3 NOV's within a one-year period for a B&B or TVU to automatically revoke a permit. But the director could revoke the permit or deny renewal if they believe the property is nuisance to the neighborhood.

We believe the above changes would strengthen Bill 41 and provide the Department of Planning and Permitting the necessary tools to enforce the law.

We want to thank Zoning and Planning Committee Chair Elefante and Committee Members Kiaaina, Say and Cordero for their unwavering support for the residents of this island.

And finally, when those who oppose legislation to control the proliferation of illegal vacation rentals in our communities say they are the majority, please remember the thousands of the rest of us who are hard at work to support our families. We would like to be there but can't. Please let this testimony be our voice.

We stand ready to work with you to get a bill out and approved that will protect housing for local residents and our communities from being turned into mini-illegal resorts.

Mālama ʻāina,

Kathleen M. Pahinui, Save North Shore Neighborhoods
Larry Bartley, Save Oʻahu's Neighborhoods (SONHawaiʻi)
Stu Simmons, Housing Advocate
Donna Wong, Hawaii Thousand Friends
Chuck Prentiss, Keep it Kailua
Cade Watanabe, UNITE HERE! Local 5
Christine Otto Zaa and Tyler Dos Santos-Tam, HI Good Neighbor

pahinuik001@hawaii.rr.com

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name _____.

Date _____.

Signature _____.

Nancy D. Metcalf
nmetcalf@cbpacific.com

From: CLK Council Info
Sent: Sunday, January 23, 2022 4:37 PM
Subject: Council Testimony

Written Testimony

Name	HISAE ISHII
Phone	
Email	ishii@tsurucho.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41,CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please see attached Testimony with my signature
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 4:57 PM
Subject: Council Testimony

Written Testimony

Name	Michelle S. Matson
Phone	
Email	MSMatson808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	SUPPORT Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. And please DON'T allow the residential Gold Coast below Diamond Head to become a vacation rental zone!! Per the Kapiolani Park Trust Court Order, the parking in and around Kapiolani Park is for Park users only!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 7:18 PM
Subject: Council Testimony

Written Testimony

Name	veneeta acson
Phone	
Email	acson99@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41-CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please SUPPORT Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. We do NOT need more vacation rentals. Let's stop talking about the need for more housing and our dependence on tourism, and let's take action now by passing Bill 41 CD1.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

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I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yusaku Inoue

Date 1/23/2022

Signature DocuSigned by: 1192F127BA004DB...

yusaku.inoue@crossover-international.com

From: CLK Council Info
Sent: Sunday, January 23, 2022 8:31 PM
Subject: Council Testimony

Written Testimony

Name	Gary Hirokane
Phone	
Email	hirokaneg@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

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Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Kenji Yamada.

Date 1 / 24 / 2022.

Signature .

k.yamada@km-s.jp

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

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   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

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the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name KAZUO AOYAMA

Date 01/24/2022

Signature K. Aoyama

info@just-chintai.net

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

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- The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. **Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted.** 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

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- **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county

charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

- **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name OISHI TATSUYA

Date 1/26/2022

Signature OISHI TATSUYA

s15specr@helen.ocn.ne.jp

From: CLK Council Info
Sent: Sunday, January 23, 2022 11:20 PM
Subject: Council Testimony

Written Testimony

Name	Boyd J Ready
Phone	
Email	readyboyd@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	It's time to get serious. Free up housing for residents and protect our neighborhoods from commercial exploitation. Why should businesses get away with using residential-tax-rate properties? And why are thousands of units obviously unlawful but available and in use for transient accommodations? This bill goes a long way toward solving the problem. I urge Council members to support it.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

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   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

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4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name .HIDEO MAEHARA, HIROKO MAEHARA

Date .24/1/2022

Signature .
HIDEO MAEHARA, HIROKO MAEHARA

maeharanonchan1224@gmail.com

From: CLK Council Info
Sent: Monday, January 24, 2022 5:39 AM
Subject: Council Testimony

Written Testimony

Name	Jeffrey Sol
Phone	
Email	jsol@hawaii.edu
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	If bill 41 is not passed Hawai'i people will have to go without housing because they just cannot compete financially with the AIRBNB's
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 5:55 AM
Subject: Council Testimony

Written Testimony

Name	Mike Jackson
Phone	
Email	mikejacksonatlarge@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am strongly opposed to Bill 41. Clearly, a very large number of people opposed to the bill showed up to testify and/or or submit written opposition to the bill. Yet the Zoning/Planning Comm chose to pass it on to the CC without change. Mayor Blangiardi, by his own admission, and the CC members appear to be in favor of shutting down ALL vacation rentals--not just illegal ones. The 90 day minimum stay requirement alone is sufficient to kill VRs on Oahu, and the HUGE increase to renew NUCs every other year will likely result in some legal owners not renewing their certificates. This is obviously a punishment for those who are operating legally and have been for many years. HI routinely finishes in the bottom tier of states that are not friendly to small business owners. Bill 41 is a good example. I fear that political leaders on Oahu are about to make a serious mistake as has been demonstrated in the past....HART, Aloha Stadium, the new Oahu OTAT, Homeless policies, etc.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:13 AM
Subject: Council Testimony

Written Testimony

Name	Debra Braun
Phone	
Email	dbraun1054@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am a condo owner and oppose Bill 41 CD1 for the Iliaki.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:55 AM
Subject: Council Testimony

Written Testimony

Name	Susan McCormick
Phone	
Email	2020masu@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18. Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18. I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The current Bill 41, CD1 has changed zoning from "P" [primary] to

"PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels?

3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.
Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:17 AM
Subject: Council Testimony

Written Testimony

Name	Mary Morioka
Phone	
Email	mkimiem@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Keep Hawaii an idyllic HOME for locals which requires the wisdom of our politicians to know when we have "enough" growth & profit. Vacation rentals that begin to "kill the geese that lay golden eggs" must STOP. WISE action is required at this time, less intelligent spreadsheets. Mahalo, Mary
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 4:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Roberta Bitzer
Phone	
Email	Robpsouza@yahoo.com
Meeting Date	01-25-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, I oppose to Bill 41 CD1 because it is going to negatively impact operators of short term vacation units, specifically Rentals at Kuilima Estates and Villas with severe costs and restrictions. This makes the north shore community believe that this bill is not for we the locals but to benefit the hotel industry since it's impact is so great financially and limits our operating capacity like nowhere else. It would only prove otherwise if all these new rules were applicable to hotels as well. For example, -50% limit on the units allowed to rent per building should apply to the hotel as well. -Triplicating the property tax should also be applicable to hotels. This sounds crazy and of course the hotel industry wouldn't allow this to happen- I hope this will also be viewed as nonsense for our community and be removed from the bill. Thanks for your attention.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, January 22, 2022 6:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Arinobu Okano
Phone	
Email	estatenoda@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	There are only vacation rentals available in the beginning of Covid. All hotels were shut down. And the essential workers are very grateful for the vacation rentals. If you shut down the vacation rentals, economy in Hawaii will negatively impacted by decreasing the tax. And also the tourist's and other people like the essential workers will be suffered.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 12:54 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Yasuhiko Ogawa
Phone	
Email	yogawa@nethome.ne.jp
Meeting Date	01-dd-yyyy
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strong object Bill 49 on behalf of Japanese visitor.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I own a condo unit in the Resort Area in Waikiki. I hire a local property management company to manage my short-term rental. I'm paying property tax, GET and TAT with the income of my condo which is all legal.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Hing Wong.

Date 1-23-2022.

Signature Hing Wong.

From: CLK Council Info
Sent: Sunday, January 23, 2022 10:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Charles Snider
Phone	
Email	dm_cs@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. We are the owners of Four Paddle unit #708, NUC certificate #90/TVU-1548 that we have owned for 20 years and is managed by a licensed management company, Captain Cook Resorts. In those 20 years, we have paid our GET and TAT taxes on the income on our rental along with our property taxes. We purchased this unit and worked extremely hard to get it paid off as it is to supplement our retirement income. We are now going to be punished when for 20 years we have done nothing but follow the laws to the tee. It is unacceptable that the NUC renewal fees are going to be $4000.00, a huge increase from $600.00. We purchased this unit because it had the NUC certificate knowing that we could legally rent without fear of retaliation for the State but obviously that is occurring now with this new bill. We paid more for the unit because it had the NUC certificate attached to it. With this new bill, the NUC will be a worthless value. The guest we have add greatly to the bottom line of the economy. The State should be enforcing the current laws in existence to crack down on illegal rentals but don't punish those who follow the rules.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 10:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Faruq Ahmad
Phone	
Email	fa27sf@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Chair Waters and Council members: Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18. This is the right thing to do, to eliminate illegal short-term rentals and protect neighborhoods. Bill 41 CD1, however, if a direct and undisguised attempt by the Hotel Industry to reduce free and fair competition in the Resort Zone. The Council should reject this blatant attempt to put competitors out of business. If this Bill passes in its current form, it will merely invite litigation. There are numerous flaws that have been identified in this Bill, during the public hearing. I will however focus on the following "textbook" anti-competitive elements which unfairly benefit the Hotel Industry, at the expense of the Vacation Rental Management companies and small owners: 1. Reduce Supply: The Hotel Industry would like to reduce available LEGAL vacation rentals in the Resort District by 50%! Keep in mind that Legal Vacation Rentals pay all the same taxes as Hotels. There is no rationale, rhyme or reason for this, other than to reduce competition for Hotels. And, none was offered. 2. Increase costs: Raise annual fees to $4,000 for LEGAL vacation rentals that compete with Hotels, without similarly raising fees for a hotel room. No rationale or reason offered, other than to make competition with Hotels unfairly expensive for vacation rentals, and to drive them out of business. 3. Muddy the Waters: One commenter suggested that legal vacation rentals were owned by offshore "investors and speculators" and therefore somehow fair game. Given that most Hotels are owned by offshore entities and large global investors, this is a laughable assertion.

Further, Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. Why, other than to give hotels an unfair advantage?

The only rationale for this new Bill when the existing Bill has yet to be enforced is that the Hotel Industry seems to feel that the time is right to act, to destroy the locally-owned small business property management industry that deals with LEGAL rentals, and to at the same time cripple competition by LEGAL and TAXPAYING vacation rentals. They are attempting this in plain sight. The Council should not allow this to happen.

I own a vacation rental in the Resort zone, and have faithfully paid all taxes and followed all rules for many years. My vacation rental is managed by Captain Cook, a small Hawaii based and owned business.

Mahalo for your consideration, and the opportunity to provide additional comments on this critical and time-sensitive measure.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yasunori Tsuboi

Date 1/25/2020

Signature Yasunori Tsuboi

From: CLK Council Info
Sent: Sunday, January 23, 2022 1:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Miki Kanda
Phone	
Email	MikiK@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Restricting 30 days vacation rentals on residential zoning will make significant impact of Hawaii's tourism economy, retail and real estate markets. Plus State will lose the revenue from TAT and high resort property tax. I do not see the point passing this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 1:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lael Wheeler
Phone	
Email	Laelw@cbpacific.com
Meeting Date	01-26-y022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This is simply not right! We need to focus on enforcement of the current rules in place and not create rules that handcuff current property owners.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 1:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Yasuhiko Ogawa
Phone	
Email	yogawa@nethome.ne.jp
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	There is no suitable property for my family in a hotel in Waikiki. Kitchen, washing machine and social distance are compulsory. If I could only stay at a hotel, my family would choose Australia instead.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

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Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

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2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
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4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

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5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Leslie Lewis

Date 1/23/2022

Signature DocuSigned by: Leslie Lewis 554ADE7573F146B...

From: CLK Council Info
Sent: Sunday, January 23, 2022 5:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sonoko Miller
Phone	
Email	sonokoinlove@gmail.com
Meeting Date	01-22-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Short time vacation rental encourage more Japanese people who spend more money than any other nationality stay longer. They save accomodation fee and spend more in town. The longer they stay, the more they spend. Japanese will buy clothes, daily goods, and omiyage more.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 5:45 PM
Subject: Zoning and Planning Testimony
Attachments: 20220123174508_bill_41_126.pdf

Written Testimony

Name	Lois Crozer
Phone	
Email	lbc@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 Cd1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220123174508_bill_41_126.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

I am vehemently opposed to Bill 41 CD1. You need to split out the separate issues.

I am for allowing **owner occupied** short term rentals in residential neighborhoods. They do NOT harm the neighborhood and bring in much needed income to the home owners, local businesses and bring in tax payments. If the owners follow the rules then there are no problems. It's the long term rentals in neighborhoods I have an issue with. They are disruptive with noise, too many cars, there is never enough parking, and the building codes are always broken when more than one family lives on R-10 property. Sometimes there are several rentals in one house.

As you may know, Lanikai's sewage system is overloaded so no new houses or rentals should have been built after 1988 but because the DPP looks the other way, most houses now have a separate illegal rental in it. Even with these illegal rentals you are saying there is not enough housing. What do you want? Every square inch to be built on to house people who will keep coming from afar? My neighbors have all moved away and Californians have moved in. This is because during the pandemic housing prices skyrocketed, and people can work from home. This is NOT because a homeowner host is renting a cottage or separate room to a visitor. Stop blaming the innocent and get your facts correct!!

Owner occupied rentals fill a valuable need in the community with neighbors looking for housing for their friends and family for weddings, funerals, graduations or people visiting who used to live here or whatever. Most people agree we need to allow some rentals and all agree we need to regulate. Let's stop fighting among ourselves and set up a fair system that allows owner occupied homeowners to rent to transients so they don't have to turn their houses into condos in order to afford their mortgage.

There doesn't seem to be any sense behind this bill at all. It seems the DPP is just throwing out ideas to see if some stick. Meanwhile the committee reviewing these testimonies are totally biased. I strongly object to Esther Kia'aina being the vice chair after she commended the one resident testifier in favor of the bill and felt the need to discuss the "thugs" that were unleashed on the homeowner who complained of a vacation rental in Kailua. If this happened at all, there was absolutely NO reason to bring this up at a hearing where you are supposed to be actually listening to testimony. It's shameful, and I'm disgusted with the whole process because it's a farce.

From: CLK Council Info
Sent: Sunday, January 23, 2022 6:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Raelynn Broad-Kela
Phone	
Email	raebk@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please stop this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 6:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Makani Kela
Phone	
Email	raebk@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 23, 2022 8:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Terry
Phone	
Email	terrygzelko@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Oppose this bill in its punitive state. They need to fulfill their original commitment to one month rental. The tax needs to be reasonable and the community needs to be part of how many permits are given Throughout the island
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

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Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

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Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yoshiko Wong

Date 1/23/2022

Signature DocuSigned by: Yoshiko Wong 4887CCCDCDB24F2...

DocuSign Envelope ID: FF395A47-752F-4C36-A618-24E1C0ED3E82

Aloha Chair Waters and Councilmembers:

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Name: Anna Achauer .

Date: 01/23/2022 .

Signature: DocuSigned by: Anna Achauer F0FDC3FF16BC438... .

DocuSign Envelope ID: AF2C3750-6D87-4879-9A73-551F15822440

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Name: Qing Zhang.

Date: 01/23/2022.

Signature: DocuSigned by: Qing Zhang DF8E890B4B9C4F6... .

DocuSign Envelope ID: 16740D42-1C5B-479F-86FE-CE91FCA88E1E

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Name: Yujing Li .

Date: 01/23/2022 .

Signature: DocuSigned by: Yujing Li DF8E890B4B9C4F6... .

DocuSign Envelope ID: F1D38AD8-7077-485C-A6F7-F44EBB48D541

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Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name: Nancy Lee .

Date: 01/23/2022 .

Signature: DocuSigned by: Nancy Lee DF8E890B4B9C4F6... .

DocuSign Envelope ID: 1F0BB36F-EFE4-471B-93E4-F9EDD731A48A

Aloha Chair Waters and Councilmembers:

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I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

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Name: Jiayin Li .

Date: 01/23/2022 .

Signature: DocuSigned by: Jiayin Li DF8E890B4B9C4F6... .

DocuSign Envelope ID: 6151ADDC-1E28-4A06-9CE9-DFD68EB8606D

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name: Desen Li .

Date: 01/23/2022 .

Signature: DocuSigned by: Desen Li DF8E890B4B9C4F6... .

From: CLK Council Info
Sent: Sunday, January 23, 2022 11:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Rie Askey
Phone	
Email	riea@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Chair Waters and Council members: Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18. Waikiki Apartment and Resort Zones have not been discussed by council members or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18. I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. Currently in place with

Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels?

4. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Rie Askey

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Monday, January 24, 2022 4:01 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	B. A. McClintock
Phone	
Email	redahi@hawaii.rr.com
Meeting Date	01-26-2021
Council/PH Committee	Zoning and Planning
Agenda Item	Bill041(21)CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Condo living is difficult enough for our residents. Adding partying people vacationing to the mix is disastrous! Please do not allow vacation rentals to our Gold Coast! Thank you for your time.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:04 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mary MaDonna Teck
Phone	
Email	donna.teck@partners.mcd.com
Meeting Date	01-25-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Organization
Organization	
Written Testimony	I own a condominium unit in the Apartment Precinct Area in Waikiki. I hire a local property management company to manage my 30 day minimum rentals. I'm paying property tax, GET and TAT with the income in my Condo. All listing websites like Airbnb, Expedia, or Japanese listing platforms are technically restricted from taking any reservations less than 30 days. All legal. The financial impact on this bill will be detrimental to many but please consider the financial impact to the Waikiki as a well. It has suffered enough from Covid and now to add this unreasonable restriction makes no sense at all. Please take time to fully understand what you are projecting to do. Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:52 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jeremy Lam
Phone	
Email	drjlam@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	the impact of short term rentals over the years has been a horrendous intrusion into our single family neighborhoods. monster homes, airbnbs, short term rentals, and more have overrun our communities that were zoned specifically to resist overtourism. as uyou know they are multiplying by the week. i am sure many short term rentals are good neighbors, but all it takes is one home (like here) across the street with lights, noise and rental cars parking (so we cannot park our visitors) with suitcases coming in week after week. we don't even know our neighbors anymore. sure enforcement had been a problem and DPP (under Cathy Sokugawa) has been lax and complicit. In one meeting with us, she admitted that her department tries not to be punitive and therefore has not demolished even one illegal monster home on Oahu. Bill 41 will fund enforcement staff and set up rules and appropriate fines that are long overdue. the new CD1 shortens the definition of short term rentals to 90 days. i would rather see 180 days in the bill. but i can live with it because it corrects so many issues that have arisen. the many testifiers against the bill are looking after their own wealth (they are hardly destitute) and not protecting the strained infrastructure and quiet communities on our island. i am happy with the mayor and the city council actions and commend them for their important work on our short term rental rules that have alluded us for too long. please support Bill 41! with warm regards, jeremy lam.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:20 AM
Subject: Council Testimony

Written Testimony

Name	Ben Tran
Phone	
Email	bentran@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Short term rental
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The bill 41 is too vast and has more negative impacts than possitive to help local economy, housing crises, tourist industry.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:04 AM
Subject: Council Testimony

Written Testimony

Name	Devon McCord
Phone	
Email	devonmccord88@gmail.com
Meeting Date	01-22-2022
Council/PH Committee	Council
Agenda Item	Bill41CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, Thank you for the opportunity to provide a written testimony to oppose Bill 41 CD1. My wife and I have lived here for over 6 years. I work as a Physical Therapist, and my wife works as an Accountant for Parker Ranch. We both surf, hike and love the community of Hawaii. We loved it so much, we have made it our home for years to come. We first moved here and we lived in Waikiki. We rented our couch on Air BnB, to help supplement income to make it by. But it was also a way to ensure that every tourist that visited us had a fun, safe, and educational experience in Hawaii. We paid our GET and TAT taxes for everyone that visited with us. We gave back to the Hawaii community. The future generations do now want a Hotel Experience. The young generations want to embrace the Hawaii community and immerse themselves in a once in a lifetime cultural experience and leave with a profound respect for the Hawaiian Islands. Understand that this bill will kill the Hawaii tourist experience. This economy will be devastated in the future, and hard working residents will be affected as well. I deeply hope that you reconsider this bill. I support a change to the zoning of Waikiki District. Allow for all of Waikiki District to have access to short term rentals with the final decision being left up to the HOA of each condominium. I support removing short term rentals in residential areas. However, I do not support Bill 41 as it is read today. Aloha.
Testimony Attachment	

From: CLK Council Info
Sent: Monday, January 24, 2022 8:57 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Angela M Britten
Phone	
Email	angela.britten@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I completely support Bill 41, which seeks to limit short-term rentals, bed & breakfasts, and other visitor lodging in our residential neighborhoods. These rentals, negatively impact entire neighborhoods and towns, changing their character and hurt residents. Please pass Bill 41 with a 180-day minimum on rental contracts ensuring that residential neighborhoods are kept for residents.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:08 AM
Subject: Council Testimony

Written Testimony

Name	Marianne Mueggenburg
Phone	
Email	opa-m@comcast.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	ILLEGAL STRS
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	In 1995 our family inherited Waikiki Shore 1110. We use this condo, and another one we purchased 1316 for our family vacations. Due to the high property taxes, we rent out the two condos when we are not using them. We are not a business and should not illegally run. We do not receive rent "under the table" and have had Captain Cook manage our condos since the beginning. TAT and GET taxes are paid. We have only had one person stay a month in one of the condos. The rest can be from two days to two weeks. I do not wish to deal with a hotel contract. Captain Cook gives me full reign on when I wish to occupy my unit. A hotel would not. I also do not have Maid Service. The units are cleaned at the end of the residency. Please do not pass such a bill that will hurt our family as well as other legal US families. We are all of one nation under God.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

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I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Hien Okazaki

Date 01/22/2022

Signature

Aloha Chair Waters and Council members:

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- **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

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Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Mark & Laurie Ross _____.

Date 1/24/2022 _____.

Signature Mark Ross; Laurie Ross .

From: CLK Council Info
Sent: Monday, January 24, 2022 9:13 AM
Subject: Council Testimony

Written Testimony

Name	Kathleen Sato
Phone	
Email	katsat@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please join me in supporting Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. Oahu needs more housing, not more vacation units. How can people afford to live here if they are pushed out by visitors? We must stop talking about affordable housing and actually do something about it.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:16 AM
Subject: Council Testimony

Written Testimony

Name	Dan Izawa
Phone	
Email	Goldcityjewelry@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD-1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please veto this bill. The solution is to target foreign and mainland property owners only, with a heavy property taxes. If you follow the "Golden Rule", "do the greatest good, for the greatest amount of people", then you will only target foreign and mainland property owners. Because, I hope, "your people" are the people of Hawaii. Therefore, let Hawaii residents continue to contribute to the local economy. We live here, our children and families live here, meaning, we spend all our money here in Hawaii. By only targeting foreign and mainland property owners, you will eliminate half of the short term rentals on Oahu and continue to let "your people" to thrive.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:19 AM
Subject: Council Testimony

Written Testimony

Name	Kathleen Ochsenbein
Phone	
Email	dhcondos@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose bill 41 for a variety of reasons. This bill will cause a flurry of lawsuits. It is based on allegations and no actual studies and it will hurt the little guy while giving the big corporate hotels more money that leaves the state.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:27 AM
Subject: Council Testimony

Written Testimony

Name	Mialisa Otis
Phone	
Email	mialisa808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	In my neigborhood alone (the 9 street stretch of beachlots Waimanalo), there are only 3 legal vacation rentals. there are at least 24 listings on VRBO, and 18 listings on AirBnB. That's not including the rentals outside my neigborhood or the ones that advertise elsewhere. I support the 90 days, as it is more reasonable than 180 days. As residents, we will know our neighbors with 3 month rentals. However, the current 30 days has been reasonable, if it sticks in this discussion. What needs to be addressed in this discussion is enforcement. I agree with the $10,000 to $25,000 fines.. but it NEEDS to be enforced! As it stands now with the 30 days, there are rogue rentals and management that are ruining it for the abiding home owners that rent out their legal vacation rentals. The focus should be the follow-through of enforcement. Please see my attachments.. Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Melvin & Jane Shigeta 1204 Kahili Street, Kailua jkshigeta@gmail.com

Date 01/24/2022

Signature

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Shiro Orito

Date 1/25/2022

Signature Shiro Orito

From: CLK Council Info
Sent: Monday, January 24, 2022 10:22 AM
Subject: Council Testimony

Written Testimony

Name	Fred HSU
Phone	
Email	Fred.Hsu@3rdStone.ws
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I have a short-term rental at the Ilikai, which is zoned for Resort. Bill 41 will take away my source of retirement income. Please help me!!! My wife and I depend on this income to meet our needs. We don't have any unemployment or retirement money from the Gov't. At least have a grandfather clause for individuals who followed the rules and purchased in a Resort zone and paid taxes. Please help small individual investors like myself.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Maruja Rodriguez-Wilson

Date January 24, 2022

Signature

maru.maruja@verizon.net

From: CLK Council Info
Sent: Monday, January 24, 2022 11:12 AM
Subject: Council Testimony

Written Testimony

Name	Litan Rath
Phone	
Email	litan.rath@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	HNL Zoning and Planning
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am a potential Northshore Kulima West ownner.. was planning investing and retirement.... now... I think I will put my money in a different state.. Our island has such limited job and investment opportunities... so we need our government to protect these limited opportunities for locals ... . but I worried, big money will win...so sad... ... Personally whenever I travel I stay in AirBB. I experience so much more Aloha and comfort... I do not know if I will ever go to other islands if there is no AirBB... the hotels all look the same and they are very expensive .... Hawaii I am sad for you . The government is taking away your Aloha spirit
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:13 AM
Subject: Council Testimony

Written Testimony

Name	Kathy Shimata
Phone	
Email	kshimata@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I SUPPORT Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. And, we ask that you don't turn the Gold Coast into vacation rentals. Let's stop talking about the need for more housing and our dependence on tourism, and let's take action now by passing Bill 41 CD1.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:14 AM
Subject: Council Testimony

Written Testimony

Name	Ellen Floyd
Phone	
Email	nonifloyd@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41
Your position on the matter	Oppose
Representing	Self
Organization	Windward Branch YMCA
Written Testimony	Bill 41 is as crazy as it gets. Why is the latest passed bill, Bill 89 just being enforced? Bill 41 will hurt military in transit, traveling nurses, and remote professionals who come to Hawaii and strengthen our economy. More importantly it will force home owners who need to rent out a space but need to leave that space for family when they come to visit; family who had to move away because they can no longer afford to live here. Passing Bill 41 will be shooting Hawaii in the foot.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:15 AM
Subject: Council Testimony

Written Testimony

Name	Linda W. Wong
Phone	
Email	lindaandliviwong@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I recommend this bill & amendments be rejected and efforts be put into enforcing the current Ordinance 19-18. The amendment and now the 50% cap restriction is also applied to condos in the Resort Area. Please delete the 50% Cap restriction for condo owners in the Resort area. The amendment only benefits the hotels. Ordinance 19-18 was created after many months of meetings and collaboration with key stake holders, City administration and the community. An agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals. I believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short-term rentals. I fully support enforcement actions against illegal short-term rental operators. I recommend the City Council reject this current proposed bill and urge the DPP and the City Administration to focus on enforcing the current ordinance 19-18. Thank you for your kind consideration and for the opportunity to provide written testimony.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:43 AM
Subject: Council Testimony

Written Testimony

Name	Anthony Grise
Phone	
Email	apgrise@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please SUPPORT Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. And, we ask that you don't turn the Gold Coast into vacation rentals. Let's stop talking about the need for more housing and our dependence on tourism, and let's take action now by passing Bill 41 CD1.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

23 January 2022

Dear Council Member,

I want to express my opinion that Bill 41 will have unintended consequences that will be far reaching and ignores the pleas of individuals who rent a room in their owner-occupied home. It is terribly written legislation fraught with misinformation and establishes hotels as a privileged class. MOU's have been established and should be enforced, not ignored.

I find it inconceivable that DPP and the Council cannot not come up with a compromise to weed out the real problems of outside investors and those flipping rental units to make a quick buck verses folks like myself using an empty room to host not only visitors but mostly local families needing a place to stay in their own family's community. We were on the right track with issuing limited permits before COVID. Why now, have we made such a bad bill, with Bill 41? As you know, Oahu doesn't have accommodations outside of the "Resort" areas. This "new" bill totally brushes aside the countless hearings and testimonies, the words and pleas from those providing compromise solutions to this issue. We want you eliminate the few bad actors who do not operate responsibility or within the laws and regulations and let the majority of STR's who do, continue to provide a great service. This is what DPP should concentrate on, and not bend to the will of corporate hotels and powerful unions

Previous Bills have shut down TVU's and came up with possible solutions for owner occupied homes, but this new Bill with excessive fees and limitations will effectively shut down this valuable asset to our community. You cannot with any sense of reality compare STR's with the hotel industry so don't lump us in the same category as them. If you go ahead with Bill 41 my room as well as my new off-street parking stall I made in anticipation of the previous bill passing, will stay empty. The room is too small and without a kitchen it's not practical for long-term rental. The State and now the County won't get TAT or excise tax funds adding up to millions in lost revenues. You'll now have to look elsewhere for funds to pay for the "Rail".

A typical comment from a visitor; "We are very excited to spend our visit in your beautiful cottage! My daughter's in laws live nearby and have already remarked that your cottage is exactly what we are looking for"

Aloha,
Retired
Vietnam Veteran

steiner289@gmail.com

From: CLK Council Info
Sent: Monday, January 24, 2022 11:45 AM
Subject: Council Testimony
Attachments: 20220124114506_Bill_41_testimony_backup_creative_ads_2022-01-20.pdf

Written Testimony

Name	Kim Jorgensen
Phone	
Email	hawaiicondo@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1 BE1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I am writing in FULL SUPPORT of Bill 41, CD1, BE1. FAKE 30-DAY RENTALS Having a minimum of 90-days will help stop the fake 30-day rentals that STR owners use for 1 or 2 week stays because the guests suddenly have to leave early. The same STRs then miraculously have another "30" day rental show up. REINVENTING THE WHEEL? My biggest astonishment for Bill 41 is that it allows up to 180 days for the DPP to get their act together to develop enforcement rules. Even if the DPP eventually stopped developing enforcement rules for Ordinance 19-18, they must have learned something to use as a base for Bill 41 rules. They don't need to reinvent the wheel and they shouldn't need 180 days. HIRE APPROVED STAFF TO INVESTIGATE NOW!!! At this moment there are several illegal vacation rentals happening at the Waikiki Lanais on Tusitala St. Just ask the Resident Manager for security camera videos and see which fobs have been used on which dates. Why can't the staff that was supposed to be hired for Ordinance 19-18 simply be hired NOW to go to the addresses to investigate reports of illegal rentals? They don't need IT skills to do that. CREATIVE WAYS TO SKIRT THE LAW STR owners and operators can be creative by putting multiple unrelated renters on one lease and having "no penalty" for early departures. (See

	attached) Ads can also say 30-days minimum, but in fact the ad won't allow booking online because the host must be contacted directly…to "discuss" the terms. Please pass Bill 41, CD1 – but then please ENFORCE it!
Testimony Attachment	20220124114506_Bill_41_testimony_backup_creative_ads_2022-01-20.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Ways around a 30-day lease – combining unrelated reservations and "allowing" early departures

HomeAway.com, Inc. [US] | https://www.homeaway.com/vacation-rental/p844936vb

Apps LLC Bookmarks

Overview Amenities Reviews Map Rates & Availability

Good for families Hot Tub Pool Air Conditioning

Clean 2bd condo in heart of Waikiki w/ large lanai, family friendly near beach

The condo has a tiny view of Diamond Head and the beach from the lanai. We set up a large patio set for al fresco dining. We also have a fairly large counter top for breakfast and quick bites. We can also provide an air mattress and a pack n play for any infants. We have a queen bed in the master. The two full size beds in the 2nd room can be requested to be put together to form a large sleeping area....perfect for families. The couch can also be set up as a comfortable twin. Comes with cable and wifi. A functional full kitchen with gas burner, microwave, and full size fridge. All rooms have AC for those hot hot summers!

Please note, all potential guests. If you agree to rent from me on this platform, you will also be entering into a co-op monthly lease. That means you are booking the month out with other travelers for that full month. I will no longer do same month acceptance, as I submit the co-op lease to the building the month before the booking. This allows for better registration of our guests.

Also, this building has many owner occupants. Please treat the building as if you lived here yourself, please follow all rules that pertain to garbage and parking Please follow all building security rules and please keep noises down from the hours of 8pm to 8am. Please be friendly and kind and let people without luggage into the elevator first. We want to let the others in the building know we respect their space.

View less

$261 avg/night

★★★★★ 46 Reviews

Exceptional 5/5 · Good for families

Enter dates for accurate pricing

Check In | Check Out

Guests

Request to Book

Steve Chu

Ask Owner a Question

For booking assistance, call HomeAway at 888-640-7927

Property # 844936vb

HomeAway.com, Inc. [US] | https://www.vrbo.com/624058?noDates=true

Apps LLC Bookmarks

Overview Amenities Reviews Map Rates & Availability

✗ No pets

✓ Children allowed

Minimum age of primary renter: 25

Max guests: 6

Waikiki Lanais has a 30-day rental agreement and minimum stay policy, with no restriction for early departure.

Cancellation Policy

Canceled bookings will not receive a refund

49 Reviews

★★★★½ Excellent 4.6/5

$260 avg/night

★★★★½ 49 Reviews

Excellent 4.6/5 · Good for families

Enter dates for accurate pricing

Check In | Check Out

Guests

Request to Book

Suzie M

Ask Owner a Question

For booking assistance, call Vrbo at 888-640-7927

Property # 624058

From: CLK Council Info
Sent: Monday, January 24, 2022 11:56 AM
Subject: Council Testimony

Written Testimony

Name	Michael Mullahey
Phone	
Email	michaelmullahey@me.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BIII 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, My name is Michael I grew up on Oahu, lived on the Big island before relocating to Florida about 5 years ago. I've been following this Bill from afar, since I have many friends who are in the real estate industry on Oahu. The short term rental market is the evolution of the visitor industry. My grandfathers were early architect's of the tourism industry in hawaii, so I felt like I should chime in. I don't agree with not allowing short term rentals, the hotel industry, the long term rental industry can learn to coexist with the short term industry. Here in Florida they have a special tax designation of a property is rented for less then 6 months, then having to pay a 13% transient tax. Very similar to the taxes you would pay at a hotel.I feel like this is an opportunity to make an impression on the visitors from all over the world, that we truly are offering multiple options for lodging when visiting the islands. Let's think outside of the box. As I start to think about coming back to Hawaii, the rental market, short or long is something I would hope to cultivate. Thanks, Michael Mullahey
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:56 AM
Subject: Council Testimony

Written Testimony

Name	John Price
Phone	
Email	Ignatius.price@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Opposing Bill 41 CD-1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Short term rentals are a concern but blanket approach to problem creates more problems. There seems to be a real push for hotel and travel industry lobbies to push through a solution that in the end can not be justified financially for the city. A house in a quiet neighborhood conducting STR is clearly an issue but a condo or property filled with majority owners who have relied on short term rentals for years to supplement income when not in use should be considered. If a majority of owners in an HOA agree with STR and neighborhood is not objecting - those who want to rent should have tax rates calculated as resort properties at three times current rate; those who do not should keep current tax rates. In addition, Income of 17.962% (GET, TAT and now County TAT) will be lost to the city. We need that money and it seems illogical to deny it with the sweep of a pen for any property not in a designated resort zone of Waikiki, Ko Olina, Turtle Bay. We have many other areas of the island that could easily continue to do STR with minimal or no objection from owner's or neighbors. These will not seriously impact revenue potential of big hotel or travel industry companies. Just our oceanfront building with 135 owners would increase property tax revenue by at least $250,000 annually + current estimated STR tax revenue of $690,000 per annum. (65% of owners doing STR/average gross income of $4000 x 12 months). The impact on cleaners, property managers, handymen in the area is also not

included in terms of employment and city tax revenue on services rendered. Many of these people have few other revenue sources. This example is just one average sized condo in a remote area.

The financial logic especially given the situation the city is in makes sense.

I ask the Council to seriously include the financial impact as well as the social impact to come to a more rational approach to this issue. A knee-jerk is not what this city and operating budget needs. A future study of the approach to this issue is going to unveil the true motives of the large players behind the curtain and a financial audit of the city will expose the detrimental impact longer term in terms of lost revenue and unemployment.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 12:08 PM
Subject: Council Testimony

Written Testimony

Name	Edward Wels
Phone	
Email	edwardwels@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

This bill is too flawed to be passed. It should scrapped in its entirety.

The part of this bill that I am particularly opposed is the expansion of Waikiki to the Gold Coast.

This bill will effectively expand Waikiki congestion to the Gold Coast, greatly increasing traffic and parking stress for Oahu residents. For people who live in Kaimuki and its surrounding areas, Kaimana Beach is probably the most favored beach as we are shut out of Waikiki by the lack of parking.

This bill will limit access for all residents of Oahu at this already very crowded section of Oahu's coastline. The proposed zoning change will strongly favor tourists over residents, severely curtailing the access of Oahu residents to the ocean and public parks.

This bill creates the following POSSIBLE UNINTENDED CONSEQUENCES:

(1) a future redevelopment of the 3.4 acre Elks Club/Outrigger Canoe Club site into a vacation rental apartment building, aka a hotel, with clubs still having space on the ground floor. If such a hypothetical structure were actually built and not organized as a condominium, it would NOT be subject to the 50% limit set in Sec. 21-5.730 PART (3) PAR(D). This ordinance would greatly increase the economic incentive to the owner to undertake a redevelopment.

(2) the leasehold on the San Souci apartments expires in 2024. If the owner decides to take back the building and cancel the condominium property regime they would exempted from the 50% limitation and would be legally entitled to effectively operate the building as a hotel.

(3) other leasehold buildings in this area could do the same thing upon the expiration of the leasehold

My preference is this bill be killed in its entirety.

If that is not done, then I request that Sec. 21-5.730 paragraph (a) along with figures 21 5.1 & 5.2 & 5.3 be ENTIRELY REMOVED from this ordinance

PLEASE DO NOT EXPAND WAIKIKI !

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 12:15 PM
Subject: Council Testimony

Written Testimony

Name	Dawn Borjesson
Phone	
Email	glacierscents@mac.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	To: Honorable City and County of Oahu Council members, I Strongly oppose bill 41 as it is currently proposed. All stakeholders affected by this bill were not included in its draft development. The Council's purpose is to represent all constituency and as written this bill impacts STRs & B and B operators more than any other property owners without our input. Furthermore, changes proposed in this bill are not supported by accurate data and in zoning meetings often conjecture and opinions have driven policy. Both of these areas combined strongly suggest that if this bills moves forward in its present form the Council should expect numerous lawsuits including potential class action suits. Frankly, the crafted changes are sloppy, not well thought out as to implementation and enforcement, and no consideration for remedy periods to correct a violation. This bill's ramifications will have a detrimental impact on local communities which support STR operators and yet has not even been discussed by the Zoning and Planning Committee. I strongly support stopping the progression of this bill and instead identify, through fact and data, what are the real issues and the best policy to address that- which includes input from all stakeholders. Respectfully, Dawn Borjesson

From: CLK Council Info
Sent: Monday, January 24, 2022 10:17 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Darren Wesemann
Phone	
Email	darren.wsemann@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	On page 25 of Bill 41's CD1, section 21-5.730 b.3.D is says 50% of the resort zones can't rent. This notion was not voted on, and was inserted without appropriate discussion. This provision, if included, would be a tremendous over-reach, and needs to be stricken. There's no reason to restrict TVUs in these three tiny resort zones, which are there specifically to rent. Please remove that!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:42 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Bernie Ardia
Phone	
Email	Ba4bsinyc@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Hello all, I wish I could say Aloha, but I have written so many times during this unnecessary process. I feel rules and regs were in place and not enforced. Due to staffing or any other reason. Between this long pandemic we have all lost out on so much. Most of us have very small incomes from and STR investments we have. The stress caused by this Bill at this time seems as if its unnecessary stress and confusion coinciding with a confusing and stressful pandemic. We have paid high taxes to be allowed to operate a legal STR - even when we had to shut down for the State laws. We are very slow to find a new normal. If I felt that those of you sitting in Council seats understood this fully - I might rest easier. Each time it seems members are still trying to grasp what is written. That provides no comfort for us in limbo while you decide. Please just revisit this later when so many might lose more than loved ones during these times, we are all in. Maybe then I can feel some Aloha again.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:17 AM
Subject: Zoning and Planning Testimony
Attachments: 20220124111727_Bill_41_CD1_Written_Testimony.pdf

Written Testimony

Name	John Lisoway
Phone	
Email	John.Lisoway@Dynamysk.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

I am writing to you as an owner of a condominium unit that has an existing Non-conforming Use Certificate (NUC) and is located just outside the Waikiki Resort zone, in the X2 – Apartment Precinct.

I think almost everyone (opposed or for Bill 41) wants to see illegal short term rentals removed from the market. Bill 41 seems to want to achieve this, but there will be some unintended (I hope unintended) consequences that will be detrimental to many, many small business owners on the island if some modifications are not implemented.

I am opposed to Bill 41 CD1, but not in its entirety. The items I feel that need to be revised in the sprit of fairness for all stakeholders is as follows:

The reasons for my opposition are with the sections of Bill 41 CD1 as follows:

1. The increase in annual renewal fees from $600 to $4000 / room as oppressive and treats the hotels, who are not subject to this fee as special class. The proposed solution would be have all TVUs and Hotel operators businesses pay the exact same annual fee as all LEGAL operators will benefit from this proposed Bill 41, INCLUDING the hotel industry. I am proposing the following change to the Fee Schedule portion of the bill which will likely create the same if not more revenue to help enforce Bill 41:
(16) Nonconforming use certificate and HOTEL room renewal $200 bi-annually [$600.00] $4,000 (2 years)

2. Section 21-4.110-1, subsection (b) (2): The current wording states "…and that there were transient occupancies (occupancies of less than 30 days apiece) for a total of at least 35 days during each such year…" . This section of the bill to renew a NUC should be changed to match the current definition of a short term rental duration which is now proposed to be 90 days. The

proposed language should be: "…and that there were transient occupancies (occupancies of less than 90 days apiece) for a total of at least 35 days during each such year…" or it should match whatever the final decision is with the definition of a duration for a short term rental.

3. Section 21-5.730 Bed and breakfast homes and transient vacation units, Subsection (b) (3) (B) (ii) and (iii). The current wording only allows TVU's to have 2 adults per bedroom. Unless the hotel industry is under the same constraints, this is another oppressive regulation that favors the hotel industry. The recommend proposed wording should be changed to allow a family of 3 or 4 to stay in a single bedroom condo as the hotels are allowed. Also, the hotels are studio suites and do not technically have a separate bedroom as do many condos in and out of the resort district. This section is in effect creating 2 sets of rules for possibly the same building and buildings withing the same zoned area.

Testimony Attachment	20220124111727_Bill_41_CD1_Written_Testimony.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Committee on Zoning and Planning,

I oppose Bill 41 CD1 and recommend that Bill 89 (Ordinance 19-18) be enforced instead.

I have a STV rental **OUTSIDE** the resort zone, but I have a Non-Conformance Use Certificate (NUC) for my condo.

The reasons for my opposition are with the sections of Bill 41 CD1 as follows:

1. The increase in annual renewal fees from $600 to $4000 / room as oppressive and treats the hotels, who are not subject to this fee as special class. The recommended and better solution would be have all TVUs and Hotel operators businesses pay the exact same annual fee as all LEGAL operators will benefit from this proposed Bill 41, INCLUDING the hotel industry. I am proposing the following change to

(16) Nonconforming use certificate and HOTEL room renewal $100 annually ~~[$600.00] $4,000 (2 years)~~

2. Section 21-4.110-1, subsection (b) (2): The current wording states "...and that there were transient occupancies (**occupancies of less than 30 days apiece**) for a total of at least 35 days during each such year..." . This section of the bill to renew a NUC should be changed to match the current definition of a short term rental which is now proposed to be 90 days. The recommended language should be: **"...and that there were transient occupancies (occupancies of less than 90 days apiece) for a total of at least 35 days during each such year..."** or it should match whatever the final decision is with the definition of a duration for a short term rental.

3. Section 21-5.730 Bed and breakfast homes and transient vacation units, Subsection (b) (3) (B) (ii) and (iii). The current wording only allows TVU's to have 2 adults per bedroom. Unless the hotel industry is under the same constraints, this is another oppressive regulation that favours the hotel industry. **The recommend wording should be changed to allow a family of 3 or 4 to stay in a single bedroom condo as the hotels are allowed**. Also, the hotels are studio suites and do not technically have a separate bedroom as do many condos in and out of the resort district.

From: CLK Council Info
Sent: Monday, January 24, 2022 11:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Alex Maneffa
Phone	
Email	amaneffa@cox.net
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Chair Waters and Councilmembers: Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18. Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18. I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels? 3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or

registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.
Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name .
Date .
Signature .

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:27 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	David Herrmann
Phone	
Email	davidherrmann@msn.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	opposing Bill 41 CD-1.
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I Oppose Bill 41CD-1! Please provide opportunities for residents and voters to allow them to share rooms of their house with visitors. Stop giving in to the monopoly of hotels. Mahalo!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:48 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kimberly Obrzut
Phone	
Email	Seyesnem10@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41CDI
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Chair and Council Members, I am writing to let you good people know that I am opposed to the proposed Bill41CDI. As an owner of a condo in the Ilikai I would like to request your consideration of Not passing a bill that shows favoritism and benefits the powerful Hotel industry. Please delete the 50% cap restriction. And in all fairness, any restrictions or registration requirements proposed on STRs must be equally applied to Hotels. Why not enforce current ordinance 19-18 before adopting a new ordinance for short term rentals? Thank you for your time, Kim
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 12:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Leslie Nakajima
Phone	
Email	leslie_nakajima@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

"Laws are like cobwebs, which may catch small flies, but let wasps and hornets break through." Jonathan Swift

"The more corrupt the state, the more numerous the laws." Tacitus

"The only power any government has is the power to crack down on criminals. Well, when there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible for men to live without breaking laws."
Ayn Rand

Honourable City Council Members,

I am writing to respectfully encourage you to vote against Bill 41.

Bill 41 is being predicated on the presumption that the existing law, Ordinance 19-18 regarding the regulation of illegal short term rentals isn't sufficient in Honolulu County.

It has come to my attention that the County of Kauai has been highly successful in enforcing Ordinance 19-18 and that they have not found any need to legislate further to remediate lack of enforcement or other alleged failings. Further, it has also been reported that the current law, Ordinance 19-18 has not even been enforced in Honolulu County.

Bill 41 would appear, prima facie, to be drafted in order to provide preferential treatment and beneficial circumstances for resorts and large, national and international corporate resort interests at the detriment of the individual citizen owning, living in, and managing their legally zoned property rather than actually enforcing actions against illegal short-term rentals which are the stated purpose of this bill.

The new unprecedented, privileged class of ownership given to hotels would offer a "leg-up" for corporate entities to have greater rights than individual property owners within the legal resort zone. Further, the new fees place an undue burden on the individual property owner over and above the current fees, licences, laws, and other regulations necessary to operate a legal short-term rental should such an individual choose to do so.

This new proposed bill will create a very complicated and expensive environment in which to conduct legal short-term rentals for private individuals who may not likely have reasonable and affordable access to expensive professional legal, accounting, and legislative advisors to help make sense of the new laws - resources that are part of the enormous machinery that powers the large national, and multinational corporate entities supporting the creation of, and who stand to profit from, this new bill (part and parcel to "chilling effect" environment).

Although there is no clear breakdown easily available to an individual resident in publicly online databases, it has been reported that The Blackstone Group, the owner of Turtle Bay Resort (thus not including all the other corporate resort owners weighing in on this bill), spent $43,331,909 in individual candidate and other political donations, regionally and nationally, during the 2020 campaign cycle. There isn't a figure available for the current year but it can reasonably be assumed to be on par.

I am a full-time resident of Kuilima Estates East and intend to remain as such for the foreseeable future. I do, however, support the rights of my neighbours here and across the legal resort zoned areas of Honolulu County for their ability to reasonably manage their lives in their properties and to have the opportunity to manage their legal short-term rentals without undue burdens, restrictions, and "chilling" factors being threatened to be imposed upon them.

Further, the value of our property should not be negatively impacted due to the active influence of the hotel industry, their lobbyists, representatives, political action committees, donations, et al. and their respective attempts to create a "chilling effect" across the legal short-term rental community which at this point is very small relative to the population of the island and formerly active community of those offering accommodations prior to the establishment of Ordinance 19-18.

I also encourage you to consider voting against the now separate but related creation of a massive increase in property taxes on residential homes within the resort zone. There are many kupuna who spend 9-10 months a year in their homes at Kuilima Estates East and only rent their units the 2-3 months they are not here while they visit adult children and grandchildren on the mainland and other related activities. A recent study found that Hawaii kupuna is the top in US states of poverty in America.

This legal rental activity helps some of our kupuna to maintain a comfortable retirement. I do not understand why anyone would want to impose an undue burden on our elders (or any legal property owner) for their perfectly legal use of their individual property. A 400% or more increase on their property tax could put many kupuna, in particular, out of their homes and, likely, off the island forever for even the simple and legal act of a small, partial short-term rental for a couple of months.

This new proposed property tax increase also has the potential to negatively impact any full-time resident's tax burden and/or value of the impacted property without justification and therefore I have no alternative than to raise my voice for myself and my neighbours who are

already too afraid to speak up (the previously referenced term, "chilling effect" meaning the impact of a proposed, perceived threat thus having the effect on law-abiding citizens into a state of in-action in their right to speak up for or exercise their legal rights and interests due to a fear of potential negative consequences).

Mahalo in advance for your time and careful consideration of the issues.

Respectfully,

Leslie Nakajima

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 12:40 PM
Subject: Council Testimony

Written Testimony

Name	Elaine Wong
Phone	
Email	elaine.wong1@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD-1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am opposed to Bill 41, CD-1 regarding short-term rentals. There is already a MOU in place which should be adhered to and enforced. STR owners should not be unfairly treated and forced out of the market by the big hotels. They are small businesses and many of them need the extra income to survive, especially during these critical economic times. With the island economy in the doldrums, we should be ENCOURAGING and NOT discouraging small businesses. You REPRESENT THE PEOPLE, not only big business. I strongly urge you to be fair and find a way to accommodate the small business STR as the hotels and STR can co-exist, it doesn't have to be one or the other.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 12:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Ann F Dewey
Phone	
Email	anndewey1@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I do not support this bill. I believe 30 day rentals should be enforced..... the vacation rental sites that abide by the 30 day rental period are not a problem like the short term rentals that used to be near me with weekly turn overs of occupants. I believe there is a need in our community for legal 30 day rentals... there are times when family needs to come in for several weeks when there is a funeral or wedding within the Oahu resident's family.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 12:51 PM
Subject: Council Testimony

Written Testimony

Name	Lexi Meinen (Campbell)
Phone	
Email	Lexisoup1@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Allow me to begin by stating that I support the overall goal of eliminating illegal TVUs in residential areas, thereby protecting residential neighborhoods. However, I strongly oppose the changes proposed in Bill 41 CD1 that will affect resort zone TVUs. For decades, the TVU has been the permitted use without conditions in the resort zone, just like hotels in the zone. Recent testimonies have stated that if owners wanted to offer short term rentals, then they should do so in the resort zone and pay the same taxes as the hotel, pay the transient accommodation tax, and therefore would be on equal competitive grounds with the hotels. As a result, this is exactly what we have done. Purchased and operated legal TVUs in the resort zone, paid TAT, GET, and hotel-resort rate property tax... just like we're supposed to by law. As written, Bill 41 CD1 will provide preferential treatment to hotels over TVU owners/operators, despite TVU owners paying equal to hotels in taxes and fees. This change states that hotels are granted "special treatment," and will not be subject to the proposed rule of two occupants per bedroom for TVUs. As I recall from my hotel stays, one of the most frequent layouts is the two queen beds in one hotel room, which provides sleeping arrangements for 4. Yet, under this Bill, the hotels will be able to continue as such, while crippling TVUs. As an example, I own a studio which comfortably sleeps 4, much like a hotel. However, if this bill passes I will be limited to only 2 guests at a time. It goes without saying, but this will negatively impact my revenues. I, like many others, rely on this income stream as my livelihood. Furthermore, this bill seeks to punish TVU owners by charging a

$2000/year fee. Again, unfair treatment relative to hotels.

Bill 41 CD1 restricts TVUs in the resort zone with occupancy limitations and financial burdens that the hotels are not subject to. The hotels are exempt. Why? All we seek is fair treatment, and to be on equal footing to our hotel neighbors. TVUs in the resort zone should be allowed to continue to operate without conditions.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:10 PM
Subject: Council Testimony

Written Testimony

Name	Hector Trapani
Phone	
Email	hrebase-hnl@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Honolulu City Council Members Both Bill 41 and Council member Elefante's CD1 version of the same bill continue to establish hotels as a privileged class. Has the City contemplated the cost of merely defending itself from the multiple legal challenges that are sure to arise if this Bill becomes law in its current form? Waikiki resort zoned buildings are the home of thousands of legal STR owners/operators that have been paying the same Real Estate, GE and TAT taxes as hotels, provided thousands of jobs ad contibuted to the local economy for decades. How is depriving these owners of their right to manage their own property in favor of having it managed by a Hotel going to help to lower the long term rental cost in our residential neighborhoods or make real estate in those neighborhoods more affordable? If vacation rentals are to blame for the increase of Real Estate, why is it that it sky-rocketed during the Pandemic when tourism was basically out? Why every neighborhood on the island is being affected by the increase of property value, blue collar, white collar, near the ocean or miles away from it they all went up, not because of vacation rentals but because we are having a huge influx of people moving from other parts of the country, it started with the retiring baby boomers a few

years ago and was topped by the Pandemic in the last two.
You only need to pay attention at the surge of out of state license plates driving through Honolulu streets these days.
Are you suggesting that those cars are for short term visitors?

I can understand trying to control vacation rentals in places like the North Shore or Kailua but placing every neighborhood within this Bill is not only unfair is also counterproductive and disenfranchising the Waikiki legal vacation rental owners in favor of the hotels is the worst part yet.

Thank you for your time

Hector Trapani

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:23 PM
Subject: Council Testimony

Written Testimony

Name	Celia Krom
Phone	
Email	celiakrom@cox.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose extending the minimum rental period to 90 days. Many people have purchased property on Oahu and have relied on the extra income they get from short-term vacation rentals. Three months is unreasonable for a vacation rental. I feel this is a hardship for the owners and discourages potential new ownership of real estate.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:27 PM
Subject: Council Testimony

Written Testimony

Name	William Kim
Phone	
Email	Will.crabbe@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	CR-8 Bill 41(2021),CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I William Kim Crabbe give this testimony in support of this bill being heard. I support the bill because this is my only means to make a living. I'm over 65 years old and depend on this to pay all bills in this household of 4. I pay my taxes. Please let me continue. All my neighbors know what I do and do not feel threatened by this. I have NEVER had a complaint or unruly guests ever. I'm present at all my house arrivals
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Cynthia Chess
Phone	
Email	chessca@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I feel owner-occupied shouldn't be included in this bill. I also feel that a 90 day minimum is unreasonable. Keep it to 30 days
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	David Saito
Phone	
Email	david.saito@marinahawaiivacations.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Organization
Organization	Marina Hawaii Vacations
Written Testimony	I am opposed to Bill 41, specifically the 90-day requirement. The purpose of Bill 41, as stated on the ordinance: The purpose of this ordinance is to better protect the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals by providing a more comprehensive approach to the regulation of transient accommodations within the City. There are two clear functions of this ordinance. 1. to better protect the City's residential neighborhoods 2. to better protect the housing stock Purpose 1: to better protect the City's residential neighborhoods • I think it is safe to say that most people feel the need for regular enforcement in the Residentially Zoned areas. • What is the justification for restricting the vacation rentals in the Resort and Mixed-Use Zones to a minimum of 90 days? It is much more difficult to find a 90-day rental than a 30-day rental. The truth is, for financial and other reasons, renters do not all fit in the 90-day box. • "To make it easier to enforce" as stated by the DPP? Illegally infringing upon the rights of the homeowners is not the solution. These units are in zones with hotels whose primary business is short-term rentals. • The vacation rentals in these zones area may be a combination of residential vacation rentals and hotel guests. In most cases, the vacation rental guests are just as well behaved or better neighbors than the hotel guests. • Vacation rental guests are provided the House Rules, while the hotel guests have no idea what the House Rules are or that they exist.

• In addition, a large portion of the time, the respectful owners or people related to the owner may occupy the unit.

Purpose 2: to better protect the housing stock

• The vacation rental properties in the Resort and Mix-Use Zones are not a threat to the overall local housing inventory. These zones are generally not the areas the local owners seek to purchase. The exceptions are the small number of local buyers who desire to live in a tourist location or who wish to invest in a rental property.

Changing the minimum stay to 90 days creates two rules. One against the homeowners and one for the Hotel corporations. This rule constricts the homeowner's ability to generate income while funneling the revenue to the corporations.

The intended purpose of enforcing illegal rentals in the actual Residential Zones is Bill 98 / Ordinance 19-18, which was never effectively enforced. This should remain the focus and not Bill 41.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:41 PM
Subject: Council Testimony

Written Testimony

Name	Denise Boisvert
Phone	
Email	infofordenise@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Council Chair Waters and Councilmembers, I am in full SUPPORT of Bill 41, CD1 (BE1). 180-minimum days had good intentions but I think 90-days is more practical for travel nurses and other contract workers. Actually, anything is better than 30-days because illegal STR operators easily manipulate rental agreements to appear to follow the law, but most renters RARELY stay for that long. As a longtime resident of Waikiki's Apartment Precinct (where people from all the islands, states, and many countries call home) I have been heartbroken to see so many good, hard-working, long-term tenants be kicked out by landlords and condo buyers in order to operate (illegal) vacation rentals. These investors who usually don't live in Waikiki or even in Hawaii have turned many of my neighborhood's residential condo buildings into illegal "hotels". Additional rules in the Bill should be: - landlords and property managers with tenants in condo and apartment building must inform the Resident and On-Site Managers of the arrival and departure date of any new tenants - Resident and On-Site Managers of condo and apartment buildings must inform the DPP whenever tenants have stayed for less than the 90 (or 180) day minimum - DPP must investigate the physical property within two days of a report of a suspected illegal STR and continue to investigate until contact is made with the vacationers (before they leave town) - some sort of proof must be given if people staying in a suspected illegal STR say that they are "friends or family" of the owner

Please pass Bill 41, CD1 as soon as possible to make more housing available, and don't give DPP 180 days to start enforcing it. Mahalo.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I oppose Bill41, CD1.

I own a condo unit in the Apartment Precinct Area in Waikiki. I hire a local property management company to manage my 30 day minimum rentals. I'm paying property tax, GET and TAT with the income of my condo. I follow the rule that all listing websites like Airbnb, Expedia, or Japanese listing platforms are technically restricted from taking any reservation less than 30 days. All legal.

First of all, units that have legally started a rental business prior to the enforcement of this bill should continue to be allowed to rent under the same conditions as before.

Also, it is extremely unreasonable to limit the number of nights to 90 days in the apartment zone. The change of the minimum stay from 180 days to 90 days will change nothing both for guests and unit owners.

It still sounds like Honolulu wants to exclude most Japanese and Koreans from the residential neighborhoods as most of them get an ESTA to enter the state of Hawaii, which allows them to stay in Hawaii for up to 90 days.

They will feel the transformation of the "Aloha Spirit" in Honolulu.

This bill is the worst for tourists who love Hawaii and many workers of Hawaii's tourism industry.

I also oppose changing the underlying "spirit" of Hawaii for the benefit of some.

With this bill, the atmosphere of Hawaii, especially Honolulu, will be far from comfortable, and the tourism industry will undoubtedly decline. The bill could reduce the number of tourists but will never increase it.

Why now?

Now that Hawaii's tourism industry has been devastated by Covid-19, isn't it a betrayal to Honolulu citizens, many of whom are engaged in the tourism industry, to discuss such bills?

I strongly believe that this bill is the worst for everyone both in the terms of its content and the timing, except for a few who will benefit from it.

Name Mitsuru Kubota .

Date 1/24/2022 .

Signature 久保田満 .

mkubota1@nifty.com

Aloha Chair Waters and Councilmembers:
Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.
I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.
Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.
I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

- The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

  With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

- The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

- **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

- **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Kai Yang .
Date 1/24/2022 .
Signature .

cyang@rocketmail.com

From: CLK Council Info
Sent: Monday, January 24, 2022 1:57 PM
Subject: Council Testimony

Written Testimony

Name	Leslie Nakajima
Phone	
Email	leslie_nakajima@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

"Laws are like cobwebs, which may catch small flies, but let wasps and hornets break through." Jonathan Swift

"The more corrupt the state, the more numerous the laws." Tacitus

"The only power any government has is the power to crack down on criminals. Well, when there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible for men to live without breaking laws."
Ayn Rand

Honourable City Council Members,

I am writing to respectfully encourage you to vote against Bill 41.

Bill 41 is being predicated on the presumption that the existing law, Ordinance 19-18 regarding the regulation of illegal short term rentals isn't sufficient in Honolulu County.

It has come to my attention that the County of Kauai has been highly successful in enforcing Ordinance 19-18 and that they have not found any need to legislate further to remediate lack of enforcement or other alleged failings. Further, it has also been reported that the current law, Ordinance 19-18 has not even been enforced in Honolulu County.

Bill 41 would appear, prima facie, to be drafted in order to provide preferential treatment and beneficial circumstances for resorts and large, national and international corporate resort interests at the

detriment of the individual citizen owning, living in, and managing their legally zoned property rather than actually enforcing actions against illegal short-term rentals which are the stated purpose of this bill.

The new unprecedented, privileged class of ownership given to hotels would offer a "leg-up" for corporate entities to have greater rights than individual property owners within the legal resort zone. Further, the new fees place an undue burden on the individual property owner over and above the current fees, licences, laws, and other regulations necessary to operate a legal short-term rental should such an individual choose to do so.

This new proposed bill will create a very complicated and expensive environment in which to conduct legal short-term rentals for private individuals who may not likely have reasonable and affordable access to expensive professional legal, accounting, and legislative advisors to help make sense of the new laws - resources that are part of the enormous machinery that powers the large national, and multinational corporate entities supporting the creation of, and who stand to profit from, this new bill (part and parcel to "chilling effect" environment).

Although there is no clear breakdown easily available to an individual resident in publicly online databases, it has been reported that The Blackstone Group, the owner of Turtle Bay Resort (thus not including all the other corporate resort owners weighing in on this bill), spent $43,331,909 in individual candidate and other political donations, regionally and nationally, during the 2020 campaign cycle. There isn't a figure available for the current year but it can reasonably be assumed to be on par.

I am a full-time resident of Kuilima Estates East and intend to remain as such for the foreseeable future. I do, however, support the rights of my neighbours here and across the legal resort zoned areas of Honolulu County for their ability to reasonably manage their lives in their properties and to have the opportunity to manage their legal short-term rentals without undue burdens, restrictions, and "chilling" factors being threatened to be imposed upon them.

Further, the value of our property should not be negatively impacted due to the active influence of the hotel industry, their lobbyists, representatives, political action committees, donations, et al. and their respective attempts to create a "chilling effect" across the legal short-term rental community which at this point is very small relative to the population of the island and formerly active community of those offering accommodations prior to the establishment of Ordinance 19-18.

I also encourage you to consider voting against the now separate but related creation of a massive increase in property taxes on residential homes within the resort zone. There are many kupuna who spend 9-10 months a year in their homes at Kuilima Estates East and only rent

their units the 2-3 months they are not here while they visit adult children and grandchildren on the mainland and other related activities. A recent study found that Hawaii kupuna is the top in US states of poverty in America.

This legal rental activity helps some of our kupuna to maintain a comfortable retirement. I do not understand why anyone would want to impose an undue burden on our elders (or any legal property owner) for their perfectly legal use of their individual property. A 400% or more increase on their property tax could put many kupuna, in particular, out of their homes and, likely, off the island forever for even the simple and legal act of a small, partial short-term rental for a couple of months.

This new proposed property tax increase also has the potential to negatively impact any full-time resident's tax burden and/or value of impacted property without justification and therefore I have no alternative than to raise my voice for myself and my neighbours who are already too afraid to speak up (the previously referenced term, "chilling effect" meaning the impact of a proposed, perceived threat thus having the effect on law-abiding citizens into a state of in-action in their right to speak up for or exercise their legal rights and interests due to a fear of potential negative consequences).

Mahalo in advance for your time and careful consideration of the issues.

Respectfully,

Leslie Nakajima

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 1:58 PM
Subject: Council Testimony

Written Testimony

Name	Richard D Sterman
Phone	
Email	Richard@Sterman.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	Sterman Realty
Written Testimony	Aloha, I see this Bill 41 for what it is... a way for the DPP or the Hotel Interests to get back at the Vacation Rental advocates that won their "1x Per Month" battle. They all but admitted that on the televised debate they conducted not long ago. The problem is that they are pulling out a Cannon to fight a simple "Under 30 Day" battle that they could handle with a simple hand-gun (or a little policing of the Bill 89 industry). This Bill 41, IF PASSED, would certainly hurt a company (and community) like mine: MY COMPANY: Sterman Realty, Haleiwa, Hawaii (since 1981) We have specialized in Month-to-Month Rentals for over 40 years and, as transient as the North Shore is, we don't want to 'chance' renting to Longer Term BAD Renters. We'd rather start everyone off as a Month-to-Month renter. Example/Pupukea Rental of mine: I've had one Month-to-Month renter in this Makana Road property that I manage for over 20 Years! When I find a good renter - my Mo-to-Mo rental allows me to do nothing and I always allow the good tenants to stay and keep the rents as low as I can. I just need to know he or she is a good renter before deciding to

keep going with them!

MY COMMUNITY:
The North Shore of Oahu (which has dozens, if not hundreds, of homes and condos that will NOT be rented out longer term; like 6 months or 1 year) is the perfect neighborhood for Month-to-Month rentals (over 30 days but not sure how long they will need to rent; maybe they want to buy or upgrade).

We have all these IInd Home Owners that allow "Long Term Stays" at their properties. That might be 1 month, 3 months or, even up to 6 months.
This is VERY important for the north shore. We have:
1. Schofield Pedestrian Contractors, Windmill Industry Contractors, Traveling Nurses, Surf Industry Workers, Seasonal Pro Surfers or Industry Executives all coming in for 1 to 6 months in length... they will NOT stay at any hotels (they CAN'T... as Hotel Rooms are out of their budgets ... and Hotels are normally all booked up anyway and booked more than a year out).
2. These IInd Home Owners that USE their homes an average of 1/4 to 1/2 of the year... and they would NOT rent to LONG TERM tenants as they come back during the year, sometimes multiple times. They CAN'T rent LONG TERM. So, if Bill 41 were to pass, they would just leave their homes EMPTY - or do 'DEALS' under the table without using a Realtor giving the City or State NO TAX PROCEEDS!

Don't push owners UNDERGROUND!

Everyone has given up on under 30 day rentals.

Month-to-Month rentals WORK for our community ... and ESPECIALLY for our community!

Don't take that away because the DPP and Hotel Industry wants to stop Illegal Vacation Rentals and can't seem to figure out how to do that without hurting a long-term industry out this way!

I know my Honolulu Board of Realtors agrees with me... and they will surely give their own testimony... however, I've been in this business doing a service to the owners and to those renters that are coming over here to be future home owners. I've been doing this for well for over 40 years. Please allow me to continue doing a good job for our community!

THANK YOU

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Monday, January 24, 2022 2:01 PM
Subject: Council Testimony

Written Testimony

Name	Sachiko Pelkaus
Phone	
Email	sachiko@hawaiiproperty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41, CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Amika Hisamoto

Date 1/24/2021

Signature Amika H

amika@captaincookresorts.com

From: CLK Council Info
Sent: Monday, January 24, 2022 2:05 PM
Subject: Council Testimony

Written Testimony

Name	Chuck Prentss
Phone	
Email	prentissc001@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha: My name is Chuck Prentiss, I am a retired City Planner and Economist. I was the former Chair of the Kailua Neighborhood Board, and former Executive Secretary of the Honolulu City Planning Commission. I want to commend Zoning Chair Elefante and all others who worked to prepare the current draft of Bill 41 CD1. CD1 is much more focused on the basic problem of short-term rentals, especially where it requires a 90-day minimum stay and where it removed the provision (in Table 21-9.6(A)) which would have permitted hotels in the Waikiki Apartment Precinct. Others will be recommending some modifications to the wording of the Bill with the intent of further strengthening enforcement procedures. I just want to point out two important facts related to the negative effects of short-term rentals (STR's) on our housing supply and our economy. The Hawaii Tourism Authority has reported that 70% of STR's are owned by off-shore owners. In addition, the State DBEDT has data in their "Data Book" which shows that tourists in STR's spend 20% less than those in hotels. So it is important to adopt Bill 41 to help with housing supply problems as well as to support the health of our primary economic base. Mahalo.
Testimony Attachment	
Accept Terms and Agreement	1

To: Honolulu City Council, Zoning Committee January 24, 2022

From: Lucinda and John Pyles, Kahala Residents (kahalabob@aol.com)

RE: Testimony in **SUPPORT of BILL 41-CD1 (2021)**, relating to transient accommodations.

We beg you to pass Bill 41 CD1 but with the 180 days reinstated in the definitions as was recommended by DPP. We agree strongly that short term rentals should only be permitted in resort zoned areas. Whether a 90 day or 30 day rental the negative impact on our neighborhoods and residential housing stock is very much the same. In today's increasingly work-from-home world it is much easier and attractive to work in a home in our neighborhood for a few months than in the past. However, these remote work-cationers are not part of our workforce, our neighborhood, our community, but are taking the residential stock from those who are and populating our neighborhoods with transients.

We have seen evidence of a significant increase in short term transient rentals (STRs) in the Kahala neighborhood in the past few years. As you are aware of, illegal operators have found any number of ways to continue to operate. The **residential** zoning that we took for granted existed to protect and preserve **residential** neighborhoods has failed us so please adopt Bill 41 CD1 as a measure to remedy that.

We have been Kahala residents since 1973, raising a family in what was a wonderful family neighborhood populated by local residents. For more than twenty years we have testified against permitting short term transient rentals in our residential neighborhoods and begged for better enforcement. Where we once had local families for neighbors, we now have on two of our nearest neighboring properties whole-home short term vacation rentals which either sit empty or are occupied by transients. Both properties are owned by non-residents, a Japanese Corporation and a California attorney in the name of an LLC, one with a NUC and one that has operated illegally since purchased in 2005. Both own additional rentals in the Diamond Head / Kahala area. Both are gated and have property managers.

Please do not dilute Bill 41 CD1. We support all the following hope you will to:

- the amended definitions of B&B and TVUs as being units rented for periods of less than 90 days but definitely prefer 180 days,
- restricting STRs to only resort zoned districts, registration requiring a title report,
- requirements that TMK and NUC numbers be included in advertising and increased fines,
- increased registration renewal fees for NUCs,
- registration of occupants and limitation on number of occupants related to bedrooms,
- restricting the number of guests to 10 who are not overnight, registered occupants of the STR,
- requirement for informational binder to be given to transient occupants,
- statement that provisions do not supersede private restrictive covenants and
- clarification of circumstances under which the DPP Director may revoke a certificate.

It's taken more than three decades but we applaud DPP and the council for finally being on the cusp of effectively addressing the short term rentals and giving our residential neighborhoods back to those that reside or wish to reside there (the Webster dictionary defines "**reside**" as "to dwell permanently or for a considerable time" or to "live" or "be present habitually").

Thank you.

From: CLK Council Info
Sent: Monday, January 24, 2022 2:22 PM
Subject: Council Testimony

Written Testimony

Name	Wendy Barnfield
Phone	
Email	wendy@ragingisle.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please halt Bill 41. With the condition of the states' economy in such poor position , this over taxation, additional regulations, and moving this bill forward is not exceptable. To target such a small group of people and to expect us to remedy the whoas of the economy is not where the focus should be. Just because a city official an elected politician of the state whom the citizens voted in, is against TVU's doesn't make this right. For those who are legal TVU's and B&B's we would expect in the minimum to enforce and go after those who are illegal yet this has not been done. Just because the hotels and the hotel union are pushing this agenda , doesn't make it right or justified. With a windfall of over three billion dollars coming available , lets distribute this windfall where it will help in the most appropriate way and not put it in a rainy day fund. Lastly this Bill feels like smoke and mirrors to divert revenue to the rail. Our revenue generated via taxes through the TVU's and B&B's will barely put a dent in the economic crisis our state is in. Also the huge tax increase by 3% and the initiation fee along with annual fees will put an undo burden on the owner, that the price per night will end up out pricing themselves and be put into jepordy to be able to rent at a competitive rate. Especially if the illegal places aren't shut down. Lastly the legal TVU's and B&B's are part of the critical mass. They provide places for the "not wealthy" and meet a required need. These guests contribute to all aspects of income and taxes from buying in retail,restaurants, bars, tourist activities whether privately own or owned by the state. To loose these people would continue to weaken our economic state. Lastly to raise the property taxes 10 fold is an atrocity in itself. Please stop this bill. Go back to the drawing board and reconstruct it so it is fair and just.

Sincerely
Wendy Barnfield

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

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2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

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4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Van Parseghian

Date 1/24/2022

Signature Van Parseghian

From: CLK Council Info
Sent: Sunday, January 23, 2022 12:25 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Louanne R Cossa
Phone	
Email	louanne@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Housing and the Economy
Agenda Item	BILL041(21), CD1 - 01-20-22 ZP
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose this bill on several grounds - first instead of adding additional vacation rentals we NEED to curtail! This is not helpful to residential communities not does it help our Hotels! This will created a loss of jobs and cause more parking problems which is already out of control! Let visitors stay in Waikiki and WALK to our parks and Beaches on the Gold Coast and Diamond Head We could all use more exercise.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 2:38 PM
Subject: Council Testimony

Written Testimony

Name	Sang Hyung Lee
Phone	
Email	sanghyung99@naver.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Opposition of Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 2:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Bob Cook
Phone	
Email	honolulub@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	41
Your position on the matter	Oppose
Representing	Organization
Organization	Captain Cook Real Estate
Written Testimony	My wise grandpa taught me that if its not broke, don't fix it. Our legal vacation rental system is not broken so please leave it alone and not try to fix it. Our illegal vacation rentals on the other hand ARE broken and need a fix. Please use your energies to remedy the illegal vacation rentals. Use your powers to build, not destroy.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name	Simon Lynch
Date	Jan 25 2022
Signature	

From: CLK Council Info
Sent: Monday, January 24, 2022 2:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Denise Freund
Phone	
Email	gm@alawaihouse.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	CR-8 Bill 41 (2021) CD1
Your position on the matter	Comment
Representing	Self
Organization	Ala Wai House - Gold Standard Realty LLC
Written Testimony	Enforce the rule established in 2019. Our property at 263 Kaiulani Ave complied to the 30-Day Minimum Stay. It's not fair that those who didn't comply may ruin it for those of us who did. How will anything different be enforced?
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 2:51 PM
Subject: Council Testimony

Written Testimony

Name	Mollie Foti
Phone	
Email	fotiprmk@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Our family is in full support of this bill. Illegal vacation rentals have been a problem since the 1980"s. 35 plus years later, with the advent of social media and platforms like AirBnB, VRBO and Exedia, the problem has only grown larger and more complex. Bill 41CD1 offers a reasonable path toward reining in the illegals while providing a means of enforcement. Of course, the vacation rentals industry does not like this. Unscrupulous realtors have been selling homes to out of state buyers for years with the understanding that they could be rented out short term, even offering a service to do so. How does this fit into the "mom and pop" BandB image they like to present? Thirty years ago most BandB's or STRs were owned by local families and housing was not such an acute problem for our local residents. Times have changed. There are now up to 10,000 vacation rental houses available, but try and find a reasonable home to rent. Please reflect on what is best for local families. What keeps our neighborhoods intact. And then vote to pass Bill 41CD1. Thank you Mollie and Philip Foti 261 5550 1343 Mokulua Drive, Kailua, HI 96734 fotiprmk@hawaiiantel.net
Testimony Attachment	
Accept Terms and Agreement	1

From: CLK Council Info
Sent: Monday, January 24, 2022 3:05 PM
Subject: Zoning and Planning Testimony
Attachments: 20220124150438_Itsujis_testimony.docx

Written Testimony

Name	Itsuji Hatano
Phone	
Email	itsuji@captaincookresorts.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	Captain Cook Real Estate
Written Testimony	Aloha Council members! Thank you for allowing me to write this testimony! I am concerned what this Bill 41 will do to our Japanese visitors. I am sure this 90 day or 180 days minimum requirement will wipe out most of the vacation rental businesses in Oahu. 30 day is pretty much the limit for vacationers. We manage nearly 200 condo units in Waikiki resort zones and in the mix use zone. Most of our units are beautifully renovated and rents are not cheap. 30 % of our clients are Japanese. Most of them are very wealthy family with 2-3 children. The parents are in their 40's -50's, so called YUPPY. Increasing number of Japanese visitors think staying in condo is trendy and fashionable. There are Japanese booking sites for Hawaii vacation rentals. It is growing rapidly. Hotel rooms art not well suited for the families. Bill 41 will chase all these wealthy Japanese visitors, most of them are repeaters. You see these families in Kahala mall and Ala moana shopping center, on Kuhio and kapahulu. They shop at local markets, farmers markets, take hula and ukulele lessons and environmentally very conscious. Some of them are investors. They buy condos through Japanese real estate agents at Locations, Coldwell bankers, Sachi Hawaii. They hire local contractors to renovate and buy furniture at CS Wo, Inspirations and Bali Aga. Japanese people love Hawaii. I believe people in Honolulu have been waiting for these affluent Japanese visitors to return, so our economy can be rebuilt after the pandemic. These families love to stay in condos where there is kitchen, laundry facility and family room. If we pass this Bill41, they have no choice but to go elsewhere like Australia and Thailand. Please do not take their Hawaiian dreams away!

	Mahalo.
Testimony Attachment	20220124150438_Itsujis_testimony.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Council members!
Thank you for allowing me to write this testimony!
I am concerned what this Bill 41 will do to our Japanese visitors. I am sure this 90 day or 180 days minimum requirement will wipe out most of the vacation rental businesses in Oahu.
30 day is pretty much the limit for vacationers.

We manage nearly 200 condo units in Waikiki resort zones and in the mix use zone. Most of our units are beautifully renovated and rents are not cheap. 30 % of our clients are Japanese. Most of them are very wealthy family with 2-3 children. The parents are in their 40's -50's, so called YUPPY. Increasing number of Japanese visitors think staying in condo is trendy and fashionable. There are Japanese booking sites for Hawaii vacation rentals. It is growing rapidly. Hotel rooms art not well suited for the families.

Bill 41 will chase all these wealthy Japanese visitors, most of them are repeaters. You see these families in Kahala mall and Ala moana shopping center, on Kuhio and kapahulu. They shop at local markets, farmers markets, take hula and ukulele lessons and environmentally very conscious. Some of them are investors. They buy condos through Japanese real estate agents at Locations, Coldwell bankers, Sachi Hawaii. They hire local contractors to renovate and buy furniture at CS Wo, Inspirations and Bali Aga.

Japanese people love Hawaii. I believe people in Honolulu have been waiting for these affluent Japanese visitors to return, so our economy can be rebuilt after the pandemic. These families love to stay in condos where there is kitchen, laundry facility and family room. If we pass this Bill41, they have no choice but to go elsewhere like Australia and Thailand. Please do not take their Hawaiian dreams away!

Mahalo.

January 24, 2022

To: Chair Waters and Honolulu Council Members:

We are writing this to you to please **beg/ask you to reconsider Bill 41**. We purchased our unit in the Waikiki Sunset about 17 years ago so we could experience the Aloha Spirit and also have an investment property in a wildly popular Waikiki Beach Resort area. During these 15 years, we have rented our unit as a vacation (STR) condo and paid GET and TAT taxes on every guest that stayed in our unit. When we purchased our unit it was advertised as a vacation rental, personal use, and investment property. Was this false advertising?

We were renting our unit legally for all these years. Now you want to take this right away from the owners. You accepted the TAT and GET taxes so why is it now that you no longer want to collect these from our unit? How many truly illegal STR will have have to find to make up this massive loss of TAT taxes from legal STR rentals. Surely Honolulu can use this tax money to help alleviate the shortage of homes on Oahu. I cannot imagine the amount of TAT taxes you have lost by limiting the Waikiki Sunset (and other buildings) as a vacation rental since it has operated as a condo hotel for over 40 years. We should at least be Grand Fathered since we have played by your rules since our purchase. There is a 24/7 hotel lobby at the Sunset to check in and out. Why would anyone even consider this a residential building and not a condo hotel?

Our unit has lost over $100 k value since you decided to change the rules. We have also lost thousands of dollars in rental income that pay the mortgage and maintenance fee on this unit. I am at a loss as to why this is the answer to your housing shortage. A vacation unit does not put additional burden of more students in local schools but simply generates great taxable income for Honolulu.

Bill 41 is a disaster for the owners and all the employees of so many local businesses that cater to all the need of visitors to Waikiki. Many of these businesses will have to close their doors. This certainly is NOT the Aloha spirit.

I feel the hotels have some hand in this horrible Bill 41 and a class action lawsuit may well be in the future. You have no right to take owners rights away from us.

Respectfully submitted,

Bob and Carol Hamel (ro.hamel1@cox.net)

From: CLK Council Info
Sent: Monday, January 24, 2022 3:10 PM
Subject: Council Testimony

Written Testimony

Name	Mark
Phone	
Email	markpetritz@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	Petritz Realty
Written Testimony	As rental owner and manager we oppose Bill 41 and increasing minimum stay beyond 30 days. Enforce 1918 and allow bnbs. DPP says they have 7 unfilled positions. This is like making law changes related to criminals if the police dept was operating with 30% staffing.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 3:27 PM
Subject: Council Testimony

Written Testimony

Name	Jeremy Sosner
Phone	
Email	jsosner@privatehomeshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41CD1
Your position on the matter	Oppose
Representing	Organization
Organization	Private Homes Hawaii
Written Testimony	Thank you for reading the following testimony in opposition to Bill 41CD1 in its current form. I think this bill is unbelievably short-sighted in taking a problem that needs a little correcting, too far, and is excessively harsh. We have owned our home in Kailua for 30 years and fully support Bill 89 passed in 2019 as a way to combat the illegal vacation rental activity occurring at the time. We saw and felt an immediate drop in activity and believe that continued pressure from the DPP will not only shut the illegals down but contribute to better run, more welcomed accommodations for our visitor industry. I don't see or hear much in the media on how our visitors regard this issues so I'd like you to see what some of our guests have written from their recent vacation rental experience: "We thoroughly enjoyed staying in this waterfront home. We had a number of family members visiting and everyone was thrilled with their rooms and the accommodations in general. Plenty of room to spread out, amazing views, wonderful location. We would definitely stay here again, highly recommend for a group." Heidi, Mill Valley, CA "We had a great time and loved exploring the Lanikai beach community. We were a multigenerational family + nanny visiting august 2021. The property description of the house itself was exactly what we expected - the photos are accurate as is the description and house was well maintained. The pool & hot tub were great. We loved the grass in the backyard = perfect for our 2yr old. There are 2 master suites = great for parents. There was a separate apartment = perfect for nanny.

And we LOVED the outdoor shower + front lanai". Alexis, Los Angeles, CA.

"Everything shown on the website was absolutely what we enjoyed for our visit! Beautiful, yet livable spaces, steps from the beach! The entire Private Homes Hawaii was devoted to making our vacation perfect, and it was! - Cathy, Estes Park, CO.

"My family and I stayed at this location in November 2021 for a month. We had an amazing stay and we were extremely satisfied with every aspect of the property. The location is literally right on one of the best beaches in Hawaii (and the USA for that matter), and the opportunity to walk straight out the door onto a breathtaking stretch of sand for a morning walk was in itself a highlight. The house was very clean upon arrival, had gorgeous rooms for sitting and relaxing, was well considered regarding beach and pool amenities as well as everything else you could need to ensure a stress-free stay. Finally, the pool and accompanying courtyard was an added bonus... the pool is huge and the kids loved it as a great alternative to the ocean. Overall, I'd highly recommend this property". Richard, Melbourne, AU

"We had a wonderful stay in July 2021. Beautiful beach, amazing views, overall awesome experience. Second time we used Private Homes Hawaii and can't say enough about the overall experience, totally recommend renting with them...hope to come back again soon!!" Kyle, Scottsdale, AZ

One point I would like to make is that these guests and others like them will NOT stay in hotels! They will take their business elsewhere and while it seems that those proposing this bill are easy to let this business go, the resulting economic impact will be devastating to the many restaurants and local business that cater to the visitor industry. Most of these guests have been traveling like this, to Oahu for 20+ years. We have many that have since purchased homes of their own and become full time residents - all because they enjoyed their time as visitors initially. Why would we want that type of business stopped completely? Yes, create sensible legislation that combats those owners that think they can run a hotel in a residential neighborhood. Nobody wants to see that. But, those that take a month off with their extended families to enjoy Oahu are not likely to take 90 day minimum vacations and certainly not 180. Families traveling together are a huge trend in the travel industry and many are unable to or want to stay in hotel rooms - especially in crowded resort areas. It is healthy for a beach-side community like Kailua to have a blend of local residents and vacationers sharing the beautiful beaches and thriving town - the very nature of which, was created by locals and visitors alike in the past 40+ years.

Families, actors, professional athletes, business executives, even our ex-president Obama, will be chased away by this new policy. All have contributed mightily to our economy and tax base and should have a

means of continuing to bring their business to the City & County of Honolulu. Please re-think Bill 41 now!

Thank you.

Jeremy Sosner (B), Principal Private Homes Hawaii

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 3:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jocelyn Eaton
Phone	
Email	joey@joeyeaton.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, As a full time Realtor for the past 34 years, I strongly oppose the proposed Bill 41 regulating short term rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 3:52 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Kate Bliss
Phone	
Email	katebliss@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Housing and the Economy
Agenda Item	CR-8 Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41. It's too restrictive at 90 day minimums. Tourists are not staying for over 30 days. This will hurt a lot of people traveling here for work or to visit family. Keep the minimum number of nights at 30 days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 3:57 PM
Subject: Council Testimony

Written Testimony

Name	DARRELL UHER
Phone	
Email	duher1515@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The 90 day rental minimum is still excessive. If this becomes law, I will leave my attached 1 bedroom vacant for family when they come to visit.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 3:58 PM
Subject: Council Testimony

Written Testimony

Name	STEPHEN KOFSKY
Phone	
Email	STEVELOVESMUSIC2@YAHOO.COM
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Pass Bill 41. The vast majority of the community supports it. I am a realtor and there is no reason for Realtors to support this Bill especially in this tight real estate market. Crass commercialism and profiteering will crush the way of life we enjoy in Hawaii. The weak spot in the current CD1 is of course the Enforcement. As presented, the DPP will be responsible for verifying compliance which will remain the same as herding cats, especially in the case of absentee property owners, where they can claim compliance to the Notice of Violation once the 3 day tenant moves out. But how will the DPP know when another tenant moves in the next day as is our current and ongoing neighborhood situation? My suggestion-question the adjacent property owners who suffer the most from the violation. Everyone deserves to live peacefully. Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 4:08 PM
Subject: Council Testimony

Written Testimony

Name	Susan J. Wurtzburg
Phone	
Email	susan.wurtzburg@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Bill 41 (2021), CD 1 Aloha Chair, Vice-Chair, and Members of the Honolulu City Council, I support Bill 41 (2021), CD 1, and would like to see this bill passed, with at least 6-months rentals required. This would help many of us concerned about finding long-term rental accommodation here, and would also improve our neighborhoods. I live in Kailua, and more importantly, given the content of this bill, I rent long-term in Kailua, and have done so for many years. It is almost impossible to find long-term rentals in this community because of the proliferation of short-term illegal rentals. I am the last real rental on my current street, so far as I can tell, but everywhere I wander, I see signs of illegal tourist accommodations. Why can't we look after residents already living here before touting for tourism dollars? Plus, I am tired of being disturbed, crowded, and generally inconvenienced by people, who have no long-term connection to this neighborhood, and often, little respect for those of us living here. I am also annoyed by the attitude that individual property rights trump the rights of all of us living in the community. It is surely obvious that when individual, illegal money-making is affecting the neighborhood deleteriously, it needs to be stopped. In conclusion, please pass the strictest version of Bill 41. Many of us have been waiting for enforcement to occur in our neighborhoods for years.

Mahalo,

Susan J. Wurtzburg

* * *

Dr. Susan J. Wurtzburg
Kailua

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 4:09 PM
Subject: Council Testimony

Written Testimony

Name	Bryantt Bernardo
Phone	
Email	bryantt.bernardo@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Lived in Hawaii my whole life. As a teacher on Oahu for the last 19 years just hoping to one day find a reasonably priced home for my wife and I, I ask you to please prioritize RESIDENTS during this especially challenging time for our island. The gap between the rich and poor only grows larger and people are struggling. Let's talk about struggle and put it into perspective. There is talk of people who will "potentially" "struggle" if they cannot do short term rentals. People fortunate enough to own multiple homes might be affected by this bill in that they may: 1) be discouraged from buying up more houses at above asking price to profit off short term rentals 2) sell one of their multiple houses (probably making a huge profit) and put some supply back on the market for residents to buy or to rent 3) rent one of their multiple homes to residents as long-term rentals (making slightly smaller profits) . ACTUAL current struggle of residents happening because of proliferation of illegal short term rentals: 1) In small neighborhoods, resident parking is being taken away. 2) Safety of knowing who your neighbors are is being taken away. 3) Houses that can be lived in by residents are being taken off the market so rich people can get richer 4) Residents like myself and my wife cannot find a single (not multiple) affordable home in residential neighborhoods because of the limited supply and can't compete with rich local/mainland people buying up

multiple properties to airbnb

Everyone's voice matters but when people talk of challenges and struggles. Please put these "struggles" into perspective. Some people struggle with "wanting" to make profits from multiple homes as income. Other people are struggling with "needing" to find even a single home to live in and call home. Mahalo for your support of this bill.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 4:11 PM
Subject: Council Testimony

Written Testimony

Name	Conner Wagner
Phone	
Email	connerjwagner@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Hello, My name is Conner Wagner and I oppose certain aspects of Bill 41 as it directly effects my family in a negative way. I am third generation in a family business consisting of legal TVUs that has been operating, legally, on the North Shore for over 30 years. It seems as though this happens every year. New laws come into discussion with the guise of getting rid of illegal vacation rentals, but the legal ones are the ones who end up paying the price.....literally. This Bill wants to raise our registration fees from $400 to $4,000 per unit. That goes from $5,200 per year to $52,000! We are a low-budget hostel not a fancy hotel. And yet we will be taxed under "hotel and resort" rate, but without any of the rights a hotel or resort get. Hotels and resorts have other avenues of income while we do not have that ability. If this goes through what's stopping another bill to pass next year raising our fees/taxes yet again. Eventually the financial burden as well as the emotional burden of having to fight these Bills every year will force folks out of business or to operate illegally, under the radar. Is there not a way to protect the people who have been operating legally for decades? There must be a more mutually beneficial solution. Thank you for taking the time to read this and thank you for your consideration. -Conner Wagner
Testimony Attachment	
Accept Terms and Agreement	1

From: CLK Council Info
Sent: Monday, January 24, 2022 4:15 PM
Subject: Council Testimony

Written Testimony

Name	stephen kushner
Phone	
Email	stephen@kushners.net
Meeting Date	01-26-2002
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We strongly oppose the proposed Bill 41 Our family has owned a vacation condo in Makaha since the 1970's. More recently we have had a few rentals always complying with the 30 day requirement. If the Bill comes into law the impact will be one where by our condo will simply be vacant for the months we are not using it depriving the state of taxes(GET and Transitory taxes) we would otherwise have paid reducing and eliminating income to our subcontractors who clean and manage our condo and reducing our income which means we will simply spend less in the months we are in Hawaii staying at our condo. Our condo complex has an active property management staff on site so our guests are not problem guests as Condo security has never had to deal with noise infractions. Our guests have no impact on parking as the complex has sufficient parking. Further the proposed changes will have no impact on housing costs or availability as our intent would be to continue to use the condo for 4-6 months of the year. In short we do not see how any of the targeted goals of the legislation will be met by this legislation however unintended negative consequences will surely be the result.
Testimony Attachment	

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited

resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name TOMOO TAMA

Date Jan. 23. 2022

Signature

tamatomoo@gmail.com

From: CLK Council Info
Sent: Monday, January 24, 2022 4:47 PM
Subject: Council Testimony

Written Testimony

Name	Jessica
Phone	
Email	wizardofmiles@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose Bill 41. I've seen vacation rentals directly stimulate the economy in my neighborhood of Hauula. In the past, many of these homes sat vacant, a lot of homes were being broken into and there were very few nearby job opportunities for the local residents. There was no Long's, no Tamura's and very few food trucks or eateries. I believe there is a correlation between the addition of visitors to the neighborhood and what has become a safer and economically thriving neighborhood. The addition of our vacation rental to the neighborhood has allowed us to support the couple with 6 keiki that clean for us to provide for their family as well as our local electricians, plumbers, appliance repair and yard service providers. We keep all of our parking on our property and are friends with our neighbors. We tightly vet our prospective guests to ensure low density and no gatherings of any kind. We pay our GET and TAT religiously and hope to support the local infrastructure in the future. If we are not able to continue short term rentals we will not use the extra rooms for long term rentals and we will not be selling our home.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 4:58 PM
Subject: Council Testimony

Written Testimony

Name	Walter Weiss
Phone	
Email	waltweiss@comcast.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	CR-8 Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We presently own a condo at Kuilima East located at Turtle Bay. We are Hawaii residents and rent our condo while we visit family on the mainland. The rental income allows us to visit and maintain our home here. This bill would eliminate the possibility of our visiting and force us to sell out home at Turtle Bay. Walt Weiss 57-086 Eleku Kuilima PL Kahuku, HI. 968731
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 4:59 PM
Subject: Council Testimony

Written Testimony

Name	Marianne
Phone	
Email	marem@aloha.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please keep short term rentals out of residential neighborhoods. I lived on Oahu for 20 years and witnessed Kailua town and Lanai Kai town families being driven out. Same thing on Maui It's happening on Kauai and we need to stop it. AirBnB and VRBO should be fined for illegally operating in residential zones.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 5:05 PM
Subject: Council Testimony

Written Testimony

Name	Yukimichi Yokoyama
Phone	
Email	mitch.yokoyama@hgv.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41. I do not support illegal short term vacation rentals as this hurts real estate buying power for the locals as prices increase with further demand due to how lucrative short term vacation rentals can be here in Hawaii. There must be regulation against un regulated short term rental operations
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 5:20 PM
Subject: Council Testimony

Written Testimony

Name	Hal Dixon
Phone	
Email	haldixon@comcast.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 5:42 PM
Subject: Council Testimony

Written Testimony

Name	Jean Dickinson
Phone	
Email	jdickinson@pacrimmarketing.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha, esteemed Council. I am a longtime Hawaii resident and I vote. I also have been a renter, am a current homeowner and a current rental property owner. I am in support of Bill 41, as it will help improve the quality of life on Oahu. It also enables better enforcement of the rules that most of us follow. Bill 41 clarifies the rules for short-term rentals. It allows the Department of Planning and Permitting to post violation notices on a property for better enforcement, and it imposes stricter advertising requirements on short-term vacation rental listings. Efforts to eliminate illegal vacation rentals are for the well-being of our communities. This concept directly aligns with our 2025 Strategic Plan and our responsibility as citizens to be better stewards of our communities and the land. A majority of citizens support this bill, which is well crafted and enforceable. Please voice your support and vote in favor. Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 5:53 PM
Subject: Council Testimony

Written Testimony

Name	Nancy Taylor
Phone	
Email	taylorn005@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41 (2021) CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I strongly support Bill 41which has provisions which will make it easier for DPP to identify illegal units being advertised. Short term visitors are not part of our workforce, our neighborhoods or our communities and thus are not stakeholders in Hawaii as our residents are. Hawaii's residents have, for too long, had to endure disruption of their lives caused by transients in their communities. This Bill will help to rectify this problem. Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 5:57 PM
Subject: Council Testimony

Written Testimony

Name	Molly Jacobson
Phone	
Email	molly@mollyjacobson.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	

Written Testimony

Aloha,

I am writing in support of eliminating loopholes that allow for short-term rentals. I am thrilled that the zoning committee passed Bill 41 CD1 on Thursday. It's an important step in helping to manage (not eliminate!) tourism.
I strongly feel that Residential Zoning should be for long-term housing, and I support the 90-day or greater definition for long-term rentals that will eliminate loopholes in the current ordinances. And while you're at it, 180 days would be even better, because 6 months is a reasonable length of time for a permanent resident who deserves good housing in a residential zone.

I want to extend my deepest thanks to Zoning Chair Brandon Elefante, Vice-Chair Esther Kia'aina, Council Member Calvin Say, and Council Member Radiant Cordero for their support.

I am following these issues closely not just in my own Maui County, but in other counties, as well. The pandemic has really shown how we all rise and fall together, and so your efforts are appreciated even hundreds of miles away.

Thank you for your support, your time, and your attention.

Molly Jacobson
Kihei

From: CLK Council Info
Sent: Monday, January 24, 2022 5:58 PM
Subject: Council Testimony

Written Testimony

Name	Rebecca Robinson
Phone	
Email	beck007robinson@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41, Relating to Transient Accommodations, as I firmly believe short-term rentals are disruptive to residential neighborhoods in Hawaii. They are inconsistent with the land use and increase the price of housing. I support getting rid of illegal short-term rentals and restoring residential neighborhoods.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:07 PM
Subject: Council Testimony

Written Testimony

Name	Cedar Clews Kehoe
Phone	
Email	cedarkehoe@comcast.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Oppose Bill 41 C1 short-term rental restrictions By Cedar Kehoe 808-425-0523 Waialua DPP has a new director who has stated that the rules related to a 30-day booking are not enforceable. Yet hundreds of Cities/Counties through the US have successfully enforced a 30-day rule. DPP has been requested to state how enforcement of the 30 rules will be different from the 90 or 180 day rule and they have yet to provide this answer. How is 180 or 90 somehow enforceable when 30 isn't? Now we are discussing a 90 day rule; just return to 30 and actually do enforcement like other City and County around the United State have done and have done successfully. I can point to numerous locations where code enforcement is enforcing a 30-day rental period. I propose this is not really an issue of enforcement but an issue of not wanting to implement the original Bill 89. If Bill 89 is to be discarded. It is not fair to do it during Covid when people can't attend meeting. Just remove the lottery system that DPP clearly did not want to implement and leave the 30 day limit. The solution is to limit all stays to homes with the owner living on site – allow them in ADU's as well; then "so-called problems" all go away. It is much safer for a local senior to rent a room in an ADU on property then to rent a room in there home with the senior sharing the same building. Thus, at risk from a stranger.

From: CLK Council Info
Sent: Monday, January 24, 2022 6:11 PM
Subject: Council Testimony

Written Testimony

Name	Kai
Phone	
Email	kaiduponte@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	January 24, 2022 Aloha Honolulu County Council! I am on the island of Maui, but I want to support Bill 41 CD1 to control vacation rentals in Kailua. Actually, I hope that you will stop them completely. I hear that some counties on the mainland have stopped allowing them completely. I was part of many residents on Maui who worked toward getting the Moratorium on Tourist Accommodations passed, including getting the Mayor's veto overridden. I was born and raised on Maui, but I lived in Kailua for nine years. I was blessed to live in a true neighborhood where I was the newcomer—my neighbors could tell me about each and every family that lived in our house previously. Maui is so similar to Kailua, in that the tourist lobby has taken over. Residential zoning should be for long-term housing, and this bill would protect that. There are so many reasons to control vacation rentals, including: • The islands we live in has a "carrying capacity" that affects the amount of people our remote home can handle. We don't have enough space or infrastructure to have an unlimited number of visitors. We don't have the sewage systems, landfills, or clean water. • We don't have enough housing to accommodate visitors and residents, and even we did, working residents cannot compete with the real estate prices (for rentals or purchase) due to the competition of vacation rentals. Since people (mostly nonresidents who are making a profit off Hawai'i) can make so much more money by renting their homes as vacation rentals, prices for the homes are inflated so that hard-working residents cannot afford the rent or mortgage. • Residents deserve to live in a neighborhood, not a resort area. Tourists that rent houses as vacation rentals are not there for long,

causing the instability of not knowing your neighbor. Tourists that rent these houses are on vacation, which often means loud partying, as they do not know and are not concerned about their neighbors.
Please put residents' interests first and pass this bill.
I want to offer a big mahalo to Zoning Chair Brandon Elefante, Vice-Chair Esther Kia'aina, Council Member Say, and Council Member Radiant Cordero for their support of keeping neighborhoods in Kailua true neighborhoods.
Me ka ha'a ha'a,
Kai Duponte

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:12 PM
Subject: Council Testimony

Written Testimony

Name	Rosaline Wang
Phone	
Email	rosaline.hawaiifirstrealty@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimum rental requirement should remain at 30 days for short-term rentals as ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bll.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:28 PM
Subject: Council Testimony

Written Testimony

Name	Walter & Jane Wright
Phone	
Email	Wrightshawaii@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021). CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1 oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

January 24, 2022

City Council

Re: Bill 41

I strongly oppose Bill 41. This bill will have devastating impact on those who have been playing by the rules and legally engaging in vacation rentals. It is difficult enough to survive in Hawaii's economic environment. This bill will simply destroy too many livelihoods. It follows too quickly on the previous transient accommodation law. Give the first law a chance before completely destroying an industry.

Petra Rofoli

Captain Cook Resorts

petra@captaincookresorts.com

From: CLK Council Info
Sent: Monday, January 24, 2022 6:32 PM
Subject: Council Testimony
Attachments: 20220124183142_01-26-2022_Bill_41_Testimony.pdf

Written Testimony

Name	Ray Marrero
Phone	
Email	ray@bluehawaiifun.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220124183142_01-26-2022_Bill_41_Testimony.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Could not open

From: CLK Council Info
Sent: Monday, January 24, 2022 6:34 PM
Subject: Council Testimony

Written Testimony

Name	Howard T Yamasaki
Phone	
Email	howardtyamasaki@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental term requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 allows. Please reject this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:35 PM
Subject: Council Testimony

Written Testimony

Name	Janine K Chang
Phone	
Email	jc@janinechang.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirements should remain at 30 days for short term rentals, as Ordinance19- 18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:38 PM
Subject: Council Testimony

Written Testimony

Name	Richard Williams
Phone	
Email	rwilliams65@me.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021). CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1 oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:46 PM
Subject: Council Testimony

Written Testimony

Name	Cathy Berenberg
Phone	
Email	cathy@cbislandhomes.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021), CD1
Your position on the matter	Support
Representing	Self
Organization	CB Island Homes LLC
Written Testimony	I support Bill 41 (2021). The minimal rental requirement should be extended to 90 days for short term rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:51 PM
Subject: Council Testimony

Written Testimony

Name	Theodore Lane Coons
Phone	
Email	tedcoons808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The time period for short-term rentals should remain at 30 or less as Ordinance 19-18 currently allows. Enforcement should be the focus, and DPP needs to make sure enforcement is actually taking place. What are we going to do when we need short-term nursing staff to cover us during pandemics when we have to house them in hotels? Who wants to live in a hotel for 6 months. How about professionals who need to come for a couple of months, are we going to yet again price Oahu out of being able to utilize these professionals due to hosing costs passed onto our costs. Do not let the unions control our government with bills such as this. Be fair to Oahu's residents as well. Please do the right thing and keep our short-term minimum rentals requirement at 30 days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:00 PM
Subject: Council Testimony

Written Testimony

Name	Kok Chhan
Phone	
Email	mike.chhan@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.
I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18.
Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.
I strongly oppose Bill 41, and CD1 Amendments for the following reasons:
1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels?

3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.
Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Kok Chhan

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:01 PM
Subject: Council Testimony

Written Testimony

Name	Carie Shedd
Phone	
Email	carie.shedd@compass.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose bill 41. DPP should focus on enforcing the current laws on the books instead of going after individual property owners who follow the law and pay their full tax's. My concern is that adding more laws restrictive laws (that are hard to enforce) as well as increasing the fee's will just encourage more people to do it illegally and avoid the high fee's and higher tax's. Lets have DPP prove they can enforce the law's already in place and eliminate the illegal units with the laws that were just put in place a few years ago before we put more burdens on property owners.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:04 PM
Subject: Council Testimony

Written Testimony

Name	Eric Olson
Phone	
Email	eric@carvillsir.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The current term of short term rentals (30 days) is not the issue, lack of enforcement is. The term should remain at 30 days, and the City and County and/or State should actually enforce the current regulations. Putting in place a new regulation that will undoubtedly remain unenforced only penalizes those who actually follow the rules, and prevents home-owners from legal short term rentals. The illegal operators will continue operate illegally. Please reject this proposed bill, and simply enforce the laws that already exist.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:07 PM
Subject: Council Testimony

Written Testimony

Name	Ken Kribel
Phone	
Email	kkribel@icloud.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am extremely opposed to Bill 41. It is not a solution. It hurts individuals who are just being resourceful to make ends meet. The hotels are becoming the privileged and the home owners are becoming ignored. Most owners act responsibility, it is the few who are not are causing the problem. The proposed requirements are very out of line. Please listen to the PEOPLE who are opposing Bill 41 which is 90% of those who are submitting testimony.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:13 PM
Subject: Council Testimony

Written Testimony

Name	Jennifer Scheifla
Phone	
Email	sailvigilant@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	You can not continue to make things illegal until you can begin to enforce. I am a driver for Uber and Lyft. I live in Kailua. 75% of the rides I give in Kailua involve guests at illegal vacation rentals. These people enjoy our beaches, our restaurants, our small businesses, and our island. I am well aware of the adverse affects as well. But right now the enforcement seems to be entirely dependent on neighbor complaints, which is equally horrible for our communities. Please stop spending so much time and resources on all the issues that thrive on negative attention. Support the community in positive ways. Request community input via helpful solutions instead of complaints. It's difficult to do, but I think it's more rewarding. For example.....my neighbor has an illegal vacation rental. At one point they had loud guests on the roof, jumping into the pool. I called the police. After that a dialog was initiated between the neighbor who managed the property and myself. For both of our sakes, we are able to keep the guests in check should there be other problems. This solution has worked for our block.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:16 PM
Subject: Council Testimony

Written Testimony

Name	Maria Mirgan
Phone	
Email	Mmorg1029@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am opposed to Bill41 CD1. It is unfair to individual property owners while establishing hotels as the privileged class. Property owners pay taxes and vote. They need to be recognized. There are so many people opposed to Bill 41. Please listen to them. Regards, Maria Morgan Waianae
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:26 PM
Subject: Council Testimony

Written Testimony

Name	Vanessa Distajo
Phone	
Email	vanvanes@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	

Written Testimony

Aloha Chair Waters and Council Members,

I value the opportunity to submit written testimony in SUPPORT of Bill 41 CD1. I wish that I had the time on Wednesday to provide oral testimony, but it's difficult for those of us who work in professional jobs to attend public hearings during the day. Please consider that just because local people don't have time to show up at the meetings doesn't mean that we care about an issue any less. In fact, that is exactly when we, as your humble constituents, count on you the most to represent our interests in important decisions that impact our lives.

Bill 41 CD1 is a crucial piece of legislation to end the proliferation of transient vacation rentals. Companies like Airbnb and VRBO, and other independent, unscrupulous investors have been capitalizing on our state's tourism industry and exploiting our single-family residential neighborhoods. Years ago, community advocates came out in droves to curb the abuse. I was one of those courageous people who stood up for my beloved community of Mānoa because there was an illegal Airbnb that operated across the street from me for over two years. I witnessed firsthand how the illegal rental disturbed the peace of my neighborhood where my ancestors settled six generations ago. I testified in person numerous times before the City Council, in Zoning Committee meetings, and at Planning Commission hearings. With a group of community leaders from various nonprofit organizations, I met with former DPP Acting Director Kathy Sokugawa and her staff. Several times, I was even harassed and threatened by individual investors and developers who tried to intimidate me to keep quiet. It was a travesty of democracy.

Thankfully, eventually, the City Council reached a compromise, and a suitable ordinance was signed into law because everyone had finally agreed that something had to be done. It was the will of the people. However, the ordinance was not stringent enough and now we are dealing with the negative impacts. Bill 41 CD 1 helps to address some of the loop holes, yet it needs to be stronger. Please amend the bill to cap a number on the rentals that will be permitted on the Gold Coast. The Diamond Head area is a special district, which means that it has cultural and historic significance. It should not be prostituted for its idyllic beauty. Local people do actually live in Waikiki and the surrounding neighborhoods, and they need their voices to be heard now too to save what little housing is left of their neighborhoods. Otherwise, they will be priced out of their neighborhoods.

Our land was not made for tourists. It is for the people who live here. We are the voters who have entrusted you to represent our best interests. Please SUPPORT Bill 41 CD 1 to preserve our neighborhoods and housing for local people.

With respect for your consideration,
Vanessa Distajo

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:29 PM
Subject: Council Testimony

Written Testimony

Name	Anna Barrett
Phone	
Email	Barrett.anna02@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as ordinance 19-18 currently allows. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:33 PM
Subject: Council Testimony

Written Testimony

Name	Judy Barrett
Phone	
Email	JudyB@JudyBarrett.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1 Short Term Rentals
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. Please just enforce the 30-day current minimum for short-term rentals. Please don't create problems for residents who need short-term housing between long-term rentals or between a real estate sale and purchase of another property. Please don't make life difficult for family members of patients who come to Oahu for extended medical treatment. Please don't create unnecessary stress for military transferees awaiting long-term housing. Extending the minimum rental solves nothing that enforcement of existing ordinances wouldn't solve. Please enforce existing law and reject this measure!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:34 PM
Subject: Council Testimony

Written Testimony

Name	Reine Ah Moo
Phone	
Email	Reine.ahmoo@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain 30 days for short-term rentals, as Ordnance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:38 PM
Subject: Council Testimony

Written Testimony

Name	Christopher Prendergast
Phone	
Email	Chris@20DegreesN.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD!
Your position on the matter	Oppose
Representing	Organization
Organization	20 Degrees North Real Estate
Written Testimony	The current regulations requiring a 30 day minimum vacation rentals is a just limitation with fairly addresses communities, neighborhoods, local investors and the local economy. To tighten the reigns to extend the minimum to 90 or 180 days is unreasonable, and a selfish imposition by a few. It will put an undue hardship on many local investors, prohibit visitors from visiting Hawaii, reduce state tax revenues and restrain tourist spending. In the long run, Bill 41 serves to make local people poorer and big corporations richer. It also further supports the well-known belief that Hawai'i is one of the most business-unfriendly states in the U.S. City officials should redirect energies to the homeless and affordable housing crises, not towards those who are doing their part to bring affordability to our economy.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:39 PM
Subject: Council Testimony

Written Testimony

Name	Jeff Char
Phone	
Email	jeffc@betterhawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41. Short Term Rental classification should remain at 30 days as Ordinance 19-18 allows. 180 days is 6 months which is half a year, or half of a standard lease, which makes 180 days a mid-length rental. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:40 PM
Subject: Council Testimony

Written Testimony

Name	Matthew Ball
Phone	
Email	matt@irghi.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:44 PM
Subject: Council Testimony

Written Testimony

Name	Sheila Donnelly Theroux
Phone	
Email	sheila@sheiladonnelly.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	We support passing this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: Steve K <stevelovesmusic2@yahoo.com>
Sent: Monday, January 24, 2022 7:49 PM
Subject: Re: Council Testimony

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Typo.
Regarding my written statement, I meant to say there is no reason for a realtor to NOT support this bill.

So sorry,
Stephen Kofsky

On Jan 24, 2022, at 4:00 PM, clkcouncilinfo@honolulu.gov wrote:

Written Testimony

Name	STEPHEN KOFSKY
Phone	
Email	STEVELOVESMUSIC2@YAHOO.COM
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Pass Bill 41. The vast majority of the community supports it. I am a realtor and there is no reason for Realtors to support this Bill especially in this tight real estate market. Crass commercialism and profiteering will crush the way of life we enjoy in Hawaii. The weak spot in the current CD1 is of course the Enforcement. As presented, the DPP will be responsible for verifying compliance which will remain the same as herding cats, especially in the case of absentee property owners, where they can claim compliance to the

Notice of Violation once the 3 day tenant moves out. But how will the DPP know when another tenant moves in the next day as is our current and ongoing neighborhood situation? My suggestion-question the adjacent property owners who suffer the most from the violation. Everyone deserves to live peacefully.
Thank you.

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:48 PM
Subject: Council Testimony

Written Testimony

Name	jeff cochrane
Phone	
Email	jchawaii@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Short term rentals 30 days not 90 days
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I am opposed to change the min term of rental from 30 days to 90 days. As are 160 of my clients in Waikiki.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:48 PM
Subject: Council Testimony

Written Testimony

Name	Shawn Bonnell
Phone	
Email	shawnbonnell@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am of the strong opinion that short-term rentals benefit Oahu's country communities with positive economic impact. There are precious few jobs in Koolauloa, where we're located, and our small STR operation helps to support a cleaning staff couple (with 6 keiki), lawn care folks, appliance repair folks, plumbers and electricians, to name but a few. Additionally, our guests spend significant funds at local businesses, food trucks, markets, etc. The prior owners of our home used it as a second home, allowing it to sit vacant for all but their occasional weekend visit from town. In that scenario, it must be acknowledged that the home benefited absolutely no one. In contrast, we stimulate the economy in a distinctly positive way. The STR income enables us to live onsite (we'd need to move without it), where we - like our guests - spend significantly supporting local businesses.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:50 PM
Subject: Council Testimony

Written Testimony

Name	Shane Bre
Phone	
Email	sebhapa@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:57 PM
Subject: Council Testimony

Written Testimony

Name	Jean Zaa
Phone	
Email	jeanzaa@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Councilmembers, I'm a third generation, Japanese American, born and raised in Hawaii and in my 70s. I've seen Hawaii get more and more unaffordable and largely due to greed. If not for the hard work of my parents and generosity in giving me their home, I couldn't afford to live in Hawaii, nor could my children and grandchildren. Please support Bill 41 CD1 to save our housing for locals. And I ask that you amend the bill to protect residential housing in Waikiki and close loopholes that the unscrupulous exploit. We need housing for residents and not more tourists. Enough is enough! Stop talking and do something. Mahalo, Jean Zaa
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:57 PM
Subject: Council Testimony

Written Testimony

Name	Fumiko Crowley
Phone	
Email	fcrowl@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CDI
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Support Bill 41 (2021) CDI
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Hawaii's Thousand Friends

335 Hahani Street #342132 * Kailua, HI 96734 * Phone/Fax (808) 262-0682 E-Mail: htf3000@gmail.com

January 26, 2022

Honolulu City Council

Tommy Waters, Chair
Esther Kia`aina, Vice Chair
Andria Tupola, Floor Leader
Members

Bill 41 CD1 (2021)
Relating to Transient Accommodations

Hawaii's Thousand Friends supports Bill 41 CD1 that prohibits short-term rentals in residential zoning and improves the enforcement against illegal short-term rentals.

It is no secret that houses on Oahu are astronomically expensive. With a median price of one million dollars how can the average resident ever buy a house on Oahu?

The Census Bureau reported that 4,721 residents left Hawaii between July 1,2018 and July 1, 2019.

UHERO James Mak and Justin Tyndall stated that population decline may be an indication of an ailing state facing major economic and social problems. Population losses can directly effect political representation and can also dampen the state's economy.

The Hawaii Tourism Bureau reports that there are over 10,000 homes on Oahu in residential zoning being rented as short-term rentals. This is outrageous, illegal and has to stop.

LUO Sec. 21-3.70. The purpose of the residential district is to allow for a range of residential densities. Not commercial uses.

To free up much needed housing at prices that can be affordable we urge you to pass Bill 41 CD1.

From: CLK Council Info
Sent: Monday, January 24, 2022 8:02 PM
Subject: Council Testimony

Written Testimony

Name	Carol Kim
Phone	
Email	Carolt@cbrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	There are many buildings in the Waikiki area that are not zoned Special Resort but were clearly designed to be hotel ("lodging") units. Not designed for full time living, these are not legally allowed for short term rentals. This makes no sense at all. Furthermore, condos have AOAO and self govern. Let the owners vote on what is to be allowed in their building; it is their community, after all. Let them govern where they live!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:04 PM
Subject: Council Testimony

Written Testimony

Name	Zhemin Li
Phone	
Email	zheminli99@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals. The focus should be on actual enforcement by DPP against illegal short term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:16 PM
Subject: Council Testimony

Written Testimony

Name	Mary Beddow
Phone	
Email	mbeddow@att.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	It is ridiculous to change rentals from a 30 day minimum to 6 months. We have so many clients that for various reasons are on a month to month lease mainly looking for something to purchase and do not want to be stuck with a 6 month lease. There are too many reasons to list all of them here but common sense should tell you that this would not be a good move!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:17 PM
Subject: Council Testimony

Written Testimony

Name	Leah Retherford
Phone	
Email	leahretherford@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	

Written Testimony

Dear Members of the City Council:

I am writing in favor of Bill 41 CD1.

I have witnessed firsthand the negative impacts that the explosion of vacation rentals in my Kailua neighborhood has had on the community and the housing market. Many of us who moved to the mainland, including my two sisters and school friends, could not afford the cost of housing and raising a family in the place where we were born and grew up. The exodus from Hawaii of so many young people is not healthy for Hawaii economically, socially, or culturally.

A persistent issue in addressing illegal short-term rentals over the years has been inadequate enforcement of the law. Bill 41 CD1 will significantly improve DPP's ability to hold operators accountable for violating zoning laws. Resources devoted to enforcement are needed all the more as the illegal short-term rental industry gets increasingly creative and sophisticated in marketing and operations.

In order for the bill to fully live up to its stated purpose, I strongly recommend that rentals be for a minimum of 180 days.

I urge you to support Bill 41 CD1 and to return to the 180-day minimum stay. Please help restore badly needed housing for use by our local residents and help preserve the special qualities of our neighborhoods.

Thank you.

Sincerely,

Leah Retherford
1021 McKinley Ave., #12
Oakland, CA 94610
(858) 205-0411

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:18 PM
Subject: Council Testimony

Written Testimony

Name	I Hsiang Tsai
Phone	
Email	hawaiihomepro@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 2021 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1 because I think it will affect the real estate market and harm our economy as well. DPP proposes this bill will affect too many investors and people who might be depending on the rental income. DPP may not have enough staff to regulate the exempted groups that might be renting for less than 3 months or 90 days. We should let the building's owners decide if the condo can allow 1-month minimum rental or not. It is a free country and DPP's proposal is far-reaching and may have a greater negative impact than what it is actually meant to bring. I hope our council members especially the Waikiki district can make the right decision.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:20 PM
Subject: Council Testimony

Written Testimony

Name	Abe Lee
Phone	
Email	abelee1948@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41. The minimum rental requirement should remain at 30 days for short-term rentals. A longer rental period is too long and the 30 days requirement is sufficient. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:28 PM
Subject: Council Testimony

Written Testimony

Name	Lisa Conley
Phone	
Email	lisa.conley@compass.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021). CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021). CD1 The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:34 PM
Subject: Council Testimony

Written Testimony

Name	Kelly Allen
Phone	
Email	allenoutpost@mac.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Dear Council Members, Again the little guys are getting stepped on. Little guys or just the people of our state. Small business owners, homeowners, all people who are working very hard to get ahead, pay our bills, pay our taxes and follow the rules. We live in our home and we have a legal ADU which we rent out 30 day minimum. We are in a nice neighborhood where our guests are typically working online here and traveling or they are visiting family members who live in our area. Our rental serves a specific purpose and it helps us pay the bills. We work very hard making it just a fact, that we never qualify for financial aid or any hand outs and we count on this rental income to help us pay for school tuition, college tuition and our mortgage. Can you stop and think about us. We pay GET and TAT, property taxes, state and federal taxes and so much of our money is going to your rail which we will probably never see. Why would you, Tommy Waters spend so much time helping huge corporations in Waikiki instead of serving us little guys in the community who are just trying to make it! This bill is only serving the hotel industry. If you oppose 30 day rentals because you think the neighborhood is being ruined you are wrong! Go after short term rentals where the homeowner does not live on the property. There should be a distinct difference in rules for this; short term with homeowner on the property vs short term rental with no homeowner on the property. Sincerely

From: CLK Council Info
Sent: Monday, January 24, 2022 8:39 PM
Subject: Council Testimony

Written Testimony

Name	David Tuiasosopo
Phone	
Email	david.t@C21islandhomes.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:39 PM
Subject: Council Testimony

Written Testimony

Name	Ashley Kealoha
Phone	
Email	ashley.kealoha@compass.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as ordinance 19-18 currently allows. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:50 PM
Subject: Council Testimony

Written Testimony

Name	Tiffany Breeden
Phone	
Email	tifyoung@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021). The minimum short term rental requirement should remain at 30 days as per the current Ordinance 19-18. Increasing the minimum rental will destroy small business entrepreneurs and have a severe impact on our local economy. The focus should be on actual enforcement by the DPP against all ILLEGAL STR operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:51 PM
Subject: Council Testimony

Written Testimony

Name	Billy Giang
Phone	
Email	billygiang@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Billy 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as Ordinance 19-18 currently allows. The focus should be on DPP enforcement of illegal short term rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:02 PM
Subject: Council Testimony

Written Testimony

Name	Mary Kobayashi
Phone	
Email	maryloukobayashi@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please pass Bill 41 CD1 to make housing for Hawaii residents a priority and stop the spread of illegal vacation rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:04 PM
Subject: Council Testimony

Written Testimony

Name	Michael Heh
Phone	
Email	Mikeheh100@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 and Bill 4
Your position on the matter	Oppose
Representing	Organization
Organization	Kuilima Estates Coalition (KEC)
Written Testimony	Honorable City Council Members, Bill 41 would establish hotels as a privileged class that is not subject to the same registration fees per unit or to the restrictions imposed on individual lawful property owners. There has never been a distinction between corporate hotel owners and individual owners in the Resort Zones. Any changes of the law should apply equally to all kinds of owners. This draconian $2,000 per year re-registration fee on the backs of legal vacation rental owners to pay for the enforcement of illegal vacation rental owners is grossly unfair. In researching other cities across the country, we found the average short-term rental annual fee to be between $50 - $100. We see this for what it is, the Hotel industry influencing the City Council to put legal vacation rental owners (mostly your consituents) out of business. Much more revenue could be generated annually by imposing a reasonable fee equally to all hotel rooms, regardless of ownership. Corporate hotel owners own thousands more rooms than individual owners. If a reasonable fee per hotel room was charged to all owners, such as $100 per unit per year, millions more dollars in revenue could be generated every year. Instead, this Bill proposes extremely unreasonable and oppressive fees for individual owners only that would not generate nearly as much revenue as a reasonable fee charged equally for every hotel room, regardless of ownership. 1. Why would the City provide special benefits to corporate hotel owners (whose profits are mainly siphoned off to the mainland) and descriminate against individual owners who have played by the rules

and paid the same taxes as the corporate hotel owners?

The simple fact is that the current law (Ordinance 19-18) has never been enforced! The online platforms have even provided the government with special tools, as agreed in their MOU, but the government has never used those tools. DPP Director Uchida was advised at the hearing last Thursday to get Corp Counsel's advice before ignoring the MOU that's in force.

2. Did you know that the rental platforms won't even give you a listing until you provide them your GET & TAT and Tax Map Key numbers to prove you can legally short term rent, thus negating the need for Bill 41?

Those who purchased and operate short-term rentals in the resort zone have done so in a good-faith effort to comply with existing laws and should be allowed to continue without these newly proposed draconian and discriminatory fees and restrictions.

3. This 50% rental rule for areas zoned A1 - A2 not only takes away property owners rights to legally short term rent without compensation but would be nearly impossible to enforce or monitor. Take for instance, Kuilima Estates that won the Declaratory Ruling from the City to short term rent have had dozens of condos bought and sold under the Ruling that short term renting was allowed. How do you compensate Owners if they are not included in the 50% allowed to short term rent?

We consider this a "taking" and will expect compensation or a permit for non-conforming use for all owners at Kuilima Estates if this Bill passes.

4. One thing everyone will agree on today is that we need better enforcement. Had the DPP implemented Ordinance 19-18 and the MOU, we would not be here today. Having been a landlord for 15 years, I know the best way to eliminate illegal activity is to cut off the advertising. Why wouldn't we take the free help of the platforms to do this under the existing MOU?

5. Bill 4 will quadruple property taxes for those renting their units less than 90 days. They will be taxed as hotels without tthe benefits and building rights of hotels. The hotels can afford these rates as they are allowed much greater density and have income from restaurants, shops, etc. As the Oahu Real Property Tax Advisory Committee noted in 2019, the business models differ and they should be taxed differently. Please consider a new tax category rather than lumping STR's with the Hotels. The current B & B category only applies to the current nominal number of legal B&B's. Why not change the name to all Short-term rentals?

For the good of everyone, please vote against Bill 41 and simply

enforce Ordinance 19 - 18 like Kauai did to eliminate illegal vacation rentals. Please reconsider these measures above and ask the DPP to implement Ordinance 19-18 and the MOU before making more drastic changes. We all want enforcement, but the solution is not more unfair rules and fees for the rule-followers!

Mahalo Nui Loa,

Mike Heh
808-382-4515

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:10 PM
Subject: Council Testimony

Written Testimony

Name	Jeremy Lum
Phone	
Email	lumjere@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Encourage long term rentals in our neighborhoods. These are what our people need. Do not allow tourist accommodations in residential areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:12 PM
Subject: Council Testimony

Written Testimony

Name	Leslie Niebuhr
Phone	
Email	leslie.niebuhr@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Keep residential residential.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:12 PM
Subject: Council Testimony

Written Testimony

Name	Kimo Jamila
Phone	
Email	kimojamila10@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha city council members, Please vote against this junk bill lobbied to you by the hotels. If this passes, I will lose my cleaning business, and my home. I need to support my family to feed them and clothe them. This bill is not fair to the people of Hawaii you're giving a hotels everything and their money goes to the mainland not here. I have five cleaners that work with me cleaning vacation rentals they need to support their families too please vote against this bill it is badly written and very unfair to the people of Hawaii. Please enforce Ordinance 19-18 like you were supposed to do two years ago when it passed. Kimo Jamila
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Evelyn Frantz

Date 1/24/2022

Signature DocuSigned by: Evelyn Frantz 4BC2606931F542C...

evelynfrantz@me.com

From: CLK Council Info
Sent: Monday, January 24, 2022 9:14 PM
Subject: Council Testimony

Written Testimony

Name	Yoshiko Tanida
Phone	
Email	YoshikoTanida@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD 1. This bill will only benefit Hotels. The short term rental minimum should remain at 30 days. I do agree to eliminate illegal rental owners, however, I do oppose to this bill which is merely to protect Hotels.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:14 PM
Subject: Council Testimony

Written Testimony

Name	John Niebuhr
Phone	
Email	jjtomatoes@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Help protect our neighborhoods from short term vacation rentals by passing this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 9:18 PM
Subject: Council Testimony

Written Testimony

Name	Jonathan Ford
Phone	
Email	jonford@outlook.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should be 30 days
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Dear City Council: January 24, 2022

Currently all property owners on Oahu may rent their real property for 30 days or more. Any rentals of less than 30 days (Bill 41 would change that to any rentals less than 180 days and CD1 would change that to any rentals less than 90 days) are considered short-term rentals (STRs). STRs must be allowed by a specific land use rule or an owner can be fined up to $10,000 per day (up to $25,000 per day in Bill 41 and CD1). The following properties can qualify for STRs if in the allowed zone.

1. Hotels.
2. Condo hotels.
3. Time shares.
4. Transient Vacation Units (TVUs).
5. Bed and Breakfast Homes (B&Bs).
6. Properties with Non Conforming Use Certificates (NUCs). There are 115 NUCs in residential zones. It is estimated there are 20,000 illegal STRs in Hawaii. The problem is illegal STRs not NUCs.

<u>The City Council needs to amend Table 21-3 in CD1 to allow TVUs and B&Bs inside the Resort Zone as a Permitted "P" use.</u>

TVUs have always been allowed in the Resort Zone, a zone that has been developed with the infrastructure to serve the visitor population. Bill 41, for the first time in the history of Oahu, would prohibit TVUs and B&Bs in the Resort zone. Much of the testimony before the Planning Commission, City Council and the Zoning and Planning Committee were from individuals who testified that the residential neighborhoods were not developed and don't have the capacity to serve the visitor population, and that tourists should be directed to the Resort zones. No one testified the Resort zones were not the place to encourage tourists to stay.

- **Representative Patrick Branco, House District 50**. (p. 726, page number references are referring to letters submitted to the City Council regarding Bill 41) Supporter of Bill 41. "Locating vacation rentals in areas zoned explicitly for tourism is not only the right thing to do; it is the only sensible option."
- **Hawaii Lodging & Tourism**, Mufi Hannemann Supporter of CD 1. (pp. 528-29) Representing more than 50,000 hotel rooms and nearly 40,000 lodging workers. "HLTA's longstanding position has been that legal short-term rental units should be allowed to operate within legal

areas such as the Resort Mixed Use Precinct in the Waikiki Special District so long as they pay their fair share of taxes."

- **Good Neighbor** (p. 509) Supporter of Bill 41. Indicated that TVUs should be allowed in the Resort zone, and this should be in Master Use Table 21-3.
- **Lori Teranishi (p. 430)** Supporter. "our visitors should be directed to areas that have been zoned for tourism".
- **The Resort Group, the master developer of Ko Olina Resort.** Submitted to the Planning Commission on 9/7/2021. "The Resort Zone at Ko Olina is specifically designed to accommodate visitors in resort communities that are separate from the traditional residential neighborhoods the bill seeks to protect."

One of Bill 41's greatest flaws is the prohibition of TVUs and B&Bs in the Resort Zone. CD1 only partially fixes this glaring blunder. CD1 allows TVUs and B&Bs in the Resort Zone but with the same severe restrictions placed on TVUs and B&Bs in residential areas. Placing these conditions on resort zoned properties will discourage STRs in the Resort zone, the place the City should be directing the visitor population to. The City Council needs to revise CD1 by changing Table 21-3, The Master Use Table to allow TVUs and B&Bs in the Resort zone as a permitted "P" use from permitted with conditions "P/c3" as set out in CD1. Corresponding text changes are necessary, because when Table 21-3 is contrary to the text in the LUO the text prevails over the Table.

TVUs have always been allowed in the Resort zone. The Land Use Ordinance explicitly explains that the Resort zone is "**intended primarily to serve the visitor population**..." ROH Sec. 21-3.100. TVUs in the Resort zone already pay the highest property tax, Hotel – Resort rate, and already pay TAT and GET taxes. To impose an additional $2,000 annual fee on each TVU in the Resort zone is not bifurcating the Resort zone from Bill 41, but keeping the Resort zone clearly in Bill 41. TVUs that are located in the Resort zone should be on equal footing with other properties that are allowed STRs in the Resort zone. Placing an extra $2,000 per TVU in the Resort zone creates a hugely unfair playing table. CD1 states DPP will receive enforcement funds from fees and penalties. If fees are needed from properties that rent short-term there should be equity in the formula. If each STR paid $50 per unit, including hotels, the City could collect the same amount of money from this $50 per unit formula as they would collect if they charged just TVUs and B&Bs $2,000 each. It is hotels that are complaining the loudest about

the negative impact illegal STRs are having on their bottom line. Hotels should help pay the cost to clean up the problem of illegal STRs. Putting 100% of the burden on law abiding small business TVU owners is unfair.

Also, regarding TVUs and B&Bs, Bill 41 only allows each person to own one TVU or B&B and prohibits legal entities from registering TVUs. The DPP has recommended that both of these restrictions be removed from Bill 41, as set forth in their CD1. CD1 – BE also removes these two provisions that are in Bill 41. I agree with CD1 – BE version which eliminates these two provisions and encourage the City Council adopt this change found in CD1.

The City Council also needs to adopt CD1 – BE version regarding removing the regulations placed on condo-hotels in Bill 41.

- **Bill 41 requires Condo owners in a condominium hotel to place their condo for rent by one central hotel operator.** This is clearly a government mandated monopoly scheme. This requirement brings significant legal exposure to the City and no one, not even hotel operators are asking for this. So, it must be asked, why are provisions restricting how condo-hotels can be operated in a Bill dealing with protecting the residential neighborhoods from the adverse effects of STRs?
    - **Aqua-Aston Hospitality** (pp. 552-554). "Moreover, the proposed Section 21-5.360.1 states that "units in condominium hotel must be part of the hotel's room inventory available for rent to the general public." Based on Aqua Aston's experience, it is extremely rare for every unit in a condominium project to be a part of the hotel's room inventory. While a condominium hotel operator will make every effort to offer every owner in the condominium project the opportunity to place his or her unit in the hotel room inventory, there will always be owners who choose to use off-site rental managers to rent their unit as a transient vacation unit ("TVU"), to the extent legally permissible, or use their unit as a residence." (p. 553). "**Finally, we are also concerned that requiring all units in a condominium project operating as a condominium hotel to be included in the hotel's inventory and used exclusively as hotel units may trigger a federal securities law issue if the developer failed to register the property as a security.**" (p. 554, emphasis supplied).

- **Marriott Vacations Worldwide** (pp. 549-551) "Requiring condominium hotel units to be apart of the hotel inventory is impractical and difficult to accomplish. It is rare for every unit in a condominium project to be a part of the hotel's room inventory as some owners use their unit as a residence." (p. 550)
- **Nerijus Puida. Rental Management Business Owner.** To Planning Commission. 8/30/2021. **"The purpose of this Ordinance is to better protect the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals".**
  That sounds reasonable…However, after reading the entire bill it is obvious that one of the main purposes of this bill is to place massive and unreasonable restrictions on legal resort-zoned Waikiki condo hotels and TVUs and hand over short-term rentals to the Hotel industry:
  <u>1: Sec 21-5.360 Condominium Hotels: "Units in a condominium-hotel must be part of the hotel's room inventory"</u>
  This section has nothing to do with protecting residential neighborhoods and housing stock from negative impacts of short-term rentals. The only purpose of this ordinance is to hand over property rights from the owner to the hotel industry.
  If this ordinance is passed, all privately-owned condo-hotel units would be forced to go through the hotel pool. Hotels will be able to charge high management fees since all competition is eliminated…and have no fear of losing clients since owners would have no other choice…
  For owners like me, who have a sizable mortgage this arrangement will devastating." (Emphasis in original)
- **Lehua Slater, Accountant, Ali'I Beach Rentals, Inc. To Planning Commission. 8/30/2021.**
  "As a born and raised resident and employee of a family operated vacation rental property management business in Waikiki on the island of O'ahu, I see the multiple and intertwined economic and social benefits of maintaining locally and individually owned short term rentals…For the past 10 years I have been the accountant for a locally owned and operated 100% legal vacation rental business. We currently maintain 150 individually owned condos in Waikiki and have assisted hundreds more throughout the years, many who were

locally owned and operated. All within the legal zoned areas of Waikiki only…This ordinance attempts to force our clients to relinquish their property management to a hotel that is not locally owned in effect giving the hotels a monopoly."

- **The Resort Group, the master developer of Ko Olina Resort.** Submitted to the Planning Commission on 9/7/2021. "This DPP Bill is drafted in a manner that benefits the hotel industry by reassigning power to major hotel operators by requiring that a hotel operator book the reservations, manage operations and set nightly rates for all TVU units".

This provision in Bill 41 that requires all owners of condos in a condo-hotel to place their condo for rent with one central hotel operator is bad policy; it is a government mandated monopoly scheme, raises securities law problems, and changes 50 years of history in how condo-hotels are governed. I support CD1 – BE version that deletes the restrictions that are suggested by Bill 41. The only way to bifurcate the Resort Zone from Bill 41 is to remove all restrictions on condo-hotels.

- **Bill 41 requires an owner of a condo in a condo-hotel to pay rent to the central hotel operator to stay in their own condo. No one is asking for such a thing, and many have spoken out against this provision.**
  - **Marriott Vacations Worldwide** (pp. 549-551) "Prohibiting discounted rental rates for the owners of condominium hotel units restricts the owners' usage of the unit and does not further the goal of preserving residential neighborhoods since they are already properly zoned." (p. 549) Marriott recommends removal of this provision. (p. 550)
  - **Aqua- Aston Hospitality** (pp. 552-554). "Furthermore, the restriction in Section 21-5.360(c) prohibiting hotels and third-party booking services from providing discounted rental rates to the owners of condominium hotel units or hotel guests arranged for by the owners of condominium hotel units unless the same discounted rates are available to members of the general public is problematic…Prohibiting discounted rental rates does nothing to further the goal of preserving residential neighborhoods." (p. 553)

DPP has recognized that this provision puts the City into the business of regulating rental rates and is now recommending removal of these sections that require owners to pay advertised rates to stay in their own unit. This provision keeps the Resort Zone in Bill 41. I support the CD1 – BE version which deletes this regulation of rental rates from Bill 41.

- **Bill 41 prohibits an owner in a condo-hotel from using their condo as a primary residence. There has been no support for such a provision, and this provision is an attack on the purpose of Bill 41.**
    - **Faruq Ahmad** (p. 72) "There are residents at the Ilikai Marina who use their units as primary residence…The Commissions' proposal to disallow this is an unreasonable and improper limitation. It will also result in the loss of homes to individuals who currently use it as a primary residence."
    - **Valaree Albertson** (p. 84-86) "I know a few full time residents at the Banyan and my understanding is the DPP wants to stop units at the Banyan from being a primary residence – OUCH! Why would they want to displace seniors (or anyone) from the home they own and hold title to. Who is even THINKING this is okay??? I mean really?! Do they even know how condo properties like ours work? And to think I would have to give my home over to a hotel and pay money to stay there – really? You can do that?" (at p. 85, emphasis in original)
    - **Arthur Deffaa** (p.87) Owner at Waikiki Sunset. "Owners have the right to decide how to use their units, whether as short-term rentals, long-term rentals, or as primary residences. Bill 41's attempt to limits owners' rights is problematic, impractical, and unacceptable."
    - **Douglas Ng** (p. 319) "I am the owner of a condo in the Waikiki Banyan…I do not want it to be part of the hotel's room inventory. I do not want to pay full rental rates if I stay in my own unit. I don't want to lose my right to use my unit as my primary residence in the future if I choose to. I believe the Bill is unconstitutional and unreasonable. It is an overreach of property owners' rights that is unprece[d]ented."
    - **Aqua-Aston Hospitality** (pp. 552-554). "[T]here will always be owners who choose to use off-site rental managers to rent their unit as a transient vacation unit ("TVU"), to the extent legally permissible, or use their unit as a residence." (p. 553).

- **Marriott Vacations Worldwide** (pp. 549-551). "It is rare for every unit in a condominium project to be a part of the hotel's room inventory as some owners use their unit as a residence." (p. 550)

In DPP's draft 1 (which is Bill 41) DPP prohibits an owner from using their condo in a condo-hotel as a primary residence. After a consensus opinion from the public DPP reversed this restriction in Draft 2 and said an owner could use their condo as a primary residence. The only way to follow the Planning Commission's recommendation to bifurcate the Resort Zone from Bill 41 is to continue to give owners the right to live in their condo. This has always been the practice in Hawaii. Displacing local families from their homes in the Resort Zone is an unprecedented move that violates the stated purpose of Bill 41. There are local families that enjoy the hustle and bustle of the Resort Zone. Displacing these families will require them to purchase homes in the residential neighborhoods, shrinking the supply of residential homes, driving up prices, and creating less affordable housing. I support the CD1 – BE version which keeps the status quo and allows owners in a condo hotel to continue to use their condo as a primary residence.

CD1 – BE removes the condo hotel restrictions from Bill 41, however, defines transient vacation units (TVUs) in a way that condo hotels may fall within the umbrellas of TVUs. This certainly not an intended consequence. However, if TVUs do include condo hotels then all condo hotels will be subject to the $2,000 annual fee per unit, prohibition of exterior signs, occupancy mandates that eliminate the possibility of renting a studio room, etc. This would include such restrictions on condo hotels such as Trump, Ritz Carlton and many others. The City Council is urged to revise the definition of TVU to explicitly state that hotels, condo hotels and time shares are excluded from the definition of TVUs.

Conclusion:

The mantra, "Protect the Residential Neighborhoods" is a great battle cry, but DPP has overreached in ways that have nothing to do with protecting the residential neighborhoods and in a way that punishes owners in the Resort Zone, a zone whose stated land use purpose is to serve the visitor population.

CD1 – BE provisions that eliminate restrictions on condo hotels should be adopted, and CD1 – BE should be further revised to make TVUs and B&Bs in the Resort

zone a "P" permitted use, the definition of transient vacation unit should be revised to make clear that TVU and B&B standards, fees, and requirements do not apply to hotels, condominium hotels, nor time shares.

Jim Tree
92-102 Wailaii Place
B-208
Kapolei, HI 96707
Owner of a condo in the Ko Olina Resort Zone
ssitree@aol.com

For more in-depth memoranda on Bill 41please visit Bill41Resort.com

From: CLK Council Info
Sent: Monday, January 24, 2022 9:31 PM
Subject: Council Testimony

Written Testimony

Name	Joslynn Ojiri
Phone	
Email	Squanto0518@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41. CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	i am in support of Bill 41. As a resident of the Kaneohe community, we have seen the expansion of the short term rental market explode. Kaneohe does not have enough rentals or homes available for sale, and that even before the Pandemic. Today the housing market in our community is worse. We are lacking available he housing within our entire state. Even with so called affordable condo building, our local residents cannot afford these homes. We need to stop allowing investors to buy homes and thereafter covert them to rental units for short term rentals which would be more profitable. We also need to eliminate any type of short term rentals in residential communities. This changes the landscape, culture and daily living in our communities. We need to protect our housing and natural resources for our local residents.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:02 PM
Subject: Council Testimony

Written Testimony

Name	John Otto
Phone	
Email	ottobond808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Councilmembers: I write to support Bill 41 CD1, although there is room for improvement to protect housing for residents (even in Waikiki), tighten up enforcement language, and close loopholes by increasing the 90-days to 180-days. Like most locals I don't like to speak my mind publicly. Hawaii, as you know, is very unique. We speak softly or not at all. It's the Aloha way not to make waves, even if you disagree. In this matter, like many others that involve commercializing our island home, the LOUDEST voices come from the MINORITY. The LOUDEST voices are the ones with dollar signs in their eyes. But it's the soft spoken and quiet MAJORITY who always stand to lose the most. I wish I could testify in front of you all. Unfortunately or fortunately, I have a job that supports my family. So I don't have the luxury of missing work, unlike the loud minority. As politicians, you represent your constituents and you make the best decision in the interest of the majority, especially for those who can't voice or are voiceless. You all know in your hearts what the MAJORITY of real locals want. We want neighbors who respect each other and their communities, share the same local values, and care about the future of our island state. REAL locals want to help the community by renting to other locals who need the housing and not to tourists for double and triple the money - like I stated before "dollar signs in their eyes."

Airbnb is the Trojan horse. It's been dressed up and pitched to countries and communities around the world, with the promise of boosting the economy. Much like the pitfalls on legalized gambling, once the door is opened, it will be near impossible to go back. This new industry will quickly create an economic dependency that will become a necessary evil, creating jobs and income at the heavy cost of stealing housing from local families and driving us and our children from our island home. This will become the island of investors and tourists, and Hawaii that we know and love will no longer be.

There should be no other decision on the table besides passing Bill 41 CD1 with additional changes to protect housing for locals that provide real enforcement teeth. Enforcement with the intent of enforcement! If this isn't accomplished, what is the message we're sending to criminals and law-abiding citizens alike? I'll tell you what is says "NOTHING MATTERS and EVERYTHING we love and cherish is for sale!"

Mahalo,
John Otto

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:04 PM
Subject: Council Testimony

Written Testimony

Name	Michelle Saito
Phone	
Email	saito@pixi.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	If an area is designated for short term rental the requirement should remain at 30 days. The problems are with those that violate ordinance 19-18. Changing to 90 days increases the number of properties that need to be monitored which will make enforcement a bigger challenge. Please reject the proposed Bill 41 (2021), CD1.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Andrew Laurence
1126-D 3rd Avenue, Honolulu, Hawaii 96816
E-mail: andrewlaurence2@gmail.com

January 24, 2022

City Council, City and County of Honolulu
530 South King Street
Honolulu, HI 96813

Testimony for the Council/Public Hearing, Wednesday, January 26, 2022

SUPPORT for Bill 41 (2021), CD1

Aloha Members of the Honolulu City Council:

I sincerely wish that I could provide testimony in person, but my work schedule has made that impossible. Thank you for considering these written comments.

I am writing to voice my **SUPPORT** for **Bill 41 (2021), CD1**.

So many government officials these days say Oahu residents desperately need housing, that there is not enough housing to keep up with the demand, and that housing costs continue to spiral out of reach for most people, while short-term rentals and foreign investors buy up residential properties.

Now is the time. I respectfully ask that you put our residents needs and interests first. Bill 41 CD1 would uphold our zoning laws and prevent vacation rentals from being allowed in our residential and apartment districts. It provides greater enforcement tools, increases fines, and closes exploited loopholes.

The one exception to this in the bill's present form is the allowance of vacation rentals in the apartment district in the Gold Coast area of the Diamond Head Special District. To ensure that real progress is made towards providing for the housing needs of residents (not the investment goals of foreigners) all language making vacation rentals legal in the apartment district in the Gold Coast area should be removed.

Mahalo nui loa for your consideration of my comments and concerns,

Andrew Laurence

Andrew Laurence

From: CLK Council Info
Sent: Monday, January 24, 2022 10:21 PM
Subject: Council Testimony

Written Testimony

Name	Wendy Akai
Phone	
Email	wendya@betterhawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. the minimum rental requirement should remain at 30 days for short-term rentals as Ordinance 19-18 currently allows. Teh focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:26 PM
Subject: Council Testimony

Written Testimony

Name	Lyuba Naiditch
Phone	
Email	LyubaN@cbrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021). The minimal rental requirement should remain 30 days for short term rentals, as Ordinance 19-18 currently allows. The focus should be on actual reinforcement by DPP against illegal short term rental operators. Please reject the proposed bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:28 PM
Subject: Council Testimony

Written Testimony

Name	Maggie Huang
Phone	
Email	Maggiehawaii@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Bill 41 contravenes Federal and State law and is certain to face legal challenge if passed in its current form. 1.The restrictions and conditions impose on TVUs in resort zone, while exempting hotels in the same zone, is violation of federal antitrust law. There is no difference in the underlying business activities TVU units and Hotel units. Per LUO's development plan, the purpose of resort zone is to serve visitor population. Both Hotel units and TVUs are lodging units to serve transient visitor population. 2. When DPP was asked if there is any regulations on hotels, he said maybe at the State level. Here is what it currently in the State Statutes and Honolulu city statutes: Hawaii Revised Statutes section 445-94 refers hotels to comply with county's zoning code. Article 35 section.6-35.1 of Honolulu Revised statutes states annual license fee for hotels is $50 per hotel. 3. All legal TVUs owners in the resort zone are small business owners. The CD1 restrictions violated the HRS chapter 201M: Small Business Regulatory Flexibility Act, which requires government rules to vet thoroughly on ways to lessen advertise impact on small businesses in the state of Hawaii. Bill 41 unfairly places far greater restrictions on small business owners than it does on large corporations who conduct the same business. 3. Putting 50% limit on multifamily buildings in the resort zone can be viewed as an illegal taking without just foundation, a violation of constitutional property rights. TVUs has always been permitted

principal use in the resort zone. If the building's AOAO in the Resort zone allows 100% TVUs why would the City and County restrict TVUs to only 50%.

4. The insurance requirement is not legally enforceable. There is no current federal or state law requiring any private property owner to obtain insurance. Does city and county have the authority to implement such mandate? Also the insurance requirement as written is not practically possible to obtain such insurance.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Name	Vanessa Pack
Phone	
Email	vanessagardiner@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Oppose
Representing	Self

I am a 15 year resident and home owner on the North Shore of Oahu. I have had an active roll in the community for the last decade as a retail business owner and have fielded much feedback about the vacation rental industry as a topic of much contention in our community.

The modifications to vacation rental regulations over the last couple years, meant to have a positive effect on our community and affordability of our housing have only hurt those we are trying to protect. The families, that have essential roles in our town and are not on the winning side of the hospitality industry, are subsidizing income with 1-3 month rentals to fellow essential workers in order to pay the rising costs of living and raising families in this beautiful coastal town. There are numerous stories of life long residents leaving island to help families during these challenging times that need to rent their homes out for a couple months in order to not default on payments.

Not every rental home is abusing transient income and those that are generally are quickly reported and shut down.

As someone who has now transitioned to working with one of the worlds largest Hotel chains and serves to profit from a weakening of the short term rental industry I actually oppose the passing of this Bill to require 6 month rentals due to the negative impact to our local community.

Thank you for your consideration,
Vanessa Pack

From: CLK Council Info
Sent: Monday, January 24, 2022 10:37 PM
Subject: Council Testimony

Written Testimony

Name	Annie Luo McCrea
Phone	
Email	annie.mccrea@cbrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I represent myself. Also so many clients behind me. We opposed Bill 41 (2021), CD1. Why makes life even harder for the windows, home owners who may need to rent to visiting nurses, military personel that only need 4 months, or 5 months? The minimum rental requirement should remain 30 days for short-term rentals as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP agaist illegal short-term rental operations. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:37 PM
Subject: Council Testimony

Written Testimony

Name	Karen Luke
Phone	
Email	nahele@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	CR 8 Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	My name is Karen Luke. I am against Bill 41 and CD-1. 2019 brought us the Pandemic and long-term occupancy in my 3-bedroom home. My only child's passing in 2020 left me with little moral, physical, or financial support and in 2021, I had to go to court to defend myself against a restraining order in my own home. I was persuaded to allow my accusers 30 days to move. This was not the first time that I have had a problem with long-term renters. Most start out well, but many will feel the pressure of our high cost of living and some will indulge in impious activities or survival mode. My short-term renters are happy, high-end tourist accustomed to certain accommodations. They often invest in our economy and return to the island frequently. Hotels have become a favorite of low-end tourist who in the past, couldn't afford Hawaii. These tourist use social media to source the cheapest venues for air fare, entertainment, and food. I have operated my home as a short-term rental since 1995, interrupted briefly by the Pandemic with long-term occupancy which ended in a TRO hearing, but I have since returned to short-term renting. Bill 41 attacks my property rights and Kanaka Maoli's traditional hospitality as a means to supplement subsistence. The language of this bill is ordinance bullying. The high fees and fines and harassing language is not seen in Fireworks or any other community control ordinance. Instead of empowering DPP with guidelines, Section 4 of CD-1 belittles their intelligence with step-by-step instructions for DPP to follow, withholding only the fact that DPP needs to keep a copy of whatever it sends out.

Bill 41 should not pass this reading.
Pau

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Mathew Johnson
Honolulu, Hawaii 96816
E-mail: MathewJohnson@gmx.com

City Council, City and County of Honolulu
January 26, 2022
10 a.m.

Testimony *SUPPORTING WITH AMENDMENTS* Bill 41 (2021), CD1 – RELATING TO TRANSIENT ACCOMMODATIONS

Aloha Chair Waters and Members of the Honolulu City Council:

Bill 41 (2021), CD1 provides the means for taking important and much needed steps to protect the quality of life on Oahu, and also the affordability of housing for the people who live here.

This island is being taken over, legally, by foreign investors and travel industry interests who have the financial resources to outcompete residents who could thrive if they could just get stable, affordable housing that does not require increasing the population density of every square foot of this island. I believe you have been entrusted to keep this island livable for residents, protect what is special about it, and at this time, one of the most important ways you can do that is prioritize resident interests over money, or the desire for money that a few seek to fulfill by taking our neighborhoods for short-term vacation rentals.

We need the means to combat the ongoing problems of monster homes and over-tourism.

For this reason, I ask that you **amend** the current form of the bill so that it does **NOT** allow for vacation rentals in the apartment district in the Gold Coast area of the Diamond Head Special District.

To leave it in as currently written is to sell out to the tourism industry and developers who, by the very nature of their business, must destroy what is special about Hawaii in order to stay in business.

If you pass Bill 41 with its enabling redevelopment of the Gold Coast area it will contribute to ever increasing tourist sprawl, exacerbating our housing crisis.

Mahalo nui loa for your consideration of these serious concerns that will affect so many in Oahu.

Mathew Johnson

From: CLK Council Info
Sent: Monday, January 24, 2022 10:43 PM
Subject: Council Testimony

Written Testimony

Name	Robert Retherford
Phone	
Email	robert.retherford@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Chairman Waters and Councilmembers, I support Bill 41 CD1. The statement on "Findings and Purpose" in Section 1 of the bill makes a compelling case why the bill should be supported by all who care about housing for our local population and the rights of those who bought into residential zoning. Having been involved with the issue for a very long time, I did not really need the City's reminder of the negative impacts of short term vacation rentals on our residential communities. I witnessed them myself. The selling out of our homes and long-term rentals for the pleasure of visitors seeking alternative experiences, at the cost of housing and a diminished quality of life of our own long-term residents, is indefensible. And so is the City's long-standing failure to enforce laws already on the books. Bill 41 CD1 may not be the perfect bill, but it goes a long way to restoring badly needed housing and protecting rights under residential zoning for local residents. Thank you for supporting Bill 41 CD1.. Robert Retherford, 42 N. Kainalu Dr. Kailua, HI 96734
Testimony Attachment	

From: CLK Council Info
Sent: Monday, January 24, 2022 10:44 PM
Subject: Council Testimony

Written Testimony

Name	Jamie Kato Robinson
Phone	
Email	katonatto@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Councilmembers, I can only submit written testimony and cannot testify online because I have a job and can't wait around for hours to testify. I ask that you please SUPPORT Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. And, please don't turn the Gold Coast or any other area into vacation rentals. Let's stop talking about the need for more housing and our dependence on tourism, and let's take action now by passing Bill 41 CD1. Thank you, Jamie Kato Robinson
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:48 PM
Subject: Council Testimony

Written Testimony

Name	Tetsuya Yamamoto
Phone	
Email	te-tsu@outlook.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels? 3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms. 4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in

Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:49 PM
Subject: Council Testimony

Written Testimony

Name	Anna Facciolo
Phone	
Email	annajustin07@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:51 PM
Subject: Council Testimony

Written Testimony

Name	Shawn Zaa
Phone	
Email	Shawnzaa@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please support Bill 41 CD1 to make housing for locals a priority. Protect Hawaii from greed and those who have no respect for neighbors and communities. Thank you, Shawn Zaa
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 10:53 PM
Subject: Council Testimony

Written Testimony

Name	Michelle Yao
Phone	
Email	yyao2008@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

I oppose Bill 41 CD1. The stated aim of Bill 41 is to protect residential neighborhoods. However the current proposals fail, firstly, in terms of enforcement and, secondly, because it contradicts Federal and State law.

CD1 does not improve enforcement, it weakens enforcement because it eliminates the required submission of monthly reports of all STRs by hosting platforms, as set forth in the MOU following passage of ordnance 19-18. This is the Holy Grail of enforcement. All illegal short term activity can be simply and immediately eliminated using this MOU. Without the MOU, the city returns to the situation where it has been wholly ineffective at enforcement.

Bill 41 contradicts several Federal and State law and is certain to face legal challenge if passed in its current form.

1.The restrictions impose on TVUs in resort zone, while exempting hotels in the same zone, is violation of federal antitrust law. There is no difference in the underlying business activities TVU units and Hotel units. TVU in the resort zone pay the same hotel -resort property tax rate. Per LUO's development plan, the purpose of resort zone is to serve visitor population. Both Hotel units and TVUs are lodging units to serve transient visitor population.

2. When DPP was asked if there is any regulations on hotels, he said maybe at the State level. Here is what it currently is in the State Statutes and Honolulu city statutes: Hawaii Revised Statutes section 445-94 refers hotels to comply with county's zoning code. Article 35

section.6-35.1 of Honolulu Revised statutes states annual license fee for hotels is $50 per hotel.

3. All legal TVUs owners in the resort zone are small business owners. The CD1 restrictions violated the HRS chapter 201M: Small Business Regulatory Flexibility Act, which requires government rules to vet thoroughly on ways to lessen adverse impact on small businesses in the state of Hawaii. Bill 41 unfairly places restrictions and financial burden on small business owners while exempting big hotel corporations, who conduct the same business.

4. Putting 50% limit on condo buildings in the resort zone can be viewed as an illegal taking without just foundation, a violation of constitutional property rights. TVU has always been permitted principal use in the resort zone. If the building's AOAO in the Resort zone allows 100% TVUs why would the City and County restrict TVUs to only 50%? The purpose of the Resort Zone is to serve the visitor population. What would be the compelling reason to take away these TVUs in the Resort Zone? It is not demonstrated in the stated purpose of CD1, which is to protect the residential neighborhoods.

5. Occupancy limit relating to 2 people per bedroom is not consistent with Federal Fair housing Act that protects family status. How do you define a hotel room if you apply the same standard? One hotel room allows 4-6 people.

6. The insurance requirement is not legally enforceable. There is no current federal or state law requiring any private property owner to obtain insurance. Does city and county have the authority to implement such mandate? Also the insurance requirement as written is not practically possible to obtain such insurance. If Bill 41 passed in its current form, it means all legal TVUs in the resort zone will be shut down as no one will be able to obtain the required insurance. Is this the stated intent of Bill 41-To shut down the legal TVUs in the resort zone to help hotels eliminate competition?

7. 90 day should be changed to 180 day to make it legally defensible, as 180 day is consistent with the current state law, and is on solid legal ground. Otherwise, it leads to challenge such as why 90 days? why not 45 days or 60 days?

In summary, please revise your bill to reflect the following:

1.Ensure hosting platform's submission of monthly reports of short term rentals
2.Remove restrictions on resort zone TVUs
3.Change 90 day back to 180 day for the definition of duration of short term rental

Testimony
Attachment

From: CLK Council Info
Sent: Monday, January 24, 2022 11:07 PM
Subject: Council Testimony

Written Testimony

Name	Annie Kwock
Phone	
Email	annie@trinityproperties.com
Meeting Date	01-06-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Organization
Organization	Trinity Properties LLC
Written Testimony	I oppose Bill 41. The minimum rental requirement should remain at 30 days for short term rentals as Ordinance 19-18 allows. The focus should be on actual enforcement by DPP against illegal short term rental operators. Please reject this proposed bill. Bill 41 will have the unintended effect of weakening our economy by decreasing rental and tax revenue and reducing income and job opportunities for those whose income is directly tied to the short term rental market. Maui and Kauai have pathways to obtain a TVU license to rent for less than 30 days. That model allows the DPP to easily identify those with a license and to sanction violators. Oahu should adopt similar guidelines. And what about the creation of a 30 day license to comply with the current 30 day minimum rental? This would allow DPP to identify licensed properties and make enforcement much easier. Additionally, guidelines for parking, house occupancy, noise and parties could be written into the license. Consequences for violating the guidelines could include, as it does on Lanai, a hefty fine for the first violation, an even larger fine for the second violation and upon the third violation the license would be revoked. These rules would send clear messages to the operators that they are responsible for oversight on their rentals. And what about homeowner rights. If someone choses to live in a community with CC&Rs then they know that they must abide by those rules. They chose to live in those communities because of the benefits those communities provide. What benefits are Oahuans deriving from

an arbitrary ruling that restricts their ability to rent their home for less than 30 days?

The only ones who benefit from Bill 41 are the hotels. Homeowners should not be restricted by the powerful hotel unions. The irony is that a number of hotel chains, are BUILDING single family homes to address the huge demand in the market for this type of vacation experience.

Please kill Bill 41.

Thank you.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:32 PM
Subject: Council Testimony

Written Testimony

Name	Vlad Gurovich
Phone	
Email	vlad.gurovich@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 for number of reasons, but the major one is changing the definition of TVUs from 30 days to 90 days or more. I am opposing this as a LEGAL 30+ day rental operator of a condo in a building Mauka of Kuhio that is 500ft away from Hilton Waikiki Beach Hotel also located Mauka of Kuhio. You are taking what is currently a LAWFUL use of my property away from me by making it ILLEGAL, without compensating me for it. This is unfair and should be illegal
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:02 AM
Subject: Council Testimony

Written Testimony

Name	Jan Weber
Phone	
Email	jan.weber@locationshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The complaint should be about Airbnb's lack of presence here and lack of enforcing their guidelines. The guidelines of Airbnb are to conduct an orderly respectful business where guests follow house rules or the rules of owners and be respectful of the communities where they are staying. We need Airbnb to be accountable and to enforce their Airbnb Guidelines. This committee should be focused on how to enforce Airbnb's guidelines, and not using this as an excuse to take over and monopolize tourism and the hotel industry. Airbnb's guidelines are: "We expect our guests to uphold certain standards and be considerate and respectful of their Hosts, Hosts' neighbors, and any other community members they may meet."
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:05 AM
Subject: Council Testimony

Written Testimony

Name	Doug Weber
Phone	
Email	doug.weber@locationshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The complaint should be about Airbnb's lack of presence here and lack of enforcing their guidelines. The guidelines of Airbnb are to conduct an orderly respectful business where guests follow house rules or the rules of owners and be respectful of the communities where they are staying. We need Airbnb to be accountable and to enforce their Airbnb Guidelines. This committee should be focusing on how to enforce Airbnb's guidelines, and not using this as an excuse to take over and monopolize tourism and the hotel industry. Airbnb's guidelines are: "We expect our guests to uphold certain standards and be considerate and respectful of their Hosts, Hosts' neighbors, and any other community members they may meet.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Testimony Re: Bill 41

Dear Council Members:

You are all aware of the increasing prices to purchase a home here in our State. I have been born and raised here. I consider myself fortunate to own property and to live here. Land in Hawa'i is such a precious commodity because it is limited. In order to pay their mortgages and provide for their families, local homeowners should be allowed to supplement their income with short term rentals. It is reasonable to require permits and certain regulations. These permits should NOT be restricted only to tourist/resort areas. Those who provide short term rentals need to apply for a GE license and promptly pay their GE taxes. These short-term rentals should be monitored by the homeowner so that noise and traffic/parking problems are not an issue. Fines/penalties should be assessed for any homeowner who fails to comply. This could also result in losing the privilege of managing and operating any short-term rental. From what I have seen, (my daughter owns one out-of-state), companies such as Airbnb, monitor these rentals. Guests leave comments and a rating that homeowners take quite seriously. These ratings and comments have a direct impact on their ability to attract guests. I see it as a "win-win" situation; the homeowner and the City earn money.

By outlawing short term rentals for landowners, many resort to earning this additional and needed income illegally and they don't pay any taxes, a loss of income to the City and State.

I own and live in a home in what was once a quiet residential neighborhood in Kailua. Several years ago, a foreign investor bought a house next door and was quickly granted a permit to build a "monster" house: 14 bedrooms, 12 bathrooms and 4 kitchens! This was done right before the law on "monster" homes was passed. In addition, this investor has an arrangement with IHS to use this property as a sort of "halfway house" for the homeless who are recuperating from medical issues. We now have constant handivans and other vehicles on our streets, noise, ambulances and police cars and these "guests" take walks" unsupervised around the block. I would not be able to rent out part of my house as a short-term rental in my neighborhood but a "monster halfway" house is allowed to operate in a residential area! Does this make any sense???

Mahalo for hearing me out.

Mary Anne Smith (808-223-1278) (ma.deesse@gmail.com)

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:27 AM
Subject: Council Testimony

Written Testimony

Name	Marinda Okelberry
Phone	
Email	oahumarinda@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Families need short-term rentals when they relocate to O'ahu (especially our military families and DOD employees), and a minimum of 90-days is excessive. There should at least be an exemption for these folks, and folks displaced by unpredictable events like Red Hill, rather than a blanket 90-day minimum rule. Please consider this idea and include it in the discussion/debate. Mahalo! Marinda Okelberry Realtor-Associate Keller Williams Honolulu oahumarinda@gmail.com
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:36 AM
Subject: Council Testimony

Written Testimony

Name	Kristyn M. Ho
Phone	
Email	kmh14usa@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021). As Ordinance 19-18 currently allows, the minimum rental requirement should remain at 30 days for short-term rentals. The emphasis should be on actual enforcement by the DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:54 AM
Subject: Council Testimony

Written Testimony

Name	Ayumi Yamane
Phone	
Email	ayumi.yamane@locationshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) , CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1 oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name MIE OHI

Date 1/24/2022

Signature Mie Ohi

magie4ohi@gmail.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:26 AM
Subject: Council Testimony

Written Testimony

Name	Thomas Link
Phone	
Email	link2hawaii@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 CD1. The stated aim of Bill 41 is to protect residential neighborhoods. However the current proposals fail, firstly, in terms of enforcement and, secondly, because it contradicts Federal and State law. More importantly, it helps corporate hotels at the expense of Hawaii property owners CD1 does not improve enforcement, it weakens enforcement because it eliminates the required submission of monthly reports of all STRs by hosting platforms, as set forth in the MOU following passage of ordnance 19-18. This is the Holy Grail of enforcement. All illegal short term activity can be simply and immediately eliminated using this MOU. Without the MOU, the city returns to the situation where it has been wholly ineffective at enforcement. Bill 41 contradicts several Federal and State law and is certain to face legal challenge if passed in its current form. It will cost a lot of money to defend. Many of its provisions will be struck down. 1.The restrictions impose on TVUs in resort zone, while exempting hotels in the same zone, is violation of federal antitrust law. There is no difference in the underlying business activities TVU units and Hotel units. TVU in the resort zone pay the same hotel -resort property tax rate. Per LUO's development plan, the purpose of resort zone is to serve visitor population. Both Hotel units and TVUs are lodging units to serve transient visitor population. 2. When DPP was asked if there is any regulations on hotels, he said maybe at the State level. Here is what it currently is in the State

Statutes and Honolulu city statutes: Hawaii Revised Statutes section 445-94 refers hotels to comply with county's zoning code. Article 35 section.6-35.1 of Honolulu Revised statutes states annual license fee for hotels is $50 per hotel.

3. All legal TVUs owners in the resort zone are small business owners. The CD1 restrictions violated the HRS chapter 201M: Small Business Regulatory Flexibility Act, which requires government rules to vet thoroughly on ways to lessen adverse impact on small businesses in the state of Hawaii. Bill 41 unfairly places restrictions and financial burden on small business owners while exempting big hotel corporations, who conduct the same business.

4. Putting 50% limit on condo buildings in the resort zone can be viewed as an illegal taking without just foundation, a violation of constitutional property rights. TVU has always been permitted principal use in the resort zone. If the building's AOAO in the Resort zone allows 100% TVUs why would the City and County restrict TVUs to only 50%? The purpose of the Resort Zone is to serve the visitor population. What would be the compelling reason to take away these TVUs in the Resort Zone? It is not demonstrated in the stated purpose of CD1, which is to protect the residential neighborhoods.

5. Occupancy limit relating to 2 people per bedroom is not consistent with Federal Fair housing Act that protects family status. How do you define a hotel room if you apply the same standard? One hotel room allows 4-6 people.

6. The insurance requirement is not legally enforceable. There is no current federal or state law requiring any private property owner to obtain insurance. Does city and county have the authority to implement such mandate? Also the insurance requirement as written is not practically possible to obtain such insurance. If Bill 41 passed in its current form, it means all legal TVUs in the resort zone will be shut down as no one will be able to obtain the required insurance. Apparently, the actual intent of Bill 41- is to shut down the legal TVUs in the resort zone to help hotels eliminate competition.

In summary, Bill 41 should not be passed.

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:21 AM
Subject: Council Testimony

Written Testimony

Name	Alexander Rose
Phone	
Email	alexander@greenpalmrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I OPPOSE Bill 41 (2021, CD1. The minimum rental requirement should remain 30 days for short-term rentals. The focus should be on enforcement by DPP against Illegal shrot-term rental operators. Please reject this proposed bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:58 AM
Subject: Council Testimony

Written Testimony

Name	Joan Price
Phone	
Email	joanrp@cox.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	As an owner who purchased a condo in Kulima Estates East in 2004, I have followed all the rules for STRs. When I purchased it, I paid for a permit for Transit Occupancy, I have paid my taxes, property, GET, and TAT. The changes to the law will affect the owners that half lawfully paid taxes for years and do nothing for the problem of illegal STRs in neighborhood. this law will place undue hardship on us. The value of our property will go down. Please listen to many small owners and not be beholden to the Hotel Lobby. Thank you
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Dear City Council Members,

Opposition/Testimony Re: Bill 41 CD1

My name is Arthur and Riggs. I am an owner at the Association of Apartment Owners of Waikiki Banyan, and I strongly oppose Bill 41 CD1 because it discriminates against me as a property owner and unfairly favors the Hotel Industry while detracting from the original intention of Bill 89.

Although Bill 41 CD1 is a slight improvement on Bill 41, if it is taken beyond the proposal stage, many will suffer economic hardship. The current proposals of this Bill do not provide reasonable regulations and they greatly limit my ability to provide income for retirement, and more importantly from a local economic perspective, steady jobs for countless local workers.

Waikiki Banyan vacation rentals are a valuable part of Honolulu's tourism economy. My vacation rental provides needed affordable accommodation. Visitors who stay in my vacation rental can afford to patronize local shops and restaurants, rent vehicles, take adventure outings because all their money is not being spent at expensive hotels. These visitors in turn share their experiences with family and friends, keeping the economic cycle alive and vibrant.

In addition to the contribution our visitors make to the local economy, as an owner, I contribute a great deal to the local economy by purchasing furniture, appliances, housewares, insurance, and various utility services. More importantly, I contribute to the local job market. I employ a local management company which in turn hires cleaners, book-keepers, accountants, managers, maintenance workers, and trades people. If owners like me are forced to sell our properties because of Bill 41 CD1, small businesses will be forced to shut down. The Hotel Industry wants this but surely City Council does not. As a City Council Member, you need to ask yourself what is going to happen to all the local workers if these businesses are forced to close.

A final way I contribute is through the taxes I pay to the State and Federal Governments on my vacation rental earnings and property taxes. This money goes directly into government coffers for a whole range of programs benefitting Hawaii society.

Bill 41 CD1 does not take into consideration the unique circumstances of associations, such as the Waikiki Banyan, that are located in the Waikiki Resort District. The Waikiki Banyan is just across the street from three hotels - Waikiki Beach Marriott Resort & Spa, Hyatt Place Waikiki Beach, and Hilton Waikiki Beach Hotel. The Waikiki Banyan is in the heart of Waikiki, surrounded by hotels, and has been a prime tourist destination. However, the Waikiki Banyan is also home for many owners. Owners have the right to decide how to use their units, whether as short-term rentals, long-term rentals, or as primary residences. Bill 41CD1's attempt to limit owners' rights is unacceptable and will be challenged vehemently at all levels in the courts. Therefore, I ask that you consider the interests of the wider community other than just the Hotel Industry when making your decision to pass this one-side and discriminatory Bill.

Thank you for taking the time to read my concern. I urge you to carry out your elected duty and be prudent when considering the wide range of impacts this discriminatory bill will have on all of society and not just the Hotel Industry.

Sincerely,

Arthur Riggs
2103, Tower 2
arthurriggs@yahoo.ca

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:29 AM
Subject: Council Testimony

Written Testimony

Name	Margaret W Breeden
Phone	
Email	mbee328@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021),CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPPO against illegal short term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:32 AM
Subject: Council Testimony

Written Testimony

Name	Gerald G Breeden
Phone	
Email	jerryb5678@gmail.com
Meeting Date	01-16-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021),CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPPO against illegal short term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:34 AM
Subject: Council Testimony

Written Testimony

Name	Aviva Group
Phone	
Email	mbeee328@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021),CD1
Your position on the matter	Oppose
Representing	Organization
Organization	Aviva Group, LLC
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPPO against illegal short term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:01 AM
Subject: Council Testimony

Written Testimony

Name	Tina Vasinamakin
Phone	
Email	tinatv77@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I 100% oppose Bill 41 (2021) CD1. The minimum rental requirement should remain 30 days for short term rental as Ordinance 19-18 currently allows. If anything, it should be each building HOA that decides how long the minimum rental requirements should be. Please consider rejecting the proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:08 AM
Subject: Council Testimony

Written Testimony

Name	David Lee Slusher
Phone	
Email	kailuadave5@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I stand by my written testimony submitted to the Zoning and Planning Committee on Bill 41 CD1. This is very important legislation as we do not have any idea of the number of illegal operations in Kailua. Basic information is needed just to identify the problem. Thank you for your time and service. David Lee Slusher
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:12 AM
Subject: Council Testimony

Written Testimony

Name	Deborah Glazier
Phone	
Email	ssglazier@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	This bill helps limit vacation rentals in my neighborhood that make home not feel like home. Please pass it.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:14 AM
Subject: Council Testimony

Written Testimony

Name	lillie mcafee
Phone	
Email	lilliemcafee@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	WHY PUNISH "LEGAL" NUC HOLDERS WITH A HUGE RENEWAL FEE OF $4000? WE HAVE DONE EVERYTHING RIGHT SINCE PRE-1989.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:14 AM
Subject: Council Testimony

Written Testimony

Name	James Fernandez
Phone	
Email	Jamesfernandez@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I adamantly oppose Bill 41 (2021) CD1. The minimum rental requirement should remain 30 days for short term rental as Ordinance 19-18 currently allows. If anything, it should be each building HOA/ management company that decides how long the minimum rental requirements should be. Please consider rejecting the proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:15 AM
Subject: Council Testimony

Written Testimony

Name	Steve Glazier
Phone	
Email	ssglazier@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	We have an illegal vacation rental next door. Please pass this bill which helps limit these businesses out of homes.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:45 AM
Subject: Council Testimony

Written Testimony

Name	Keahi Pelayo
Phone	
Email	keahi@keahipelayo.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	90 Day Rental Period
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose the change to 90 days. This is a fundamental change to the Landlord Tenant Code that is not needed.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:46 AM
Subject: Council Testimony

Written Testimony

Name	Kyle Bernhardt
Phone	
Email	Kylebernhardt@hawaiilife.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimum short term rental requirement should remain 30 days as Ordinance 19-18 allows now. The focus should be on actually enforcement by the DPP against illegal short term rental operators. Please reject this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:48 AM
Subject: Council Testimony

Written Testimony

Name	Robyn Doo
Phone	
Email	robyn.doo@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I appreciate anything you can do to limit the proliferation of short term rentals in our residential areas. We need to save rental space for long term renting to our own people.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:52 AM
Subject: Council Testimony

Written Testimony

Name	Manfred Zapka, PhD
Phone	
Email	mzapka@hawaii.edu
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Subject Bill 41: I am opposed to the bill 41. Aloha Honolulu City Council members: I thank you for your service to keep our community safe and prosperous. I also urge you not to impose the draconian measures in the Bill 41 of making a 180-day minimum rental period compulsory. It will create hardship for certain residents like us. It also seems to me to give governments the means to unduly regulate responsible use of our property, for which we have worked so hard to build. The provisions of Bill 41 harms the Aloha between neighbors and creates a division between residents of means and those who try to continue living in our community, as costs of living rise. I have been a resident of Hawaii for 40 years. Due to family reasons, I must stay several month of the years on the mainland. I am gone for several months, a period enough to sublet our house so that we can afford to keep it while we must be away from home. We have been renting to professionals, mostly medical but also to remote or visiting professionals and scholars who cannot afford to pay several months of hotel accommodates. As you know hotels are getting incredibly expensive. We are renting to people with integrity who respect the way of living with respect and caring for neighbors. We had less problems with these tenants than with other boisterous long-term residents. The notion that rentals for at least 30 days cause a lot of problems in our community cannot be upheld by serious findings. We have been victims or false accusation and sever hostility from neighbors who do not understand our intentions of renting to people who want to brig value to the state and are residing only for a short several months. This is not the Aloha spirit. We are not for turning

neighborhoods into hotels.
I urge you to vote against Bill 41 since the benefits

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:54 AM
Subject: Council Testimony

Written Testimony

Name	Ress Nguyen
Phone	
Email	sasressie@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Pass this bill to encourage landlords to rent to local residents instead of visiting vacationers. This will free up desperately-needed housing we locals need.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:58 AM
Subject: Council Testimony

Written Testimony

Name	Marc Langevin
Phone	
Email	budha366@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	This bill supports the creation of local housing. Please pass it.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:01 AM
Subject: Council Testimony

Written Testimony

Name	Marca Langevin
Phone	
Email	hula65@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Support and pass this bill that encourages homeowners to rent long-term to local residents, instead of short-term to tourists.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:03 AM
Subject: Council Testimony

Written Testimony

Name	Mara Langevin
Phone	
Email	hula65@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Bill 41 CD1 helps our housing crisis.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:22 AM
Subject: Council Testimony

Written Testimony

Name	Atsuko Sato
Phone	
Email	atsuko.hawaii@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41, CD1. The minimum rental requirement should remains at 30 days for short rentals, as Ordinance 19-18 currently arrows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:24 AM
Subject: Council Testimony

Written Testimony

Name	Asad Ghiasuddin
Phone	
Email	asad@hawaii.edu
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as currently allowed by Ordinance 19-18. More focus needs to happen on actually enforcing against illegal short term rental operators by DPP. Please reject this bill, mahalo for your consideration.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:25 AM
Subject: Council Testimony

Written Testimony

Name	Lori Lloyd
Phone	
Email	lorilloydhawaii@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please SUPPORT Bill 41 CD1 to stop the spread of illegal vacation rentals. Time to take action is overdue.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:29 AM
Subject: Council Testimony

Written Testimony

Name	Chuck Garrett
Phone	
Email	chuck.garrett@mac.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I opposed Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

I am here to strongly **support Bill 41 CD1with reservations;** we are disappointed that the minimum stay has been watered down to 90 days instead of the 180 days in your original bill, **please do not back down from this part of the Bill.**

We have lived in Waialua for over thirty years. We have been fighting this problem in our neighborhood for over a decade. We watched as illegal vacation rentals spread throughout our community, displacing our children, friends and neighbors. We attended hearings and submitted testimony that was not always user friendly yet had to watch as our community was still eroded by the loss of residents that moved away to find **any** affordable housing. The excuses the short term operators used at hearings bordered on the absurd. Please be wary of the sad sob stories that the short term rental owners are good at inventing. Now they are trying to use the David vs. Goliath example saying they are small businesses trying to compete with big business (the hotels). This is far from the truth. Many are owners from the Mainland with second homes here that just want to be come here on vacation for a few months, then leave, or management businesses taking advantage of the fact that our enforcement is so lax. The hotels employ local residents. Now we have tourists competing with these same resident workers for the same housing. **Where will people live?** The short term rental group are organized and have been allowed to become entrenched in our communities. They can show up in force at meetings while the majority of people that this affects have to work and cannot take time off on short notice to testify. **This is unsustainable.**

Please limit short term rentals to resort areas. Please do not allow exceptions for easily exploited "temporary employees or students". Please keep the rules easy to enforce and difficult to circumvent. Illegal vacation rental owners and property managers often hire expensive lawyers to help them find the loopholes. Increase fines and actually enforce them if these short term rental operators refuse to comply. If short term rentals are only allowed in resort areas, we can get our communities back.

This 30 day leases were so divisive, and so polarizing that neighbors have been pitted against neighbors for many years. The City could not enforce their own zoning laws because the **short term operators learned how to circumvent the rules.** They have their renters lie for them, saying they are friends and family or producing fake 30 day leases. This has been going on for years. We have the right to come home after work and not have to listen to parties going on until all hours of the night, or hear suitcases being rolled in and out at unreasonable times. Ultimately, residents are the ones that matter. We are what make communities thrive, we are the people that vote, and we are the people that care. Thank you for finally trying to regulate this highly controversial yet important issue.

Kandis McNulty
67-335 Kaiea Place
Waialua, HI 96791, (808) 637-2358
kandis@mcengineer.com

I am here to strongly **support Bill 41 CD1with reservations;** we are disappointed that the minimum stay has been watered down to 90 days instead of the 180 days in your original bill, **please do not back down from this part of the Bill.**

We have lived in Waialua for over thirty years. We have been fighting this problem in our neighborhood for over a decade. We watched as illegal vacation rentals spread throughout our community, displacing our children, friends and neighbors. We attended hearings and submitted testimony that was not always user friendly yet had to watch as our community was still eroded by the loss of residents that moved away to find **any** affordable housing. The excuses the short term operators used at hearings bordered on the absurd. Please be wary of the sad sob stories that the short term rental owners are good at inventing. Now they are trying to use the David vs. Goliath example saying they are small businesses trying to compete with big business (the hotels). This is far from the truth. Many are owners from the Mainland with second homes here that just want to be come here on vacation for a few months, then leave, or management businesses taking advantage of the fact that our enforcement is so lax. The hotels employ local residents. Now we have tourists competing with these same resident workers for the same housing. **Where will people live?** The short term rental group are organized and have been allowed to become entrenched in our communities. They can show up in force at meetings while the majority of people that this affects have to work and cannot take time off on short notice to testify. **This is unsustainable.**

Please limit short term rentals to resort areas. Please do not allow exceptions for easily exploited "temporary employees or students". Please keep the rules easy to enforce and difficult to circumvent. Illegal vacation rental owners and property managers often hire expensive lawyers to help them find the loopholes. Increase fines and actually enforce them if these short term rental operators refuse to comply. If short term rentals are only allowed in resort areas, we can get our communities back.

This 30 day leases were so divisive, and so polarizing that neighbors have been pitted against neighbors for many years. The City could not enforce their own zoning laws because the **short term operators learned how to circumvent the rules.** They have their renters lie for them, saying they are friends and family or producing fake 30 day leases. This has been going on for years. We have the right to come home after work and not have to listen to parties going on until all hours of the night, or hear suitcases being rolled in and out at unreasonable times. Ultimately, residents are the ones that matter. We are what make communities thrive, we are the people that vote, and we are the people that care. Thank you for finally trying to regulate this highly controversial yet important issue.

Michael McNulty
67-335 Kaiea Place
Waialua, HI 96791, (808) 637-2358
michael@mcengineer.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:48 AM
Subject: Council Testimony

Written Testimony

Name	Preet Gill
Phone	
Email	garrygill12@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	to Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I would like to state that if home owners are paying taxes on short term rentals just like hotel owners why are they restricted to not rent their properties for less than 30 days or 180 days. Is this to benefit the hotel owners who are not even residents of Hawaii. When it comes to election this year and next, will the members be reaching out to hotel owners to vote for them or to the public/residents of Hawaii. Punish those who don't pay taxes but not bulldoze the decisions on the residents. Every owner is waiting and watching how you are imposing your decisions for your own personal gains.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:55 AM
Subject: Council Testimony

Written Testimony

Name	Pamela Deboard
Phone	
Email	pamdeboard@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Support this bill because it supports local residents who are in need of long term housing.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:55 AM
Subject: Council Testimony

Written Testimony

Name	Kevin K Inn
Phone	
Email	kevini@betterhawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimum rental requirement should remain at 30 days for short term rentals as Ord 19-18 currently allows. The focus should be on enforcement by the DPP against illegal short term rental operators. Please reject this proposed bill!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:59 AM
Subject: Council Testimony

Written Testimony

Name	Cheryl McIlroy
Phone	
Email	msmac1018@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	This is a good bill that protects our neighborhood from the scourge of short-term rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:02 AM
Subject: Council Testimony

Written Testimony

Name	Yilan Wilcox
Phone	
Email	yilan808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Bill 41 CD1 helps save our neighborhoods for real neighbors, and provides more housing rentals for our local residents.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:06 AM
Subject: Council Testimony

Written Testimony

Name	Don Wilcox
Phone	
Email	donwilcox808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Residential neighborhoods are not zoned for short term vacation rentals. Using them as such takes away housing meant for local residents. Please pass this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:07 AM
Subject: Council Testimony

Written Testimony

Name	Wilson MacLeod
Phone	
Email	cyndiap96734@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1.The minimum rental requirement should remain at 30 days. the focus should be on enforcing of existing rules. I believe new requirements would have a devastating affect on small and locally owned businesses in places outside Waikiki and an adverse affect on homeowners at a time when housing prices are climbing. Oahu will become a place for the ultra rich. PLEASE do not pass this BILL.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:08 AM
Subject: Council Testimony

Written Testimony

Name	Cyndia Pilkington
Phone	
Email	cyndiap@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1.The minimum rental requirement should remain at 30 days. the focus should be on enforcing of existing rules. I believe new requirements would have a devastating affect on small and locally owned businesses in places outside Waikiki and an adverse affect on homeowners at a time when housing prices are climbing. Oahu will become a place for the ultra rich. PLEASE do not pass this BILL.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:10 AM
Subject: Council Testimony

Written Testimony

Name	Micah Pregitzer
Phone	
Email	DJninja1@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	This bill supports renting long term to local residents, which is what neighborhoods are meant for.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:15 AM
Subject: Zoning and Planning Testimony
Attachments: 20220125041448_Miho_Testimony.pdf

Written Testimony

Name	Miho Ambiru
Phone	
Email	miho.ambiru.hi@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I own a condo unit at Ilikai. I invested this condo and am renting out for short-term rentals just hoping our children can keep it for the future. I'm paying property tax, GET and TAT with the income of my condo which is all legal.
Testimony Attachment	20220125041448_Miho_Testimony.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Miko Ambiru

Date 1/24/2022

Signature Miko Ambiru

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:16 AM
Subject: Zoning and Planning Testimony
Attachments: 20220125041619_Fumio_Testimony.pdf

Written Testimony

Name	Fumio Ambiru
Phone	
Email	fumio.ambiru@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I own a condo unit at Ilikai. I invested this condo and am renting out for short-term rentals just hoping our grand children can keep it in the future. I'm paying property tax, GET and TAT with the income of my condo which is all legal.
Testimony Attachment	20220125041619_Fumio_Testimony.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, I **recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name EUMIO AMBIRU.

Date 1/24/2022.

Signature Eumio Ambiru.

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:20 AM
Subject: Zoning and Planning Testimony
Attachments: 20220125042023_Joseph_Nguyen-_Opposition_Of_BILL_41_CD1.pdf

Written Testimony

Name	Joseph Nguyen
Phone	
Email	Joseph@Engineering-Systems.net
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am a local owner and personally own several condo units in Ilikai, in the resort zone. I'm paying property tax, GET and TAT with the income of my condo which is all legal.
Testimony Attachment	20220125042023_Joseph_Nguyen-_Opposition_Of_BILL_41_CD1.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name JOSEPH NGUYEN

Date 1/24/2022

Signature

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:26 AM
Subject: Zoning and Planning Testimony
Attachments: 20220125042552_Yoriko_Testimony.pdf

Written Testimony

Name	Yoriko Ambiru
Phone	
Email	yoriko.ambiru@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Organization
Organization	TW International Academy Inc
Written Testimony	We own a condo unit in Ilikai apartment. We are paying property tax, GET and TAT with the income of our condo which is all legal. We strongly oppose this Bill 41.
Testimony Attachment	20220125042552_Yoriko_Testimony.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yoriko Ambiru TW International Academy Inc.

Date 1 / 24 / 2022

Signature Yoriko Ambiru

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:23 AM
Subject: Zoning and Planning Testimony
Attachments: 20220125062233_Short-Term.pdf

Written Testimony

Name	Sam
Phone	
Email	exittrust@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	CR-8 Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	
Written Testimony	
Testimony Attachment	20220125062233_Short-Term.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha and thank you for the opportunity to present this brief testimony.

I represent a large vacation rental company that has operated in Waikiki since 1977. Over this time, we have paid hundreds of thousands of dollars in taxes and currently employ 20 locals who depend on the jobs in cleaning, maintenance and hospitality to support their families; these are the only jobs they have.

If the vacation rental market is shut down, not only will countless jobs be lost, the untold millions of dollars a year in tax revenue will vanish as will the budget-friendly visitors who make up a large segment of the annual tourist stream and who cannot afford $400+/night accommodations.

The other factor is that these vacation rental business ensure property values; since Bill 89 was introduced, the values in all of the building we represent has fallen as much as 50% with many owners foreclosing on their units. As is perhaps the hope of the city, this is not creating affordable housing, as the maintenance fees in these building is as much as $2,000/month, thus owners cannot even breakeven and are choosing to walk away with buildings having to take the losses.

Another thing to consider is that Hawaii is a very transient place and even our locals who are long-term renters rarely stay six months, thus a minimum six-month lease is often not even possible.

We need to look at the bigger picture. In Waikiki especially there is a need for the vacation rental market. To eliminate this will cost countless needed jobs, revenue for the city and locals and a depreciation of property values, all of which we are already seeing.

Mahalo and we hope logic will prevail and our local workers and businesses protected!

R. Hawaiian Resorts

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Rocky Toomey
Phone	
Email	btfxhawaii@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This bill is an overreach that will end up backfiring on Oahu. It's going to deplete tax revenues, bring about class-action lawsuits from property owners, and drive tourists away. It is a terrible idea.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:54 AM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Jeffrey Riley
Phone	
Email	jeffariley@hotmail.com
Meeting Date	01-25-2021
Council/PH Committee	~~Housing and the Economy~~ Zoning and Planning
Agenda Item	City Council Second Reading on Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

I am writing to once again express my sadness and outrage that elected public officials are considering enacting laws that will have devastating financial impact on the very constituents they promised to serve.

No one is fooled by the attempt to disguise the fact that the giant corporate hotel lobby is trying to stop Hawaiian residents from using their properties for personal income while saying it is for the betterment of the residents. The hotels want the proposes longer required stay periods for private residences because they know most people cannot visit the islands for the longer periods and therefore, they will receive the huge financial windfall when visitors are forced to stay at hotels if this proposed legislation is enacted. Simultaneously, the resident owners will be the ones who suffer the most!

We lived on Oahu for several years and have many friends throughout the islands. We still visit regularly and hear the concerns of our friends over the government's attempt to usurp their property rights and instead cave to the hotel groups.

Many of our friends lease out all or part of properties they own as their main means of personal income. These proposed changes to the current laws will inflict immediate and irreparable financial damage to them and force them to sell properties that have been in many of their families for generations.

Why should the large hotel corporations that are based on the mainland reap all the financial gains from tourism, while native Hawaiian private property owners suffer catastrophic financial loss?

Surely, cooler heads will prevail, and the council will ensure the financial stability of residents over out of state corporations who destroy the essence of the Hawaiian Islands with

all the concrete behemoths that they construct all over the most beautiful areas of these sacred lands.

Please protect the 'Ohana of Hawaiian people you serve and who count on you to insure their individual property rights and their family's welfare is protected.

Regards,

Jeffrey Riley

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:47 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Leslie Rush
Phone	
Email	lesliemrush@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am writing in opposition to Bill 41 CD1. The proposal changes the short-term vacation rental from 30 days minimum to 180 days minimum which many of us find a slap in the face. There are many people who are professionally abiding by the 30-day rule and providing an important service for transient workers that are here working from several weeks to a few months. Teleworking is now becoming normal, and we should welcome people to the islands to help stimulate the economy. When we remove residential properties from the inventory of choices, families, workers, individuals are forced to stay in a hotel, which may not be conducive to their stay. This bill throws the baby out with the bathwater. Going after island residents who are supplementing their income, finding ways to provide hospitality service, and generally carving out a living is just wrong and goes firmly against keeping Hawaii sustainable. Instead, we are giving this income to large and international corporations. This is very wrong and should not be allowed. Support local and please vote against Bill 41 CD1!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 4:52 PM
Subject: Zoning and Planning Testimony
Attachments: 20220124165135_Testimony_Letter_-_Yuta_Yokoyama.docx

Written Testimony

Name	YUTA YOKOYAMA
Phone	
Email	yuta.yokoyama@cbrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220124165135_Testimony_Letter_-_Yuta_Yokoyama.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yuta Yokoyama

Date 01-24-2022

Signature

From: CLK Council Info
Sent: Monday, January 24, 2022 7:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	ATSUKO KONO
Phone	
Email	hime7ak@lucky.odn.ne.jp
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Celine mendiola
Phone	
Email	Cdmendiola@yahoo.com
Meeting Date	01-24-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 cd1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Chair Waters and Councilmembers: Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18. Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18. I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels?

3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.
Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	YUKIO KONO
Phone	
Email	giallo8@i.softbank.jp
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:27 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Samantha Chan
Phone	
Email	samanthamchan@gmail.com
Meeting Date	01-26-2021
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Bill 41 violates the property owners constitutional rights by unduly restricting occupancy and use of their units in legal resort zoned area. It's evident that the interest of the hotel union is operating to provide itself with an undue advantage. Instead of passing Bill 41, the city should work in cooperation with the appropriate platforms like the County of Kauai. The bill's limitation of 50% occupancy for short-term rentals is unenforceable and a violation of the owners' constitutional rights.I respectfully request that the entire bill be tossed out.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 7:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	stephanie souza
Phone	
Email	stephisouza@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We are a hard working Hawaiian family, that have worked very hard to purchase a Legal vacation rental unit. I strongly oppose Bill 41. This bill is trying to CRUSH us local people that have a small business that we have operated LEGALLY for years. What is the reasoning to try to drive us out of business with this bill? We follow all the rules, pay our taxes, pay our NCU every 2 years, and provide a quality place for guests to enjoy. I am a physical therapist assistant and my husband is a retired Honoulu Firefighter. We also supplement our income with our vacation rental. We work extremely hard to provide a good life for our daughter and ourselves. This bill is crushing to us local small business owners. It makes no sense to try to put local people out of business with this bill. Please vote NO on this bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Olivia Sadeler
Phone	
Email	Oliviadpt@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose bill 41. It's bad for local businesses and economy in a time when many are struggling to make a living and stay in hawaii. If you cut out these rentals it will hurt all the business related to them and many of us rent out short term rentals legally and responsibly and should not be penalized. Go for enforcing the current rules. That should take care of the problem.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 8:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mitsuo Kaneko
Phone	
Email	mkaneko@naoji.co.jp
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:18 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Steven Fierros
Phone	
Email	sgfierros@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Housing and the Economy
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I stand in opposition to Bill 41. The previous changes passed in 2019 have yet to be implemented and there is no need for further restrictions without having first implemented the prior legislation. A 90 day minimum rental is too restrictive in too many cases. This will impact many long term tenants who prefer or need the flexibility that a month to month lease provides. That in turn will also impact landlords who rent to those month to month tenants whether local or travelers, or students or one of the many local families who have left the state seeking better opportunity and who desire to return briefly (a month) to visit family and friends. This is also not the time to take income and resources away from the many families who rent out portions of THEIR homes on a month to month basis. The economy has been decimated over the last 2 years due to the lack of tourism and changes in the way people travel and spend. To make it harder for residents and local families to use the resources they already have in place (their home), to earn any additional income is poor leadership. We should be encouraging people who live here to earn more to spend HERE locally, supporting the many local businesses who so desperately need it. Please vote NO to Bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 11:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	James Kohara
Phone	
Email	jmkohara@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	BILL 41 (2021) CD1 – LUO AMENDMENT RELATING TO TRANSIENT ACCOMMODATIONS.
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose the proposed bill to increase the minimum rental period for STR's to 90 days. The initial ordinance 89 which was pushed through, for the benefit of the hotels, hotel lobbies, and to the detriment of small business people, many local. Furthermore, they affected properties in Waikiki, many of which should have been allowed to continue renting as STR's. The proposed bill 41 is even further hurting our rights as property owners, and will surely hurt Hawaii's economy and Oahu's ability to provide quality accommodations other than traditional hotels, which are a necessary and integral part a diversified accommodations destination. I urge you to be fair, be wise, and not try to force and push through a further damaging new ordinance.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:54 PM
Subject: Zoning and Planning Testimony
Attachments: 20220124185331_Motonori_Imaseki_Jan_24_2022.PDF

Written Testimony

Name	Motonori Imaseki
Phone	
Email	motonori.imaseki@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I invested in Ilikai based on the current regulations to allow vacation rentals. I strongly object new bill to highly damage my investment.
Testimony Attachment	20220124185331_Motonori_Imaseki_Jan_24_2022.PDF
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, I **recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Motonori Imaseki

Date Jan. 24, 2022

Signature

From: CLK Council Info
Sent: Monday, January 24, 2022 6:47 PM
Subject: Zoning and Planning Testimony
Attachments: 20220124184657_Testimony_Letter_Example_.docx

Written Testimony

Name	Linda L Blomquist
Phone	
Email	LindaB@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220124184657_Testimony_Letter_Example_.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Linda L. Blomquist

Date 01/23/2022

Signature

From: CLK Council Info
Sent: Monday, January 24, 2022 5:21 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	MICHAEL TAKAHASHI
Phone	
Email	mikesurfsunset@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	~~Housing and the Economy~~ ZP
Agenda Item	41 (2021), CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Vacation rentals are out of control and must be restricted. Our beaches and parks are being over run with economy class tourist who do not bring anything to the communities they are staying in.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Narindi Chhan
Phone	
Email	Narindi.chhan@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Chair Waters and Councilmembers, Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18. Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18. I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except

to benefit the Hotels?

3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.
Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Narindi Chhan
01/24/2022 .

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:45 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	DOUGLAS GODFREY
Phone	
Email	surfjonz3@gmail.com
Meeting Date	01-25-202y
Council/PH Committee	~~Housing and the Economy~~ ZP
Agenda Item	bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	against furthering the hotel monopoly and development. For owner occupied short term rentals ,if they have parking. The income from these rentals supports local families, and feeds directly back into the community. also provides a real cultural experience.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:19 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Susan Fuller
Phone	
Email	fuller@omsoft.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We have a home in Ewa Beach and would like to rent it out for the summer while we travel on the mainland. The extra income from the rental would greatly help our travel budget. We are not taking away any housing from locals or hurting the housing market.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it

time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Leonora J. Hemphill .

Date 25 January 2022 .

Leonora J. Hemphill

Signature _____ .

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:10 AM
Subject: Council Testimony

Written Testimony

Name	Aynjul Benigno
Phone	
Email	aynjul@icloud.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I feel it is important to regulate the illegal vacation rentals here in our island to insure there is housing available for the people who actually live and work here on our island. The crisis has become very real and families that are part of our community and have been here for many many years or even born and raised here can not find housing due to increased short term vacation rental property, literally kicked out of their homes to provide greedy home owners that most don't even live here on island more money and putting families out on the street. This is a disgrace and needs to be stopped please! Rent also has gone through the roof due to military stipin and now vacation rentals it's almost impossible to afford living here these days especially on the North Shore where we live. Please help stop the short term rentals and put a rent regulation on the amount of money a house can be rented for. These off island home owners are gouging us local people who are part of the community. Thank You for your time, Sincerely Aynjul Benigno
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:13 AM
Subject: Council Testimony

Written Testimony

Name	Martine Bissonnette
Phone	
Email	bissoma@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Save neighborhood rentals for local residents.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:16 AM
Subject: Council Testimony

Written Testimony

Name	Amy Tousman
Phone	
Email	a.tousman@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Neighborhoods are meant for local families. Do everything to can to preserve them. Short term vacation rentals do not belong.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:17 AM
Subject: Council Testimony

Written Testimony

Name	Levani Lipton
Phone	
Email	Levani.rachel@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Dear Chair Waters, Vice-Chair Kia'aina and Members of the City Council, I am testifying in strong support of Bill 41 CD1. Our community of Kailua has long suffered the impacts of the proliferation of illegal vacation rentals that have been largely unregulated. I am in support of the stronger regulations, fines, enforcement and rules regarding advertising that Bill 41 CD1 puts forth. I love my community and want to preserve the integrity of our neighborhoods. Our families should be the priority. We should not be sacrificing available long term housing to cater to one of our economic drivers - tourism. One of the most important and critical aspects is enforcement of rules along with the ability to identify vacation rentals through advertisements. For too long operators have evaded enforcement and found loopholes around laws. Establishing the guidelines and criteria in Bill 41 CD1 is significant progress. The operators of illegal vacation rentals need to be held accountable. The listing of the TMKs on advertisements, the extended time frame for minimum time rental, the fines for violations and the provisions for better, stronger enforcement are essential to Bill 41 CD1 being effectively implemented. Please put our residents first and make our communities the priority

by voting to support Bill 41 CD1. Thank you for your consideration.

Mahalo,
Levani Lipton

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:21 AM
Subject: Council Testimony

Written Testimony

Name	Jamison Gove
Phone	
Email	jamisongove@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	BILL 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Dear City Council Members and Planning Commission, I want to begin this letter by stating that I fully and whole-heartedly support of the increased enforcement of illegal vacation rentals. My wife and I rent our house on the North Shore of Oahu, near Sunset Beach. The proliferation of illegal vacation homes has directly contributed to the reduction in housing supply and the increase in housing prices in this area. It has unquestionably impacted the social cohesion and social structure of our community. I am a marine scientist and my wife is a social worker. We are doing everything we can to try and make this community our home. To that end, we recently purchased a legal vacation rental at Kuilima Estates. We made a very conscious decision to buy this condo in this area for this exact reason - because it's zoned Resort and legal to short-term rent. We believe this purchase and the income that it generates is our opportunity to save and eventually purchase a home in this community for us to live in and to raise our family. However, the details in the proposed bill on short-term rentals are concerning. Imposing exorbitant registration fees and renewal fees on top of GET, the recently increased TAT, resort zoned property taxes, and income tax is simply too much. I would hope that societal well-being is a major factor in driving your decision making on this issue. Given that, I strongly suggest decoupling the enforcement of illegal short-term rentals with new rules

and associated fees on legal short-term rentals given how fundamentally different they are with respect to their impacts on our community.

Thank you,

Jamie

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:22 AM
Subject: Council Testimony

Written Testimony

Name	Lee
Phone	
Email	aloha@supercleanvacationrentals.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	CR-8 Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, I am writing to strongly oppose the current version of Short Term Rental regulation proposed by DPP and the council. The current version does not provide reasonable regulations, and favors only the hotel industry and lobbyist, and takes away property rights for individual owners. This bill continues to establish hotels as a privileged class, which is unacceptable. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, if condos are limited to 50%, so should hotel rooms. Please consider engaging with multiple stakeholders to come up with a fair and effective solution for the entire community, not just the from the hotel industry's perspective. The vast majority of rentals operate responsibly and legally, and eliminating the few bad actors who do not operate responsibly would benefit the community and its visitors. This is why the rules we already worked so hard to come to and the MOU signed by the county must be enforced. The MOU is working effectively on Kauai and could benefit Oahu as well if enforced correctly. There is already an existing Bill (Ordinance 19-18) that was enacted through many years of public input, negotiation and compromises, DPP should focus on finding ways to enforce existing regulations.

Additional regulations will only make it more difficult to enforce existing rules, and will discourage the online travel platform from cooperating with the city.

Thanks for the opportunity to submit a testimony, Lee

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:23 AM
Subject: Council Testimony

Written Testimony

Name	Rob Bryant
Phone	
Email	robertbryant83@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41 -CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	My name is Rob Bryant, a registered nurse at Queens Hospital, I strongly oppose this bill. My first condo/home purchased in Waikiki was partially paid for by renting one of the rooms short term while living in the other. After getting married and having kids the additional income from the short term rental allowed us to purchase a home in this highly expensive housing market. All GET/TAT taxes are paid monthly and without short term rental income I would not be able to afford my house on my salary. I strongly urge the board to consider modifying the bill to allow for short term rentals in vacation zones. My Waikiki condo is not displacing any local families and provides this local nurse with the income needed to afford a home. If additional fees are passed through legislation then every hotel room should be subject to the same registration fees, seems the bill is extremely unfair in regards to treatment of short term rentals vs hotel rooms
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

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Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

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the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Everett Magnuson

Date 1/24/2022

Signature DocuSigned by: Everett Signard Magnuson, JR. B3A171F19DE542A...

pemagnuson@comcast.net

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:38 AM
Subject: Council Testimony

Written Testimony

Name	CHRISTINE OTTO ZAA
Phone	
Email	ottozaa@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Councilmembers, Because I have a full-time job, I am using a vacation day to hopefully testify online at the City Council meeting on Wednesday. In the event I am not able to testify, I offer my written testimony in support of Bill 41 CD1 with changes to further protect residential housing. I don't work for the hotel industry or a union. I don't have a financial interest. But I do have a community interest. I love my community. I love my neighbors. I care what happens collectively to our people. I care about my son's future and my nieces and nephews and the generations to follow. Hawai'i is the only home I've known and I love this place. I can't imagine living anywhere else. My hope is that you see past the pro-vacation rental mob coming out en masse and realize those numbers are not anywhere near an accurate representation of what the majority wants. I don't doubt there are nice people who operate illegal vacation rentals and have compelling stories to tell. And I believe they think what they are doing is harmless. From a policy perspective, bottom line, we have zoning districts for a reason. For those who live in the residential and apartment districts, we have the right to have our laws enforced and vacation rentals are not allowed in many zoning districts. And for the 1,700 that would have been allowed with the 2019 ordinance, it should not have been changed to accommodate the rulebreakers. Let's reverse course and make things right. If we don't, then what other types of businesses will

we allow in residential areas.

The City has allowed for too many abuses in our residential neighborhoods, which is why monster homes and illegal vacation rentals have flourished and driven up property values and priced local families out. Why don't I have a right to NOT live next to tourists? Why are the majority's rights not upheld? If we allow even a "little" vacation rentals in our residential neighborhoods, you can't guarantee me or others that it won't be next to us, period. We've given up enough to the tourists, investors and developers, what more do we have to give.

Individually people don't see that what they are doing is a big deal. But collectively, vacation rentals, monster homes and monster motels have and will continue to have devastating effects in our communities. Local families cannot afford to compete with these investors. The gentrification will keep spreading like a cancer if we let it.

What is most troubling is that many of the illegal vacation rentals are not owned by grandma or aunty. They are owned by investors. They are backed by Airbnb and Expedia. Talk about David and Goliath. The pro-vacation rental folks are trying to paint themselves as David and the hotel industry as Goliath. In reality, everyday people like me, with no financial motivation, are the Davids. We are up against lobbyists and billion dollar companies who have the time and money to sell their story about grandma needing to make ends meet. Do you think they care about our communities? They have no problem devastating and gentrifying communities around the world for profit. Many cities and countries have enacted laws to take back their communities from this billion dollar mafia, and we need to follow suit.

My hope for you as representatives of the people is to make the right decision for the community as a whole, for the majority, and not for special interest groups who are financially motivated. I'm not against people making money. Do I want to make more money to live a better life? Sure, but not at the expense of my neighbors and community. I'm tired of seeing friends and families leave because they can no longer afford to live here.

Please support Bill 41 CD1. But please make changes and strike any expansion of vacation rentals islandwide and close those exploited loopholes. We have a major housing crisis and we need to hold on to what we have. We keep saying we critically need housing. We keep saying we need to move away from our dependence on tourism. Now is the time to act. Let's put our people first and say enough is enough.

Mahalo for your time and service,

Christine Otto Zaa
4th generation Hawai'i resident
HI Good Neighbor, founding member

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:40 AM
Subject: Council Testimony

Written Testimony

Name	William Alameida
Phone	
Email	inacanoe@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This bill punishes Hawaii real estate owners and residents by arbitrarily restricting owners ability to market their properties as vacation rentals. The vacation rental industry supplies much needed jobs to the local community (housekeeping, property management, repairs, construction improvements, etc), allows homeowners to keep properties that it may not otherwise afford, and helps Hawaii homeowners generate alternative forms of income in one of the most expensive States in the country. This bill imposes punitive measures that will have have an adverse effect on the real estate market by forcing homeowners to sell property, potentially causing a possible collapse of Hawaii's real estate market. Furthermore, the bill lacks practical enforcement mechanisms that nullify the intent of the legislation.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

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Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

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the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Patirica Magnuson

Date 1/24/2022

Signature DocuSigned by: Patricia Kathryn Magnuson 1478B0570AD74C6...

emagnuson@earthlink.net

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:42 AM
Subject: Council Testimony

Written Testimony

Name	Jane Cheng-liao
Phone	
Email	jinxiu.liao@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021),CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41(2021), CD!. The minimum rental requirement should be remain at 30 days for short term rentals as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DFF agaist illegal short term rental operators. Please reject this proposed bill. DPP just need to regulate with airbnb , find the daily rental listing and fine them.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:43 AM
Subject: Council Testimony

Written Testimony

Name	Jack Pope
Phone	
Email	jpope2022@outlook.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Dear Chair Waters and Council members: I strongly oppose the proposed Bill 41 CD1. I support the enforcing the of current Ordinance 19-18. Waikiki Apartment and Resort Zones have not been discussed by council members or fairly addressed in this Bill. Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18. I strongly oppose Bill 41, and CD1 Amendments for the following reasons: 1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area. With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction. 2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort

zone. What warrants this amendment, except to benefit the Hotels?

3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.
Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:43 AM
Subject: Council Testimony

Written Testimony

Name	Ellen Lubrano
Phone	
Email	lnlubrano53@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha Honolulu County Council! I am on the island of Hawaii but I want to support Bill 41 CD1 to control vacation rentals in Kailua. Actually, I hope that you will stop them completely. I hear that some counties on the mainland have stopped allowing them completely. I moved to Oahu in 1975 and am continuily shocked at the changes since that time, and most of them not positive or good for our islands and people. Residential zoning should be for long-term housing, and this bill would protect that. There are so many reasons to control vacation rentals, including: • The islands we live in has a "carrying capacity" that affects the amount of people our remote home can handle. We don't have enough space or infrastructure to have an unlimited number of visitors. We don't have the sewage systems, landfills, or clean water. • We don't have enough housing to accommodate visitors and residents, and even we did, working residents cannot compete with the real estate prices (for rentals or purchase) due to the competition of vacation rentals. Since people (mostly nonresidents who are making a profit off Hawai'i) can make so much more money by renting their homes as vacation rentals, prices for the homes are inflated so that hard-working residents cannot afford the rent or mortgage. • Residents deserve to live in a neighborhood, not a resort area. Tourists that rent houses as vacation rentals are not there for long, causing the instability of not knowing your neighbor. Tourists that rent these houses are on vacation, which often means loud partying, as they do not know and are not concerned about their neighbors. Please put residents' interests first and pass this bill. I want to offer a big mahalo to Zoning Chair Brandon Elefante, Vice-

Chair Esther Kia'aina, Council Member Say, and Council Member Radiant Cordero for their support of keeping neighborhoods in Kailua true neighborhoods.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:27 AM
Subject: Zoning and Planning Testimony
Attachments: 20220125092656_22-01-25_Family_opposes_Bill_41.docx

Written Testimony

Name	Jason Shelton
Phone	
Email	js107340@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	20220125092656_22-01-25_Family_opposes_Bill_41.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Dear Zoning and Planning Commission, please read my following letter,

As a proud homeowner (finally) in Kailua for the past 6 years, I am writing to express my strong opposition to DPP's newly proposed bill (Bill 41) to increase the short term rental limits from 30 to 90 days. Legally speaking, this proposed bill is the illegal TAKING OF AN EXISTING USE and is therefore a ridiculously unconstitutional attempt at restricting private property rights and harming homeowners in an immoral and reckless way. In Hawaiian terms, this is just so DISRESPECTFUL to current homeowners in Oahu that the new Mayor should be ashamed to put this new bill forward. Someone has to speak up for our rights!

Some of us worked hard for years to save up and eventually achieve the dream of owning a home in Hawai'i. Approving this bill would make owning a home even more impossible for many families who help cover their monthly home bills by occasionally and LEGALLY renting out their own single family home for a month or so. Homeowners who have legally rented their properties once per thirty day period have a vested right to continue renting in this fashion. If the definition of a "transient vacation unit" changes, the County would have to create a new registration and non-conforming permitting process to address the taking of an existing use.

Homeowners are not big hotel/resort operators. We're just people trying to earn a living, own a home of our own, keep it for our retirement, and hopefully pass along more to our kids than we had. Using our home as we choose is the only thing that allows many of us to continue to own a home in Hawai'i. Taking that from us is wrong - legally and ETHICALLY. We're not harming anyone and we have rights too as property owners and taxpayers. This new bill goes way too far to violate our rights by raising the minimum number of nights rental to 90 days! In fact, it's just outrageous. YOU HAVE NO RIGHT TO TAKE OUR ABILITY TO RENT OUR HOMES ONCE EVERY 30 DAYS.

This whole thing is just an alliance between the big resorts and the (actually republican) "independent" Mayor to shut out the little guys and keep the money in the pockets of the big corporations instead of individual families and small businesses who benefit from tourism outside of the resort zone. (By the way, the resort zone sucks and more and more people know it.)

Years were spent coming up with Bill 89. That's enough! Just enforce that rule through ordinance 19-18. This new proposed bill is a lazy overreach and is totally unethical to not only people who own homes in Oahu, but also to people who rely on the tourism industry to operate and work in small businesses.

YOU MUST REJECT THE NEW PROPOSED BILL IN ITS ENTIRETY!

This is simply wrong. And all of you know it. Please don't be opportunists by sacrificing our rights for your own political benefit.

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:48 AM
Subject: Council Testimony

Written Testimony

Name	Katie Landgraf
Phone	
Email	katielandgraf@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Short-Term Vacation Rentals
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am writing in opposition to Bill 41 CD1. The proposal changes the short-term vacation rental from 30 days minimum to 180 days minimum which gives more power to non-locally owned businesses such as hotels and resorts. 30 days is already longer than any other state (or island) requirement, making this a monopoly for the island of Oahu. For Kamaaina vacationers such as myself, this change will force us to take affordable vacations outside of Oahu. I have three young kids, making it very difficult to stay anywhere without a small kitchen, which limits our ability to stay at hotels or resorts at an affordable rate. If passed, hotels and resorts could use this opportunity to charge more knowing that short-term vacationers have no choice but to pay their rates. Do not give non-locally owned businesses this opportunity! Please keep the income here locally. Support local and please vote against Bill 41 CD1!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:55 AM
Subject: Council Testimony

Written Testimony

Name	Penny Lee
Phone	
Email	pennyleeloo@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	strongly opposed This bill is clearly written by the hotel industry. It is very telling that the bill attacks legal vacation rentals and long standing property ownership rights, when the official narrative is that it cracks down on illegal ones. The state and county already has all the tools it needs to shut down illegal vacation rentals, especially with the data exchange agreements with Expedia, Airbnb. But it looks like the hotel industry just wants to get rid of their competition completely. Politicians are doing the bidding for them. This bill boils down to an illegal taking of property rights of individual owners to advance the interests of competing large corporate hotel/resorts.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:55 AM
Subject: Council Testimony

Written Testimony

Name	Gary Schwichtenberg
Phone	
Email	nahele@juno.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	CR 8 Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Bill 41 amounts to allowing DPP to establish a gestapo.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:58 AM
Subject: Council Testimony

Written Testimony

Name	Margaret Lim
Phone	
Email	margaret@praiseGodteam.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:00 AM
Subject: Council Testimony

Written Testimony

Name	Franco Peroni
Phone	
Email	Fraperoni@hotmail.com
Meeting Date	02-05-202y
Council/PH Committee	Council
Agenda Item	41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	It is a real shame that Council would pass rules that negatively impact the most important industry in the State and the main source of income for so many Hawaiian families
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Opposition to Bill 41 (2021), CD1

Testimony of Christopher Loo

I oppose Bill 41 (2021), CD1. Ordinance 19-18 provides a 30-day minimum rental requirement for short-term rental. This is fair.

We are Hawaii. Like it or not, we do rely heavily on guests to our islands. Bill 41 (2021), CD1 DOES NOT support the local people. It's taking away our right to use our properties the way we want to...the way we need to in order to supplement income and high cost of living in Hawai'i'.

WHY would you, our leaders, take away the ability for your people to generate income using our own private assets?

WHAT right do you, our leaders have to say that we, as citizen's of Hawaii do not deserve the ability to try to use our private assets for the betterment of my family?

Besides that, tourism HAS changed. Yes, we still have the typical tourists looking for the "Hawaii" experience, but the world has changed and Hawaii needs to evolve with it.

During this Corona Virus pandemic, there was a big shift to Work-From-Home AND we had shut-downs. Hotel vacancies sky rocketed because there were no vacationers.

Yet, there were many from the mainland who used the work remotely chance to find a way to enjoy life as much as possible and all the freedoms living in the USA provides, by spending a month in Hawaii...working from an AirBnB or short-term rental.

Yes, the pandemic has caused a shift in the tourism demographic which is impacting the safety of our Island home, but don't punish and limit your citizens when times are hard.

We need MORE OPPORTUNITIES FOR OUR PEOPLE...NOT LESS.

Please, do not pass Bill 41 (2021), CD1.

Thank you,
Chris

chrisloo808@gmail.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Scott Bolt
Phone	
Email	swbolt@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41 (2021)CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:34 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Denise Bolt
Phone	
Email	denisebolt@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by NOT changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:44 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Young & Marcy Sohn
Phone	
Email	cevenschor@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	on behalf of owner for property as his assistant: I rent my property legally once per 30 day period and oppose any bill that restricts my ability to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:49 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Margaret Murchie
Phone	
Email	Margaret@margaretm.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	Rethinking the 90 day minimum, perhaps it would be better to change to 60 days. (although may present same issues with violators) Waikiki Condotels should be allowed daily rentals with no restriction on how many units individual may own and also not necessary to restrict to a hotel desk or prevent owner to occupy part time. Also need to clarify Kuilima as think there are two separate zoning areas for the townhouses.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:52 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	MASAAKI SAKURAI
Phone	
Email	masa.skri.55@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:01 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Saleh Altayyar
Phone	
Email	sal.altayyar@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:17 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Megan Arita
Phone	
Email	megan.tomiko@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am a property manager that only rents legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:19 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jaime Kurosawa
Phone	
Email	Jaime.kurosawa@gmail.com
Meeting Date	01-05-2022
Council/PH Committee	Zoning and Planning
Agenda Item	41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Seems this Bill 41 was created by DPP Dir Uchida to support the Hotel industry which should be questioned since Dir Uchida's wife is an executive for Aston Hotels. Should this bill be passed, legal STR owners will have no choice but to cancel their STR license equating to no revenue to the City coming from the TAT. Can the City afford this revenue shortfall? How's about enforcing this to outside investors and not local residents?
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lily Young
Phone	
Email	888lyoung@gmail.com
Meeting Date	01-20-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The City is not a business entity, the tax revenue is to service the tax payers, not for the City to lose with bad management. The fee is for the cost of the service. I oppose Bill 41 used by the City to target a specific segment of property owners with huge tax and fee increases without reasonable cause and indication what new and improved services you will provide them. If allowed to pass, the City government is like a tyrannical dictatorship raising tax and fees at will without justification. The TVU's and B&B's were never a problem until the City made them a problem. Why do you think Oahu is such an attractive destination for visitors? The visitor industry is the one industry that kept our state economically healthy for years. The City is now trying to stepping in and ruining it. Bill 41 is so wrong for property owners in every aspect.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:07 AM
Subject: Council Testimony

Written Testimony

Name	Jomel Duldulao
Phone	
Email	jomeld12@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 CD 1. I own a legal AirBNB in the resort zone of Waikiki. It does not make sense to create a bill to eliminate all AirBNB on Oahu when we are following all the rules. Making new rules doesn't help and is a waste of time. All the city needs to do is enforce the current rules!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:07 AM
Subject: Council Testimony

Written Testimony

Name	Berton Hamamoto
Phone	
Email	berton@pro808.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 42 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am against Bill 41 (2021), CD1. I am a professional property manager and have been doing so for over 39 years. Please keep the 30 day/ month to month rental option as Ordinance 19-18 currently allows. We use the month to month option in so many occasions that it would be detrimental to our industry. Not to mention the impact it would have on the sale of property. Any property for sale that has a tenant in it will practically require that the tenant vacate the property during the sale thus putting a greater strain on the rental inventory and displacement of tenants. We already have rules in place to curb illegal short term rentals, and its evident that the current rules have already take n a lot of the illegal rentals off the market. The focus should be on enforcement of existing rules and not on creating new, unnecessary ones. Please reject this bill, it will really hurt the housing market!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:07 AM
Subject: Council Testimony

Written Testimony

Name	Jomel Duldulao
Phone	
Email	jomeld12@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 CD 1. I own a legal AirBNB in the resort zone of Waikiki. It does not make sense to create a bill to eliminate all AirBNB on Oahu when we are following all the rules. Making new rules doesn't help and is a waste of time. All the city needs to do is enforce the current rules!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:09 AM
Subject: Council Testimony

Written Testimony

Name	Pat Watson
Phone	
Email	pat.watson@yahoo.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I absolutely support this bill. When the average cost of a house is over a million dollars & condo's with their association fee's not far behind, how can let illegal vacation rentals exist without control. I think this bill suppoprts too large of an area, but it's a begginning to end these illegal operators from continuing to use homes & condo's we so deparately need for our local families. Without controls there will be no neighborhood that doesn't have a monster house or vacation rental. I have witnessed personally people being priced out of their homes. A friend, who is a widow, lives in Hauula & said the price of her home keeps escalating because homes around her are being used as vacation rentals.She wants to stay here but her taxes go up because the value of her home goes up & she can't afford all of the expenses. All of this is happening because people are using the houses around her as an illegal vacation rentals. Stop this nonsense already. I live in Kaimuki where monster houses exist without control, I also see some houses being used as a vacation rental, tell me, how can my children & my grandchildren afford to buy a house or even a condo when this illegal use of housing is allowed to continue. Please move forward with this bill, maybe adjusting some areas, since how many vacation rentals do we really need when we have an abundance of hotels available. Plus if I lived in an condo, would I want, in this Covid world, to be in an elevator with tourists from all over the world. Thank you to Council member Waters who has been responsive & available to his community as we try to respond to continuing challenges we face from these illegal vacation rentals & monster houses & for introducing this bill. And thank you to all of our council members, please continue to work together to bring our island back to

local families. There is an urgent need for control & penalties & this bill would be a wonderful first step.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:11 AM
Subject: Council Testimony

Written Testimony

Name	Jill M Ward
Phone	
Email	jillwardo73@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41 2021, CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I opposed bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days. There are many local people who need 30-day rentals during life changes. Please change the focus to funding enforcement of the current law. Extending the time of the law will not prevent the current violators from continuing their behavior. PLEASE reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:12 AM
Subject: Council Testimony

Written Testimony

Name	Beryl Stapleton
Phone	
Email	Beryl@BerylOno.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 1 (2021). Short term rental requirement should remain 30 days as ordinance 19-18 allows. Reject proposed bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:12 AM
Subject: Council Testimony

Written Testimony

Name	Edward Jones
Phone	
Email	q@edjonesusa.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 - Bill 49 - Bill 2 - Bill 8
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:14 AM
Subject: Council Testimony

Written Testimony

Name	Jacky Tian
Phone	
Email	jackytian1997@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals. If the housing shortage is the motivation, we need to find ways to build more housing, and not take it out on current owners. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:18 AM
Subject: Council Testimony

Written Testimony

Name	Todd Nordstrom
Phone	
Email	tnordstrom@watg.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1 the minimum rental requirement should remain 30 days for short-term rentals as the ordinance currently stands. Please reject this proposed bill. Thank you
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:19 AM
Subject: Council Testimony

Written Testimony

Name	Patrick Fujimoto
Phone	
Email	patrick_fujimoto@yahoo.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Hi, This bill infringes upon the rights of homeowners to rent their property out on a month to month basis. Many long term rentals are rented in this way. It is apparent, that this bill is funded and supported by the Hotel Lobby and hospitality industry. Little regard is given for those who have the right to rent their property out in a lawful fashion. I completely oppose bill 41 and all of its provisions.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:20 AM
Subject: Council Testimony

Written Testimony

Name	Wes Lam
Phone	
Email	wes96815@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:24 AM
Subject: Council Testimony

Written Testimony

Name	Catherine Eng
Phone	
Email	strict.tempo@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	It is ridiculous that residents in Hawaii, who are already living in some of the toughest conditions regarding high costs of living, are now to be threatened and penalized even more of they want to rent out part of their home as a vacation rental. What is the problem with allowing residents to quietly and diligently work at their own business? This is the USA after all. Surely we have the right to work and earn money for our efforts. Do not keep unloading more and more rules and legislations upon decent, hardworking residents of this State. Quit trying to ruin paradise for everyone living here. Remove the rules and legislations from the vacation rental property owners.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:26 AM
Subject: Council Testimony

Written Testimony

Name	Therese Pilati
Phone	
Email	tesspilati@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This fascist bill which seizes the property rights of individual homeowners in the State of Hawaii needs to be put down. If there are people annoying neighbors with their Airbnb properties then the police need to do their job and cite and punish THOSE homeowners. To take away the income of many people barely holding on with the high taxes in this state it is unfair to punish everyone for the actions of a few. This smacks of hotel lobbyists and government in bed with the hotels and not looking out for the average citizen trying to stay afloat.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:27 AM
Subject: Council Testimony

Written Testimony

Name	Michael Beckettte
Phone	
Email	m_beckette@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days. Please change the focus to funding DPP enforcement of the current law. PLEASE reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:28 AM
Subject: Council Testimony

Written Testimony

Name	Malia Odum
Phone	
Email	maliodum@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41/CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am a 40 year NS resident and property owner. The proposed 90 day STR definition is inflexible and not appropriate for the North Shore. We have many surf related competitors and support staff during contest season that need accommodation of less than 90 days. Also film and television crews. The 30 STR definition is sufficient and should be retained. Any community impact issues can be addressed with requirements for off street parking, occupancy limits, and a noise curfew. Additionally, the blanket restriction on TVUs and B&Bs outside of resort areas is an unwarranted invasion of resident owner property rights.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Vu Nguyen

Date 1/25/22

Signature

mrvucnguyen@gmail.com

RE: Bill 41 - in opposition with comments

Aloha Chair Waters and Councilmembers:

Thank you for the opportunity to provide testimony on this bill. I oppose Bill 41 in its current form. I recommend that **this proposed bill be rejected**, and **the effort be put into enforcing the current Ordinance 19-18.**

I am encouraged to see that the Zoning and Planning Committee's proposed draft of Bill 41, CD1 **deleted some provisions relating to hotels.** Apparently, limiting only hotels to run accommodations in Resorts zone area in the original draft of Bill41 was only good for Hotel industry and ignored property owners' rights.

I still strongly oppose this bill for the following reasons:

1. **I strongly recommend deleting the new "50% cap restriction for short term rental in condos in Resort Zone" in the Zoning and Planning Committee's proposed draft of Bill 41, CD1.**

The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill41, however, the Zoning and Planning Committee's proposed draft of the Bill 41, CD1 made this amendment and now the 50% cap restriction is applied to condos in Resort area.

Why do we need this? What issue do we have in vacation rentals in Resort area? How many complaints from neighbors in Resort zone in Waikiki? Do you plan to have an affordable condo in Resort zone Waikiki?

What warrants this amendment, except to benefit the Hotels? Please delete this 50% cap restriction.

2. **I strongly recommend deleting the amendment of the definitions of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.**

There are Apartment Precinct in Waikiki Area. Now, the minimum 30 days rentals are permitted in the Apartment Precinct in Waikiki and those minimum 30 days rentals are helping those people who need rentals less than 90-days:

- Families from out of State that are taking care of loved ones
- People moving to Oahu and looking to buy a home
- Families who are waiting for their new home to complete construction
- Government contract workers
- Traveling nurses
- Military PCS while looking for a home to buy
- Home Sellers who need to rent until they find a new property
- Film and TV crews while on a shoot

Those people come for one or two month, rarely come for 90 days and more. Those people don't need to stay at ocean front hotels paying expensive accommodation fees. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

Again, why do we need this change, especially in Waikiki?

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals in their Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **I do not believe anyone should override those owners' rights and implement such a one-sided standardized rule ignoring each building's owners' opinion and right to decide.**

While it is understandable banning illegal vacation rentals in more quiet "residential" neighborhoods such as Kailua or Hawaii Kai, it makes no sense for Waikiki. **Waikiki is unique as a successful tourism destination,** with many local businesses, restaurants, and shops, that depend on tourists. **Healthy successful tourism needs a variety of accommodations that provide options to visitors.**

If you still think you need to change it from 30 days to 90 days to protect neighbors from illegal vacation rentals, **I strongly recommend that Waikiki Special District should be completely excluded from Bill 41.** The goal is to protect neighbors from illegal vacation rentals and to address the issue of shortage of affordable housing. The purpose should not be protecting hotel industry at the expense of property owners' right and income.

3. The current Bill 41, CD1 has also **a zoning change from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone.**

Again, why do we need this change, especially in Waikiki? What warrants this amendment, except to benefit the Hotels?

City Council members, you need to know what you are discussing and deciding. Please examine this part. What warrants this amendment, except to benefit the Hotels?

4. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.

So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

I extremely concerned with the intrusion of private property rights in Bill 41. If the current version of the Bill passes, you will see many lawsuits. I heard more than 10 property management companies with more than 1000 property owners are ready to take legal actions.

Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.

Ordinance 19-18 **was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal shortterm rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators. There is no need to change the definition from 30-days to 90-days, and I support every effort to properly enforce the 30-day minimum.

HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

I'm working for local property management company that manages about 180 **legal** vacation rental units, mainly in Waikiki. The current Bill 41 destroys legal vacation rentals in Waikiki. If it passes, my company needs to close its business. Many of my co-workers and I will lose our job. How can we provide for our families? We have been working so hard and paying all taxes. Please represent citizens, not hotel

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yoh Kuwano

Date 1/25/2022

Signature

yohkuwano@hawaiiproperty.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:32 AM
Subject: Council Testimony

Written Testimony

Name	Margo Brower
Phone	
Email	margobrower@msn.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	Captain Cook Real Estate
Written Testimony	Bill 41 is unnecessary and ill conceived. All that is required to fix the abuses in short term rentals is the enforcement of the current law. I do not believe any of the people voting on this Bill really understand the damage they will be doing to local people and to local jobs if Bill 41 passes. Please do the rational thing--enforce the current laws and then evaluate...
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:33 AM
Subject: Council Testimony

Written Testimony

Name	Patrick ONeill
Phone	
Email	ogrouphk@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	PLEASE do not pass this bill. Our economy is being slowly strangled by all the government regulations. There are far too many people that need the flexibility to rent there properties for 30 days at a time. PLEASE PLEASE - do not pass this bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:36 AM
Subject: Council Testimony

Written Testimony

Name	Harmoni Akao
Phone	
Email	HarmoniAkao@HawaiiLife.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:36 AM
Subject: Council Testimony

Written Testimony

Name	Harmoni Akao
Phone	
Email	HarmoniAkao@HawaiiLife.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:37 AM
Subject: Council Testimony

Written Testimony

Name	LeAnn E. Auerbach
Phone	
Email	leannauerbach@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. It unfairly favors big hotel chains and penalizes homeowners. DPP has not uniformly addressed both sides of this issue simultaneously. As the population has grown, inflation has risen and demand for housing has increased, neighborhoods have increased in value exponentially making is difficult for the people who call Hawaii home to continue to afford to live here. Meanwhile, as tourism remains Hawaii's #1 source of revenue it therefore makes sense to allow for an increase in STR licenses. In this way, DPP could be more fair in its approach to "crack down" on illegal vacation rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

ASP NORTH AMERICA LLC DBA WORLD SURF LEAGUE HAWAII
66-250 KAMEHAMEHA HWY, SUITE D-200
HALEIWA, HI 96712

Honolulu City Council
530 South King Street, Room 203
Honolulu, HI 96813

January 25, 2022

Dear and Honorable City Council Members,

We are writing in regards to the proposed short-term rental bill, Bill 41(21), and its potentially devastating effects on competitive surfing on Oahu. Specifically, we are writing to request that surfers competing in surf events, and event staff working those same events, be added to the list of persons exempted from the minimum 180-day stay for short-term rentals as proposed by the Planning Commission.

Imposing a minimum 180-day stay will fundamentally affect – if not eliminate entirely – the ability of surfers to travel to Oahu for surf events, whose holding periods typically last no more than 12 or 13 days. (The actual run time of a surf event could be completed in as few as 4 days.) This has ramifications not only for international surfers, but also for local outer-island surfers who travel to Oahu for the regional (amateur) competitive opportunities here.

Imposing a minimum 180-day stay will also fundamentally affect – if not eliminate entirely – the ability of the WSL to sufficiently staff international surfing events. While we have always prioritized local hiring at all of our Hawaii events, international events require a panel of judges from different regions of the world to ensure competitive integrity and fairness, and to minimize bias. Further, the WSL's live global broadcasts require a caliber of execution delivered by staff persons who have year-round familiarity with our in-house broadcast requirements. The WSL has long been in compliance with the City and County's minimum 30-day stay for short-term rentals under current ordinance. While 30 days is not financially ideal given our annual calendar of Hawaii events, we respect current laws and legally rent 30-day minimum accommodations for these temporary workers.

Similar to military personnel, healthcare workers, and full-time students, surfers and surf event staff are temporary occupants who travel here for a specific, defined purpose and discrete time period. **If surfers and surf event staff are unable to compete or work on Oahu for less than 180 days, competitive surfing in Hawaii is in great peril.**

Like the Polynesian tradition of surfing itself, competitive surfing was born in Hawaii. For generations, surfers from all over the world have traveled to Hawaii, and especially Oahu, to compete in our world-class waves. Oahu has welcomed international surfers since 1953, when the Waikiki Surf Club hosted the

Makaha International Surfing Championships on the West Side. Other Hawaii-hosted competitions soon followed, including the Duke Classic, Smirnoff Pro-Am, Pipe Masters, and Triple Crown of Surfing series.

Spending time on the North Shore in particular, the worldwide epicenter of high-performance surfing, is a rite of passage for nearly every competitive surfer looking to build a career in the sport. The opportunity to compete in Hawaii is a dream come true for those surfers who are able to make the trip. Yet very few surfers are in a financial position to spend 180 days in the islands (as much as they might like to!). If surfers are faced with the costs of spending 180 days in Hawaii, they are likely to choose to forego the trip entirely – especially in the wake of a financially disruptive global pandemic.

Unlike wealthier visitors, most surfers do not have the financial means to afford the North Shore's highly limited hotel inventory, which is at peak prices during the fall/winter North Shore surf season. Hotels have little incentive to lower their rates when visitors are willing and able to meet their asking price. On the other hand, unsponsored surfers who are just starting out are not in a position to afford luxury hotel rates, or spend hours in Honolulu traffic commuting to North Shore events that are called on or off daily in the earliest hours of the morning. Most do not have access to the limited number of surf team houses that remain on the North Shore. These up-and-comers, from all corners of the globe, pay their own way to travel to Hawaii, the world's most remote island chain. Flights, surfboard baggage fees, food, transportation, and accommodations add up quickly. Outside of the Championship Tour – and even within it – very few surfers have secured sponsorship terms that cover these costs.

With the city's support, the WSL has secured a robust schedule of surf events through 2024 on Oahu that provide a viable pathway for aspiring local surfers to build and pursue professional surfing careers. As the sole governing body of professional surfing, the WSL has worked hard to ensure that all 3 levels of professional competition are represented here on Oahu:

1. Competitive careers begin on the Regional Qualifying Series ("QS," level 1), where local men and women compete at home in Hawaii to qualify for the Challenger Series.
2. On the international Challenger Series ("CS," level 2), surfers from all WSL regions compete at a series of events in Hawaii and globally, in pursuit of reaching the highest competitive tier.
3. The international Championship Tour ("CT," level 3) is the most elite level of professional competitive surfing, where World Title Champions are decided at world-class surf breaks around the world.

Put another way: **International competitive surfing is the only pathway to a World Title.** Without surfers or surf event staff, international competitive events would not be possible on Oahu, and the road to a World Title would bypass our islands. This would be an unprecedented blow to surfers, surfing, and Hawaii itself.

Further, the international Challenger Series and Championship Tour are global circuits, with events in multiple regions around the world. Surfers that have earned their places in these events, as well as a core contingent of WSL event staff, travel with these tours from location to location. The 2022 Championship

Tour runs late January to September; the 2022 Challenger Series runs May to December. **There is no possible way that any Challenger Series or Championship Tour surfer can spend 180 days in Hawaii without missing events in other locations.**

Just as the Olympics bring together competitors from around the world, professional surf events bring together men and women from diverse countries and regions, proudly competing among the world's best. Carissa Moore's Olympic gold medal earlier this year is a joyous reminder of how international competition has the power to instill an immense sense of cultural pride and accomplishment, and we thank you for the enormous honor you bestowed upon her at Honolulu Hale.

Hawaii is the birthplace of surfing -- let it not be a place where competitive surfing dies. **Surfers and surf event staff are transient occupants that are essential to the perpetuation of professional surfing in the islands.** We reiterate our strong support for their exemption from the proposed minimum 180-day short-term rental stay, in the same way the Planning Commission has proposed the exemption of temporary employees of health care facilities, full-time students, full-time remote workers, military personnel, and families in transition.

We thank you for your consideration and are available for dialogue or questions at any time.

Thank you,

Robin Erb
Senior Manager, Operations & Marketing
World Surf League (WSL) North America/Hawaii
Email: rerb@worldsurfleague.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:38 AM
Subject: Council Testimony

Written Testimony

Name	Nancy Nino
Phone	
Email	nancy@nancynino.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose this bill. Please retain the 30 day rentals for LEGAL short term rentals. This bill is an affront to resident investors who are clearly getting the short end of the stick in favor of the hotels. At the very least, make accommodations in the bill to retain the 30 days in the Waikiki special management district. How do you feel comfortable moving forward with this bill with the amount of opposition it has received (and very little public support). Are you more concerned with campaign donations from those in favor of this bill (hotel lobby, etc) than the will of the people?
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:41 AM
Subject: Council Testimony

Written Testimony

Name	Tommy Kim
Phone	
Email	tommy.kim@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals as Ordinance 19-18 currently allows. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:44 AM
Subject: Council Testimony

Written Testimony

Name	Matt L
Phone	
Email	mattcalling@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	I support the effort for affordable housing. I work with planners who look at that market. I do not support changing the time definition from 30 days to 180 days. That is unreasonable, especially for traveling healthcare workers, traveling teachers and other volunteers who depend on shorter term rentals. 90-120 days is reasonable and will accommodate these worker.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:44 AM
Subject: Council Testimony

Written Testimony

Name	Catherine Kim
Phone	
Email	catherinek@cbrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	City Council Hearing on Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:45 AM
Subject: Council Testimony

Written Testimony

Name	Margaret Murchie
Phone	
Email	Margaret@margaretm.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	Rethinking the 90 day minimum, perhaps it would be better to change to 60 days. (although may present same issues with violators) Waikiki Condotels should be allowed daily rentals with no restriction on how many units individual may own and also not necessary to restrict to a hotel desk or prevent owner to occupy part time. Also need to clarify Kuilima as think there are two separate zoning areas for the townhouses.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:45 AM
Subject: Council Testimony

Written Testimony

Name	Margaret Murchie
Phone	
Email	Margaret@margaretm.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	Rethinking the 90 day minimum, perhaps it would be better to change to 60 days. (although may present same issues with violators) Waikiki Condotels should be allowed daily rentals with no restriction on how many units individual may own and also not necessary to restrict to a hotel desk or prevent owner to occupy part time. Also need to clarify Kuilima as think there are two separate zoning areas for the townhouses.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:47 AM
Subject: Council Testimony

Written Testimony

Name	Donna Ambrose
Phone	
Email	venice2kailua@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha City Council Members, I write in opposition to Bill 41CD1 for the following reasons: 1) Local homeowners should be able to rent a room in their home for at least 30 days to anyone. Particularly in the case of B&B's someone is on-hand to address noise concerns, parking issues, etc. 2) CD1's provisions governing vacation rental condos in resort districts are a blatant handout to the hotel industry. 3) Current ordinance 19-18 was never given a chance to work. Enforcement of existing rules is key. Please scrap Bill 41 in favor of funding enforcement of Ordinance 19-18. Mahalo, Donna Ambrose
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:47 AM
Subject: Council Testimony

Written Testimony

Name	ERIKA NISHIMURA
Phone	
Email	erikanishimura1@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1 oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:48 AM
Subject: Council Testimony

Written Testimony

Name	William Leary
Phone	
Email	cibrewery@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please SUPPORT Bill 41 CD1 to make housing for locals a priority and stop the spread of illegal vacation rentals. And, we ask that you don't turn the Gold Coast into vacation rentals. Let's stop talking about the need for more housing and our dependence on tourism, and let's take action now by passing Bill 41 CD1.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:49 AM
Subject: Council Testimony

Written Testimony

Name	Mao Cifuentes
Phone	
Email	erikanish.tanuki@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP. against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:53 AM
Subject: Council Testimony

Written Testimony

Name	Lisa
Phone	
Email	lisa4realestate@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This bill will affect both tourists and residents in a detrimental way. I strongly oppose this bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:53 AM
Subject: Council Testimony

Written Testimony

Name	Kaiula Jack
Phone	
Email	kai@aliibeachrentals.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41CD1
Your position on the matter	Oppose
Representing	Organization
Organization	Alii Beach Rentals
Written Testimony	My name is Kaiula Jack and I've had the privilege of being born and raised in Hawai'i. I'm the owner of a LEGAL Short Term Rental company in Waikiki. Myself and our 25 employees strongly oppose Bill 41CD1. My company Ali'i Beach Rentals employs 25 local residents in our accounting department, maintenance department, housekeeping, as well as our licensed property managers. The money my company and my staff receive stays on the island being that we are a local company. This Bill 41CD1, if passed in its current form, would reduce our business by 75% which means 75% of our employees will lose their jobs. The legal Short Term Rental industry is their livelihood and is how of thousands of other local Oahu residents feed their families. This is a travesty considering we're coming out of the highest unemployment rate ever. This is a time when government should be creating jobs not deleting jobs with new laws. On page 26 of the current CD1 draft of this Bill it limits the amount of Short Term Rental to 50% within a building or development in resort zoning. What is the purpose of this provision? Are we trying to turn resort zoned properties into affordable housing? These property owners purchased within resort zoning with a promised expectation to have the right to do Short Term Rentals, but now with this proposal their property rights are being taken away by an unconstitutional taking of valuable property rights without fair compensation. From the standpoint of my Client/Property Owners this provision of the Bill on page 26 proposes an unconstitutional taking by limiting their private property rights. The US Supreme Court determined their private property rights are protected by "an investment backed expectation". Bill 41 attempts to force 50% of our clients to relinquish their property

rights by taking away the ability to do Short Term Rentals. For the 50% that would loose their ability to do Short Term Rentals there will be a loss in rents and subsequent loss in property values. again this Bill proposes an unconstitutional "Taking" of rent and property value… in effect this is a downzoning. Hundreds of lawsuits will likely be the outcome if this bill is allowed to move forward in it's current form.

In closing, we can all agree that Illegal Short Term Rentals have no place in our neighborhoods. I don't want to see that either because it disrupts our communities. But let's ask ourselves why these Illegal Short Term Rentals are still in our neighborhoods? Because current laws are not being enforced. New Bills or ordinances will not fix the lack of enforcement of the current laws. Instead of the DPP figuring out how to enforce illegal STR like we were promised they would do, we are now proposing new laws that delete property rights, and take jobs away from the local people.

Myself and the 25 people we employ strongly urge the City Council to reject this Bill in its entirety. Thank you so much for your thoughtful consideration!

With Warmest Aloha
Kaiula Jack
Ali'i Beach Rentals

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:56 AM
Subject: Council Testimony

Written Testimony

Name	Keolani R Keawe
Phone	
Email	keolanikeawe@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 2021 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please reject this short term bill and change focus on illegal short term rentals. 30 day minimum should not be increased.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:57 AM
Subject: Council Testimony

Written Testimony

Name	Masa Okuzono
Phone	
Email	masa@functionsurf.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The focus should be on actual enforcement by DPP against illegal short-term rental operators and not creating additional measure for legal units on resort zoning that will only benefit the hotel operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:58 AM
Subject: Council Testimony

Written Testimony

Name	Randall Roth
Phone	
Email	randy.roth.hawaii@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41 (2021) CD1
Your position on the matter	Support
Representing	Self
Organization	retired
Written Testimony	We are long-time residents of Honolulu who SUPPORT this bill. Mahalo. Randall and Susan Roth
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:58 AM
Subject: Council Testimony

Written Testimony

Name	Amy Shimer
Phone	
Email	amygshimer@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:02 AM
Subject: Council Testimony

Written Testimony

Name	Ursula Retherford
Phone	
Email	robert.retherford@hawaiiantel.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	

Written Testimony

HONOLULU CITY COUNCIL

Hearing: January 26, 2022
Subject: Bill 41 CD1

Testimony: from Ursula Retherford, 42 N. Kainalu Drive, Kailua, HI 96734

Aloha Council Chair Waters and Councilmembers,

I am in favor of Bill 41 CD1 and would like to ask that you also support this bill.

The reasons for my support have been laid out again and again in my many testimonies on the various short-term vacation bills since 1989. They have to do with the very same reasons that the City now cites as the purpose of Bill 41.

I shall quote from Bill 41 SECTION I. Findings and Purpose: " Short-term rentals are disruptive to the character and fabric or our residential neighborhoods; they are inconsistent with land uses that are intended for our residential zoned areas and increase the price of housing for Oahu's resident population by removing housing stock from the for-sale and long-term rental markets. The City Council finds that any economic benefits of opening up our residential areas to tourism are far outweighed by the negative impacts to our neighborhoods and local

residents".

It is language that the Council heard from negatively impacted and pleading citizens for a number of decades. For us, it was about housing and quality of life. For the City, at least until Ordinance 19-18, it was money, the possibility of missing out on GET and TAT taxes, as if payment of taxes could buy legality. I applaud and am gratified that the City at long last seems to recognize the true impacts of the incompatible resort use of our residential neighborhoods.

As a gentle reminder to opponents of this Bill who claim that they are being wronged, that things are being taken from them, that the bill puts them out of business, that they cannot pay their mortgages, etc. The 1989 ordinance was very clear. Anyone who after that date set up businesses relying on revenue from illegal enterprises knew, or should have known, that they were violating the law. It was a business risk that paid off for a long time due to the City's failure to enforce the law. Speaking of "takings", if there has been a taking, it has been a long-time taking, a taking from the community in terms of housing and quality of life, which I sincerely hope this bill will help end.

From my personal observations over many years, it is a myth that STRs are about mom and pop operations that need help with their mortgages, as the opposition to this Bill tries to portray. Those operations are few and far in between and could easily also rent to local residents. The main industry consists of investors and associated interests defiant of the law and oblivious to the negative impacts of their enterprises on local residential communities.

One change I would like to see in the bill, especially given the Covid-induced zooming possibilities that allow work from anywhere, is a return of the 180 days as a minimum stay.

I urge you to stand by the stated purpose of Bill 41 CD1 and support it, together with the needed resources to successfully implement it.

Thank you very much to all, but especially to the Zoning and Planning Committee, for the thoughtful work that went into this bill.

Ursula Retherford
42N. Kainalu Drive, Kailua,HI 96734

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:10 AM
Subject: Council Testimony

Written Testimony

Name	William Bondanza
Phone	
Email	bill@cool808.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	Bondanza Inc.
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals. The focus should be on enforcement by DPP against illegal short term operators. Please reject this proposal.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

We appreciate your taking some of your valuable time to consider our testimony regarding the proposed Bill 41 CD1.

We recommend **this bill and its amendments be rejected**, and rather that **all efforts be directed towards enforcing the current Ordinance 19-18**.

Importantly, if Bill 41 should unfortunately pass, there is no process identified to address how a property that currently has greater 50% of the owners who are not full-time residents decides which units can be used within that 50% allowance and then what happens to the "excess units" in order to adhere to that limit?

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

We strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

   Importantly, if this Bill should unfortunately pass, how will a property that has greater 50% of the owns who are not full-time residents decides which uits can be used with that 50% allowance and how is the cchoice made to require the excess to adhere to that limit?
2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

We fully support enforcement actions against illegal Short-Term Rental operators.

Again, we **recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Ed Owens and Heather Parker.

Date 24 January 2022.

Signature _____.

eowensocc@aol.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:11 AM
Subject: Council Testimony

Written Testimony

Name	Alex Hand
Phone	
Email	AlexHandCA@me.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill. 41. The minimum rental requirement should remain 30 days for short term rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:15 AM
Subject: Council Testimony

Written Testimony

Name	Alicia hill
Phone	
Email	thehillshouse4@icloud.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	* I agree with the stipulations of pushing the illegal vacation renters out. But many problems arise from pushing dates to 90 days. One is the medical field ie: nurses,doctors coming with usually 30-60 day contracts. Sometimes shorter. I think all the legal vacation renters should be grandfathered in with no change to their dues. Your problem is getting the power to enter the premises. And by upping the fees on the legal vacation renters doesn't fix that problem. We need a more well rounded plan to help out the legal vacation renters and helping the medical field. And finding the power from the state to do more to the illegal vacation renters.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:35 AM
Subject: Council Testimony

Written Testimony

Name	Carky Ainlay
Phone	
Email	CarkyA@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021)
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I believe that this bill is too prohibitive and that 90 days is unrealistic. There are many instances where local people need a rental for friends and family or for other reasons, for a shorter period of time than 3 months and I feel like tourists who come and stay for a month are more likely to be the kind of tourist that benefits the economy, higher paying and less wear and tear on our amenities.I believe the Council should vote NO and that the 30 day current minimum rental is workable. More money should. be allocated to enforcement of illegal B & Bs. There are tons of local residents who continue to operate under the radar and thumb their noses at the rules, go after them and start solving the problem of no entry level rentals for lower earning folks. If you rent a property for 30 days you are paying a lot of money and aren't taking housing away from the hardest hit folks, the minimum wage and entry level workers.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:35 AM
Subject: Council Testimony

Written Testimony

Name	Emi Rhodes
Phone	
Email	emi.rhodes@compass.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41. The minimum rental requirement should remain at 30-days for short term rentals. The focus should be on actual enforcement by DPP against illegal short-term rental operators.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Opposition to Bill 41 (2021), CD1

I have been a Realtor and Property Manager on Oahu for over 40 years. I oppose Bill 41 and am in favor of the current law with enforcing the 30-day minimum rental.

Changing the minimum stay for short term rentals from 30 days to 90 days will greatly affect the owners who have been providing for:

1. Travelling nurses – who come here to help with the shortage of staff in our hospitals.
2. Our "Snowbirds" who have been coming here for years and look forward to the warm weather and island hospitality. Their stay is usually a month or two.
3. Our outer islands and mainland Ohana who come here to visit family for weddings, funerals, reunions, and graduations. They cannot afford to stay in hotels and usually will stay for a month.
4. Contract workers who help fill the shortage of workers for building or government projects.
5. Families moving here need a temporary place to stay until they find suitable long-term housing.

These are just a few that would be affected by passing Bill 41.

I do not believe this is the reason for a shortage of housing for long term rentals. However, I do agree that there is a lack of affordable housing here in our islands. Every year we are promised more affordable housing units will be built whether it is for rent or purchase. Instead, we are seeing new luxury condominiums on the market for sale.

Please, let's keep the 30-day minimum rentals and work to enforce those who do not abide by the law. Let's not change the property tax classification to hotel and enforce the TAT payments.

Sincerely,

Caryl Arquette R, CRB, SRES
Principal Broker
RB-10980
Arquette Properties, Inc.

caryl@arquetteproperties.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:47 AM
Subject: Council Testimony

Written Testimony

Name	Tonic Bille
Phone	
Email	BBTVU2@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	The BB*TVU Association of Oahu
Written Testimony	Aloha Council Members. We are losing our livelihood to corrupt politicians, who are only interested in keeping their position and hoping to be voted in again, while catering to the Hotel Association. The DPP had 6 corrupted staff members arrested for taking bribes. This corrupt City department's director is writing a draft together with the Hotel Association with the new Mayor's approval to eradicate thousands of people's lives. How ironic! We all know the history of the last 20 or more years, the platforms have not been here this long and cannot tell us anything we do not already know. The opposition is only a small group, but laud and Ostra, Airbnb, Expedia Group are not laud enough besides not helping in anyway other than making billions of all the hosts. 2 platforms worry about missing out on the MOU agreement, that was designed to help officials track and regulate vacation rentals -- ensuring the community can receive the full tax and tourism benefits, while regulating illegal vacation rentals. A lot more can be said, but this is the beginning of the end to an owner's property rights . This bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. Visitors staying in vacation rentals will not want to stay in hotels. Tonic Bille

President of
The BB * TVU Association of Oahu
Since 1999

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:49 AM
Subject: Council Testimony

Written Testimony

Name	Kaiulani Blankenfeld
Phone	
Email	hinekaiu@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Short Term Vacation Rentals
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, Short Term Vacation Rentals within my community started out slowly with little to no impact to residents. We have many Kolea or Snowbird residents that come to Hawai'i for the winter months and have not been adversely affected by this. Since Hawai'i reopened to travel in November 2020, Short Term Vacation Rentals in my community have bloomed to unknown numbers as a way for many to maximize their assets, both residential and vehicle assets. The negative impact is evident in the increased numbers of vehicles parked on our streets and traffic on our roads, and seen in longer than usual lines in our grocery stores, gas stations, shopping centers, big box stores, restaurants, parks, beaches, hiking trails and more. Employees in all facets of business are quitting their jobs due to stress caused by the high pace of traffic and ill treatment by many visitors. Many of our grocery, hardware, and convenience stores have revised and shortened their hours due to staffing shortages. Coupled with chain of supply challenges to Hawai'i and the increased consumption due to increased visitors, residents are often finding shelves bare in our markets and most businesses. Residents spend their days out at the beach or parks and post comments on social media of their displeasure with the crowds and disrespectful behaviors of visitors. Our Hawai'i is fast becoming one huge amusement park that visitors

expect everyone else to maintain and clean up, with no sense of aloha, malama or kuleana.

Infrastructures are developed and maintained to serve and care for the population of their communities and our islands. Our infrastructure is being stressed due to the almost doubling of the population due to Short Term Rentals.

Resorts and Hotels are included in the planning of our communities and islands which prepares us to perform well even when all resorts and hotels are at 100% occupancy. Now that we add thousands of Short Term Rentals to these numbers, we overtax our infrastructure, our 'aina, our people, and our residential communities that should be our safe havens. Even our residential neighborhoods feel like a tourist destination with increased traffic and people out walking about and nosily stopping to ask residents (who generally ignore them) about their landscaping as if they were on a Botanical Garden Tour.

Real Estate and Long Term Rentals have also become a sore subject as residents who want to buy a home and continually outbid or simply struggle to find an affordable home to purchase or one to rent. Newly hired employees who have relocated to Hawai'i struggle to find rentals.

For these reasons, observations, and the negative impacts to our beloved Hawai'i, 'aina and people, I oppose the continuation of Short Term Rentals.

Ka'iulani Blankenfeld
68-1694 Laie Street
Waikoloa, HI 96738

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:52 AM
Subject: Council Testimony

Written Testimony

Name	Karen Simmons
Phone	
Email	sksb@earthlink.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 CD1 to control vacation rentals in our residential communities (residential zones) and ask that the 180 days be added back in. I was born and raised and have lived in Kailua my entire life. I have seen the changes that these vacation rentals to do our neighborhoods. Primarily what they have done to our long term housing for renters. I was fortunate to move back to Kailua after college and rented a portion of a home (long term) as a young professional. This house is now a vacation rental charging 3x the amount per month than the long term. The 2 long term rentals that this house provided are no longer available. This has happened all over Kailua and long term rentals are impossible to find. This drastically reduces the availability of housing for local residents. There are so many reasons to control vacation rentals, including: • The islands we live in has a "carrying capacity" that affects the amount of people our remote home can handle. We don't have enough space or infrastructure to have an unlimited number of visitors. We don't have the sewage systems, landfills, or clean water. • We have a shortage of housing and residents cannot compete with the real estate prices (for rentals or purchase) due to the competition of vacation rentals. Since people (mostly nonresidents who are making a profit off Hawai'i) can make so much more money by renting their homes as vacation rentals, prices for the homes are inflated so that hard-working residents cannot afford the rent or mortgage. • Residents deserve to live in a neighborhood, not a resort area. Tourists that rent houses as vacation rentals are not there for long,

causing the instability of not knowing your neighbor.

Please put residents' interests first and pass this bill 41 cd1 in residential zones - we have no where else to create community and live.

I want to offer a big mahalo to Zoning Chair Brandon Elefante, Vice-Chair Esther Kia'aina, Council Member Say, and Council Member Radiant Cordero for their support.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:53 AM
Subject: Council Testimony

Written Testimony

Name	Tadia Rice
Phone	
Email	tadiarice@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support increasing fines for first-time and repeat violations, and the posting of violation notices on the properties that will better enforcement. I also support imposing stricter advertising requirements on short-term vacation rental listings. I support eliminating illegal vacation rentals for the well-being of our communities so that no further damage will be done to our beautiful island so we can kuleana to Mālama Ku'u Home (Care For My Beloved Home). Mahalo for your important work.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:53 AM
Subject: Council Testimony

Written Testimony

Name	Tadia Rice
Phone	
Email	tadiarice@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support increasing fines for first-time and repeat violations, and the posting of violation notices on the properties that will better enforcement. I also support imposing stricter advertising requirements on short-term vacation rental listings. I support eliminating illegal vacation rentals for the well-being of our communities so that no further damage will be done to our beautiful island so we can kuleana to Mālama Ku'u Home (Care For My Beloved Home). Mahalo for your important work.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:54 AM
Subject: Council Testimony

Written Testimony

Name	Chandler
Phone	
Email	Chandlerthomas106@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I believe it's truly unfair to dictate short term rentals if the owner of the home lives on the property. I believe that transient units shouldn't be allowed to help bring the housing market back at ease. But if you are an owner and renting out a room there should be no laws dictating how many days are allowed.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:04 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Patrick J Kelly
Phone	
Email	patkelly1@mac.com
Meeting Date	01-26-y022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 041 (21), CD -01-20-22 ZP
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This island has been pushing kaimaaina out for decades. This is another brick in the wall...QUIT OVERDEVELOPING OUR ISLAND HOME! There is not enough sewer or parking to pass this bill. It will significantly take away parking and access for locals who only really access the eastern end of Waikiki as it stands. Say no to development and tourism Are you not on the Nextdoor app or social media? There is a huge anti tourism movement right now after we all saw how better our lives were with covid. The local taxpayers finally had access to their island home. If this law passes you effectively extend Waikiki to the Gold Coast. Please do not pass this bill. Listen to the constituents who voted for you and not the developers who donate to your reelection or in Calvin Say's case, redirection of political jobs.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:13 AM
Subject: Council Testimony

Written Testimony

Name	Cat Orlans
Phone	
Email	corlans@outlook.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I am a full time working parent of a young child with autism in the Palolo neighborhood. In the years leading up to the change of law in 2019, we lived next to an older 'ohana house that was torn down and rebuilt into a "monster home" that home became a vacation rental as fast as it was built. I cannot tell you how uncomfortable it is trying to raise a special needs child next to an illegal transient rental unit. We had loud noises and smoking at all times of day from strangers that took up the street parking outside of my son's bedroom window. I am renting long term and love living in the Palolo area since it is close to Waikiki where I work. But, it was completely unhealthy for us as residents to have to live with fear in survival mode all the time as we did not truly know any of these unwanted neighbors that were in and out for over a year. If the law did not change in 2019, we would still have those transient visitors as neighbors or we would have have to struggle to save more to afford a rental somewhere else without the threat of an illegal rental as a neighbor. Now we at least have long term renters as neighbors again. Therefore, with all the high number of visitors to O'ahu after the pandemic and the occupancy of the hotels being steady and no obvious increase in total number of rooms available, it's obvious that visitors have been utilizing illegal vacation rentals on O'ahu. I support the need for better enforcement of the landlords/investors or small business owners that they like to call themselves as a PR spin that this Bill 41 CD1 brings forth to mitigate the number of illegal small businesses there are. Support of this bill will protect the families with keiki growing up in our neighborhoods from these issues that should not arise in residential zoned neighborhoods. Please think of our keiki and the safety needed for them and our kupuna in our multigenerational neighborhoods when

voting on this bill. Bill 41 CD1 needs to be passed and our communities depend on the council to be their voice at this crucial time. I can only imagine how many kama'aina families are still having to deal with this issues and during COVID too! It's ridiculous and should have been ended with the change of law in 2019, but it hasn't and the loopholes this bills version will close is much needed. Please keep this in mind and don't be swayed by the vocal minority in regards to this issue, after all it seems that most of them are investors that live out of our state with multiple homes, while many of us struggle to afford one home in the same state that we live in an choose to reside, work and pay our taxes. We deserve better.

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:13 AM
Subject: Council Testimony

Written Testimony

Name	Glen Robinson
Phone	
Email	glrobinsoninc@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	STR BILL 41
Your position on the matter	Oppose
Representing	Organization
Organization	Ocean View Oahu
Written Testimony	I strongly oppose Bill 41. Please vote no on Bill 41. Rather than create new regulations, I encourage you to implement Bill 89 and the enforcement agreements with short-term rental platforms. If Bill 41 is passed...it would tear apart my FAMILY financially and socially!! Please allow short-term rentals of 30 days or less. Anything longer than 30 days can not be considered a short-term vacation rental and there are many reasons people need to stay for less than a month in accommodations other than a hotel (nurses, medical stays, etc).
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:14 AM
Subject: Council Testimony

Written Testimony

Name	John R. Smith, Jr.
Phone	
Email	jrs333@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:17 AM
Subject: Council Testimony

Written Testimony

Name	Mai Gregory
Phone	
Email	maig@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimum rental requirement should remain 30 days for shot-term rentals, as Ordinance 19-18 currently allows.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:18 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jonathan Reid
Phone	
Email	jonathan_k_reid@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:14 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Gregg Buckley
Phone	
Email	gregg.buckley@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:13 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Rocky Toomey
Phone	
Email	btfxhawaii@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This bill is an overreach that will end up backfiring on Oahu. It's going to deplete tax revenues, bring about class-action lawsuits from property owners, and drive tourists away. It is a terrible idea.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:19 AM
Subject: Council Testimony

Written Testimony

Name	H. R. Euredjian
Phone	
Email	hectoreuredjian@att.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41. CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This new version of the bill continues to establish Hotels as a privileged class. Waikiki legal vacation rental operators already pay the same Real property, GE and TA taxes as hotels. Are we now considering resort zoned buildings in Waikiki residential neighborhoods? How is surrendering the management of my legal resort zoned Waikiki vacation rentals to a hotel operator going to make long term rentals more affordable for local families or result in lower property values? The bottom line is that those units will still be rented to visitors and the only difference will be who will be profiting from it. Even though I disagree, I can still understand the reasoning behind limiting short term rentals in residential neighborhoods but persecuting legal Waikiki vacation rental operators is not the answer.
Testimony Attachment	
Accept Terms and Agreement	1

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:20 AM
Subject: Council Testimony

Written Testimony

Name	Meylysa Duldulao
Phone	
Email	meylysa@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	My name is Meylysa Duldulao and I own an Airbnb business with my husband Jomel Duldulao at 1911 Kalakaua, Apt 608. We are a legally operating small business in the resort mixed use zone of Waikiki. We pay my mother to clean it. We hire local contractors to upkeep and maintain the property. Our guests agree in writing to follow our building associations house rules as well as the rules in AirBnB when they book. We send the guests full names, contact information and length of stay to our building manager, according to our building association's rules. I oppose Bill 41 CD 1. Specifically, here are my 3 biggest objections. (1) we would not be able the operate with the Commercial General Liability Insurance requirements. After calling Geico, Allstate, Progressive, Farmers, Atlas, Hiscox, Pyramid, Noguchi and Associates, Jerry Hays, Insurance Associates, among others, I have been declined by all. I have been told that local insurance providers will not offer this type

of insurance.

We are covered by an HO6 policy and this is the only type of insurance that I can obtain.

Please eliminate the commercial general insurance requirements and allow our HO6 policy to cover personal liability requirements.

(2) Eliminate the requirement for 2 people restriction per bedroom. Hotels are allowed to have 4 people sleep in a studio. We should be allowed to determine our own occupancy requirements, just as hotels do.

(3) Eliminate the permit requirement for resort and mixed zone short term renters.

We are operating in the resort mixed use zone with a legal use which should not require permitting.

Our building association already has rules in place to manage all tenants, including short term and long term.

Thank you for your consideration. Aloha.

Meylysa Duldulao

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:32 AM
Subject: Council Testimony

Written Testimony

Name	Charles Stark
Phone	
Email	cstark@sonic.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Keep minimum rental to 30 days. My guests do not want commercial hotels and have better respect for Hawaiian culture and our community. If more than 90 days, the City will lose revenue and I will lose revenue and the ability to keep my home. If forced to sell my home, it will not add to supply of affordable homes.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:37 AM
Subject: Council Testimony

Written Testimony

Name	Lila Marino-Camacho
Phone	
Email	lilamc@bhhshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41, (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I most definitely oppose. The minimum rental should remain at 30 days for short term rental. Any longer minimum will ultimately hurt the local community for many reasons. We do not need more limitations on this matter, rather than concentrate on enforcing the current laws in place.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

THE KAHALA
HOTEL & RESORT
Honolulu, Hawaii

Testimony of
Joe Ibarra
General Manager
The Kahala Hotel & Resort

Honolulu City Council
Council Meeting
Bill 41 (2021)
November 10, 2021

Chair Waters and members of the City Council, mahalo for the opportunity to submit testimony on behalf of the Kahala Hotel & Resort.

The Kahala Hotel & Resort – representing 338 luxury hotel rooms, with six full service food and beverage operation outlets, employing nearly 500 residents who support their families across the entire island of Oahu believes that it is imperative to regulate short-term units on Oahu. As a member of HTA's Oahu Destination Management Action Plan Steering Committee for the island of Oahu, we identified this as a key item to be addressed to ensure that we preserve Oahu and its resources for the enjoyment of all, both visitors and community members.

Visitors to our island need to stay within resort areas that have capacity and infrastructure to handle and support their activities. Resort areas have individuals who are trained to engage with visitors and most importantly teach visitors how to enjoy our islands and all it has to offer in a *pono* manner. Visitors need to be respectful of our communities and be taught to enjoy our natural resources in a way that will ensure it will remain pristine for generations to come. Ensuring that visitors are accommodated in appropriate locations also ensure that the appropriate taxes are collected that are imposed on everyone within the hospitality industry.

Many of our employees have been impacted due to illegal vacation rentals. Many have found it difficult to find affordable housing in neighborhoods as many are operated by out of state owners and rental prices have skyrocketed. Neighborhoods with illegal vacation rentals also have visitors within them who are not *maa* to the nuances of being in a multi-generational area. Increase in noise, traffic and congestion are clear concerns. The increase of these units in neighborhoods and its effects, have contributed to many discussion on over tourism. All of this could be mitigated with strict enforcement of illegal vacation rentals and ensuring visitors remain in areas that are adept and ready to receive them.

Finally we express support for the proposed CD1 offered by DPP Director Uchida, which supports legal short-term rentals in designated areas and expands the definition of "transient occupants".

Given the above items, The Kahala Hotel & Resort strongly supports Bill 41 and asks the council consider the amendments set forth in proposed CD1.

Thank you for the opportunity to offer this testimony.

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kang Won Lee
Phone	
Email	jyu@newstarhtoprealty.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

DocuSign Envelope ID: E7A914F6-ED40-42D1-97C6-8F820140F8E9

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

DocuSign Envelope ID: E7A914F6-ED40-42D1-97C6-8F820140F8E9

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Yong Ik Lee

Date 1/25/2022

Signature DocuSigned by: Yong Ik Lee B7C205C9EED54BB...

DocuSign Envelope ID: 82F63572-3B51-40DE-8CE1-930382D56EE7

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

DocuSign Envelope ID: 82F63572-3B51-40DE-8CE1-930382D56EE7

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Peter Kwak

Date 1/25/2022

Signature DocuSigned by: Peter Kwak B7C205C9EED54BB...

DocuSign Envelope ID: DB8D969B-2F5D-4884-A7B6-BF8BD46551D6

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Hai Young Kim

Date 1/25/2022

Signature DocuSigned by: Hai Young Kim B7C205C9EED54BB...

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Bon Wook Koo

Date 1/25/2022

Signature DocuSigned by: Bon Wook Koo B7C205C9EED54BB...

DocuSign Envelope ID: E3061C62-19D0-49A5-8412-BE92A3347405

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

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2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

DocuSign Envelope ID: E3061C62-19D0-49A5-8412-BE92A3347405

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Dong Oak Cho

Date 1/25/2022

Signature DocuSigned by: Dong Oak Cho B7C205C9EED54BB...

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Carol Moy
Phone	
Email	cmoy1@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Proposed Bill 41CD
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

DocuSign Envelope ID: 22FB3BEC-C759-466C-A42A-47FD17D775DD

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

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I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name DAM Corporation

Date 1/25/2022

Signature DocuSigned by: DAM Corporation B7C205C9EED54BB...

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Paisley Lenharr
Phone	
Email	paisley28@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I am a property manager and I rent out property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

HI Good Neighbor

January 26, 2022

The Honorable Tommy Waters, Chair
The Honorable Esther Kia'āina, Vice Chair
and Members
Honolulu City Council
530 South King Street
Honolulu, Hawai'i 96813

RE: Strong Support for Bill 41 CD1

Dear Chair Waters, Vice Chair Kia'āina, and Members:

HI Good Neighbor is a group of concerned citizens from around the island who are strongly opposed to the proliferation of large detached dwellings ("LDDs"), also called "monster homes," throughout Oahu's residential neighborhoods. Many of these large detached dwellings have been utilized as illegal vacation rentals.

HI Good Neighbor strongly believes that neighborhoods should be for neighbors first and foremost – not for commercial activity or for profit – which is why we are in strong support of Bill 41 CD1.

Bill 41 CD1 would protect the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals by providing a more comprehensive approach to the regulation of transient accommodations within the City and creating additional sources of funding for the administration and enforcement of the City's short-term rental and transient accommodations laws.

As you know, we have been frustrated with how difficult it has been to get meaningful enforcement on building and zoning code violations with respect to large detached dwellings, and have continued to push for additional resources and tools for the Department of Permitting and Planning. **Therefore, we are pleased to see robust enforcement language in Bill 41 that specifies who is liable for violations, outlines what types of enforcement orders can be issued by the Department's director, and lays out the process for pursuing violations. The Council and administration must work together to ensure that enforcement actually occurs and is truly effective in curbing violations.**

We are pleased to see that as part of Bill 41 CD1, the Master Use Table would be amended to eliminate bed and breakfasts and transient vacation units ("B&Bs" and "TVUs," respectively) as permitted uses within every land use category except for Resort. **We are very concerned, however, about the impacts of continuing to permit B&Bs and TVUs in certain apartment districts on our local housing stock, including the Gold Coast region of Waikīkī, which would open up this area and potentially others down the line to more tourist sprawl at the expense of units which can and should be primarily for residents.** We remain **opposed** to allowing any additional B&Bs and TVUs in residential zones and urge the City Council to hold firm against any efforts to expand the footprint of B&Bs and TVUs in our neighborhoods.

Thank you for your work on this very important issue and for the opportunity to provide these comments in support of Bill 41 CD1.

Mahalo nui loa,

HI Good Neighbor
Tyler Dos Santos-Tam | Christine Otto Zaa
Sarah Chinen | Melissa Mai'i | Reyna Sueoka
Pat Watson | Trisha Kehaulani Watson | Steven Yamashiro

tylerdst@gmail.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:46 AM
Subject: Council Testimony

Written Testimony

Name	lise krivatsy
Phone	
Email	lkrivatsy@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill41 (2021). The minimum rental requirement should remain at 30 days. This Bill will ultimately damage our economy. If owners are collecting and paying taxes, there is no reason they should not be allowed to operate as 30 day rentals. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:48 AM
Subject: Council Testimony

Written Testimony

Name	Robert C Friedl
Phone	
Email	rfriedl@laylowwaikiki.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021)
Your position on the matter	Support
Representing	Organization
Organization	The Laylow
Written Testimony	Aloha, We have been witnessing over the years, and with great concern, the growing number of illegal short-term rental units in our neighborhoods and have always supported efforts to regulate those STRs in the City and County of Honolulu. The negative impacts on our community are so sever and concerning that we must take action now. Some of these impacts are: 1. Decreased inventory of affordable rental units for local families with many of these units being bought and operated by out-of-state owners. 2. Increased rental prices that have effectively priced many Honolulu residents out of the market. 3. Artificial increase to the supply of transient accommodations that has led to greater numbers of travelers coming to our county, fueling conversations about responsible travel and over tourism. 4. Increased strain on roadways and utilities like our sewer and water treatment systems. 5. Increased traffic, noise, and congestion within local, multi-generational communities. The impacts remain the same, however the number of local residents that are impacted continues to grow and it affects all of us, in one way or another. Special consideration, however, should be given to traveling nurses, students or military families.

For the above reasons we strongly support Bill 41 (2021).

Mahalo nui loa for your consideration.

Robert C. Friedl
General Manager
The Laylow

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:56 AM
Subject: Council Testimony

Written Testimony

Name	Ingrid Peterson
Phone	
Email	irpmailbiz@icloud.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41-CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha, Councilmembers! My name is Ingrid Peterson, and I strongly support Bill 41-CD1 to end the explosion of short term vacation rentals in residential neighborhoods. My parents bought the family home I now live in in Kailua in 1963 in a RESIDENTIALLY zoned neighborhood. They were teachers. We lived frugally to barely afford buying our house. Later, after the State Land Reform Act forced wealthy estates to sell to homeowners, they scrimped and saved to buy the land. Their dream before they passed was to pass our home to their children and then grandchildren. They did not expect our beloved Kailua residential community to turn into a semi-resort area from the explosion of short term vacation rentals.This is wrong and it takes away the property right of being residentially zoned. Short term renters not only can be badly behaved; they are not committed community members. Short term rentals take away housing from long term rentals and raise prices of both residential rentals and real estate. Local residents cannot find affordable rentals in Kailua anymore. I know because I tried to help my friends find one when their rent was about to be raised. Please kokua and support Bill 41-CD1. Mahalo nui.
Testimony Attachment	

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:06 PM
Subject: Council Testimony

Written Testimony

Name	Margaret W Breeden
Phone	
Email	mbee328@gmail.com
Meeting Date	01-20-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021),CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	For the life of me , I do not understand why the City is so anti business. We, legitimate small business owners need the income for support. Tourism is the heart and pulse for the State and the City of Honolulu. I oppose Bill 41 used by the City to target a specific segment of property owners who depend on short tern rental as a means of support. Implementing restrictions, huge spike in taxes and fees will surely bankrupt us. The TVU's and B&B's were never a problem until the City made it a problem. The Visitors Industry is our bloodline. Please keep it strong.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

TESTIMONY TO THE
HONOLULU CITY COUNCIL
Regular Meeting 14th Session
Wednesday, January 25, 2022
RE: Bill 41 (Relating to Transient Accommodations)

Testifier: Representative Patrick Pihana Branco
House District 50 (Kailua, Kāne'ohe Bay)
Position: In Strong Support

Aloha and mahalo for allowing me to testify in strong support for the proposed Land Use Ordinance Amendments relating to Transient Accommodations. I represent Hawai'i State House District 50 (Kailua, Kāne'ohe Bay), a community severely impacted and inundated by illegal vacation rentals. For at least two decades, residents endured the noise, inconvenience, lack of parking, and safety concerns caused by homes operating as hotels. Sadly, it took a significant pandemic for us to realize what a residential neighborhood truly is meant to be. These carefully considered and crafted proposed amendments not only will better protect our communities but will stimulate much-needed affordable housing.

Locating vacation rentals in areas zoned explicitly for tourism is not only the right thing to do; it is the only sensible option. Our hotel visitor industry will be better supported, and the mounting strain on our small town infrastructures will be reduced. It has been said that this island has been run for tourists at the expense of local people. By clearly delineating tourism from residential areas, the City & County is sending the message we will protect our neighborhoods for those who live here.

repbranco@capitol.hawaii.gov

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:09 PM
Subject: Council Testimony

Written Testimony

Name	Stuart Simmons
Phone	
Email	stu_simmons@hotmail.com
Meeting Date	01-26-202y
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 CD1 for the following reasons: * It follows sound and reasonable land-use and zoning principles. * It protects and preserves residential zoning for permanent housing. * It eliminates many of the loopholes that have allowed illegal vacation rentals to skirt the law. Specifically the use of fake 30-day leases by illegal vacation rental owners & managers. * It discourages investors from buying residential zoned homes and use them as transient lodging & second homes. * It helps curb tourism sprawl and compliments a sustainable tourism industry. Bill 41 makes permanent housing the priority for residential zoning as it should be by changing the definition of short-term rentals to 90 days or less. But I do agree with Mayor and the DPP Director that 180 days or less is the more appropriate definition for short-term rentals since it matches State law, the counties of Kauai, Maui, and Kakaako' Special district.

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:10 PM
Subject: Council Testimony

Written Testimony

Name	Lisa Styring
Phone	
Email	lisastyring@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimal rental requirement should remain at 30 days for short term rentals, as ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short term rental operator. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:12 PM
Subject: Council Testimony

Written Testimony

Name	Peter Hwu
Phone	
Email	phwualoha@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:18 PM
Subject: Council Testimony

Written Testimony

Name	Mary Farkash
Phone	
Email	mary.farkash@corcoranpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	aloha, I strongly oppose Bill 41. I believe the minimum rental requirement should remain at 30 days and be strictly enforced. The DPP failed to enforce Ordinance 19-18 and are now trying to impose stricter regulations which will be even more difficult to enforce. DPP, please do the job you originally agreed to do.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:25 PM
Subject: Council Testimony

Written Testimony

Name	Darryl Macha
Phone	
Email	myrealtorhidarryl@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I OPPOSE Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:31 PM
Subject: Council Testimony

Written Testimony

Name	Joanne Moy
Phone	
Email	snow2136@netzero.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41/CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Dear Councillors: My husband and I bought our first condo in the Waikiki Sunset when we fell in love with Hawaii over 40 years ago on our first visit to Honolulu. Since we could not live in it all year long we thought it was a great option to have it as a short-term rental. We had to work hard in our small family restaurant seven days a week to pay for the dream of owning a condo in Hawaii and support our family. As we saved some more 20 years later we decided to buy another condo in the Waikiki Sunset to help support our retirement and possibly pass them along to our kids. In the 40 years since we have had the condos, we always paid our General Excise and Transient Accommodations Taxes along with all the other costs from insurance to high HOA fees. Never did we have a problem with any guests. Never were the police ever called. Never were we ever given any notice by the city or state government informing that we were operating our short-term rental "illegally". Not until Bill 89 came out in June 2019 that we heard of NUC's (Non-conforming Use Certificates). This announcement forced us to stop renting out our 20-year-old condo because we discovered it did not have a NUC. For decades we were led to believe that we were operating in compliance with the City of Honolulu for 20 years, but then we were criminalized overnight for not being compliant by not having a NUC. Then we were not able to rent out the unit in fear of thousands of dollars in fines. We have had no income to cover costs and save for our retirement close to three years. We have waited patiently for a fair and reasonable resolution but Bill 41/CD 1 is not a fair solution.

We strongly oppose Honolulu Bill 41/CD1 for multiple reasons but could not say in one minute during the council meeting on January 20, 2022 where around 98% of the testimonials strongly objected as well.
· CD1 is a muddled mess of deletions, revisions, additions and subtractions to Bill 41 that I don't think anyone fully understands CD1 a 100% to make a fully informed decision by the public or Honolulu council members to truly discuss or vote upon the proposed bill.
· CD1 is full of double negatives, twists and turns, vague statements and abbreviations we lose track of what the bill is referring to such as: "Retains but clarifies amendments to footnote 3 of the Master Use Table" which doesn't help clarify RPT, ROH, LUO, MUO, TVU, BMX, AG-2, R-10, P/c3 etc.
· We believe this is a "taking of our property" by zoning it in the past to have Transient Vacation Units(TVU) and now down-zoning the rules on TVU/short-term rental owners making non-NUC short-term rentals "illegal" in areas we thought legal particularly in the Apartment Precinct Waikiki Area. We strongly believe that this change in zone status is without proper notification and compensation for loss of income, potential income and loss in property value. We may be forced to potentially sell our condo at a loss without the ability to have a short-term rental option for potential buyers, since we may fall out of proposed "permitted" areas. This is open to potential multiple legal actions/lawsuits.
· We strongly believe that we should be able to operate more than one short-term rental unit in a fair and free market especially when we have had no complaints and paid all the taxes and fees that were asked of us for many years. We have been operating as good neighbors with no problems and our units have been managed responsibly for decades. We should have the legal rights to choose to rent out our unit or live in it as homeowners and be taxed accordingly in either case.
· Short-term rentals should be able to operate as a legal entity afforded the protections such as we had done to place the condos in a trust in case anything happened to either me or my husband. We do not want to be forced to own our condos in a "natural person" status. Our attorney advised that we should hold properties in a legal entity status to protect our welfare. Kauai and Maui counties allow legal entities for ownership. It would be a taking of our legal rights if not!
· We strongly believe short-term vacation rentals in the Waikiki area between Kuhio and north to Ala Wai Boulevard from Kapahulu to McCully Street where our short-term rental condos are in the Apartment Precinct and just north of Resort Mixed Use Precinct, should continue to be able to operate along with many hotels operating in the same area for short stays. There are many hotels in the Waikiki Apartment Precinct including: Hilton Waikiki Beach Hotel, Vive Hotel Waikiki, The Waikiki Villa Hotel, Aqua Aloha Surf Waikiki Hotel, Hilton Garden Inn Waikiki Beach Hotel, Pearl Hotel Waikiki, Kuhio Banyan Club, White Sands Hotel, Ilima Hotel, Ohia Waikiki Studio Suites, Courtyard by Marriott Waikiki Beach Hotel, Surfjack Hotel and Swim Club, Coconut Waikiki Hotel, Holiday Inn Express Waikiki Hotel, and the Ambassador Hotel.

· If the A-2 Short-Term Rental Permitted Area in Exhibit A-Gold Coast/Diamond Head Special District will allow Transient Vacation Units and Bed & Breakfast Homes with only a couple of hotels operating: Kaimana Beach Hotel and Lotus Honolulu at Diamond Head Hotel; then the Transient Vacation Units and B&B's should be Permitted to operate in the Waikiki Apartment Precinct area north of Kuhio to the Ala Wai, where many hotels operate as listed above right next to the Resort Mixed Use Precinct area. If not then we see unfair illegal favoritism towards the hotel industry and Diamond Head Area!
· This bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STR's must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register and renewal fees of $2000 each per year. Similarly, if condos are limited to 50%, so should hotel rooms. If the bill limits 2 adults per bedroom in an STR, so shall hotels limit 2 adults to one hotel room even though there are two double beds
· Those short-term rental units with NUC's should be able to continue to operate in residential areas as well as "Permitted Areas" especially in the Apartment Precinct area adjoining the Resort Mixed Use Precinct of Waikiki.
· The DPP should not try to force an entire condo building to be 100% residential or 100% short-term when each unit is taxed separately now. The DPP will be enforcing permits and short-term rentals which is a large portion of these discussions so individual owners should have a choice..
· STR's should not be taxed at the same high tax rate as hotels. Hotels have extra sources of income usually from shops, entertainment, conference centers, restaurants and bars to help with costs including taxes while STR's do not.
· The registration process should not be so insurmountable and financially prohibitive for people by loading tons of paperwork and fees on them, especially if they have been operating for decades in good standing. We should be "grandfathered-in" to having a permit to operate our short-term rental. The Waikiki Sunset has been operating as a mixed use building since 1979 and should continue as such without disrupting the neighborhood close to the Resort Mixed Use Waikiki area.
· Just as the DPP wants to hire a team of enforcers, the DPP needs to hire more people to help process applications at the beginning for fast and expeditious processing to not make applicants wait for months for a permit. We have been waiting almost three years for a fair decision without any income because one of our units does not have a NUC. The financial burden is mounting for my family. We cannot wait many more months for a permit.
· If for some reason a permit application has a problem, the applicant should be given a reasonable chance to correct it and not pay an additional fee or wait a long time to process it. There should be a customer service line to answer questions to help owners through the process without charging. It will help owners and the government to

run smoother to get STR's properly registered, permitted and enforceable.

· There should be a couple of avenues to appeal besides the DPP Director for permits and revocations of registration certificates.

· The proposed registration and renewal fees are egregious and prohibitive to many people to operate their short-term rentals. The proposed Non-conforming Use Certificate renewal fee from $600 to $4000 every two years is a 667% increase. The fines from daily $1000 to $5000 is a 500% increase and now at the council meeting it was suggested to increase the daily fine to $10,000 a 1000% increase and $25,000 for additional fines which is a 2500% increase which is ridiculous! Only 44% of people in America have $1,000 saved to readily pay anything while most are living from paycheck to paycheck. If the registration fee will be $1000 and the average renewal rate will be $2000 per year, then the first year will be $3000 out of pocket. Just one fine could send people into financial hardship indefinitely similar to a student paying off student loans. I know the DPP and the council want to curtail short-term rentals but not on the backs of struggling owners which most want to be compliant and feed their families and save for their retirement. If you increase fees and fines, compiled with hardships related to the Covid pandemic, it will be heartless!

· Even though County of Honolulu, Kauai and Maui are in the same state, each county seems to function so disparately. Kauai only charges for renewal outside their Visitor Destination Area $750 renewal application fee and daily fines from $5000 and up to $10,000. In Maui, a New Permit Application fee for Short-term rentals is $857 and a Renewal application fee with a 5-year extension is $1700 ($340 per year renewal fee). On the other hand, Honolulu DPP wants to charge a $1000 application fee and $2000 per year renewal fee. Ridiculous!

· Once a permit is obtained and if the owners decide to sell their property they should have the ability to transfer the active permit to the owner before expiration to the new property owners. The new owners will send jointly with the seller's notification of new ownership. When the permit renewal date comes around, the new owners should be able to renew with little difficulty especially if they are in good standing and have no violations. Also we want to be able to transfer the permit to our kids or family for possible inheritance. If permits will not be transferable, it will cause a loss of property value and owners would need compensation for the loss which would be a taking of the property rights.

· We understand that DPP and council want to deter short-term rentals and violators especially in residential areas by setting substantial penalties IF they violate the rules and regulations. There will be an adjustment period for all once a bill is passed from processing applications for permits to enforcement but there should be a reasonable grace period to resolve any issues for any violators to immediately fix the infraction before suffering a fine in the first year or two once the bill is passed. Do not fine them initially to send them into financial ruin and force owners to sell their condo at a financial loss. A lot of short-term rental owners have worked very hard to buy into the

dream of owning a condo in beautiful Hawaii to visit and have the ability to rent it out when we cannot be there to help with costs.
· A grace period for all short-term rental owners is needed to comply with the new rules and regulations and to gather information to apply for the permits if they do not have a NUC. In the meantime, while non-permitted short-term rental owners are applying in the permitted areas, they should be allowed to operate while waiting for their application to be approved. If there are any infractions like noise complaints, the DPP enforcers can submit that information to the application process and be subject to possible fines IF not resolved immediately.
In a Maui News article from February 28, 2020, a software was mentioned to help enforce short-term rental compliance. It said," In 2018, the county contracted LODGINGRevs, a web-based transient vacation rental monitoring and enforcement company, to help root out illegal rentals. The company's customized software helps inspectors filter out legally operating vacation rentals and produce a list of potentially illegal operations. Inspectors must then identify the physical location of the operation, investigate and take enforcement action if necessary.

LODGINGRevs also checks for ads multiple times on a weekly basis, filtering them with the software and processing them manually to manage new, reoccurring and/or changed listings, and those that have been reactivated. A team at LODGINGRevs researches listings daily to make sure they're in compliance on a case-by-case basis. County inspectors must confirm many properties that LODGINGRevs cannot identify, especially when some properties require a drive-by inspection.

When an illegal property is identified, the county can issue notices of warning, notices of violation and fines, as well as ban illegal operators from applying for ...permits ...".

This software would assist in illegal rental activity and reduce the necessity for a big DPP enforcement staff and help with the budget. The current Honolulu DPP Director Uchida seems to have no clear vision of how much staff he needs to enforce Bill 41/CD1 or how he plans to collect and spend the potentially big budget. We are all for enforcement and to help with the budget but we also want to be able to operate our short-term rental in a fair manner that we have done for decades. We think the fees and fines are egregious and a taking of our property rights that we have been functioning "legally" in no violation for decades paying our GE and TA taxes for decades for both of our units in the Waikiki Sunset. Again we were not illegal or in violation until Bill 89 came out in June 2019. We immediately ceased and desisted from any operations of renting out our unit without a NUC in fear of fines and hopes for an immediate resolution. We have had no income for almost three years and hope that there is a fair and reasonable resolution soon.

Thank you for your time and attention.

Sincerely,

Joanne Moy
on behalf of my mother Mrs. Jane Moy

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:38 PM
Subject: Council Testimony

Written Testimony

Name	Richard Wainscoat
Phone	
Email	wainscoat@me.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am strongly opposed to the increase in the minimum rental period from 30 days to 90 days. There are many compelling reasons to allow rentals between 30 and 90 days in duration. Real examples include visiting relatives - a mother who came to Oahu to help her daughter after childbirth, a mother who visited her son who is in the military. Another common example is bridging accommodation for new Hawaii residents while they find suitable long term accommodation. None of these examples can reasonably be satisfied by hotel stays in Waikiki or resort areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:41 PM
Subject: Council Testimony

Written Testimony

Name	Jie Tang
Phone	
Email	janejietang@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021). CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021). CD1. The minimum rental requirement should remain at 30 days for short-term rentals. As Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:43 PM
Subject: Council Testimony

Written Testimony

Name	Aleksandra Martins
Phone	
Email	aleksandram@betterhawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41. I believe homeowners should be able to rent their homes out for 30 days minimum instead of 90 days. The focus should be on enforcement for the current laws instead of changing them again and making them more complicated and difficult for home owners to rent out their properties. Many visitors coming to the island should be able to rent homes on a month to month basis.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:47 PM
Subject: Council Testimony

Written Testimony

Name	Kealii Haverly
Phone	
Email	haverlyk@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha: I strongly support this bill. I believe the "Findings and Purpose" are accurate. I have personal firsthand experience that actions such as allowing short term rentals in residential communities is painfully pushing our communities in a tailspin of change for the worse. As stated in the bill's findings and purpose, the benefits "are far outweighed by the negative impacts to our neighborhoods and local residents." Please pass this into law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:48 PM
Subject: Council Testimony

Written Testimony

Name	Hanako Hata
Phone	
Email	hanako@startshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	As WAIKIKI RESIDENCE, legal vacation rentals are welcome. We do not want to see cheaper , problem long term tenants more in our area.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:53 PM
Subject: Council Testimony

Written Testimony

Name	Barbara Blanco
Phone	
Email	bblanco@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 CD 1.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 12:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Emily Leung
Phone	
Email	emilyleung@mindspring.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We owed 2 units NUC which we owned for over 15 years, capably and responsibly managed by Captain Cook Management company and pay all taxes to the city and the state. Your proposed bill take away our property right which is very unfair and probably illegal. Wanting to go after illegal vacation rental and airB&B is understandable as it is not fair to your citizenry and the legal owners of such units, the illegal rentals are what you should go after, as it happened under this administration. To remedy it with this bill and letting the hotels have all the benefits of your proposal? this is indeed very suspicious, using this law as an excuse to get rid of any competitors. The council should review and understand its position in this matter, to be fair, and a million dollar insurance for a properly registered studio is ridiculous, vote against this bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 6:37 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Hulali K McGuire
Phone	
Email	Hulalilee@hotmail.com
Meeting Date	02-06-2022
Council/PH Committee	~~Housing and the Economy~~ ZP
Agenda Item	~~Resolution 21-18 CD1~~ Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:16 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Haley Fillman
Phone	
Email	haleyfillman@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Housing and the Economy
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose this bill. The solution to our lack of available "affordable" housing does not lay within extending rental periods to LEGAL rentals. This will cause legal renters to lose income and move more local families off the islands. Furthermore, the state will lose money from tourism on extending the rental period. Very few visitors will want to stay for 3 months at a time. One month has already put a nail in the coffin, 3 months will all but bury it. In the area of luxury rentals: extending the period to 3 months will not create any more housing for local families. I don't know many that want to spend $16,000 a month on rent. I would greatly encourage revisiting this bill and how it would impact local families and the island of Oahu. I think the intentions are good, but efforts would be better placed solving this problem elsewhere. Like building less luxury condos... but that's a topic for a different day.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:59 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Adam Rose
Phone	
Email	islandrose@live.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose CD1. The Bill 89 that was passed several years ago but never enacted & enforced was the most fair option to homeowners and best supported the community. The existing law was never enforced by DPP. The City should first enforce Bill 89 for at least one year to identify what works and what needs improvements, and revisit for adjustments after enforcing the existing regulations. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, if condos are limited to 50%, so should hotel rooms. Managing tourism on our island is an important issue—but not one that CD1 addresses. Tourists rarely come for 30 days and almost never stay for 90. When we talk about a 90-day minimum, it will only harm the people who work here, including members of the military and medical staff and local families who need an alternative from pricey hotels. Those are the people impacted by a 90-day limitation. We have an extra bedroom that is used by our parents that visit Hawaii 4 to 5 times a year to see their grandchildren. When grandparents aren't visiting we rent the room with a 30 day minimum. If the minimum rental period is raised to 90 days we will be unable to rent the room or our children's grandparents between visits. If the room is rented for 90 days it will not be available for our family to stay in when they visit. We rely on the extra income provided by the ability to rent the extra bedroom. Please think of the hardworking local families that will be severely impacted by the passing of this Bill and the DPP's ability to enforce Bill 89.
Testimony Attachment	
Accept Terms and Agreement	1

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:01 PM
Subject: Council Testimony

Written Testimony

Name	Tad Gernert
Phone	
Email	tadcycle7@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Pass this bill to help protect our neighborhoods and provide more housing for our people.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

January 25, 2022

ONLINE SUBMISSION

Chair Tommy Waters
Members of the Honolulu City Council
530 South King Street, Room 100
Honolulu, Hawaii 96813

Re: Testimony re Bill 41, CD1 – Relating to Transient Accommodations

Dear Chair Waters and Members of the Honolulu City Council:

This testimony is submitted on behalf of the Association of Apartment Owners of Waikiki Banyan (the "Association" or "Waikiki Banyan") regarding Bill 41, CD1, relating to Transient Accommodations. Waikiki Banyan submitted testimony for the January 19, 2022, Zoning and Planning Committee hearing regarding Bill 41. By way of this submission, Waikiki Banyan would like to reiterate and supplement its original testimony on Bill 41.

The Association supports the stated goal of Bill 41, CD1, which is to protect residential neighborhoods from the negative impact of short-term rentals. However, the Waikiki Special District, as a central and prime tourist destination, is not a typical residential neighborhood. Moreover, the Apartment Precinct of the Waikiki Special District is separated from the Resort Mixed Use Precinct by a single street - Kuhio Avenue. This separation exists only on paper as the overall tourist atmosphere pervades the area. Bill 41, CD1 does not take into consideration the unique circumstances of resort style condominium buildings, such as the Waikiki Banyan, that are located within the Apartment Precinct.

The Waikiki Special District is a central and prime tourist destination. This is recognized in Revised Ordinance of Honolulu ("ROH"), Section 21-9.80(a), which provides that: "[t]o the world, Waikiki is a recognized symbol of Hawaii; and the allure of Waikiki continues, serving as the anchor for the state's tourist industry. In addition to its function as a major world tourist destination, Waikiki serves as a vital employment center and as a home for thousands of full-time residents." It goes on in relevant part to note that: "Waikiki needs to maintain its place as one of the world's premier resorts in an international market; yet, the sense of place that makes Waikiki unique needs to be retained and enhanced." *ROH, Section 21-9.80(b)*.

Located in the heart of Waikiki, the Waikiki Banyan is a twin tower, eight hundred seventy-six (876) unit, condominium resort project located at the intersection of Kuhio Avenue and Ohua Avenue. Visitors to the Waikiki Banyan are, and always have been, immediately met by the ground floor front-desk, and an expansive resort lobby with authentic Hawaiian flair, including a lava koi pond with cascading waterfall. The Waikiki Banyan features a 24-hour front desk, bell service, and housekeeping.

When the developers of the Waikiki Banyan applied for their building permit in 1974, the land on which the Association was to be constructed on was zoned "H-2", which permitted, among other things, hotels and multiple-family dwellings. In 1976, the Waikiki Special Design District (later called the Waikiki Special District) was created, which divided the Waikiki Special District into four precincts: Apartment Precinct, Resort Hotel Precinct, Resort Commercial Precinct, and Public Precinct. As a result, the Waikiki Banyan was rezoned from H-2 to Apartment Precinct. While the newly created Apartment Precinct prohibited the *construction* of a hotel, nothing prohibited use as a condotel,[1] i.e., a condominium project providing, among other things, transient accommodations, such as short-term rentals and/or hotel-like operations. Subsequently, in 1986, the Land Use Ordinance ("LUO") was adopted,[2] by which time the Waikiki Banyan had already been continuously operating as a condotel with transient accommodations for over seven years. In 1989, the LUO was amended by providing for the issuance of non-conforming use certificates for nonconforming Transient Vacation Units which operated prior to the enactment of the LUO, thereby implicitly acknowledging that transient vacation units were permitted in the Waikiki Special District Apartment Precinct prior to the enactment of the LUO.

In or around 1994, DPP created a list exempting certain buildings from the nonconforming use certificate requirements (the "Exempt List"). In doing so, DPP acknowledged that a project-wide exemption could be granted and that nonconforming use certificates were not required to operate transient accommodations, such as short-term rentals, at buildings it granted an exemption to. Without explanation, the Waikiki Banyan was not included on this list.[3]

For over 40 years, the Waikiki Banyan has openly operated as a condotel. In fact, the Association's use of the Waikiki Banyan was challenged several times by DPP's predecessor, the Department of Land Utilization (collectively, "DPP"). Each time, however, any citations and/or questions were resolved and any alleged violations were corrected. Moreover, the City treated the Waikiki Banyan as a hotel. For example, in 1992, the Waikiki Banyan was forced to comply

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1 The Waikiki Banyan has always been a condominium project whose individual owners have operated their units primarily for short-term vacation rentals, seasonal short-term vacation rentals, or time-shares, in a hotel style environment. The term "condotel" will be used herein to refer to this use. This definition is consistent with the Waikiki Banyan's uninterrupted operations for over 40 years and consistent with the operations at over 30 other buildings that were conducting transient accommodations and included by DPP on the Exempt List. The term "condotel" as used in this testimony differs from the definition in Bill 41, as originally introduced.

2 The adoption of the LUO was the first regulation of short-term rentals of any kind.

3 Many, if not all, of the properties on the Exempt List were, and are, "condotels" operating similar to the Waikiki Banyan.

with the City's requirement to install an automatic fire sprinkler, because the City considered the Waikiki Banyan a hotel. During the planning phase for the fire sprinklers, DPP, consistent with its previous position, acknowledged that the Waikiki Banyan was a condotel and acknowledged that the Waikiki Banyan would be denied reasonable use if it were unable to put in sprinklers.

Despite the fact that the Association openly admitted that many units were operating as transient accommodations and short-term rentals, and consistent with the other buildings on the Exempt List, DPP made no enforcement attempts against the Waikiki Banyan. The Waikiki Banyan and its owners continued to rely on DPP's representations in conducting and allowing transient accommodations at the Waikiki Banyan.

Bill 41, CD1

Given the open and obvious use of the Waikiki Banyan over the past 40 years as a condotel and the City's own interactions with the Waikiki Banyan, on which the Association and its owners have relied, the Association feels that Bill 41, as originally introduced, as well as Bill 41, CD 1, infringes on vested property rights.

As for Bill 41, CD1, it is a step in the right direction in that it has removed some of the more troubling aspects of the original bill. Nonetheless, Bill 41, CD1 does not take into consider the unique circumstances of the Waikiki Banyan in the Apartment Precinct of the Waikiki Special District. While Bill 41, CD1's goal to protect residential neighborhoods makes sense in single-family communities, its application to the Waikiki Special District is not as clear. The Waikiki Special District is vastly different from single-family residential communities where residents expect a more traditional neighborhood. Waikiki abounds with tourists, hotels, and large condominiums (containing hundreds of units), such as the Waikiki Banyan. In some cases, hotels and condominiums are separated by just a street (e.g., Kuhio Avenue). Bill 41, as originally drafted and CD1, in its application to the Waikiki Special District, does not take these realities into consideration.

Bill 41, CD1, should be revised to reflect the unique nature of Waikiki. In fact, Bill 41, CD1 already proposes to allow transient vacation units in certain areas in the Gold Coast area of the Diamond Head Special District, areas in close proximity to the Koolina Resort, and areas in close proximity to the Turtle Bay Resort. Similar provisions should also be incorporated into Bill 41, CD1 as it relates to the Apartment Precinct of the Waikiki Special District. It makes no sense to exclude this area, which contains many large resort-like condominium projects that contain hundreds of apartments, such as the Waikiki Banyan, which have traditionally operated as condotels.

The Waikiki Banyan has been in operation as a condotel for over 40 years. The Waikiki Banyan's continued use as a condotel will not increase noise or traffic, as it is located right across the street from hotels and itself consists of 876 units. Moreover, allowing for the continued operation as a condotel will not cause parking problems, as the Waikiki Banyan has ample parking to accommodate visitors. The Waikiki Banyan has been part of the special atmosphere of Waikiki for over 40 years and it has provided an alternate type of accommodation from hotels as it promotes family vacations and the aloha spirit that Waikiki is meant to represent. Bill 41, CD1

should be revised to take the unique circumstances of resort style condominium buildings, such as the Waikiki Banyan, into consideration.

Thank you for your attention to this important matter. Please direct any questions or concerns regarding this matter to the undersigned.

Very truly yours,

PORTER McGUIRE KIAKONA, LLP

/s/ Cheryl A. K. Fraine

Christian P. Porter
Kapono F.H. Kiakona
Cheryl A. K. Fraine

cfraine@hawaiilegal.com

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Koji Katsuhira .

Date 01/25/2022 .

Signature Koji Katsuhira .

koji@startshawaii.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:05 PM
Subject: Council Testimony

Written Testimony

Name	Jennifer Lum
Phone	
Email	jennyholzmanlum@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Pass this bill to help prevent our neighborhoods from being destroyed by vacation rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: **Carl Schneider** schneiderhb@gmail.com
Subject: Public Comment Opposing Bill 41 CD1 Relating to Transient Accommodations
Date: January 25, 2022 at 3:01 PM
To: Chair Waters and Honolulu Councilmembers
Bcc: Schneider Video Group schneiderhb@gmail.com

Aloha Chair Waters and Honolulu Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1. I recommend this bill and amendments be rejected, and all efforts be put into enforcing the current Ordinance 19-18.

Waikiki Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. Waikiki Resort Zones are a unique and successful tourist destination and should be separate from residential neighborhood restrictions. Passing Bill 41 CD 1 would not solve affordable housing in Resort Zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and to destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort Zones. With this change, only up to 50% of owners can run short term rentals in the Resort Zones in Waikiki! What warrants this amendment, except to benefit the Hotels? Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. What warrants this amendment, except to benefit the Hotels?

3. This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible as takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels. So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort Zone. If condos are limited to 50%, so should hotel rooms.

If the goal is to generate revenue, much more revenue could be generated each year by imposing a reasonable fee equally to all hotel rooms, regardless of ownership. Corporate hotel owners own thousands more rooms than individual owners. If a reasonable fee per hotel room was charged to all owners (including the corporate hotel chain owners), such as $100 per unit per year, millions more dollars in revenue could be generated every year. Instead, this Bill proposes extremely unreasonable and oppressive fees for individual owners only that would not generate nearly as much revenue as a reasonable fee would charged equally for every hotel room, regardless of ownership.

4. Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals. I fully support enforcement actions against illegal Short-Term Rental operators.

Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Why would the government of Hawaii even consider discriminating against individual property owners this way? Why would you want to provide special benefits to corporate hotel owners and punish individual owners who have played by the rules and have always paid the same taxes as the corporate hotel owners? Individuals who have decided to own and operate short-term rentals in the resort zone have done so in a good-faith effort to comply with existing laws and should be allowed to continue without these newly proposed fees and restrictions.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Mahalo,

Carl Schneider

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:06 PM
Subject: Council Testimony

Written Testimony

Name	Tracy Hoevel
Phone	
Email	tracyhoevel@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	We like having real neighbors instead of tourists. Please pass this good bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:08 PM
Subject: Council Testimony

Written Testimony

Name	Tracy Hoevel
Phone	
Email	tracyhoevel@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Our island is desperate for housing. Pass this bill so that rental units go to long term residents instead of transient tourists.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

January 26, 2021

Honolulu City Council
Honolulu Hale
530 South King Street
Honolulu, HI 96813

Dear Chair Waters and Members of Council,

On behalf of Airbnb, mahalo for the opportunity to comment on the proposed CD1 to Bill 41. For the past four years, Airbnb has worked in good faith with the City and County of Honolulu to advocate for sensible short-term rental policy that both allows our community to be compliant and supports the local tourism industry. We appreciate the clarifications in the proposed CD1 to Bill 41, but remain concerned about some of its provisions. We have outlined our comments and concerns below, and urge the Council to consider the consequences of approving the revised draft in its current form.

Protecting against unintended consequences
We encourage the Council to consider the safeguards provided by a previous draft's definition of "transient occupants". The definition outlined in the Department of Permitting and Planning's (DPP) proposed bill from the Planning Commission protects against unintended consequences by providing exemptions for medical workers, military personnel, and nonprofits. Since the onset of the pandemic, health care professionals, first responders and even patients have required temporary accommodations, and have turned to our platform to help meet this need. Similarly, disaster relief workers and displaced residents relied on our platform for temporary accommodations in the wake of natural disasters, including the Kilauea volcano eruption on the Big Island in 2018, during which Airbnb Hosts opened their homes free of charge for these individuals. Given these critical use cases, we encourage the Council to consider including this provision in the current bill.

Legal concerns
We are concerned by the proposed amendment to the definition of Bed & Breakfasts and Transient Vacation Units from 30 days (per Bill 89) to 90 days. This change would likely be preempted under state law, which regulates the ability of counties to institute land use changes. Hawaii Revised Statutes, Section 46-4, ensures that nonconforming residential uses, which includes transient accomodation uses, cannot be amortized or phased out by local laws. The DPP

admitted as much in its February 4, 2021 testimony to the State Legislature in connection with proposed amendments to this law (HB 76, 2021), by noting that transient accommodation uses can be viewed as residential uses subject to the protection of this statute, and "therefore not subject to amortization or phasing out".

Litigation on this issue squarely supports this position (see, e.g., *Robert D. Ferris Trust v. Planning Commission of County of Kauai*, 138 Hawaii 307 (2016) ("preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate"); *Kendrick v. County of Kauai*, No. CAAP-20-00057, Haw. Intermediate Ct. App (2020) ("plain and obvious meaning of the state statute [HRS, Section 46-4] . . .provides that a nonconforming use shall not be lost unless discontinued")). Moreover, DPP's aborted implementation of Ordinance 19-18 also raises the spectre of federal constitutional challenges, particularly equal protection concerns.

Platform agreements to support enforcement

After the passage of Bill 89 and adoption of Ordinance 19-18, Airbnb signed a Memorandum of Understanding (MOU) with the City and County of Honolulu to support its compliance efforts. The agreement – a product of several months of negotiations with DPP – provides the City with enforcement tools to help implement its regulatory scheme. However, the agreement was never implemented due to the City's delayed implementation, and now the emergence of new amendments to the adopted regulations. We urge the City Council to provide a fair, reasonable and easy-to-understand regulatory framework to help promote compliance, and would welcome an opportunity to discuss how we can support.

Of note, Kauai has adopted a simple compliance system based only on the TMK, and has implemented its agreements with Airbnb and Expedia with great success. Similar agreements with Maui County will go into effect this month. In our experience globally, we have seen that this formula – clear operating requirements, a simple registration system, and effective enforcement tools – produces the highest rates of compliance and benefits for the local community. Additional, complicated restrictions are rarely, if ever, necessary.

* * *

Mahalo for taking our comments and concerns into consideration as the Council deliberates the proposed draft of Bill 41. As always, we welcome an opportunity for continued discussion and collaboration.

Sincerely,

Toral Patel
Airbnb Public Policy, Hawaii

toral.patel@airbnb.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:11 PM
Subject: Council Testimony

Written Testimony

Name	Chad Takesue
Phone	
Email	chad.takesue@locationshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:13 PM
Subject: Council Testimony

Written Testimony

Name	Scott Nishikawa
Phone	
Email	scottnishikawa@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	This bill helps limit transient vacation rentals in residential areas. Supporting it will make Hawaii a better place to live, because there will be more rental units available for our citizens.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:16 PM
Subject: Council Testimony

Written Testimony

Name	Andrew Canonico
Phone	
Email	andrewcool808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Support and pass this bill. It is important to save residential rental units for our local population.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

HAWAI'I LODGING & TOURISM

ASSOCIATION

Testimony of
Mufi Hannemann
President & CEO
Hawai'i Lodging & Tourism Association

Honolulu City Council
Bill 41 (2021), CD1
January 26, 2022

Chair Waters and members of the Honolulu City Council, mahalo for the opportunity to submit testimony on behalf of the Hawai'i Lodging & Tourism Association, the state's largest private sector visitor industry organization.

The Hawai'i Lodging & Tourism Association—nearly 700 members strong, representing more than 50,000 hotel rooms and nearly 40,000 lodging workers — have been outspoken advocates for the regulation of short-term rental units on O'ahu. This is an issue on which our association has worked closely with our elected leaders to address in myriad ways including through proper collection of real property taxes and the Transient Accommodations Tax as well as pushing for STRs to be relegated to appropriate zones where they would be required to operate under the same rules as the rest of the hospitality industry.

We are especially cognizant of the negative impacts that the proliferation of short-term rental units has on local neighborhoods. These include:

- Decreased inventory of affordable rental units for local families with many of these units being bought and operated by out-of-state owners.
- Increased rental prices that have effectively priced many Honolulu residents out of the market.
- Artificial increase to the supply of transient accommodations that has led to greater numbers of travelers coming to our county, fueling conversations about responsible travel and overtourism.
- Increased strain on roadways and utilities like our sewer and water treatment systems.
- Increased traffic, noise, and congestion within local, multi-generational communities.

We appreciate the strides that the Department of Planning & Permitting, the administration, and the City Council have made to address these issues through meaningful legislation and supported both the original draft of the measure as well as Committee Draft 1 which was recently reported out of the Committee on Zoning & Planning. While we feel that either draft would have been an improvement to the current ordinance in that both provide clear pathways to enforcement, we would like to highlight the current lack of exemptions in the CD1. We feel strongly that this measure should include an exemption for occupants who are not seeking to abuse the system but require less than the minimum rental period for benign purposes. For example, these could

include traveling nurses, students, or military personnel. These occupants could require short-term housing of periods less than 90 days and should be allowed to utilize short-term units within their budgets without being penalized.

These things considered, HLTA supports Bill 41 (2021), CD1.

Thank you for the opportunity to offer this testimony.

mhannemann@hawaiilodging.org

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:19 PM
Subject: Council Testimony

Written Testimony

Name	David Malone
Phone	
Email	davidmalone808@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1 oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by PP against illegal short-term rental operators. I would even recommend reducing it to 15days. Please reject this proposed Bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:20 PM
Subject: Council Testimony

Written Testimony

Name	Jessica Nishikawa
Phone	
Email	jessica.nishikawa@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	If you have lived next to a vacation rental, you know they don't make for a good neighborhood. Pass this bill to keep our neighborhoods residential, and not tourist meccas like Waikiki.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:24 PM
Subject: Council Testimony

Written Testimony

Name	Chuck Gray
Phone	
Email	Chuckla808@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Short-term rentals are disruptive to the character and fabric of our residential neighborhoods; they are inconsistent with the land uses that are intended for our residential zoned areas and increase the price of housing for Oahu's resident population by removing homes from the for-sale and long-term rental markets. The City Council finds that any economic benefits of opening- up our residential areas to tourism are far outweighed by the negative impacts to our neighborhoods and local residents. Why do multi-billion dollar, international corporations have a say at our city Council meetings???
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:27 PM
Subject: Council Testimony

Written Testimony

Name	Gary Hasegawa
Phone	
Email	ghmisc50@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The current law should not be change. The state/county should regulate short-term rentals to extent of which of which more than three formal complaints different neighbors in a year will shut-down the specific short-term rental from operating as a short-term rental for a year. The rental thereafter may only be rented for 6-month or longer. The following year the rental can reapply as a short-term rental and if there's three formal complaints again the rental reverts back to 6-month or longer. Not every short-term rental owner should be penalized if the neighbors aren't complaining.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:30 PM
Subject: Council Testimony

Written Testimony

Name	ELIZABETH Mcardle SOLOMON
Phone	
Email	e-m-s@comcast.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Hotels are large corporations in large part not even owned by US or Hawaii companies and therefore why should they have the advantage as the only option for visitors? Why should hotels be afforded more privileges than resident property owners? These hotel owners do not have the islands with the best interest in the forefront. Why aren't local property owners given the same or better option with their personal property? Hotels are large corporations and if short term rentals are restricted, the only option for visitors are expensive hotels. This is unfair to people who cannot afford hotel rooms. Additional hotels are planned for development, and this will destroy more of the island's natural beauty. Short term rentals provide a significant benefit to the community. They provide much needed employment in housekeeping, yard service, and other hospitality jobs. The state of Hawaii is provided with significant tax revenue through GET and TAT. It is a means for families to augment their income in a state where the cost of living is out of site. It allows elders to stay in their homes and provides visitors an opportunity to experience the aloha spirit with local families. The MOU currently in place works effectively on Kauai and will work on Oahu if enforced effectively. This bill is simply not fair and clearly favor the hotel lobby that pays to play and does not represent the resident's of Oahu.
Testimony Attachment	
Accept Terms and Agreement	1

From: CLK Council Info
Sent: Tuesday, January 25, 2022 1:44 PM
Subject: Council Testimony

Written Testimony

Name	Tina Gray
Phone	
Email	Tinagray808@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Vacation rentals negatively impact the quality of life for residents by increasing congestion and noise in neighborhoods, placing additional burdens on infrastructure and facilities, and taking potential long term rental properties off the market.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:03 PM
Subject: Council Testimony

Written Testimony

Name	Peer Blichfeldt
Phone	
Email	peer_b@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose increasing the minimal rental period from 30 days to 90 days. It unnecessarily restricts flexibility in providing accommodations without any appreciable benefit. There are many reasons why people may need a rental of less than 90 days. People renovating their homes, people who's homes have been damaged by fire, flood or other natural disaster, families relocated to Honolulu but unable to find a property to purchase, neighbor island residents in Honolulu for long term medical care or rehab, workers temporarily assigned for a project, students who need housing for just one semester or over the summer, residents who sold property buy have not been able to close on replacement property or may be relocating out of Honolulu in less than 3 months etc. etc. The focus should be on enforcing existing regulations first and then evaluate whether any other measures are needed.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Misako McLeod
Phone	
Email	drmmcleod@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and strongly oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:11 PM
Subject: Council Testimony

Written Testimony

Name	Dale K Bordner
Phone	
Email	dale@BordnerHI.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I understand the dilemma Mayor Caldwell has placed the current City Council in with the passage of Bill 89 in 2019 ; however, passing more ordinances and laws do not make up for the lack of enforcement. We have current zoning laws that appear to be unenforceable, and yet the Council wishes to add more. For 30+ years, neighborhoods have asked for relief from short-term vacation rentals according to zoning laws that govern their communities but nothing happened. Now with Bill 89 and Bill 41, what will actually happen? Who and how will enforcement occur? Individuals reporting, and to what effect? We have experienced neighbors obtaining building permits for storage and recreation rooms that are converted to vacation rentals with no relief for neighbors. Condominium residents, be they owners or long-term tenants, no longer know who lives on the floor of their building, leading to apprehension and suspicion. The sense of community is truly lost in our neighborhoods. Please fix the enforcement segment of the current laws - strengthen them first before delving into another category of 'residences.'
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:13 PM
Subject: Council Testimony

Written Testimony

Name	Dale K Bordner
Phone	
Email	dale@BordnerHI.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I understand the dilemma Mayor Caldwell has placed the current City Council in with the passage of Bill 89 in 2019 ; however, passing more ordinances and laws do not make up for the lack of enforcement. We have current zoning laws that appear to be unenforceable, and yet the Council wishes to add more. For 30+ years, neighborhoods have asked for relief from short-term vacation rentals according to zoning laws that govern their communities but nothing happened. Now with Bill 89 and Bill 41, what will actually happen? Who and how will enforcement occur? Individuals reporting, and to what effect? We have experienced neighbors obtaining building permits for storage and recreation rooms that are converted to vacation rentals with no relief for neighbors. Condominium residents, be they owners or long-term tenants, no longer know who lives on the floor of their building, leading to apprehension and suspicion. The sense of community is truly lost in our neighborhoods. Please fix the enforcement segment of the current laws - strengthen them first before delving into another category of 'residences.'
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:23 PM
Subject: Council Testimony

Written Testimony

Name	James Brazwell
Phone	
Email	sbrazwell007@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	CR-8 Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am very concerned with the impact That Bill 41 will have on small business and local families. I am also confused with what is the goal you are trying to achieve by passing this bill. It appears to be yet another way for the hotel industry to flex their muscles and money to get their way, at the expense of local people.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:25 PM
Subject: Council Testimony

Written Testimony

Name	David Buck
Phone	
Email	david@hawaiihomelistings.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	Honolulu Board of Realtors
Written Testimony	The proposed 90 or 180 day min is too long. The 30 day min should stand. If, however you do pass a law, it should only apply to new purchasers and not those that have already purchase property and are abiding by the law. This is essentially "changing the game" on homeowners.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:10 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Kai Possedi
Phone	
Email	Kpossedi@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	~~Housing and the Economy~~ Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

Dear Council Members,

I'm writing today to share my experience and also to plead with you to consider opposing bill 41.

As we all know, one day we will age and in a variety of ways, our bodies and functions become broken and disabled. Unfortunately, this happened to me at a younger age than most. I was involved in a terrible car crash in 2015 where I lost both of my legs. After recovering as much as possible, and seeing more doctors and rehab specialists than I knew existed, I found myself at home with a small disability fixed income and without passion. Although some may think the physical pain is the hardest part to get through; the mental pain is what burned the most.

Thankfully, through some advice and recommendations from my Son, I was able to find a way to supplement my income, to avoid losing my home, and enrich a newfound passion in my life by renting out part of my house on airbnb. Airbnb to me became a lottery of which young couple or traveler I might meet next. This excitement helped me fight through the mentally strenuous parts of preparing the space for them. I have learned something from each guest I've ever hosted, and have found so much joy exchanging stories or expertise on the best activities to enjoy on the island. Although I see why some people could be concerned, there is so much good that comes from these experiences!

I would also like to comment, that many people point the finger at STRs as the cause of increased housing pricing and the housing crisis. This crisis is multi-factorial, and consists of billionaires buying large portions of our islands, investors buying property that they leave vacant for many months in the year, because of the untethering of workers from their physical workplace with this pandemic, and hotels taking up huge portions of real estate who

are not required to produce any affordable housing. Studies have shown STRs only transiently raise housing prices. These finger blaming fingers shouldn't be pointed at the struggling middle class trying to get by, it should be pointed towards the corporations and wealthy billionaires that create a much larger impact on the housing crisis.

In closing, each one of us is tasked to act with integrity to their own conscious. Each decision the council members make will change lives forever. Please consider the option of giving the middle class the freedom to make a side income to support ourself, and rather point towards the large players and corporations to resolve these problems they are directly contributing to.

Respectfully,
Kai Possedi

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:44 PM
Subject: Zoning and Planning Testimony

Follow Up Flag: Follow up
Flag Status: Flagged

Written Testimony

Name	Mary Moles
Phone	
Email	Mrsmokes@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41(2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per thirty day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Juliana Simone
Phone	
Email	Juliana.Simone@Compass.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	CR-8 Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	Honolulu Board of Realtors
Written Testimony	The law should continue to be 30 days or longer. Ninety days or longer will prevent transient nurses, electricians and other contractors who come for one or two months to work with HECO for example and on large projects like windmills etc. It would also preclude temporary military hosing but think the C&C will make an exception for that. This will have a detrimental effect on the real estate industry and the local economy! DPP should focus on fines and other means of enforcement within previous bills that passed!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

3. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

4. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Kazunori Yoshikawa

Date JAN/25/2022

Signature → Kazunori Yoshikawa

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:31 PM
Subject: Council Testimony

Written Testimony

Name	Jeffrey Chern
Phone	
Email	chern8809@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CO1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimum rental requirement should remain at 30 days for short term rentals as it currently allows. Please reject the proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Andrew Montemarano
Phone	
Email	Koohooview@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Huda Montemarano
Phone	
Email	Huda.monte@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:31 PM
Subject: Council Testimony

Written Testimony

Name	Jeffrey Chern
Phone	
Email	chern8809@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CO1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021) CD1. The minimum rental requirement should remain at 30 days for short term rentals as it currently allows. Please reject the proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:31 PM
Subject: Council Testimony
Attachments: 20220125143120_FAQs_on_Short-Term_Rentals___SF_Planning.pdf

Written Testimony

Name	Susan D. Alden
Phone	
Email	suealden@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Short Term Rentals
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The present proposed bill does not meet the needs of our Hawaii people. San Francisco has a very comprehensive law on short term rentals and I am attaching their FAQ's re Short Term Rentals. I believe this law would be an excellent compromise for Hawaii and I highly encourage it be considered in it's entirety. Submitted with respect. Thank you.
Testimony Attachment	20220125143120_FAQs_on_Short-Term_Rentals___SF_Planning.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Expanded in-person over the counter services are now available at the Permit Center. Find more information on our services here.

What is a short-term rental?

What kind of short-term rentals are legal?

Did the primary law on short-term rentals change?

What properties are ineligible for short-term rentals?

What are the laws regarding other types of rentals?

Platform compliance

Return to Office of Short-Term Rentals

FAQS ON SHORT-TERM RENTALS

What is a short-term rental?

RETURN TO OFFICE OF SHORT-TERM RENTALS ›

A short-term residential rental is a rental of all or a portion of your home for periods of less than 30 nights. For a more complete overview, read the Short-Term Rental Ordinance in the San Francisco Administrative Code Chapter 41A.

What kind of short-term rentals are legal?

You must be the permanent resident of the unit you wish to rent

To be considered the permanent resident, you must spend at least 275 nights a year in the unit where you host short-term rentals. If you own/rent a multi-unit building, you may only register the specific residential unit in which you reside. Also see: "Ineligible Properties."

You must be registered with the City as a business and as a short-term rental

You may only offer short-term rentals once you have obtained a Business Registration Certificate for your property from the San Francisco Office of the Treasurer & Tax Collector, and then received a certificate** from the Office of Short-Term Rentals. The certificate number must be posted on all listings advertising a short-term rental. Learn more about becoming a legal short-term rental host.

**You may host short-term rentals if you have a complete application pending review with our Office; currently reside in the dwelling unit (as a permanent resident); and there are also no City complaints pending against the entire property. Please note that our Office cannot require hosting platforms to operate a listing while an application is pending (but please contact us if you run into this issue as we may be able to assist you to start listing in a few days). Also, please note that if you are a renter, our Office cannot require the property owner to allow your short-term rental activity in the event that private leases, or other private agreements prohibit such activity.

You may only rent 90 unhosted nights per year

"Unhosted rentals" occur when you are not present in your unit during your guests' stay. Registered hosts may only conduct unhosted short-term rentals for up to 90 nights per calendar year. This is in addition to the core rule that you may only host short-term rentals in the home where you also live at least 275 nights per year.

Did the primary law on short-term rentals change?

Yes. Prior to 2015, all short-term residential rentals (stays of less than 30 days) were illegal in San Francisco (per the City's Planning Code). This included rentals for the entire home, or just a portion (e.g. private room listings). However, beginning in February 2015, hosts were eligible to register, with the Office of Short-Term Rentals, in order to host limited short-term rentals; and only in eligible homes where the host also lives at least 275 nights per year. Even if you hold a business registration from the SF Tax Collector and remit hotel taxes, short-term rental hosts are required to register with the Office of Short-Term Rentals.

What properties are ineligible for short-term rentals?

Certain types of properties are never eligible for short-term rental. Please contact us at shorttermrentals@sfgov.org if you are not sure how your property is classified.

1. Income-restricted affordable housing, including Below-Market-Rate (BMR) units and public housing.
2. Student housing, dormitories and Single-Room-Occupancy (SRO) buildings. However, some SROs are allowed (subject to Department of Building Inspection - Housing Inspection Services regulation) to offer short-term rentals during the "tourist season," which runs from May 1 through September 30. See Section 41.19 of the San Francisco Administrative Code.
3. Buildings subject to an Ellis Act (No Fault) eviction after November 1, 2014 (even if by a prior property owner).
4. Legally-established Accessory Dwelling Units (ADUs); which are a specific type of "in-law" or "granny flat" approved by the Department of Building Inspection. Only rentals/listings for 30 days or longer, per guest (30-day minimum stay), are allowed in ADUs. Please note that "housekeeping units" are not classified as ADUs; but are considered an entirely separate individual dwelling unit. Short-term rentals hosts must live in the same individual dwelling unit, so they could not reside in the main unit and utilize the "housekeeping units" for short-term rentals (or vice versa).
5. Sleeping quarters in most shipping containers and outdoor areas, including tipis (teepees) and tree houses.
6. Sleeping quarters in vans or (RVs) recreational vehicles (this may also violate the Police Code). RVs are not considered residential units.
7. Non-residential areas within buildings, such as living/sleeping quarters added in garages.
8. Commercial office/retail or industrial (warehouse) spaces.
9. Properties located in Treasure Island, Fort Mason, or The Presidio.
10. Boats or similar watercraft (prohibited by Harbormasters); unless a sole operator at Pier 39 not subject to OSTR registration.
11. Group Housing properties, which are subject to the Planning Code (plus other Building & Housing Codes), and are not eligible for registration as a short-term rental under Chapter 41A of the Administrative Code. Legal Group Housing properties may offer stays of no less

[illegible] than seven (7) days per guest.

Rules for Residential Hotels

- A limited number of Residential Hotels are allowed to offer tourist hotel (short-term) stays in a portion of their rooms, based on a list maintained by the Department of Building Inspection.

- Those specific rooms may be offered for tourist stays without registering with the Office of Short-Term Rentals. Operators may list these tourist-licensed rooms using their business account number (BAN) issued by the Tax Collector, in lieu of a short-term rental registration number.

Rules for Tourist Hotels or Timeshares

- "Tourist Hotels" (which are different from Residential Hotels), and Timeshare properties (if approved as a timeshare unit by the Department of Building Inspection) are allowed to offer tourist hotel (short-term) stays in all units.
- Tourist Hotels and Timeshares are not required to register (nor eligible) with the Office of Short-Term Rentals. These properties may still require a (separate) business registration certificate from the Office of the Treasurer & Tax Collector. Operators may list these specific units using their business account number (BAN) issued by the Tax Collector, in lieu of a short-term rental registration number.
- Timeshare properties include 586-598 Bush Street (even numbers only), 2198 Jackson Street, 1000-1006 Pine Street (even numbers only), 2655 Hyde Street, 3000 Pine Street, 329-333 Fulton Street (odd numbers only), 441 Mason Street, 501 Post Street, 710-730 Powell Street (even numbers only), 690 Market Street, and 900 North Point Street, 726 Sutter Street and 750 Sutter Street.
- If you run into a problem listing these units on a hosting platform, please contact OSTR staff via e-mail and provide the street address, unit number, if applicable, and listing information.

Rules for Live/Work Units or Artist Live-Work Units

- You can host short-term rentals in the residential portion of a live/work unit or "artist live/work unit," if you are a permanent resident of that unit and both live in AND host short-term rental guests exclusively in the "live" area of the unit.
- Short-term rental activity (e.g. sleeping, lounging/resting, or cooking areas) is NOT allowed in the "work" portion of the live/work or artist live/work unit. This is typically noted as such in a Notice of Special Restrictions, or "NSR," recorded on the overall property.

- You may not reside in the "work" area and use the "live" area of the live/work or artist live/work unit for short-term rentals.
- Please note that many NSRs require that the resident of an artist live/work unit use the work space for specific types of arts-related business activities and hold a business registration for that specific activity. Short-term rentals would not be considered qualifying business activity.

What are the laws regarding other types of rentals?

Rentals Longer than 30 Nights: Renter Rights and Rent Control

Rentals for more than 30 consecutive nights (by the same visitors) are not subject to short-term rental regulations or subject to hotel (transient occupancy) taxes. Business personal property taxes may still apply (administered by the San Francisco Assessor-Recorder).

In addition, rental/tenant protections and rent control provisions may apply to stays of 30 days or more. The Office of Short-Term Rentals cannot provide advice on tenant protection or rent control rules and laws. Contact the San Francisco Rent Board for more information.

If rentals are offered for more than 30 nights per guest stay (for those dwelling units not authorized to offer short-term rentals by the Office of Short-Term Rentals), ensure that booking calendars and advertisements for all online listings clearly indicate a 30-day minimum stay.

Renting Your Home for Meetings and Events

Some hosts use online platforms to rent out portions of their home for daytime events such as work space usage by individuals booking short time segments; or for ceremonies, conferences or meetings. This type of activity generally violates Planning Code rules if the space being used is intended for residential use.

Short-Term Rentals in Commercial and Industrial Buildings

Short-term rentals may only be hosted in areas that are permitted for residential use. For example, short-term rentals may not be held in a institutional, commercial or industrial building, unless a specific portion of the building is authorized (per the Department of Building Inspection) as a residential dwelling unit. In addition, vehicles (including RVs and Camper Vans) and temporary structures (such as tents, sheds, tree houses, etc.) may not be used for short-term rentals. Short-term rentals can be hosted in residential portions of live-work units; if the host is a permanent resident. However, the short-term rental activity is not considered a qualifying business activity in those specific live-work units where a notice of special restrictions (NSR), recorded on the property, requires a business activity/registration for the "work" area. Also see: "Ineligible Properties."

What is the basis for the City and County of San Francisco to create regulations for short-term rentals?

The San Francisco Charter references San Francisco's authority as a charter city to make and enforce all local laws and regulations that are not in conflict with general state laws per the California Constitution, Article XI, Section 7.

Platform compliance

San Francisco's Short-Term Rental Ordinance (Administrative Code Chapter 41A) includes certain requirements for hosting platforms offering short-term rental bookings in San Francisco. Specifically, platforms must:

- Verify that any home offered for short-term rental is lawfully registered with OSTR before the platform may provide, or collect a fee for, booking services for that unit. This registration requirement does not apply to units specifically approved by the Department of

Building Inspection (DBI) as timeshare units or tourist hotels ("residential hotels" are subject to different DBI rules that vary by property).

- Submit a monthly affidavit to OSTR affirming that they have exercised reasonable care to verify that hosts utilizing their service are lawfully registered with OSTR.
- Maintain business records for no less than the prior three years for each of their hosts and short-term rental transactions, and provide this information to OSTR upon request.

Please refer to the summary letter and Administrative Guidelines below for further instructions. If platforms fail to comply with these requirements, they may be subject to enforcement action and penalties.

- Summary Letter to Platforms
- Administrative Guidelines for Platforms

Return to Office of Short-Term Rentals

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SIGN UP

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:38 PM
Subject: Council Testimony

Written Testimony

Name	Evan Knight
Phone	
Email	evanknight@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am opposed to imposing more regulation on short term rental owners when there is enough out there to limit illegal rentals. We should focus on enforcing the current limits and regulations as opposed to imposing more restrictions.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:39 PM
Subject: Council Testimony

Written Testimony

Name	Mark Buck
Phone	
Email	mark@hawaiihomelistings.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CDI
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I feel the bill is unfair and unrealistic. 30 day is very realistic and workable. If there had been enforcement of the current rules the problem wouldn't exist. It is very unfair to the current property owners and overcompensating for the Hotel interests.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:45 PM
Subject: Council Testimony

Written Testimony

Name	Gregory Cook
Phone	
Email	captaincook@earthlink.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD-1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Written Testimony to Jan 26, 2022 City Council My name is Gregory Cook and I am addressing the Bill 41 CD1: If you truly want to hear meaningful testimony, please give us more time between meetings. One week was totally unfair for us to have a chance to review the information and communicate with the people involved. Second, CD1 needs a Clear statement that it excludes Condo Hotels so there will be no misunderstanding in the future. Third, I am 72 years old and I invested in a rental Villa in a resort community so I could legally earn retirement income so I could continue to live in Hawaii. Your Bill 41 states that the purpose of the Bill is to solve the problems in the residential community and the residential community should be the focus of Bill 41 CD-1. Your own documentation states that the resort zone exists to service the Hawaiian tourists and that is what it should do. Bill 41 with CD-1 should focus on TVUs in the residential zone where the problem exists. Adding severe limitations and restrictions to the resort zone will have no impact on resolving the problems in the residential zone, but it will cause extreme hardship to the owners of TVUs in the resort zone along with the people who support them including the plumbers, electricians, gardeners, cleaners, restaurants, stores, etc. I strongly recommend you remove the resort TVU's from Bill 41 and CD-1. It's just going too far. Fourth: If you get rid of that little /c3 in P/c3 for transient vacation units under the resort zoning district in Table 21-3 MASTER USE TABLE

ON PAGE 12 OF THE BILL 41 CD-1 and translate the note associated with the superscript 3 following the c into understandable English, Bill 41 CD-1 would be a much better document!
If you have read the Bill 41 CD-1, you would understand why this is important, and if you haven't, you really need to take the time to read it since so many people have their futures severely impacted depending on this bill and that little c3 . The P stands for Permitted and the /C3 stands for "With conditions" (A lot of unnecessary conditions and regulations).

Thank You

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 2:58 PM
Subject: Council Testimony

Written Testimony

Name	Jennifer M Knight
Phone	
Email	jennifer.mie.smith@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 cd 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose the increased restrictions this bill is imposing on property owners who rent their space. A free economy is a more balanced economy. We cannot always legislate in favor of mega corporations.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:06 PM
Subject: Council Testimony

Written Testimony

Name	Andy Montemarano
Phone	
Email	Koohooview@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

January 25, 2022

TO: Councilmember Tommy Waters, Chair
Councilmember Esther Kia'aina, Vice- Chair
Members of the Honolulu City Council

FR: AMERICAN RESORT DEVELOPMENT ASSOCIATION OF HAWAII (ARDA-Hawaii)

RE: Comments on Bill 41 CD1 Relating to Transient Accommodations

Aloha Chair Waters, Vice-Chair Kia'aina and members of the Honolulu City Council,

We are writing to offer, for your consideration, **COMMENTS AND PROPOSED AMENDMENTS** to Bill 41 proposing amendments to Chapter 21 (Land Use Ordinance [LUO]) relating to transient accommodations.

The stated purpose of the proposed measure is to better protect the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals by providing a more comprehensive approach to the regulation of transient accommodations within the City. The City Administration has determined that any economic benefits of opening up our residential areas to tourism are far outweighed by the negative impacts to our neighborhoods and local residents. ARDA-Hawaii understands the Administration's concerns and appreciates the substantial revisions to Bill 41 to reduce the impacts on the hotel and timeshare industry.

In reviewing the CD1, ARDA-Hawaii recommends that the definition of "Transient Vacation Unit" (TVU) be amended. As currently drafted, dwelling and lodging units located in a hotel and timeshare units could unintentionally be incorporated into the definition of TVU which is defined as "[A] dwelling unit or lodging unit that is advertised, solicited, offered, or provided, or a combination of any of the foregoing, for compensation to transient occupants for less than 90 consecutive days, other than a bed and breakfast home." In order to clearly state that dwelling and lodging units in a hotel and timeshare units should not be included, ARDA-Hawaii recommends that the definition be amended to read as follows:

""[A] dwelling unit or lodging unit that is advertised, solicited, offered, or provided, or a combination of any of the foregoing, for compensation to transient occupants for less than 90 consecutive days, other than a bed and breakfast home <u>or timeshare unit</u>. For the purposes of this definition:

(1) Compensation includes but is not limited to monetary payment, services, or labor of transient occupants;

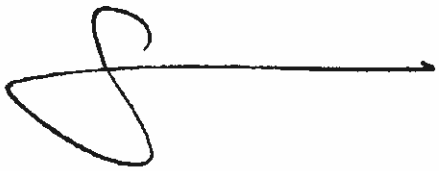
(2) Month-to-month holdover tenancies resulting from the expiration of longterm leases of 90 days or more are excluded; and

(3) Dwelling units or lodging units in a hotel are not included."

The amended definition would clearly distinguish hotels and timeshare units from TVUs and prevent any unintentional consequences created by this measure.

We look forward to working with the members of the Council to create language that preserves our local neighborhoods, protects the rights of unit owners, and clearly regulates transient accommodations. Thank you for your consideration.

Respectfully submitted,



Mitchell Imanaka
Chair
American Resort Development Association of Hawaii

eoue@imanaka-asato.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:09 PM
Subject: Council Testimony

Written Testimony

Name	Huda Montemarano
Phone	
Email	Huda.monte@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41. CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

MARRIOTT
VACATIONS
WORLDWIDE
SM

January 25, 2022

TO: Councilmember Tommy Waters, Chair
Councilmember Esther Kia'aina, Vice- Chair
Members of the Honolulu City Council

FR: Denis Ebrill, Marriott Vacations Worldwide Corporation

RE: Comments on Bill 41 CD1 Relating to Transient Accommodations

Aloha Chair Waters, Vice-Chair Kia'aina and members of the Honolulu City Council,

Thank you for allowing me to submit testimony on behalf of Marriott Vacations Worldwide Corporation ("MVWC") to provide **comments and propose amendments** to Bill 41, which proposes amendments to Chapter 21 (Land Use Ordinance [LUO]) relating to transient accommodations. MVWC is a global leader in the timeshare industry with ten resort properties in Hawaii. Timeshare resorts are an important and stabilizing part of the tourism industry, and resort development provides thousands of construction and hospitality jobs in Hawaii each year.

The City Council has determined that short-term rentals are disruptive to the character and fabric of our residential neighborhoods and have found that any economic benefits of opening-up our residential areas to tourism are far outweighed by the negative impacts to our neighborhoods and local residents. The purpose of the proposed measure is to better protect the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals by providing a more comprehensive approach to the regulation of transient accommodations. MVWC appreciates the substantial revisions made to Bill 41 and would like to provide comments on the newly amended CD1.

As currently drafted, dwelling and lodging units located in a hotel and timeshare units could unintentionally be incorporated into the definition of "Transient Vacation Unit" (TVU) which means "[A] dwelling unit or lodging unit that is advertised, solicited, offered, or provided, or a combination of any of the foregoing, for compensation to transient occupants for less than 90 consecutive days, other than a bed and breakfast home." The definition of TVU should be amended to clearly state that dwelling and lodging units in a hotel and timeshare units should not be included. MVWCrecommends that the definition be amended to read as follows:

""[A] dwelling unit or lodging unit that is advertised, solicited, offered, or provided, or a combination of any of the foregoing, for compensation to transient occupants for less than 90 consecutive days, other than a bed and breakfast home <u>or timeshare unit</u>. For the purposes of this definition:

(1) Compensation includes but is not limited to monetary payment, services, or labor of transient occupants;

(2) Month-to-month holdover tenancies resulting from the expiration of longterm leases of 90 days or more are excluded; and

(3) Dwelling units or lodging units in a hotel are not included."

Such a revision would clarify the intent of the measure and resolve any confusion in identifying a TVU.

Furthermore, MVWC would like to provide comments on certain requirements in Section 21.5.730(b)(3) and (c) for units with Nonconforming Use Certificates ("NUC"). First, Section 21.5.730(b)(3)(B)(ii) requires that all sleeping accommodations for transient occupants must be provided in bedrooms. This provision would be problematic as the language would eliminate the use of sofabeds which have been purchased and installed at many resort properties for the specific purpose of accommodating transient guests and are located in many living rooms of units.

Second, Section 21.5.730(b)(3)(B)(iii) stipulates that the total amount of occupants may not exceed 2x the number of bedrooms in the unit. This provision would also limit occupancy of units containing sofabeds that can accommodate additional transient occupants. Bill 41 could be revised to allow for sofabeds in living rooms as alternative permitted sleeping accommodations and increase maximum occupancy for units with sofabeds accordingly.

Additionally, certain documents required in the informational binder under Section 21.5.730(b)(3)(H) may be more useful to store at the front desk for all transient occupants. Specifically, storing the Certificate of Insurances, GET and TAT licenses and NUCs at the front desk rather than in the binder in each unit would be more efficient. This information would be available to each transient occupant for review upon request by a transient occupant.

Lastly, MVWC would like to highlight a point of clarification in Section 21.5.730(c) regarding the advertising requirements for transient vacation units TVUs. Currently, Section 21.5.730(c)(2) requires that all advertisements must include the NUC and Tax Map Key ("TMK") numbers. Bill 41 defines an "Advertisement" is defined as "any display or transmission of communication that may cause a reasonable person to understand that a dwelling unit or portion thereof is available for rent." This provision could be read to require the NUC and TMK numbers of all units implicated in a generic advertisement be included. This requirement would be cumbersome and unnecessary. Accordingly, inserting clarifying language to specify that NUC and TMK numbers are only required for unit specific advertisement would resolve any confusion.

Based upon the foregoing, MVWC recommends the following amendments to Section 21.5.730(b)(3)(B) and (C):

1. Amend Section 21.5.730(b)(3)(B)(ii) to except the use of sofabeds from the requirement that all sleeping accommodations must be provided in bedrooms;

2. Amend Section 21.5.730(b)(3)(B)(iii) to: 1) increase the total number of adult occupants per unit to greater then 2x the number of bedrooms to accommodate sofabeds; or 2) except units containing sofabeds from this requirement.

3. Amend Section 21.5.730(c)(2)(A) to state that the advertising requirements are only applicable to advertisements specific to one TVU unit.

We sincerely thank you for your time and consideration of MVWC's comments and recommended amendments. We sincerely appreciate all the time and effort the Council has put in to revise the measure.

Aloha,

Denis Ebrill
Senior Vice President
Marriott Vacations Worldwide Corporation

eoue@imanaka-asato.com

AQUA-ASTON

HOSPITALITY

January 25, 2022

TO: Councilmember Tommy Waters, Chair
Councilmember Esther Kia'aina, Vice- Chair
Members of the Honolulu City Council

FR: Aqua-Aston Hospitality

RE: Comments on Bill 41 CD1 Relating to Transient Accommodations

Aloha Chair Waters, Vice-Chair Kia'aina and members of the Honolulu City Council,

We at Aqua-Aston Hospitality, LLC ("Aqua-Aston") are writing to offer **Comments and provide Amendments** to Bill 41, which proposes amendments to Chapter 21 (Land Use Ordinance [LUO]) relating to transient accommodations. Aqua-Aston has engaged in hotel and resort management in the state of Hawaii for over 75 years. On the island on Oahu, Aqua-Aston currently manages 14 hotels and condominium hotels

The City Council has determined that short-term rentals are disruptive to the character and fabric of our residential neighborhoods and has found that any economic benefits of opening-up our residential areas to tourism are far outweighed by the negative impacts to our neighborhoods and local residents. The purpose of the proposed measure is to better protect the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals by providing a more comprehensive approach to the regulation of transient accommodations. Aqua-Aston appreciates the substantial revisions made to Bill 41 and would like to provide comments on the newly amended CD1.

Aqua-Aston has concerns with certain requirements in Section 21.5.730(b)(3) and (c). Section 21.5.730(b)(3)(B)(ii) requires that all sleeping accommodations for transient occupants must be provided in bedrooms. This provision would be problematic as the language eliminates the use of sofa beds, which have been purchased and installed in the living rooms of units by many unit owners for the specific purpose of accommodating transient guests. Further, Section 21.5.730(b)(3)(B)(iii) stipulates that the total number of occupants may not exceed 2x the number of bedrooms in the unit. This provision would also limit the use of sofa beds as a means to accommodate transient occupants in a unit. Bill 41 should be revised to allow for a single sofa bed as a permissible sleeping accommodation in addition to the bedrooms and increase maximum occupancy for units to 2x the number of bedrooms plus a single sofa bed in the unit.

In addition, Section 21.5.730(b)(3)(H) specifies that the informational binder placed in each unit must contain certain documents which Aqua-Aston believes may be more efficient and

Office: 820 Mililani St, Ste. 600, Honolulu, HI 96813 T 808-931-1400
Mailing Address: 6649 Westwood Blvd., Orlando, FL 32821

practical to make available for review upon request either at the front desk or by contacting the owner or the owner's representative. Specifically, the Certificate of Insurance, GET and TAT licenses and NUCs contain personally identifiable information which should not be openly shared by requiring that the same be included in the informational binder. Rather, the informational binder should simply recite that such documents are available for review upon request at the front desk or by contacting the owner or the owner's representative.

Moreover, Aqua-Aston would like to highlight a point of clarification in Section 21.5.730(c) regarding the advertising requirements for transient vacation units ("TVU"). Currently, Section 21.5.730(c)(2) requires that all advertisements must include the Non-Conforming Use Certificate ("NUC") and Tax Map Key ("TMK") numbers. Section 21.5.730(c) defines an "Advertisement" as any display or transmission of communication that may cause a reasonable person to understand that a dwelling unit or portion thereof is available for rent." This provision could be read to require the NUC and TMK numbers of all units in a condominium building to be displayed in a generic brand advertisement which does not specifically advertise a specific unit or portion thereof. For a company such as Aqua-Aston which manages hundreds of units within a condominium building such a requirement would be extremely cumbersome in the advertisement itself, and unnecessary as Aqua-Aston already includes a link on its website to the NUC and TMK numbers of all transient vacation units that it manages. Accordingly, inserting clarifying language to specify that the NUC and TMK numbers are only required for unit specific advertisements would resolve any confusion.

Based upon the foregoing, Aqua-Aston recommends the following amendments to Bill 41:

1. Amend Section 21.5.730(b)(3)(B)(ii) to add that all sleeping accommodations must be provided in bedrooms and a single sofa bed in the unit;
2. Amend Section 21.5.730(b)(3)(B)(iii) to increase the total number of adult occupants per unit to no greater than 2x the number of bedrooms plus a single sofa bed in the unit.
3. Amend Section 21.5.730(c)(2)(A) to state that the advertising requirements are only applicable to advertisements which advertise a specific unit or portion thereof for rent.

We sincerely thank you for your time and consideration of Aqua-Aston's comments and recommended amendments. We sincerely appreciate all the time and effort the Council has put in to revise the measure.

Respectfully submitted,

Denis Ebrill
Aqua Aston Hospitality, LLC, Managing Director

eoue@imanaka-asato.com

Office: 820 Mililani St, Ste. 600, Honolulu, HI 96813 T 808-931-1400
Mailing Address: 6649 Westwood Blvd., Orlando, FL 32821

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:17 PM
Subject: Council Testimony

Written Testimony

Name	Larry Bartley
Phone	
Email	sonhawaii@hawaii.rr.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Organization
Organization	Save O'ahu's Neighborhoods
Written Testimony	Please support Bill 41 CD1 and refer to the Zoning Committee. It is needed to turn back the misuse of residential housing and apartments to RESIDENTIAL use. It will help free up significant residential housing currently MISUSED as vacation rentals. Thousands of companies and millions of workers are working from home now, and it doesn't matter much where HOME is. So why not combine vacation with work and stay in a short-term rental on O'ahu? That's what this company is proposing: https://www.outsite.co/locations/honolulu-wailupe This puts even more pressure on our housing availability. This means that even more Hawai'i people will have to go without housing because they just cannot compete financially with "Workationers" and more will turn into Workation settings.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:21 PM
Subject: Council Testimony

Written Testimony

Name	John Lutey
Phone	
Email	luteyj@msn.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	I oppose the amendment in bill 41 that would allow only 50% of the condos at Kuilima to hold short term rental licenses. This would pit neighbor against neighbor and create a disparity in property values. How would the City access property taxes on two identical condos side by side when one holds a license for short term rentals and the other does not? This is a resort zone and this is where vacation rentals should be confined, not in the surrounding north shore neighborhoods. Thank you for your consideration, John t Lutey, owner unit 98 KEE
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:23 PM
Subject: Council Testimony

Written Testimony

Name	John Lutey
Phone	
Email	luteyj@msn.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	I oppose the amendment in bill 41 that would allow only 50% of the condos at Kuilima to hold short term rental licenses. This would pit neighbor against neighbor and create a disparity in property values. How would the City access property taxes on two identical condos side by side when one holds a license for short term rentals and the other does not? This is a resort zone and this is where vacation rentals should be confined, not in the surrounding north shore neighborhoods. Thank you for your consideration, John t Lutey, owner unit 98 KEE
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:24 PM
Subject: Council Testimony

Written Testimony

Name	John Lutey
Phone	
Email	luteyj@msn.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	I oppose the amendment in bill 41 that would allow only 50% of the condos at Kuilima to hold short term rental licenses. This would pit neighbor against neighbor and create a disparity in property values. How would the City access property taxes on two identical condos side by side when one holds a license for short term rentals and the other does not? This is a resort zone and this is where vacation rentals should be confined, not in the surrounding north shore neighborhoods. Thank you for your consideration, John t Lutey, owner unit 98 KEE
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:32 PM
Subject: Council Testimony

Written Testimony

Name	Roselyn McMahon
Phone	
Email	Junkmail4Fin@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41-CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose this bill. It would unjustly shut down many AirBnB owners or cause people to go "underground" to do their business. Also, at the same time, illegalities any future lottery which could bring in great revenue. Hawaii people go to the mainland and put their money over there buying tickets, why not have it stay here supporting the islands.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha

My name is Jessica Smith and I testified at the city and Council zoning and planning forum yesterday. I also attended the open forum that was held last month. From what I gathered from both forums majority of the people that testified are against this bill. At this past forum I actually counted a total of 43 testifiers that opposed this bill and 10 testifiers that were for this bill which two of the 10 were residents. The other eight were hotel industry advocates. This whole bill was created by the hotel industry and their fight to monopolize the community of hawaii so I don't think that they should have a say in how this is affecting the communities of Oahu. Testifiers were only given one minute to talk which was not enough time for people to express their thought in this new bill. The council members seemed irritated with the testifiers and I felt that they weren't genuinely listening to what the community is trying to say. Council member Elefante cut people off when they were still speaking stated he said to summarize but his mic was off so no one heard him say that. I felt like the council members weren't really interested in what the community had to say and how they were greatly affected by this new bill. Council member Kiaaina told one testified that they should stop living beyond their means. I also brought up the fact that so many testifiers at the hearing were not for the bill at the end of my testimony and they cut me off and said that they got 200 written testimonies which were equally for or against the bill. They didn't let me talk after they said that. I would actually like to see proof of this because from the two public hearings that I attended this was not the case so I don't believe that there are more people for this bill which is also disturbing.

The points that were brought up is that Bill 89 was passed in 2019 and the city did not do its job to enforce this bill. Instead of holding the DPP responsible for not enforcing bill 89 they decided to hurt the community more by making a new bill. Some of the council members even expressed that they don't want to create another new bill after this bill is passed and I think most people are upset that they didn't even give Bill 89 a chance. A lot of people asked to see the data from the start of Bill 89 to now to see how many illegal vacation rentals are running. This question was not answered. Council member Say brought up the issue of the monster homes which is a huge issue in Kailua these homes have 16 bedrooms with different tenants that are transient after he brought up the issue of the monster homes the council was quiet and he said maybe we can talk about this another time and nobody said a word and they moved on to a different subject. I'm sorry but after attending this hearing it was very shocking and disappointing to see how these councilmembers view what's really going on here in Oahu. This new bill is affecting our rights as property owners to do what we want with our homes. I am currently not renting anything but I don't know what my future holds and to me this is scary that if I get older and want to retire I won't be able to do what I want with property that I purchased with my earned after tax money.

Keep the current bill and begin enforcement.

Thank you
Jessica smith

jesnmarley@yahoo.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 3:44 PM
Subject: Council Testimony

Written Testimony

Name	Jacob Ragsdale
Phone	
Email	jacobragsdale86@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Oppose Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	There is no better way to help the community than by putting money directly back into the community, rather a corporation. Short-term rental HOMES are essential for those residing outside the big city of Honolulu. As an individual who assists in managing two rental properties, I have grown to heavily rely on the financial pay I receive by doing so, as has several other people in my area. I wouldn't be able to earn that pay, disabling me from contributing to the local population. Honolulu County takes the side of big corporations and deems them as the sole provider for short-term stays (less than 30-days). You clearly are saying the people of Hawaii do not matter, nearly as much as the money the county would benefit from those corporations moving in.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Carole Manuwa
Phone	
Email	carole.manuwa@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	Aloha, I am in support of Bill 41 to a degree. Starting out - I am a Realtor - and have sold RE in Hawaii for over 25 years. I am also a Mother & a Grandmother - and so I'm writing to you from all my experience and my heart. I personally feel that anyone who bought a property with the intention of illegally renting it out for short-term rental should not be given the right to hurt our local rental market, and the local demand for decent housing at an affordable cost. While I could speak out against this bill so that those who are profiting at the expense of our island homes would be put at ease, I will not do so. My family needs homes. Homes where they and their children can afford to live, while working 1 job, and still have food on their tables. And while many of my co-Realtors may be speaking out against this bill, I know in my heart that I must support this action, and support the children here now and in the future. Thank you and please let's join and keep our residents and kama'aina in front of our vision and how our future lives should be on Oahu.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:00 PM
Subject: Council Testimony

Written Testimony

Name	Erin Neal
Phone	
Email	erin0987@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am writing this testimony today in opposition to the bill regarding TVUs and B&Bs. This testimony is in support of a friends who owns a B&B in the Waikiki special district. She is a stay at home mother who relies on this income to have the flexibility to be there for her son while working towards a future of long term financial stability for her family. I do understand the theories behind the negative impacts of TVUs and B&Bs on the housing market. However, I believe there are other factors that have a greater impact on affordable long term rental availability. Federal interest rates and inflation have a far greater impact on the housing market than TVUs and B&Bs. You can obviously see how interest rates below 1% directly created low housing inventory nation wide. With inflation at about 7% last year, these factors have a much more significant impact on the housing market. I agree that TVUs and B&Bs must be regulated, but the bill's proposals are too strict. As long as owners enforce quiet hours and physically reside in the state of Hawaii, I believe they should be able to rent their property for any duration with an occupancy of 2 people per bedroom of the property. In times where most families rely on two incomes to afford to live in Hawaii, it is gives one parent the opportunity to have a flexible schedule to take care of the home and be there for their children. Thank you for your time in reading this testimony.

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Nathaniel Childres
Phone	
Email	nchildres@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law. 3. The council will never solve the affordable housing crisis in Hawaii by attacking hardworking individual property owners of Oahu. This bill is nothing more than an attempt to reinforce the stranglehold large hotel operators have over the tourist sector in Hawaii, undoubtedly in exchange for generous campaign contributions. If you genuinely want to solve the housing crisis, increase taxes on the hotel sector and build more public housing. Anybody council member that supports this bill should be ashamed of themselves.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

WAIKĪKĪ IMPROVEMENT ASSOCIATION

Testimony of Rick Egged
President, Waikiki Improvement Association
Before the
City Council Committee on Zoning and Planning
Wednesday, January 26, 2022
In consideration, of

Bill 41 (2021) CD1– LUO Amendment Relating to Transient Accommodations

Aloha Chair Waters and Members of the Council:

My Name is Rick Egged, representing the Waikīkī Improvement Association (WIA). The WIA is a membership organization consisting of major stakeholders in Waikīkī including, landowners, hotels, retailers and restaurants, the businesses that serve them and those interested in the future of this important part of our community and economy.

The Waikīkī Improvement Association (WIA) strongly supports the proposed amendments.

WIA favors stronger regulations and enforcement measures in dealing with the illegal transient vacation rentals in our county.

The Proposed Amendments apply stricter limits of where transient vacation units may exist than the ordinance passed in 2019. The amendments also change the definition of a short term rental from 30 days to 90 closing a large loop hole in the existing law.

WIA strongly believes that whether and where to permit such vacation rentals should be a matter of careful City and County of Honolulu-wide planning, that any and all such short-term rentals should be legally conforming, that the operation of such rentals should be fully transparent, and that the City should have full enforcement mechanisms and resources. We are comfortable that the proposed amendments help accomplish that goal.

Thank you for the opportunity to testify.

rick@waikikiimprovement.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:06 PM
Subject: Council Testimony

Written Testimony

Name	Kathleen Madsen
Phone	
Email	Kathleenmadsen70@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 as I have been abiding by Bill 89 lawfully since it's Inception. My husband and I own a condo in the Waikiki neighborhood but it lies within an apt-mixed precinct and is not in a resort zone. It is located just Mauka side of Kuhio. We were once full time residents of Hawaii but had to leave for job relocation due to closing of Hawaii location. We rent our property under the 30 day or more requirement, pay our TAT, GET, state taxes etc. We chose to do STR as it's difficult to find renters who want to pay HOA fees of 950.00 plus rent. It is only one bed room so it limits a family to rent. We tried to sell after Bill 89 passed but no local person wanted to purchase as living in town is not appealing to most locals. Although single family homes have been increasing in value condos in my area, specifically our building, have not and I don't believe that we are contributing to the shortage of housing opportunities. Please consider more revisions to this Bill 41 or enforce the current Bill 89 properly so we can continue to operate legally.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

ROGER LUKAS

3138 Waialae Ave. #427
Tel: +1 (808) 737-8049
Cell: (808) 778-7759

Honolulu, Hawaii 96816 USA

e-mail: rlukas@hawaii.rr.com

January 25, 2022

Zoning and Planning Committee
Honolulu City Council

Re: proposed Bill 41

Aloha Zoning Committee Chair and Members:

I appreciate that the proliferation of so-called B&Bs and TVU tourist accommodations on Oahu requires improved regulation to protect Oahu residents and their communities from growing negative impacts. I also appreciate that improved regulations are needed to ensure that the owners of units pay their General Excise taxes and that their customers pay appropriate transient accommodations taxes to offset the costs of additional services burden on the rest of the residents of the City and County of Honolulu.

However, the proposed Bill 41 does not consider the impact of the Bill on residents of the Gold Coast and surrounding neighborhoods. Traffic and parking are already severe problems at many times and most days of the year, and the Bill would allow the congestion of Waikiki to extend through the Gold Coast. This will further limit access of Oahu residents to Kapiolani Park, Kaimana Beach, Queen's Beach, the tennis courts -- effectively reducing Oahu residents' access to their coastline and the ocean. This will impact swimmers, surfers, paddlers, divers, fishermen, beachgoers, picnickers, soccer players, baseball players, runners, bikers and walkers. The impacts of increased traffic and pressure on parking have not been formally assessed to the best of my knowledge, but should be.

The heavily populated neighborhoods of East Honolulu have very few beaches that can be accessed. Kapiolani Park is a crucial recreational resources for many of these Oahu residents. The proposed Bill 41 will erode the access for Oahu residents to these precious resources in favor of tourists. While tourism is the dominant stream of revenue for Oahu's economy, tourism should not be grown outside of existing resort areas at the expense of Oahu residents and residential neighborhoods.

Sincerely,

Roger Lukas

Roger Lukas

Aloha.

My name is Yoh Kuwano.

The provisions relating to hotels are deleted from the Bill. That was good.

However, I still oppose Bill41, CD1 for the following reasons:

One:

You need to delete the 50% cap for transient vacation units in condo in Waikiki Resort area.

According to the current Bill 41, transient vacation units cannot exceed 50% of total units in a condo. It applies to not only Residential area but applies to Waikiki Resort area, too.

I have no idea how you will choose the transient vacation units in a condo when there are more than 50% owners who want to do short term rental, but what is your plan for the units who cannot do short term rentals because of this 50% cap?

Do you want them to lease the unit in Waikiki Resort as a Long term rental unit? Why do you want to mix residence and visitors in Waikiki Resort? Isn't the purpose of this ordinance to protect neighborhood from illegal vacation rentals?

Or, do you just want to reduce the supply of transient vacation units and send more people to hotels?

Neighbors we need to protect from illegal vacation rentals are in a residential area, not Waikiki resort area.

Please remove the 50% cap from Waikiki Resort area.

Two:

The current Bill 41, CD1 askes owner or property manager to provide occupants of a condo within 250 feet of a transient vacation unit to answer calls for 24 hours.

Do you plan to measure for such places in all Waikiki Resorts?

Are you asking owners to rent an office space in the condo to have someone answer calls for 24 hours?

Again, the purpose of this ordinance is to protect neighborhood from illegal vacation rentals.

Please delete such meaningless requirements. Please focus on protect neighborhood in residential area from illegal vacation rentals.

I'm working for local property management company that manages about 180 legal vacation rental units, mainly in Waikiki.

The current Bill 41 destroys legal vacation rentals in Waikiki. If it passes, my company needs to close its business. Many of my co-workers and I will lose our job. How can we provide for our families? We have been working so hard and paying all taxes. Please represent citizens, not hotel.

Please reject the current proposed Bill 41 and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.

Name Yoh Kuwano

Date 1/26/2022

Signature

yohkuwano@hawaiiproperty.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:20 PM
Subject: Council Testimony

Written Testimony

Name	Richard Emery
Phone	
Email	randrhawaii@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I currently rent a condo in Waikiki for 30+ days and pay my taxes. I've been doing this for a long time. The tenants are not Tourists although I'm sure in downtime they enjoy Hawaii. These are persons with a short term need to be in Hawaii and seek a fully equipped condo that includes electricity, TV, etc. They often do ot know exactly how long they will be here. Examples include: 2 defense workers working on a nuclear submarine engine, a speech therapy with a grant for a nonprofit, a doctor on a grant with UH in sports medicine, a family moving to Hawaii looking for a home to buy, a neighbor island resident needing specialty care at our Oahu hospital, etc. This is simply a different market than tourism. The common thread is they do not know how long they will be here and sign 30-day leases that get extended each month. The average is about 75 days. No one has complained. I suggest you leave the 30-day rule as-is. This is a very small part of the total market.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:22 PM
Subject: Council Testimony

Written Testimony

Name	Terrie Carvalho
Phone	
Email	Sweetease@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD-1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	When you make a decision like this, it is important to take each and every circumstance into consideration. Your judgment should Not be made for all people across the board. Many of us have toughed it out to get what we have with blood sweat and tears. And We have pinched every penny to keep it. It is my hope that my suggestions be heard by each one of you. Residents that live in their home or have a liven manager or long term tenant should be allowed to have a portion of that home as a short term vacation rental. The long term tenant is then afforded less rent and the vacay rents help us to be able to continue to keep our property even with high costs of living. This also allows our children and grandchildren to come home to stay for school breaks or frequent visits, then a place for their family to live when they marry. With long term rentals that door is shut. 2. Absentee landlords (Those not residing in Hawaii) should be the target of this penalty you are trying to impose. Foreign investors do not have the 'Aina We all know the hotel industry has a stronger voice with the council but, please know,

	we the people who struggled to give you an education, a roof over your heads, and food in your mouth are working harder today to do that and need anyway possible to succeed. Remember you are all young but wait till you reach retirement with grandchildren who can't afford to stay in Hawaii. You'll say "Why did I close that door"
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Peter Prose
Phone	
Email	peter.prose@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Naoko Prose
Phone	
Email	naokoprose@gmail.com
Meeting Date	01-22-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	1. I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. 2. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:53 PM
Subject: Council Testimony

Written Testimony

Name	Kendrick Morikawa
Phone	
Email	morikawakenny@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	The current version of Bill 41 CD 1 puts heavy restrictions on tax paying citizens. I understand that there are concerns with illegal vacation rentals. There has to be a better way to regulate illegal vacation rentals but don't punish the legal vacation rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:54 PM
Subject: Council Testimony

Written Testimony

Name	Judy Bishop
Phone	
Email	jbishop@bishopco.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 regulate vacation rentals
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I have submitted testimony mini mini times before on this issue -as a resident of Kailua I feel that the proliferation of vacation rentals is completely out of control and it has completely destroyed my neighborhood /there are strangers everywhere all the time morning noon and night and the traffic is insufferable and dangerous :if there was an emergency we would not live, simply we would not survive. In addition I believe that housing has been lost to permanent residents to a significant degree , and as a professional recruiter, I know that people are leaving Hawaii ,quitting their jobs because of housing ,and when we try to recruit people to move to Hawaii, they will not come because they cannot find adequate housing :they may be able to spend $4000 a month but they still can't find housing, so we're not just talking about affordable housing ,we're talking about adequate housing at every price point ! it's not here ,it's not available to permanent residents! this is destroying our economy /you're losing workforce and you're ruining neighborhoods -no Professional wants to live in a place that doesn't have a home and a residence and a neighborhood if they have any sort of family life whatsoever ,so do something about this now please . Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:57 PM
Subject: Council Testimony

Written Testimony

Name	Todd Stark
Phone	
Email	tstark1@cox.net
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Reject the bill in its entirety. I support reasonable regulations and enforcement on legal 30 day rentals. Enforcement is the issue, which had been ignored since the current law (Ordinance 19-18) was created. Nuisance issues can be addressed with management, not banishment. Instead of marginalizing short-term rental, begin to work with all the stakeholders in developing fair and sensible regulations. This new Bill 41 drastically expands hotel's interests while threatening individual property rights. Bill 41 would also cause unintended economic fallout. In the absence of TVU's, not all renters will necessarily choose to stay at hotels; rather, they might not come to Hawaii. Nor will the elimination of all TVU's likely solve an affordable housing shortage since so many are at luxury prices. It's time to recognize the positive economic impact TVU's have had on Oahu's economy.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:00 PM
Subject: Council Testimony

Written Testimony

Name	Steven D Crumsey
Phone	
Email	crumsey36@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This bill only favors the large hotel chains and is unfair to the individual property owners to have the freedom to do what they want with their property to make extra income with short term rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

PMK
PORTER · McGUIRE · KIAKONA · LLP

January 25, 2022

ONLINE SUBMISSION

Chair Tommy Waters
Members of the Honolulu City Council
530 South King Street, Room 100
Honolulu, Hawaii 96813

Re: Testimony re Bill 41, CD1 – Relating to Transient Accommodations

Dear Chair Waters and Members of the Honolulu City Council:

This testimony is submitted on behalf of the Association of Apartment Owners of Inn on the Park (the "Association" or "Inn on the Park"). Inn on the Park submitted testimony for the January 19, 2022, Zoning and Planning Committee hearing regarding Bill 41. By way of this submission, Inn on the Park would like to supplement its testimony on Bill 41, CD1.

The Waikiki Special District is a central and prime tourist destination. This is even recognized in Revised Ordinance of Honolulu ("ROH"), Section 21-9.80(a), which provides that: "[t]o the world, Waikiki is a recognized symbol of Hawaii; and the allure of Waikiki continues, serving as the anchor for the state's tourist industry. In addition to its function as a major world tourist destination, Waikiki serves as a vital employment center and as a home for thousands of full-time residents." It goes on in relevant part to note that: "Waikiki needs to maintain its place as one of the world's premier resorts in an international market; yet, the sense of place that makes Waikiki unique needs to be retained and enhanced." *ROH, Section 21-9.80(b)*. "Because of the city's commitment to the economic, social and physical well-being of Waikiki, *it is necessary to guide carefully Waikiki's future and protect its unique Hawaiian identity*." *Emphases added; ROH, Section 21-9.80(b).*

Part of Waikiki's appeal is that it is, and has been, an area where hotels, resort-style condominiums (with short term rentals), and residences all coexist to create a major world tourist destination. The current ROH recognizes that a balance needs to be struck in order to maintain Waikiki as a premier resort in the international market, and at the same time retain the sense of place that makes Waikiki unique. Short term rentals are a part of what makes Waikiki such a unique place. By eliminating short term rentals, the very fabric of Waikiki's unique identity would be changed.

As noted in ROH, "it is necessary to guide carefully Waikiki's future." Unlike other neighborhoods on Oahu, where large scale tourist presence was never anticipated, the same cannot be said about Waikiki. In fact, Inn on the Park is located next to and adjacent to the Waikiki Special District/Resort zone on two sides.[1] On the same side of Ala Moana Boulevard on which Inn on the Park is located is a hotel (i.e., the Double Tree by Hilton Hotel Alana – Waikiki Beach).[2] The Double

[1] Inn on the Park is located in the Apartment Mixed Use Subprecinct.

[2] The Double Tree is located in the Waikiki Special District / Resort Mixed Use Precinct.

Porter McGuire Kiakona, LLP
841 Bishop Street, Suite 1500
Honolulu, Hawaii 96813

www.HawaiiLegal.com
Phone: (808) 539-1100
Fax: (808) 539-1189

Tree is only one lot removed from Inn on the Park. On the other side, Inn on the Park is separated from the Resort zone by Ala Moana Boulevard. Right across Ala Moana Boulevard is Fort DeRussy Beach Park, and the lobby for the Hilton Hawaiian Village Waikiki Beach Resort is within four minutes walking distance. No difference can be felt between the Resort and Apartment Precincts of the Waikiki Special District, especially where Inn on the Park is located. Any distinction is on paper only.

Inn on the Park, with two hundred thirty-eight (238) living apartments, was intended to be a resort style condominium project. The Association's Governing Documents allow for hotel-like operations and use of living apartments and the units are hotel-like and small (approximately 244 sq ft or thereabouts). Inn on the Park is also listed on DPP's "Exempt List."[3] Therefore, Inn on the Park should be allowed to continue operating as a condotel, i.e., a condominium project providing, among other things, transient accommodations, such as short-term rentals and/or hotel-like operations.

Bill 41, CD1 is proposing to allow transient vacation units in certain areas in the Gold Coast area of the Diamond Head Special District, areas in close proximity to the Koolina Resort, and areas in close proximity to the Turtle Bay Resort. Similar provisions should also be incorporated into Bill 41, CD1 as it relates to the Apartment Precinct of the Waikiki Special District. It makes no sense to exclude this area. The Apartment Precinct contains many large resort-like condominium projects that contain hundreds of apartments, which have traditionally operated as condotels, offered short term rentals, and in Inn on the Park's case, been recognized by DPP via the Exempt List.

Inn on the Park has been in operation for many years, and its use as a condotel will not increase noise, as the Association is located near several large hotels. In fact, Inn on the Park is virtually next to the Double Tree and a mere 4 minutes walking distance away from the *lobby* of the Hilton Hawaiian Village Waikiki Beach Resort. Inn on the Park has provided an alternate type of accommodation from hotels, thereby promoting family vacations and the aloha spirit that Waikiki is meant to represent. Bill 41, CD1 should be revised to take the unique circumstances of resort style condominium buildings, such as Inn on the Park, into consideration and explicitly allow for the continued operation of condotels in the Apartment Precinct of the Waikiki Special District.

Thank you for your attention to this important matter. Please direct any questions or concerns regarding this matter to the undersigned.

Very truly yours,

PORTER McGUIRE KIAKONA, LLP

/s/ Cheryl A. K. Fraine

Christian P. Porter
Kapono F.H. Kiakona
Cheryl A. K. Fraine

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[3] In or around 1994, DPP created a list exempting certain buildings from the nonconforming use certificate requirements (the "Exempt List"). In doing so, DPP acknowledged that a project-wide exemption could be granted and that nonconforming use certificates were not required to operate transient accommodations, such as short-term rentals, at buildings it granted an exemption to.

cfraine@hawaiilegal.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:12 PM
Subject: Council Testimony

Written Testimony

Name	Kaolu Padeken
Phone	
Email	Emmakaolu@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Vote yes on Bill 41! While I would like STR to be 180 days, the alternative at changing STR from 30 days to 90 days is great! Please vote to pass this important bill for all our residential neighborhoods!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:13 PM
Subject: Council Testimony

Written Testimony

Name	Ray Marquina
Phone	
Email	ray@pro808.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:13 PM
Subject: Council Testimony

Written Testimony

Name	Yoriko Aelvoet
Phone	
Email	yorikoaelvoet@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41, CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

HAWAI'I TOURISM AUTHORITY

Hawai'i Convention Center
1801 Kalākaua Avenue, Honolulu, Hawai'i 96815
kelepona tel 808 973 2255
kelepa'i fax 808 973 2253
kahua pa'a web hawaiitourismauthority.org

David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
John De Fries, President & CEO of the Hawai'i Tourism Authority

before the
HONOLULU CITY COUNCIL
January 26, 2022
Honolulu Hale

In consideration of
BILL 41 (2021) CD1

Aloha Chair Waters, Vice Chair Kia'āina and Council Members,

The Hawai'i Tourism Authority **SUPPORTS** Bill 41 (2021) CD1 which will further enhance the City's ability to enforce unpermitted short-term vacation rentals throughout the City and County of Honolulu. This position is in alignment with our 2025 Strategic Plan, Action A of our O'ahu Destination Management Action Plan (DMAP), and our kuleana to Mālama Ku'u Home (Care For Our Beloved Home). This position also reflects our team's outreach to community and industry stakeholders on all sides of this issue.

The Hawai'i Tourism Authority supports efforts at both the state and county level that address the proliferation of illegal, non-compliant, and potentially unsafe transient vacation rentals. We continue to reaffirm our position that illegal vacation rentals negatively impact the quality of life of our residents by taking potential rental properties off the market, increasing traffic in residential neighborhoods, and by placing additional burdens on infrastructure and facilities.

While the number of visitors has increased over the years, there has been no corresponding increase to the number of traditional accomodations, which include hotel, condo hotel and timeshare units. In 2009, there were 33,374 of these units on O'ahu, and in 2019, there were 35,194 units available, representing a modest increase of 5%. During the same period, O'ahu experienced an increase in visitor arrivals from 4 million to 6.2 million, a 53% increase. These additional visitors likely stayed in non-traditional units, including illegal vacation rentals, located throughout O'ahu's residential neighborhoods.

It is for these reasons that the HTA thanks this body for its work on this bill, which will address the unregulated proliferation of vacation rentals to improve the quality of life of our residents. Mahalo for the opportunity to share our testimony in **SUPPORT** of this measure.

ilihia.gionson@gohta.net

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:17 PM
Subject: Council Testimony

Written Testimony

Name	Maria Stella Leano
Phone	
Email	mstella2550@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

Dear Council and Committee Members,

I'm writing you to ask you to reconsider Bill 41. Please council don't rush your approval just to make it easier to pass something. Give DPP and the city time to come up with a workable proposal, that will still allow us to earn an income and contribute to Oahu's economy. Maybe even allow some of us to sit down at the discussion table to find out reasonable measures that could offer a balance.
Back in April 2020 the Hawaii Tourism Authority engaged Jones Lang LaSalle IP inc, (JLL) Hospitality advisor firm to conduct a study based on the impact of home and vacation rentals in Hawaii. Although the study was conducted prior Covid-19 cases appeared in Hawaii. The study concluded that based on a survey distributed among a list of recent Hawaii visitors, it indicated that 64% of them preferred to stay at a home vacation rental, and only 16% preferred to stay at hotels. What is this telling us? Even before Covid people realized they enjoyed staying in bigger places and more comfortable than a hotel room. After Covid, freed from physical offices, suddenly people could live, work and recreate in the vacation communities with few needs beyond a high-speed internet connection to do jobs that formerly required their presence in major cities.
People are booking longer stays that combine work and leisure, there is more freedom to travel and work remotely without moving completely out of their hometown. Therefore, the need to continue allowing 30-day vacation rentals.
With this bill, the city will lose and estimated of $2.6 billion associated with home and vacation rental spending according to JLL projections. Additionally, the city will risk tourism decline, people would no longer

come to visit Hawaii, they will opt for cities in the Caribbean or other islands where they can stay with their families at a reasonable cost or work remotely in a comfortable environment and not a hotel room.
An estimated of 46,000 jobs that are supported by home vacation rentals businesses will be gone along with the additional revenue in taxes estimated at $347.4 million back in 2018. And with the recent increase of 3% in TAT tax that number could be triple!
Many cities across the nation have tried the same approach, by imposing excessive restrictions on vacation rentals (Similar to Bill 41). However, many of them are now involved in costly legal suits and with laws that are unenforceable, some are now having second thoughts (e.g., Washington DC and parts of Florida). They are coming up with more cooperative agreements and are working with the landlord and agents. Perhaps we could learn from them.
I believe it is about finding balance, there are truly unique places in this island that residents don't wish to leave. The entire resort area in Waikiki and some areas near Turtle Bay should all be considered resort area. No NUC or expensive registration should be imposed. These areas are already paying high property taxes, TAT and GET. Any other expenses will destroy the possibility to continue renting. Allowing short term rentals in these areas will not affect residents and would not interfere at all with affordable housing.
All other areas should be continuing to allow 30-day rentals, month to month. Many locals, families and remote workers benefit from the 30-day rental. This restriction will absolutely infringe on our property rights, and unfortunately massive number of legal suits will follow.
Please reconsider when deciding about Bill 41, keep in mind that short term rentals bring positive economic impact to the city, they provide additional income through income taxes, visitor related amenities such as restaurants, bars and museums etc.

Kind regards,

Maria Stella Leano

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:18 PM
Subject: Council Testimony

Written Testimony

Name	suzan greenleaf
Phone	
Email	suzysleaf@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Vaca rentals are very bad for residents with congestion, noise, and overuse of facilities. Im a Hawaii retired teacher of 28 yrs and have lost affordable rentals! It's tragic.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:25 PM
Subject: Council Testimony

Written Testimony

Name	Stephen A. Cipres
Phone	
Email	stephen.cipres@corcoranpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021). CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41` (2021). CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:37 PM
Subject: Council Testimony

Written Testimony

Name	Richard A Roddy
Phone	
Email	richard@rroddy.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Dear Honorable City Council Members, I strongly oppose Bill 41 with both 180 and 90 minimum rental requirements Most students, temporary reassigned military, remote and contract workers, traveling medical workers and even local residents needing a place to stay temporarily would be restricted and forced to stay at hotels. • The loss in tax revenue, down from 17.962% to about 4% would be monumental! It will be millions of dollars in lost revenue to City, County and State. • As senior Kupunas, living on S/S and supplementing our income with shorter term rental income, this would be an extreme hardship as we could not make our mortgage and monthly upkeep payments if we had to rent on a long-term basis. • We have paid our taxes religiously, hired local people for repairs and cleaning, provided revenue to local vendors and helped people who maybe couldn't afford or didn't want to stay in hotels/Waikiki. • The loss of millions of dollars of tax revenue and spending millions of dollars on a new enforcement agency just doesn't seem to make sense while creating hardship for those of us just trying make ends meet. We are not wealthy, mainland or foreign investors. We are local seniors in our late 70s, taking care of an aging kupuna (dad is 98) and need this short-term rental supplemental income to make ends meet and just get by. I am a Veteran, taxpayer and honorable citizen help taking care of a 98 year old Kupuna who watched the bombing of Pearl Harbor, an army veteran and a retired electrician of 50 years

responsible for much of Honolulu's electrical infrastructure. We are proud of him and honored to be able to serve and take care of him. It will be most difficult if we cannot supplement our S/S income.

This proposal would require us to support other locals' residents at the cost of not supporting ourselves and dad. It seems like this proposal will punish us for trying to take care of ourselves and an elder, so we are not a drain on other taxpayers and society and thus, helping the hotel industry to flourish and reap great financial rewards.

I hope you will vote Bill 41 and its amendments down. Please encourage other Council Members to do the same.

Voting this down will require common sense, integrity and standing up for local seniors like us. There is a better and fairer way to handle this situation instead of a knee-jerk punitive solution by throwing away millions of tax dollars and budgeting millions more on a enforcement agency that won't bring in any revenue and cause more division among people.

I wish you all the best and hope you will consider my comments.
Mahalo for your service to our city and county.
Respectfully
Richard Roddy
1333 Naulu PL
Honolulu, HI 96818
richard@rroddy.com
(520) 241-8497

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:54 PM
Subject: Council Testimony

Written Testimony

Name	Catherine Matthews
Phone	
Email	cathy@callahanrealtyhawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41. The period of 90 days is too long a restriction for short term rentals. There are people that come to our state and need to rent a place as they look to purchase a home for their family, they need temporary housing. Housing is needed as family come home care for a loved one, military families waiting to find a home or waiting for base housing to come available and many more reasons. Hotels are not practical. We need enforcement of Ordinance 19-18 that sets the minimum rental period at 30 days. Please reject this Bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 6:04 PM
Subject: Council Testimony

Written Testimony

Name	Mahealani Perkins
Phone	
Email	Maheap@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	If passed it will hurt so many people & their livelihood NO DO NOT LET THIS HAPPEN.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:42 PM
Subject: Council Testimony

Written Testimony

Name	Chizuko Takegawa
Phone	
Email	tamaokic@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41(2021),CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

Proposed short-term rental ban is not the "solution" we need

By Richard Chong, 584 Kaimalino St., Kailua, HI 96734, (415) 225-7844, submitted Jan. 24, 2022

The Honolulu City Council's Zoning and Planning Committee is considering legislation that would decimate a critical component of our local economy and eliminate jobs across the island. Bill 41 (CD1), a policy to ban short-term rentals for anything less than 90 days, was heard at the Zoning and Planning Committee and will return to the full Council this Wednesday for further discussion. Unfortunately, we suspect the hearings will follow a familiar pattern—councilmembers failed to take community input into account and are moving forward without the due diligence this issue calls for. Done properly, short-term rental regulations can be both effective and beneficial for the island. An outright ban would not solve community concerns; it would, however, harm the Oahu residents that City Council is trying to protect.

I have owned my oceanfront Kailua home since 2006 and have been an active short-term rental owner since 2009. I live in my rental for about a quarter of the year, and my family stays on the property for much of the remaining months. Renting to one tenant per 30-day period has allowed me to afford this home and its significant maintenance costs while giving back to the community. My neighbors are full-time Kailua residents who are fully supportive of my rental efforts and have encouraged me to continue renting to responsible guests, as they recognize the substantial benefits that properly managed vacation rentals offer to the community.

Like most short-term rental owners, I screen my renters to make sure that they are aware of neighborhood concerns. Being respectful of my neighbors is an issue that I take seriously when selecting tenants, since the city's enforcement of noise and parking violations is quite lax.

In my 12 years of renting, I have only experienced a single bad tenant who treated my property as a "party house," and this was a local resident – not a visitor from the mainland. That said, City Council should absolutely develop a sound process for enforcing violations of current regulations which prohibit unruly neighbors, loud parties, and unkempt properties. I want to keep party houses out of my community just as much as my neighbors do.

But if City Council were to adopt an ordinance redefining short-term rental periods as 90 days rather than the current 30-day guidance, it would eliminate any of the benefits that my property provides my family, my neighbors, and the local businesses that service my home. Outside of the tax contributions my vacation rental provides directly to the county each month, it also employs housekeepers, pool cleaners, window washers, gardening crews, pest control, painters, plumbers, and electricians. The positive economic impacts don't stop there, as my guests frequently spend at local shops and restaurants.

The argument has also been made against vacation rentals that they make housing unaffordable to Hawaii residents. There is no evidence showing this to be the case. In fact, unaffordable housing is a problem created by multiple reasons but primarily the inability to build to new housing due to difficult regulations, rising construction costs, and zoning restrictions. Blaming high housing costs on vacation rentals is not an argument supported by any evidence. Eliminating vacation rentals, as Bill 41 will do, will not make Hawaii housing affordable.

Good owners lead to good renters, and good renters bring value to the entire community. But redefining the "short-term" rental period to 90 days would eliminate any possibility that vacation rentals can support to our recovering economy. If City Council focuses its efforts on enforcing violations of irresponsible vacation rental managers instead of banning rentals outright, it would be a win-win for Honolulu.

rchong@alumni.stanford.edu

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:25 PM
Subject: Council Testimony

Written Testimony

Name	Minh Phan
Phone	
Email	minhqphan@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am strongly opposed to any further restrictions on vacation rentals on Oahu. Bill 41 claims to combat "over tourism" but it is actually designed to support the struggling local hotel industries during the COVID-19 pandemic. If over tourism is a problem, the city should introduce a bill to limit the number of available hotel rooms or the number of buildings that can be built to occupy as hotels. The hundreds and thousands of hotel rooms in the resort areas, such as Waikiki, are the root cause for high volume of visitors to the island. With that said, I reject Bill 41 because it negatively impacts local residents who have been legally operating vacation rentals in resort zoned buildings in Waikiki. Vacation rentals should be continued to operate in resort zoned areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:33 PM
Subject: Council Testimony

Written Testimony

Name	John Pyles
Phone	
Email	Kahalalp@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Pls reinstate the definitions of STRs to be rentals of less than 180 days rather than 90. For 5 straight years our population has decreased with people finding it too expensive to live here and cost of housing is the number 1 reason. STRs decrease the inventory of housing driving up prices. They also eliminate stakeholders in our neighborhoods, residents who contribute to and support our community in 100's of ways that transients don't. We need Bill 41 undiluted! Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:43 PM
Subject: Council Testimony

Written Testimony

Name	Shanti Gomes
Phone	
Email	shanti.gomes@locationshawaii.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30-days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:46 PM
Subject: Council Testimony

Written Testimony

Name	Maile Kalahiki
Phone	
Email	maileawapuhi@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Support bill 41 in contrast of high volume of illegal vacation housings. The impact it has on our economy, our environment and the native people of Hawai'i has taken it's heavy burden and now the people of Hawai'i, want to see some solutions to this illegal occupation.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

'ĀINA HAINA COMMUNITY ASSOCIATION

c/o 'Āina Haina Library, 5246 Kalanianaole Highway, Honolulu, HI 96821
ainahainaassoc@gmail.com; www. ainahaina.org

Jeanne Ohta, President • Melia Lane-Kanahele, Vice-President • Art Mori, Treasurer • Kathy Takemoto, Secretary • Directors At Large: Jeff Carlson, Wayson Chow, Marie Riley

January 26, 2022

To: Council Chair Waaters,
Vice Chair Kia'āina and
Members of the City Council

From: Jeanne Y. Ohta, President

RE: Bill 41 (2021), CD1 LUO Amendment Relating to Transient Accommodations

Position: Support with Amendments

The Board of Directors of the 'Āina Haina Community Association (AHCA) write in support of Bill 41 CD1 (2021) and encourages the Council to provide the Department of Planning and Permitting with the enforcement tools necessary to enforce our zoning laws to keep residential communities from becoming over-run by commercial tourist rental businesses.

This bill provides enforcement tools that are needed by the Department of Planning and Permitting to enforce zoning laws. The bill also closes some of the loopholes in Ordinance 19-18 which are exploited by the operators of illegal rental units.

AHCA continues to believe that the City must be able to shut down illegal operators in our neighborhoods. Therefore, we are in **support of the 180-day minimum** rental contract to help with enforcement. Without effective tools, illegal rentals will continue to flourish in residential neighborhoods and continue to degrade our quality of life.

AHCA asks the Council to **remove language in the bill which would allow vacation rentals in the Diamond Head Special District.** We ask that the Council keep as many properties in the residential rental market as possible. Allowing the expansion of rental properties into this area puts more strain on the rental market, increasing the cost of rentals to residents.

Thank you for the opportunity to provide testimony on this very important issue.

jyohta@hawaii.rr.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 8:57 PM
Subject: Council Testimony

Written Testimony

Name	Dawn Bruns
Phone	
Email	dawnbbruns@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We have been renting out a room in our home long-term, MONTH-TO-MONTH, for the past 37 years. We will not be using a 90-day minimum lease with any tenant - ours is a single-family residence where our tenant is sharing our home. We don't believe you'd be able to legally force us to keep a problem tenant inside our home for 90 days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:27 PM
Subject: Council Testimony

Written Testimony

Name	Rosa Correia
Phone	
Email	RCorreia648@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please consider Bill 41 (2021), CD1 as a wrong path for the people in our community who depend on short term rentals for a source of income. Thank you for thinking of the Ohana who knows the importance of survival and pride to earn and live within our means. With much Aloha! The Correia Family
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Honolulu Board of REALTORS®

1136 12th Avenue, Suite 200 • Honolulu, HI 96816-3796 • TEL: 808.732.3000 • FAX: 808.732.8732 • www.hicentral.com

Testimony by Suzanne Young, CEO
Honolulu Board of Realtors®

Honolulu City Council
Wednesday, January 26th, 2022
Honolulu Hale

RE: Bill 41 (2021), CD1 - in opposition with comments

Aloha Chair Waters and Councilmembers:

Thank you for the opportunity to provide testimony on this bill. The Honolulu Board of REALTORS® (HBR) on behalf of our over 7,000 members and its City Affairs Committee **opposes Bill 41 (2021), CD1** in its current form. While we appreciate the time and effort that DPP and the Councilmembers put into crafting this legislation related to short-term rentals, we recommend that this proposed bill be rejected, and the effort be put into enforcing the current Ordinance 19-18.

We firmly believe that all Hawaii residents have a right to access affordable, safe, and sustainable housing options and that these options are in short supply. We are glad to see amendments were made to clarify areas that are allowed to legally operate B&Bs and TVUs such as the Kuilima, Gold Coast, and other areas in the resort mixed use precinct. In addition, we believe in equitable property tax rates and that properties should be taxed based on their assigned property classification. We support adding back that amendment to this measure.

With that being said, we **oppose** amending the definition of Bed & Breakfast Home and Transient Vacation Unit from 30 days to 90 days. **We recommend that the short-term rental definition remain 30 days and the focus be on enforcing units that do not comply with the 30-day minimum rental requirement as per current regulations.** Under Bill 41 (2021), CD1, housing options will be reduced, negatively impacting those who need rentals for less than 90 days. Our member survey in August 2021 indicated that over 50% of our REALTOR® members have clients who have had an occasion to rent property on Oahu for less than 180 days and we know that 90 days will have the same impact. The top reasons for renting included home sellers/buyers renting until they close on new property and those waiting for their home to complete construction or renovations.

Additionally, after undergoing legal analysis of this bill, HBR is concerned with the retrospective laws and vested rights of owners whose properties were purchased prior to Bill 41. The passage of this bill will leave the City open to many lawsuits from owners who purchased or had their properties prior to Bill 41 being enacted. These individuals were able to rent their homes for 30 days or more and with Bill 41, they will no longer be able to do that, which represents a "taking" of their rights.

To allow for easier enforcement for DPP, we recommend that the ability to advertise nightly and weekly rates be removed. We also support registrations as a means to streamline enforcement for DPP. These would eliminate continued illegal activities and assist the DPP in their enforcement. With Ordinance 19-18, which was created after many months of collaboration from key stake holders, city administration, and the community, an agreement was made on a fair approach to manage legal short-term rentals and

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increase enforcement on illegal short-term rentals in Honolulu. However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short-term rentals.

Again, HBR recommends that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current Ordinance 19-18. HBR is committed to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities. We look forward to working with the DPP, City Council, Administration, and the community to continue this dialogue. Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

jenny.nakagawa@hicentral.com

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:32 PM
Subject: Council Testimony

Written Testimony

Name	Dawn Kayano
Phone	
Email	dawnk@cbpacific.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose Bill 41 (2021), CD1. The minimum rental requirement is very reasonable and should remain at 30 days for short-term rentals as Ordinance 19-18 currently allows. DPP enforcement is needed to crack down on illegal short term rental operations. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 9:39 PM
Subject: Council Testimony

Written Testimony

Name	leila alali
Phone	
Email	leilaalli29@gmail.com
Meeting Date	01-24-2022
Council/PH Committee	Council
Agenda Item	short term rental
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I do Surf Lesson's and I am pleased to have clients staying at the short term rentals nearby who hire me to give them Surf Lesson's. I am sure the wind the short term rent were prohibited last year my business suffered tremendously and as long as the residents are occupy the main house I do not opposed to short term rentals. I am local born resident on the North Shore
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, I **recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Izumi Takagi

Date 01/26/2022

Signature Izumi Takagi

murata1397@takagi.co.jp

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:25 PM
Subject: Council Testimony

Written Testimony

Name	Monique Hwang
Phone	
Email	moniquehwang@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021). CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short-term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short-term rental operators. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:33 PM
Subject: Council Testimony

Written Testimony

Name	Gabe Corpuz
Phone	
Email	gst8@protonmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD 1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 CD 1. Bed and Breakfast Homes and Transient Vacation Units should be treated the same as Hotels. All businesses, large to small, provide jobs and income for many people on Oahu. By implementing this the City Council is choosing Big Business as the only ones allowed to earn from the lodging side of our abundant tourist economy. If the City Council wants to add more regulation and fees for individual Bed and Breakfast Homes and Transient Vacation Unit owners, then the Hotels should have to follow the very same regulations for every single hotel room. This bill will eliminate income and wealth for many working class people that live in Hawaii.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 3:11 AM
Subject: Council Testimony

Written Testimony

Name	Alan Priest
Phone	
Email	apriest1@aol.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Over regulation, overly punitive, is just as bad as no regulation
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 3:14 AM
Subject: Council Testimony

Written Testimony

Name	Jan Brown
Phone	
Email	janbrown.714@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Overly punitive , requiring no substantiation, not good
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 3:53 AM
Subject: Council Testimony

Written Testimony

Name	Raquel Dicenzo
Phone	
Email	dicenzos@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	BILL 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I understand the need to regulate and collect taxes from short-term rentals, but I think bill 41 is not for the benefit of Oahu residents. In previous hearings, I heard things like noise tourists, illegal housing, shopping at Costco, destroying neighborhoods...These are not legitimate reasons to impose more taxes and restrictions on residents working, paying their taxes, and avoiding losing their homes. I would like to see the enforcement of Bill 89 before we start creating new rules. Our neighborhoods are not safe, not because of the tourists, but because of thieves and criminals that live among us. We have break-ins, stolen property, and drug dealers EVERY DAY in our neighborhood. Nothing is being done to imprison them. The police don't even show up to arrest them. We see thousands of people living on our streets, bus stops, parks, beaches, in plan sites, and nothing is being done to control, penalize their illegal housing, or find resources to help them. Last month I read a post on social media that the "Hotel Association" requested a unique URGENT audience with the mayor to discuss the increase of taxes. In this meeting, there was no public input. You tell us this is not about the Hotels and their business, but we overwhelmingly negatively respond to Bill 41. Still, if it passes, it will be proof that big corporations have more influence in our government than their voters.
Testimony Attachment	
Accept Terms and Agreement	1

Damian Ameen
92-104 Waialii Pl
O-223
Kapolei HI 96707
609-510-0990
Dameen5086@aol.com

My name is Damian Ameen, a former full-time resident of Hawaii and currently one of 247 owners at the Beach Villas located in the Ko Olina Resort District. Beach Villas are wholly located in a Resort District that by Ordinance is to serve the visitor industry and thus has no negative impact on any residential zone or district. The Beach Villas condominium declarations permit long term residential, hotel and transient uses under a single project located in the Resort District of Ko Olina. These multiple uses greatly appealed to those that used their hard earn money to purchase in the Beach Villas. I and many other owners would be able to provide legal short-term rentals to offset the high cost of owning in Hawaii and in the long term eventually use the condominium for my primary residence once I retire.

The Beach Villas project were specifically designed through their governing documents to complement and work seamlessly with the past and current Land Use Ordinances. While complying with all legal uses, creating no negative impact on residential districts, no impact on local housing availability, owners at the Beach Villas are finding their legal and proper uses being removed, unnecessarily conditioned, subject to additional unnecessary fees, restrictions of uses that will substantially and negatively impact one of their most valuable and prized assets. As an owner and future full-time resident at the Beach Villas at Ko Olina, I strongly oppose Bill 41 (2021) for the following reasons.

1. There is no need for Bill 41 (2021) as it is unnecessary and ignores a previously written, vetted, litigated and approved Ordinance 19-18, specifically designed to address substantially the same issues raised in Bill 41 (2021)
2. Bill 41 (2021) diminishes and ignores the hard work on Ordinance 19-18 in which many communities throughout Oahu worked diligently with the Council.
3. There has been no significant attempt to enforce, monitor and report the effectiveness of Ordinance 19-18 prior to the introduction of Bill 41 (2021). The city council and DPP needs to provide the time to allow the already vetted and litigated Ordinance 19-18 to take effect and be appropriately enforced before dismissing it and the positive results which could be achieved without creating such distress on the community.
4. Bill 41 (2021) adversely and unnecessarily impacts projects located in a Resort District.
5. Bill 41 (2021) Blankets All TVU's and B&Bs with the same restrictions, conditions, fees irrespective of their location in a Resort District or Residential District and even though TVUs in Resort Districts have NO impact on Residential Neighborhoods.
6. Bill 41 (2021) will reduce the values of TVU's in Resort Districts and therefore the development of such properties in a Resort District being contrary to the stated objectives of Bill 41 and reduces availability of alternative tourist/visitor accommodations with in Resort Districts.
7. It was represented that Bill 41 was amended to remove applicability to Resort Districts and Hotels, while reference to hotels were recommended to be removed in CD-1, certain

provisions of the bill continue to directly apply to Transient Vacation Units/B&Bs within Resort Districts. Including:

a. Requirement to register along with subsequent annual renewals with additional fees on units that are already paying the best and highest use property taxes along with GET and TAT.
b. Extensive insurance provisions
c. Excessive occupancy restrictions based only on Bedrooms. Larger units like many residences have sleeper sofas in living areas, especially in a Resort District.
d. Bill 41 (2021) limited ownership to individuals and ignores that many individual owners form collective entities in order to be able to afford the incredibly high property costs encouraging investment in Hawaii and visitor accommodations. DPP recommendation to eliminate this in CD-1 should be accepted if Bill 41 continues.
e. Bill 41 (2021) limited the number of TVU's an individual can own unfairly limiting the property rights and free market to own multiple properties in a Resort District. DPP recommendation to eliminate this in CD-1 should be accepted if Bill 41 continues.
f. Bill 41 (2021) unfairly penalizes owners by forcing them to pay the same rate as the general public to stay in a property THEY OWN! DPP recommendation to eliminate this in CD-1 should be accepted if Bill 41 continues.
g. Bill 41 (2021) potentially prohibits owners from living in a unit designated as a hotel or TVU even though they own it. DPP recommendation to eliminate this in CD-1 should be accepted if Bill 41 continues.
h. Although references to Hotel and Condominium Hotels was recommended to be removed through CD-1 it is unclear if a Condominium of where Hotel Use is permitted would be classified as TVU and subject to all the restrictions and requirements.

Bill 41 continues to need substantial revisions beyond CD-1 proposed by committee. Ordinance 19-18 (Bill 89) was recently passed in 2019 after substantial public comment, input and litigation to address the same issues being raised under Bill 41. The provisions of Ordinance 19-18 need to be implemented first, before wholesale changes are made to the existing and recently passed ordinance.

For these reasons and many more, I ask that the City Council 1) oppose and reject Bill 41; 2) allow Ordinance 19-18 to proceed as passed; and 3) seek other long-term solutions that can be better and fairly implemented.

Thank you,
Damian Ameen
Damian Ameen

From: CLK Council Info
Sent: Wednesday, January 26, 2022 6:05 AM
Subject: Council Testimony

Written Testimony

Name	Laura byrd
Phone	
Email	lauracase82@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

I am writing to express my sadness and outrage that elected public officials are considering enacting laws that will have devastating financial impact on the very constituents they promised to serve.
No one is fooled by the attempt to disguise the fact that the giant corporate hotel lobby is trying to stop Hawaiian residents from using their properties for personal income whle saying it is for the betterment of the residents. The hotels want the proposed longer required stay periods for private residences because they know most people cannot visit the islands for the longer periods and therefore, they will receive the huge financial windfall when visitors are forced to stay at hotels if this proposed legislation is enacted. Simultaneously, the resident owners will be the ones who suffer the most!
Many of our friends lease out all of part of properties they own as their main means of personal income. These proposed changes to the current laws will inflict immediate and irreparable financial damage to them and force them to sell properties that have been in many of their families for generations.
Why should the large hotel corporations that are based on the mainland reap all the financial gains from tourism, while native Hawaiian private property owners suffer catastrophic financial loss?
Surely, cooler heads will prevail, and the council will ensure the financial stability of residents over out of state corporations who destroy the essence of the Hawaiian islands with all the concrete behemoths that they construct all over the most beautiful areas of thee sacred lands.
Please protect the residents of Hawaii you serve and who count on

	you to insure their individual property right and their family's welfare is protected.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 7:37 AM
Subject: Council Testimony

Written Testimony

Name	Rose Wilson
Phone	
Email	lmloke407@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Why are you allowing the planning dept and the Mayor to ramrod this bill thru. If nothing else you can find more points to compromise. You are not listening to the opposition at all. What about the homeowners and condo owners who have rented there units and paid all the taxes and followed the rules. They are many which you chose to ignore. Go after the those who ignore the rules. Keep the 30 day minimum. Mahalo
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 4:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kyle Duncan
Phone	
Email	kd9975@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We own a condo at Kuilima Estates East, Kahuku. It's zoned as resort allowing for STR's and Bill 41 will basically eliminate our ability to have short term renters. We bought specifically in this area because of its resort location, and changing the rules after the fact will create a significant financial impact on our ability to continue to afford this property, by significantly reducing the property value and income we need for us to continue to live part time on the NS, which we love. I understand the desire of the City/County to reign in STR in neighborhoods and non-resort locations, but Bill 41 reach's too far and will basically elimination any STR's on Ohau, which provide a needed and desired alternative to very expensive hotels. Already legislated Resort locations should be removed from Bill 41. It does more harm to the local residents / employees than benefit being proposed. Sincerely, Kyle Duncan
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Roberta Duncan
Phone	
Email	duncar3@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	In response to the bill 41, we own a property at Kuilima East Estates at Turtle Bay and truly love our place. We are able to stay for periods of time and share this amazing piece of Hawaii with our family and guests. It is perfect for families and helps others to afford a holiday. It would be such a loss for families and individuals who cannot afford the prices that hotels charge. It enables people to stay for a week or two or more in a home like setting and allows them to be able to cook meals, especially if there are unique circumstances for dietary needs, laundry and other needs. These last two years has been such a difficult time for everyone. It was invaluable for many to stay with their children while working and having online school. We bought this property because we loved the location close to Turtle Bay resort. It is important to have different options and will go along way in hospitality for many who would love to visit. Please consider the benefits that out way Bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 5:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Ana Slater
Phone	
Email	anafslater@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name YUMIKO OYASATO, NAOHIKO OYASATO.

Date 01/26/22, 01/26/22.

Signature Yumiko Oyasato, Naohiko Oyasato.

PRINCE
WAIKIKI

Aloha members of the Honolulu City Council,

My name is Josh Hargrove and I'm the General Manager of the Prince Waikiki Hotel and the Hawaii Prince Golf Club. I will be testifying today in support of Bill 41 – Relating to Transient Accommodations.

I strongly support this bill and the overall efforts to mitigate the damaging effects of transient accommodations on our residential neighborhoods, on our travel industry, and on our island as a whole.

While the overall count of hotel rooms has remained nearly flat over the past several years, we have seen an exponential increase in transient accommodations during this same time. This has caused visitor arrivals to rise drastically, created a negative impact for our residential neighborhoods, and created a negative perception of our visitors and our visitor industry which are so essential to our local economy.

Establishing effective methods to manage transient accommodations on Oahu will have positive repercussions into the future as we funnel our visitors into hotel accommodations that provide jobs for local residents, create tax revenues for our local government, and provide tremendous economic benefits to the many businesses and workers that rely on the travel industry.

Bill 41 is a positive step in this direction. Thank you for allowing me the opportunity to testify.

Mahalo,

Josh Hargrove
General Manager
Prince Waikiki Hotel & Hawaii Prince Golf Club

100 HOLOMOANA STREET | HONOLULU, HAWAI'I 96815 *tel* 808.956.1111 *fax* 808.946.0811 PRINCEWAIKIKI.COM

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	erica levin
Phone	
Email	erica@sfsweetsf.com
Meeting Date	01-27-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

Dear city council member,

My husband, kids and I rented a home this summer in the Lanikai neighborhood through Private Homes Hawaii for 2 months. We would not have come to Oahu and stayed for 2 months had it not been for the private home that we were able to rent. We would not have stayed in a hotel or in Honolulu for 2 months. We wanted to be safe from Covid and in a quiet community so that we could see how it feels to live in Kailua as we have long considered a move there.

Our intention was to get a sense of the area and community, begin to build community and get a sense of the various schools and meet people in person to discuss all aspects of a move. For 2 months we got to know some really nice people from very diverse walks of life and we began to build community and became friends with neighbors and so did our kids. Through going to the farmer's market each week we came to know a local, multi-generational farmer and began visiting his farm and hope to build something with him in the future. We shopped at the local stores and ordered out from the local restaurants. None of this would have happened had we not been able to rent a home long term through a trusted local agency.

From what we observed at the beach and on the loop each day, there seemed to be many other families, some multi-generational, visiting and enjoying the area in a grounded and respectful manner. Our kids went to a local summer camp with some of the kids of these families and had fun together and are still in touch. We did notice a good amount of inflow and outflow to the Lanikai and Kailua beaches and at times felt uncomfortable with the endless instagramers, drones and posing people. But, after all, the beach belongs to all of us so we did our best to laugh it off and even began a daily trash pickup walk. Most of what we found were micro plastics but we did do our part to tidy up after the day visitors.

Because of our positive experience, we ended up purchasing a home and are planning to

build a life for the future and are contributing to the local economy and will for years to come.

We hope that the city council will choose to come to a more equitable solution to the perceived problems at hand. We are not well versed on the hotel lobby and the money involved in trying to undermine the private home rental agencies. We are also not aware of the complex layers of why the Lanikai community can be so interested in perpetuating their exclusivity by looking to exclude the renters. Ultimately we believe that the best case is always to find solutions for both sides and that new comers must be welcomed and positively engaged. For us, the many retirees and families that we met all seemed to genuinely engage in the local scene in a positive way and supported the local economy.

We wonder how Kailua town will continue to have viable businesses minus the longer term renters and tourists overall. From what we saw over the months we were there as visitors and since, it does not seem economically realistic that 30 day rentals could be ended as then possibly the entire local commerce may collapse as day visitors likely don't come to visit the bakery, crystal shops, sign up for classes, visit the book store, purchase a meaningful gift at the jewelry store, frequent the restaurants etc. They probably go straight to the gorgeous beaches with a quick stop at a market for food. Maybe they rent a kayak and grab a shave ice. And, if the folks come over for the day, the actually don't engage in a positive way more than simply taking a peek and heading back to the city. There is no deeper connection. While we lived on Mokulua we met one family that rents a house each summer for many years and helped direct up to the local spots they had enjoyed. This is special, this is engagement and care.

Another factor to give great weight to, if the owners of the homes that offer 30 day or more rentals are unable to rent them out, what happens then? Many appear to be inherited properties with owners who live far away. How do those folks maintain homes and pay for them? Do they sell their grandparents or parents home because they cannot afford to keep it empty? And, if all these people sell the homes, who is the buying pool and do the "locals" want those folks as neighbors? There seems to be a frenzy to purchase at the moment and we have been told many of the new folks are also not intending to occupy the homes as they are third, fourth or even fifth residences of the super affluent. One house, under construction, sits eerily still as the reportedly the owners cannot get money out of their country to continue the work. Is this what makes more sense than well vetted short terms renters most of whom are families? Ghost houses on the loop don't seem welcoming to us. And, what of all the web of rental agents, grounds keepers, gardeners, house keepers etc. who work for the established short term rental agencies? Are those people all going to find other well paying and satisfying work easily on an island that has deep roots as a tourist economy?

We hope that you seek to support the private home rentals in offering homes for 30 day, or more, to well qualified, vetted and honorable people. We hope you choose to use your resources to focus on enforcement rather than exclusion. We welcome the renters and know we will find friends amongst them who will grow to care deeply for the area, conservation and ocean life just like we do.

Thank you for your time and consideration.

Erica Levin

Testimony
Attachment

From: CLK Council Info
Sent: Tuesday, January 25, 2022 7:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Belmer Negrillo
Phone	
Email	remleb@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I have three main points against the bill: 1. We shouldn't solve a problem of enforcement by making the threshold for illegality larger. To address the eventual illegal abuse of the current rental laws we need proper tracking of use and fee payments, not artificially creating a condition that will promote more abuse due to its excessive requirement. As an analogy, we wouldn't solve the problem of drunk drivers by closing all the bars at 6pm. 2. Not all the renters are "bad" renters. Instead of creating a blanket statement and blocking the good renters to return and spend money in the island, we should understand which rental conditions would increase the likelihood of blocking undesirable renters to come to residential neighborhoods. For example: only families, or max 6 people, or signing a community rules commitment with a fine for infringement. 3. Tourists that are staying for circa 30 days in a community are much more likely to be respectful to the local nature and neighbors than people driving to the location for the day. Promoting tourism with local emotional attachment is a better practice for sustainable tourism than focusing on resort scale and concentrated hubs.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18.**

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Naoko Sato

Date 01-26-2022

Signature Naoko Sato

From: CLK Council Info
Sent: Tuesday, January 25, 2022 10:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sun Wong
Phone	
Email	sunrosam@gmail.com
Meeting Date	01-25-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha City Council Members, I have two young toddlers. After having my first son, my husband & I decided to make a huge investment to find a house in the suburbs to provide a good environment to raise our children and we ended up finding our home in Hawaii Kai. What we didn't realize was that our old neighbor was using her home for illegal rental that we used to have strangers go in and out a few times a month. Not all visitors were not respectful which made me not feel so safe for our children to play outside. we would not have minded those who are long term rentals where they get to know the neighbors, respect the community and our aina, but illegal short-term visitors which is not allowed in our AOAO made us not feel safe at our own home and community. Please support Bill 41 for our family and so that we feel a bit more confident raising our children in these uncertain global pandemic.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 25, 2022 11:05 PM
Subject: Zoning and Planning Testimony
Attachments: 20220125230509_Tsuyoshi_Sugiura__20220126_0001.pdf

Written Testimony

Name	TSUYOSHI SUGIURA
Phone	
Email	tsu-sugi@sky.bbexcite.jp
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	ハワイを楽しみに来られる方の、宿泊先選びの選択種を狭める事は反対です。 既に宿泊したいユーザーが、宿泊数規制に従いハワイに行けない状況もあります。 日本では、一般の方々は1週間程度休暇しか取得できず、気に入った宿泊先も選べない事より、観光客が絞られれば観光収入にも影響するのは明白です。 今後のハワイ観光業の発展のためにも、宿泊選択間口を狭めない様にお願いします。 日本の方々は、今でもハワイを好み観光先になっていますが、今回の影響は徐々に日本人離れに繋がる事を懸念します。
Testimony Attachment	20220125230509_Tsuyoshi_Sugiura__20220126_0001.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

TSUYOSHI SUGIURA

杉浦 剛

From: CLK Council Info
Sent: Wednesday, January 26, 2022 12:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Richard Kelly
Phone	
Email	aloharichard1@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	CR-8 Bill 41 (2021), CD1
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	Why are resort zoned vacation rentals a subject at all? The whole premise to classify vacation rentals as illegal sprung from the whole "changing neighborhoods", driving up prices limiting available long term rentals complaints. So fine. Regulate, make rules whatever for those neighborhoods...but vacation rentals in a resort zone? How have they changed the resort zone neighborhood. THAT IS THE NEIGHBORHOOD! Further restrictions to resort zoned vacation rentals is nothing more than collusion with the hotel lobby. This is price fixing by restricting competition (driving owners out of business) and is antitrust enforceable. This will result in lawsuits and a waste of taxpayers money. Why not leave the resort zone alone and be able to collect more TAT and GET? Does anyone have a brain?
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Councilmembers:

Thank you for considering my testimony in opposition of the proposed Bill 41 CD1.

I recommend **this bill and amendments be rejected**, and **all efforts be put into enforcing the current Ordinance 19-18**.

Waikiki Apartment and Resort Zones have not been discussed by councilmembers or fairly addressed in this Bill. **Waikiki is a unique and successful tourist destination and should be separate from residential neighborhood restrictions.** Passing Bill 41 CD 1 would not solve affordable housing in Resort zones or Apartment zones of Waikiki, or the enforcement of Illegal STR's. The only rationale is the monopoly of the Hotel and Tourism market and destroy legal property management competition. The majority of all testimony, in opposition to this bill agrees that enforcement of Illegal STR's needs to happen. This is why the rules we already worked so hard to come to, along with the MOU signed by the County must be enforced with the current Ordinance 19-18.

I strongly oppose Bill 41, and CD1 Amendments for the following reasons:

1. The 50% cap was applied to only A-1 and A-2 District in the original draft of Bill 41, however, the Zoning and Planning Committee's proposed draft of Bill 41, CD1 made this amendment and now the 50% cap restriction is also applied to condos in the Resort area.

   With this change, only up to 50% of owners can run short term rentals in the Resort area in Waikiki! **What warrants this amendment, except to benefit the Hotels?** Please delete the 50% cap restriction.

2. The amended definition of "Bed and breakfast home" and "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.
   Currently in place with Ordinance 19-18 the Apartment Precinct in Waikiki allows 30-day minimum rentals and are legally permitted. 30-day TVU's are helping many people who need rentals for less than 90-days. Those people include traveling nurses, Military PCS while looking for a home to buy, Film and TV crews while on a shoot or Government contract workers. Those people come for one or two months, rarely do they require a 90 day or more stay. The only alternative is high priced Resort Hotels. Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops, that depend on tourists. Healthy successful tourism needs a variety of accommodations that provide options to visitors.

3. The current Bill 41, CD1 has changed zoning from "P" [primary] to "PC" [primary with conditions] for short term rentals in the Resort zone. **What warrants this amendment, except to benefit the Hotels?**

4. **This Bill continues to establish hotels as a privileged class, which is unacceptable and will be challenged to the full extent possible on takings of property rights. Any restrictions or registration requirements proposed on STRs must be equally applied to hotels.** So, if the county charges $1000 to register a unit, then EACH hotel room must also be charged $1000 to register. Similarly, it doesn't make any sense to set

the 50% cap only for condos in Resort zone. If condos are limited to 50%, so should hotel rooms.

5. **Ordinance 19-18 was created after many months of collaboration from key stake holders, city administration, and the community; and an agreement was made on a fair approach to manage legal short-term rentals and increase enforcement on illegal short-term rentals in Honolulu.** However, the administrative rules to empower DPP to implement the Ordinance were never finalized and put into effect, thus we believe the administration should focus on implementing Ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short term rentals.

I fully support enforcement actions against illegal Short-Term Rental operators.

Again, **I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18.** HBR, vacation rentals platforms like Airbnb or Expedia, legal short term management companies and property owners are ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.

Thank you for your consideration, and the opportunity to provide additional comments on this critical measure.

Name Katsuhiko Tabata .

Date 01-26-2022 .

Signature Katsuhiko Tabata .

From: CLK Council Info
Sent: Wednesday, January 26, 2022 5:28 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Richard L Catalan
Phone	
Email	richcatalan@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days. If the definition does change, the council needs to protect my current legal use through the bill, otherwise I plan on participating in all efforts to challenge the county in the court of law.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 8:02 AM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Paula Gancia
Phone	
Email	Poligancia@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	~~Housing and the Economy~~ ZP
Agenda Item	Vacation rental Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha, I am resident of Waialua I am a home owner and I follow the rules I pay taxes I rent our ohana unit 30 days or more and it is hard enough. I oppose to Bill 41. This will hurt the community. Thank you for your consideration. Mahalo, Paula Gancia
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 8:18 AM
Subject: Council Testimony

Written Testimony

Name	Larry McElheny
Phone	
Email	lkmcelheny@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 8:26 AM
Subject: Council Testimony

Written Testimony

Name	Jhiana Gomes
Phone	
Email	Jhiana.Gomes.hi@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 in stopping short term vacation rentals. It is harming Native Hawaiians and local communities.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 8:41 AM
Subject: Council Testimony

Written Testimony

Name	Paul Wang
Phone	
Email	cwang@wangins.com
Meeting Date	01-24-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am writing in opposition to the proposed Bill 41 CD1. As a responsible owner of legal short term rental (STRs) in a condo-hotel (the Ilikai), we also oppose illegal STRs but find no basis - other than acting to support special hotel interests - to further restrict STRs when Honolulu already has some of the strictest laws in the country. Moreover, Waikiki is a successful and unique tourist destination and should be treated separately from residential neighborhood restrictions. If prohibited from engaging in STRs, our unit would largely sit empty other than the few weeks we are able to enjoy it ourselves and have no impact on affordable housing. In fact, it would further hinder the post-pandemic recovery of small businesses, many of whom rely on visitor spending. Again, I recommend that the City Council reject this current proposed bill and urge the DPP and City Administration to focus on enforcing the current ordinance 19-18. I am ready to be a part of the solution and promote a model that creates opportunities for local families and investors, while preserving and protecting our limited resources of accessible housing and livable communities.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:14 AM
Subject: Council Testimony

Written Testimony

Name	Tonya Bernhardt
Phone	
Email	tpbernhardt@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021), CD1. The minimum rental requirement should remain at 30 days for short term rentals, as Ordinance 19-18 currently allows. The focus should be on actual enforcement by DPP against illegal short term rental operations. Please reject this proposed bill.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:32 AM
Subject: Council Testimony

Written Testimony

Name	Laurie Ihara
Phone	
Email	LAURIE@COCONUTANDSHORELINEHOTELS.COM
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha, I support this Bill 41 CD1. It is important that Short term rentals are restricted and abide by tax and other key rules of hospitality accommodations. Short term rentals impact our urban and country neighborhoods, have visitors who do not all respect our land, and also restrict housing and rental availability as well as raises prices for our locals. Mahalo for your consideration.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:34 AM
Subject: Council Testimony

Written Testimony

Name	Dan Carpenter
Phone	
Email	dic9944@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	This bill does not come close to addressing the issues it is purported to and does real harm to individual home owners who need some supplemental income. I am a retired homebuilder and I want to rent my house when I go on vacation. This is not a full time commercial operation. This bill is st up to support the hotel managers and a few dog in the manger groups. We shouldn't have to pay major fees just to do a few rentals. Require 4 affordable rentals for each full time vacation rental if you want more affordable housing. Or even make the hotels pay their employees enough to afford a $1400/ month apartment that comes out to $26.25 per hour. This bill just punishes us who live here.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:09 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sasha Capone
Phone	
Email	sasha@elitepacific.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 CD1 (2021). I represent many property owners, housekeepers, service repairmen, caretakers, handymen and many many more that would all be greatly affected should this bill pass. I urge you to keep the legal definition at 30 days for the sake of those many individuals whose lives would be greatly changed by your ruling.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 24, 2022 3:57 PM
Subject: Executive Management Testimony

Written Testimony

Name	Ishige Midori
Phone	
Email	kazulovemido@i.softbank.jp
Meeting Date	01-25-2022
Council/PH Committee	Executive Management
Agenda Item	2022コンドミニアム３カ月以上滞在の件
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	人々が３カ月以上滞在出来るのは限られて人間です、大勢がハワイに泊まりたいが、コンドミニアムに泊まる事が出来なくなる、宿泊の手段が狭められ、他の国にバカンスに行く様に成り、観光客が少なくなる。 絶対に反対。
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

Waikiki RESORT HOTEL

Testimony of

Glenn Vergara
VP & General Manager
Waikiki Resort Hotel

IN SUPORT OF Bill 41 (2021), CD1
County of Honolulu

Dear Chair Waters and members of the Honolulu City Council, thank you for the opportunity to submit testimony on behalf of Waikiki Resort Hotel, 275 room full-service property that employs 125 employs.

We SUPPORT Bill 41 (2021), CD1

We support this bill because it serves address the negative impacts that the proliferation of short-term rental units has on local neighborhoods. These include: (1) Decreased inventory of affordable rental units for local families with many of these units being bought and operated by out-of-state owners; (2) Increased rental prices that have effectively priced many Honolulu residents out of the market; (3) Artificially increased the supply of transient accommodations that has led to greater numbers of travelers coming to our county, fueling conversations about responsible travel and overtourism; (4) Reduction in work opportunity for our hospitality workers; (5) Increased strain on roadways and utilities like our sewer and water treatment systems; and (6) Increased traffic, noise, and congestion within local, multi-generational communities.

Once again, thank you for allowing me to submit testimony in support of Bill 41 (2021), CD1.

Sincerely,

Glenn P. Vergara
VP & General Manager

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:50 AM
Subject: Council Testimony

Written Testimony

Name	Laura Isola
Phone	
Email	Laisola2@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Aloha! I strongly oppose the new proposed registration ($1,000) and renewal ($2,000) fix fee in Bill 41 CD1 for transient accommodations especially absurd for the transient accommodations in resort zones already paying a fix high hotel property tax ($3,000/y!!) since this extra fix fee in resort zones has absolutely nothing to do with the purpose of this Bill namely protecting residential neighborhoods!!! This new added fix fee it's unrelated unreasonable unrealistic and out of touch with our current revenue numbers and would damage small transient vacation small businesses with no fix income already struggling since 2 years with the uncertainty of the ongoing pandemic with fewer bookings mostly last minute with still high fix expenses and still high fix property taxes and great anxiety. This added fee on top of TA GE new OTAT and high hotel property taxes is beyond oppressive and would take out of business many struggling transient accommodations which would in turn deprive the State of the current TA taxes and high hotel property tax category desired and needed revenues! The city council sworn duty is the wellbeing of the community making laws to help people not destroying them with unreasonable fees in the midst of a 2 years ongoing pandemic! Shame on dpp for proposing such unreasonable and totally unrelated fee to the purpose of Bill 41! Vote NO! I also oppose the proposed increase from the current 30 days to 90 days minimum for STR. Even if this restriction doesn't affect me directly I stand in support of our community in Hawaii and the many visitors that need 30 days rentals and can't afford hotels for such long period of time so both our community and visitors would be horrendously damaged by this restriction. The damage Bill 41 would do to our communities is much bigger than any complaints from residential neighborhoods! There is already a law protecting residential neighborhoods so the focus should be enforcing the current law and stop now and forever the very controversial Bill 41. Your duty is to serve the wellbeing of the community therefore

you must listen to the overwhelming opposition to this Bill 41 by the community and stop this Bill 41 now.
Vote NO.

Thanks for your attention and prompt understanding.

Mahalo!

Laura Isola
Owner and property manager of transient vacation rentals in condotel in resort zone

Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:49 AM
Subject: Council Testimony

Written Testimony

Name	Lex Rogers
Phone	
Email	rogersatstillwater@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I impose anymore restrictions esp since you have not been able to enforce bill 89 back 2019.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:47 AM
Subject: Council Testimony

Written Testimony

Name	Amanda Theislband
Phone	
Email	ATMLuckyGirl@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 9:45 AM
Subject: Council Testimony

Written Testimony

Name	Steve Jones
Phone	
Email	Jonesateatery@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	My of my employees who are service workers and I have several location on Oahu. Does not make sense to not have a monthly rental term because I now they will be impacted. Steve
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

January 26, 2022

Members of the Honolulu City Council
Honolulu Hale
580 South King Street
Honolulu, Hawai'i 96813

Re: Opposition to Bill 41

Chairman Waters, Vice-Chair Kia'āina, and Members of the Honolulu City Council,

On behalf of Expedia Group, I'd like to thank you for your continued engagement on the important discussion around vacation rental regulations.

For 25 years, Expedia Group's mission has been to power responsible travel for everyone, everywhere through our family of brands including Expedia.com, Hotels.com, and vacation rental leader Vrbo, among others. A critical part of that effort has been our longstanding commitment to nurturing a holistic approach to public policy, one that fosters a healthy tourism marketplace and benefits the communities we serve.

Expedia Group strongly opposes Bill 41. We opposed Bill 41 not just because there is already a structure in place to achieve the stated goals of the proposal before you, but because Bill 41, if passed, will have a dangerous and real impact on local homeowners and small businesses. In turn, the Bill 41 ban will have a ripple effect into the lives of hundreds of local landscapers, housecleaners, rental managers, restaurants, shops, and other businesses already reeling from COVID-19.

Following months of community dialogue, Ordinance 19-18, which was enacted by the Council in 2020 but never implemented by the Department of Planning and Permitting (DPP), established a regulatory framework for short-term rentals (STRs). Rather than debate radical changes that threaten economic recovery, we urge the County to implement this existing law.

Doing so will not only bring regulatory stability to the County's STR community but will also trigger the enforcement provisions of the Memorandum of Understanding between the County and Expedia Group. This voluntary agreement assists with enforcement of the underlying law by requiring Expedia Group to include TMK and TAT numbers on all listings, provide monthly reports of our listings to DPP, and to remove properties from our platform when DPP identifies them as ineligible for short-term rental. This MOU, alongside a similar agreement signed by Airbnb, is critical to the County's effort to eliminate illegal vacation rentals.

While we stand ready to work with the Council and DPP to strengthen the framework established in Ordinance 19-18, the sweeping policy changes in Bill 41 are the wrong direction for Honolulu County. Our specific concerns include:

Ban on "Intermediate" Rentals
Nearly every jurisdiction in the world that regulates lodging—including Honolulu under existing law—recognizes 30 nights as the threshold between transient accommodation and long-term tenancy. Bill 89 acknowledges this global standard and limits visitor stays in unpermitted rentals to 30 nights or more. Bill 41, as introduced, would have raised this threshold to 180 nights. While we appreciate that the CD1 version amends this restriction to 90 nights, the consequence remains: this restriction bans "intermediate-term" stays of between one and three months—effectively closing the door on the local vacation rental industry.

Short and intermediate-term rentals are a necessity for travelers, in particular non-tourist visitors such as refugees, military servicemembers and families, medical professionals, educators and students, and many others. Moreover, intermediate-term rentals are critical to Honolulu residents who may be unable to stay in their home due to natural disasters such as floods, or landslides.

Previous drafts of Bill 41 have attempted to exempt specific groups of travelers from the intermediate-term ban based on their occupation or traveling purpose. This is unenforcible and needlessly burdensome on travelers, homeowners, and compliance officials. Honolulu County should remain consistent with global standards and maintain the 30-night threshold in existing law for all travelers.

Protecting Legacy Operators
Honolulu's STR community, the vast majority of which is made up of individual owners and small businesses, has endured years of uncertainty through the debate and passage of Bill 89, a global pandemic that devastated the travel and tourism economy, and the introduction of new restrictions in Bill 41 before existing law was even implemented. Throughout this period of instability, STR hosts have played a vital role in welcoming travelers to Honolulu, fueling the local economy and generating critical TAT revenue. This role is only magnified as traveling families increasingly look to vacation rentals as an affordable, safe lodging option as the travel economy recovers. STR operators who can demonstrate a history of responsible contribution to the local economy—such as consistent tax records and an absence of noise or nuisance issues—should be protected and allowed to continue to operate.

Several fundamental questions have remained unanswered and be should be considered in the Council's deliberations:

1. What were the specific reasons DPP could not implement Bill 89, and how will Bill 41 be any different?

2. As more and more families look to vacation rentals as safe travel recovers, has the County estimated the negative impact of Bill 41 to its new local TAT?

3. Thirty nights is a global standard for defining transient occupancy. Is it the intent of the County to ban educators, healthcare workers, or military families from staying in a rental home for two months?

Finally, we would like to take a moment to set the record straight on our steadfast commitment to this process. Expedia Group has been proud to work with the County, our hosts, and the community throughout the Bill 89 and Bill 41 process. Our proactive offer of assistance in enforcing Ordinance 19-18 is a testament to that commitment. Any assertion that we've walked away from the table is false.

Mahalo for the opportunity to provide this comment. On behalf of Expedia Group, I respectfully urge you to reject this proposal and move forward with implementation of existing law and we stand ready to assist and advise efforts to strengthen the framework passed by Council in Ordinance 19-18.

Ann Simons
Government Affairs Manager, Hawaii
Expedia Group

From: CLK Council Info
Sent: Wednesday, January 26, 2022 10:29 AM
Subject: Council Testimony

Written Testimony

Name	Lisa Remba
Phone	
Email	Lisa.remba@cbrealty.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD Short Term Rental
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	To whom it may concern, I fully support enforcement actions against illegal Short-Term Rental operators. However, there is no need to change the definition from 30 days to 180 days. We just need to properly enforce the 30 day rule. As a licensed real estate professional, I frequently encounter people on Oahu who need rentals of less than 180 days. These uses include: * Women who are fleeing domestic violence * Emergency housing in cases of flooding/fire/hurricane * Families from out of State that are taking care of loved ones. * College kids looking for short term housing. * People moving to Oahu and looking to buy a home * Families who are waiting for their new home to complete construction * Government contract workers * Traveling nurses * Military PCS while looking for a home to buy * Home Sellers who need to rent until they find a new property * Film and TV crews I strongly oppose including all rentals 30 days or greater as Short-Term Rentals and doing so will harm many local property owners as well as the Tenants that stay in their homes. Mahalo, Lisa Remba (RA) Coldwell Banker Realty

From: CLK Council Info
Sent: Wednesday, January 26, 2022 10:50 AM
Subject: Council Testimony

Written Testimony

Name	Jessika Lawrence
Phone	
Email	Jessika.lawrence@me.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I've listened in on the last hearing and feel compelled to share new ideas for the council to consider. The passing of this bill will have detrimental unintended consequences to Hawaii's economy. 1. The bill makes month to month leases illegal, which the majority of students, recent graduates and service industry professionals like bar tenders, waiters, GM use have used for decades in order to share larger housing with each other in the islands, making the cost of living here achievable and businesses that they are employed with profitable at their wage level. Housemate situations are not always copectic and require quick turn over. Hawaii has had this informal style of co-living for decades and this law would make that illegal. You are also missing the essential service that MTM leases provide to the military service members and employees leaving or arriving to Oahu. Often these people want a place for 30 days but not more than 60 days because they want to find their permanent housing or they are waiting for their household goods to be shipped on or off island. This also includes traveling nurses, many of which have been here for Covid support. 2. For decades Hawaii has sought to diversify its economy and the pandemic has surprisingly offered us this opportunity. Economist evaluate the health of a state by looking at its Economic Gross Multiplier - essentially the amount of money coming into the state from outside the state. Allowing professionals to "work remotely for a month" in Hawaii brings "outside" money "into" Hawaii in multiple ways: 1st the rent, 2nd their spending while here and 3rd Income State Tax on those wages; which tend to be very high. You want higher paying jobs in order to have higher tax revenue to address budget deficits, this is your golden opportunity to solve that problem without offering tax incentives to attract new employers and having little to. I burden on services like schools. Hawaii needs to enforce its already existing Tax code. More compliance would pay for itself.

3. Finally, Oahu has only been able to have 6.2M visitors because of the increased capacity provided by these 30 day rentals and filling this new trend in tourism of living/working/playing. Waikiki does not have the hotel capacity to accommodate all 6.2M visitor and many people, like working remotely professionals who want to be here for a month, do not want to stay in Waikiki, especially if they bring dogs, which many of them do. It will take years for private industry to develop new hotels because getting permits takes at least 3 years and often more, and Waikiki also has limitations on its utility, specifically sewer, capacity, making it prohibitive to build new hotels. There are already a few projects that have been shelved and had false starts for decades like the Princess Kaiulani, the old King's Village, the old Nike Town, the old Kyo-ya restaurant. Until those break ground, don't limit our supply and force us into a stalled recovery or worse a recession.

4. My fellow residents have valid concerns which can be adequately addressed with enforcement and completion of the C&C's lottery system that was supposed to be in effect already. I would rather see Hawaii's economy flourish so that we don't have to bear the tax burden that will inevitably follow as a result of diminished tax revenue from a severely reduced visitor arrival, which frankly none of us, including businesses and the hotels, can afford to bear. We need the income in order to pay for our collective expenses, like restoring the pay scale of our teachers who have still not recovered from furlough Fridays more than a decade ago and continue to pay severely under paid because of lack of tax income. Please refocus on enforcing existing tax collection instead of changing laws.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 11:47 AM
Subject: Council Testimony
Attachments: 20220126114717_2022.01.26-_Bill_41_CD1_Testimony_Charles_Carroll.docx

Written Testimony

Name	Charles Carroll
Phone	
Email	cclandc@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41, CD1
Your position on the matter	Oppose
Representing	Organization
Organization	Ilikai Board of Directors
Written Testimony	
Testimony Attachment	20220126114717_2022.01.26-_Bill_41_CD1_Testimony_Charles_Carroll.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha Chair Waters and Council members:

Allow me to introduce myself. I am Charles Carroll, the President of the Ilikai Board of Directors. As you probably know, the Ilikai has over 1,000 privately owned condos, most of which are rented out to visiting guests (approximately 95%). This morning I would like to share my thoughts with you regarding Bill 41, CD1.

While all of us on the Board support your efforts to protect and enhance Oahu's neighborhoods, we do not believe that we are contributing to the problems you are concerned with. The Ilikai is not within a residential neighborhood. We are in the Resort Precinct of the Waikiki Special District, which is zoned for hotel and resort use. TVR usage has always been permitted and our owners who rent their units pay taxes based on hotel rates.

The Ilikai already has strong mechanisms in place to address your concerns. We have a large 24-hour security presence. We have House Rules in place prohibiting smoking on the property, limiting all noise to no more than 70 decibels during the day and to less than 70 decibels after 9:00 pm. We have smoke detectors in every unit and an extensive sprinkler system throughout the building. Our condos are rented by licensed property managers or hotel chains such as Aqua, all who file the required paperwork and pay the required taxes. We have over 800 parking stalls that are managed by Elite Parking. We impose fines for any and all violations. Last month alone these fines totaled over $4,000. We evict guests that seriously violate our rules or safely requirements.

It isn't clear to me how DPP could feasibly inspect every unit in our property. Such an inspection would require one of our Security guards to accompany the inspector since only they have keys to the units. How would the inspectors inspect units where guests are present? It would take days to inspect all the units at the Ilikai.

Also, the Ilikai provides live entertainment on our extensive courtyard twice a week. We have the wonderful hula show every Friday and mixed entertainment every Sunday. During the entertainment, visitors hearing the music from the beach will come into the courtyard to enjoy it. As a result, we always have more than 9 registered guests on our property. We are proud to provide this amenity (at a cost of $70,000/year) to anyone visiting Hawaii. It would be unfortunate to be unable to continue this tradition due to the restriction in Bill 41, CD1.

Given the rules we already have in place and our consistent enforcement of these rules, I see our situation as being very different and distinct from a large home on the North Shore adversely impacting the surrounding neighbors with noise and parking issues.

For these reasons, we oppose Bill 41, CD1 as it is currently written and hope you will consider our position.

Sincerely,
Charles Carroll

From: CLK Council Info
Sent: Wednesday, January 26, 2022 12:07 PM
Subject: Council Testimony
Attachments: 20220126120702_Bill_41_Written_Testimony_for_1.26.2022_Hearing_-_Waikiki_Shore_AOAO.docx

Written Testimony

Name	Robert Warren
Phone	
Email	robert.warren@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Organization
Organization	Waikiki Shore AOAO
Written Testimony	
Testimony Attachment	20220126120702_Bill_41_Written_Testimony_for_1.26.2022_Hearing_-_Waikiki_Shore_AOAO.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Dear Chair Waters and Councilmembers:

My name is Robert Warren, president of the Waikiki Shore AOAO Board. On behalf of Waikiki Owners, I strongly oppose Bill 41, CD1 (2021) for many reasons, some of which are noted below.

The stated purpose of Bill 41, CD1 is better protection of the City's residential neighborhoods from the negative impacts of short-term rentals. In 2019, the City Council, after many discussions with various community members, passed Ordinance 19-18 (Bill 89). The provisions of Ordinance 19-18 have not had time to be thoroughly implemented or worked through. I, and many others, agree that enforcement is needed against illegal short-term rentals and that the disruptions to residential neighborhoods caused by short-term rentals should be regulated.

However, the scope of Bill 41, CD1 imposes regulations on legal short-term rentals that are not within residential neighborhoods. Our building is located in the Resort Mixed Use Precinct of the Waikiki Special District, which is zoned for hotel and resort use, and in which transient vacation rentals have always been permitted.

In addition, the new restrictions imposed by Bill 41, CD1 on legal short-term rentals do not further Bill 41, CD1's stated purpose and do not make sense when applied to all legal short-term rentals. Many Waikiki condos, including our own, already have House Rules in effect that address the same issues that the restrictions contained in Sec. 21-5.730(b) seek to address: e.g., smoke detector and other fire safety measures and requirements, including inspections thereof, clear parking rules for residents and guests, trash collection and disposal rules and information, established quiet hours, etc. Moreover, our condo has an established, robust, and effective enforcement mechanism for enforcing our House Rules, including a day-time on site building manager and night time security officers, and a fine system for violations.

Other restrictions and standards, such as the occupancy limits in Sec. 21-5.730(b)(3)(B) are not appropriate for areas such as Waikiki, where many of the buildings, whether they are condos, hotels, or time-shares, are comprised of studio and 1-bedroom apartments.

We believe that DPP's intention to inspect and enforce these restrictions are not only duplicative to that of an associations' enforcement of its House Rules, but are also unviable, given the number of short-term rental units it must inspect on an annual basis. Enforcement resources directed to these restrictions detract from meaningful enforcement of the actual issues behind Bill 89 and Bill 41, CD1 -- curbing illegal short-term rentals and regulating the behavior of short-term renters that are disruptive to the island's residential neighborhoods.

In short, we ask that the Council consider these points when assessing whether the current components of Bill 41, CD1 further the stated purpose of the bill. We believe that forcing the proposed regulations in Bill 41, CD1 without proper consideration will create further dissension and mistrust in the community.

For these reasons and many more, I ask that the City Council strongly oppose Bill 41, CD1 and instead focus on implementing and enforcing Bill 89. In the meantime, the Council and the Community can work together to seek other long-term solutions that can be applied in a fair and appropriate manner.

Thank you for this opportunity to testify.

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jeff Hooper
Phone	
Email	hoopjeff@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 to further restrict vacation rentals on the island of Oahu because the in ordinate number of vacation rentals is ruining neighborhoods ,eliminating housing ,forcing people to leave the island ,damaging our economy and our quality of life.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:14 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name	deb merwick
Phone	
Email	dmerwick@bishopco.net
Meeting Date	01-26-2022
Council/PH Committee	Housing and the Economy
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support this bill and tighter restrictions on vacation rentals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:33 PM
Subject: Council Testimony

Written Testimony

Name	Janet Edwards
Phone	
Email	edg33333@icloud.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support this bill and tighter restrictions on vacation rentals,
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:27 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Taylor Gray
Phone	
Email	taylorwg@hawaii.edu
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Short term vacation rentals have no place in residential neighborhoods!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Blanca Beaumont
Phone	
Email	blancabb@bellsouth.net
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jorge Gorriti
Phone	
Email	jorgegorriti@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) CD1
Your position on the matter	Oppose
Representing	Organization
Organization	B&B Capital Management
Written Testimony	I rent my property legally once per 30 day period and oppose any bill that restricts my ability to continue to do so. I urge the council to address my legal use in Bill 41 CD1 by not changing the definition of a short term rental to 90 days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Adrien Javier Jacob
Phone	
Email	adrienjacob@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Zoning and Planning
Agenda Item	HB41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 1:45 PM
Subject: Council Testimony

Written Testimony

Name	Dennis Shak
Phone	
Email	d1shak@yahoo.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Objections to Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I grew up in Hawai'i, graduated from the Kamehameha Schools, and own a condominium in the Ko'Olina Resort District. The passive income that I receive from short-term rentals is much appreciated as I am now retired. I am opposed to Bill 41 because is makes no sense for it to apply to resort districts. What is the purpose of a resort district if short term rentals are not allowed? The resort district essentially becomes a place for hotels as that would be the only property use with an attractive return-on-investment. Resort districts would become a hotel monopoly which only benefits hotel owners and investors. Instead of Bill 41, please enforce the original Bill passed in 2019. We don't need Bill 41 when we already have the laws in place to deal with the problems of short-term rentals in residential areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 2:12 PM
Subject: Council Testimony

Written Testimony

Name	Pauline Mac Neil Mac Neil
Phone	
Email	dearpauline@hotmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please stop the vacation rental Industry from exploiting residential neighborhoods for profit. They were never "legal", they were "non-conforming" to the intent and values of residential zoning. Their 1980's "foot-in-the-door" led to the social cannibalization of local rentals and home ownership. Put them back where they belong - in Resort areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 3:45 PM
Subject: Council Testimony

Written Testimony

Name	Ricshara Knight
Phone	
Email	ricsharaknight@hawaiilife.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41 (2021), CD1
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose Bill 41 (2021). The minimum rental requirement should remain at 30 days for short-term rentals as the Ordinance 19-18 currently allows.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 4:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Susan Yamane-Carpenter
Phone	
Email	syamanecarpenter@gmail.com
Meeting Date	01-27-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Dear Chair Waters and Vice Chair Kia'aina, My name is Susan Yamane-Carpenter. I am opposed to Bill 41 because of how it affects me personally. My husband and I own two properties in Wai'anae. One is a Section 8 long-term rental, the other is our principal residence, which is across from the beach. During the summer we travel to the mainland for several months to visit my husband's family. Homes that are unoccupied on our street are targets for beach squatters. We consider it a necessary security practice to keep our home occupied during our absence and have made arrangements for the past several years to rent our home to former Hawaii residents. Bill 41 now makes that illegal since the shortest long-term rental will be six months. We have always declared our rental income for General Excise tax purposes. Pass this bill, if you must, with an exclusion for owner-occupants. Thank you for your time. Sincerely, Susan Yamane-Carpenter 86-012 Pokai Bay St, Wai'anae
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 5:55 PM
Subject: Council Testimony

Written Testimony

Name	Kathleen Ann Bianco
Phone	
Email	kathleen.ceegull@gmail.com
Meeting Date	01-26-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	I did a short term rental at a wonderful establishment in Honolulu...I did not have to go to a Hotel that was so expensive....the short-term rental was clean and well kept and only consisted 7 units. Perhaps there should be a cut off of How large the Short-Term establishments need to be.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67