

Bill 41 (2021), CD1
Testimony

From: CLK Council Info
Sent: Wednesday, January 26, 2022 8:56 PM
Subject: Council Testimony

Written Testimony

Name Aleta Klein
Phone
Email aleta2135@gmail.com
Meeting Date 01-26-2022
Council/PH Committee Council
Agenda Item 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Stop this destructive bill. Ask the hotel industry to stop putting their interests above the people of Hawaii. The 90 days will be costly to many interim people and permanent residents. The ordinance , will be unenforceable and will only create more tension in our community. Many people need short term residential help. Change is not guaranteed to be good. The proposed change to 90 days will make it very hard on residents. Please consider your constituents and not your own self interest. We need your support to oppose a mistake in the making.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 26, 2022 10:50 PM
Subject: Council Testimony

Written Testimony

Name	Azure Ng
Phone	
Email	azurecyng@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	Self
Written Testimony	I oppose Bill 41(2021), CD1. The min rental requirement should remain at 30 days for short term. Homeowner has right!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, January 27, 2022 10:00 AM
Subject: Council Testimony

Written Testimony

Name Katsuyoshi Takahashi
Phone
Email tkatsukichi@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 Self

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: Thursday, January 27, 2022 2:44 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Jean Howard
Phone
Email jeanshoward@gmail.com
Meeting Date 02-08-2022
Council/PH Committee Housing and the Economy
Agenda Item Short Term rentals
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose the Short Term rental bill 41. The 90 day minimum rental is absolutely concerning to our economy. This will dramatically affect the military families, contract workers, corporate relocation moves, and mainland/international tourists. I have been in real estate for 20+ years and worked with corporate and government relocation companies for a long time. Families move to Hawaii and need a home to rent for a short period of time in order to purchase a home. Many relocation companies offer a substantial benefit when they relocate their employees who purchase a home. Many of them hold high positions and do not want to rent. Same goes for military families. Many landlords do not want to rent shorter than a one year term. This will cause a major housing shortage for those who want to rent. Hotels are not an option - they are too small, no kitchen, no yard. Do you think families can afford a high cost for hotels for 30-60 days? This will affect short term rental landlords to keep their places vacant or simply sell it to another individual who will use it as a second home for themselves. How will this help the economy? It won't. We will have low visitor turnout which means less spending for our economy and small businesses. How does a short term rental compare with long term rental tenants? Long term rental tenants take up more parking space versus short term rental tenants.

Testimony Attachment

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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 HIROKI MATSUDA
Date 1/26/2022
Signature Hiroki Matsuda

From: CLK Council Info
Sent: Friday, January 28, 2022 2:47 PM
Subject: Council Testimony

Written Testimony

Name	Jixiong Zhu
Phone	
Email	zproperties168@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

From: CLK Council Info
Sent: Sunday, January 30, 2022 1:18 PM
Subject: Council Testimony

Written Testimony

Name Jack Domingue
Phone
Email Beachvillasb903@gmail.com
Meeting Date 01-26-2022
Council/PH Committee Council
Agenda Item January 26 2022 Bill 41
Your position on the matter Oppose
Representing Self
Organization

My name is Jack Domoingue and i have a property at the Beach Villas in KoOlina. I STRONGLY oppose bill 41 for hte following Reasons:

1) Bill 1918 was passed several years ago and has not been given a chance to work. It was because of this bill and the respect for its intent that we purchased a unit at the Beach Villas in KoOlina, a legal resort zone property that allowed for short term rentals.

2) The bill as it stands is unfair to owners of properties int eh resport zone, who pay higher hotel taxes, and paid higher prices becuase the property could yield rental income,and not burden residential neighborhoods. The bill would limit occupancy or force us to be a part of a hotel chain, something that is not advantageous.

Written
Testimony

3) I come to Hawaii once a month for my business that i have there. Having a unit at the beach villas at KoOlina allows me to stay in my home when i am there, and rent it when i am not. I am not taking away or renting in residential neighborhood driving prices up. 180 or even 30 day rental will not work for me as i have to be able to use my unit once a month.

3) we employ local busiensses to assist us with the rental, cleaning and greeting as do many other owners. This will effectively put a lot of people out of work.

Please consider allowing bill 19-18 to do its job before forcing further restrictions on resort zone properties, who i dont believe are in areas that this bill is meant to address.

From: CLK Council Info
Sent: Sunday, January 30, 2022 8:24 PM
Subject: Council Testimony

Written Testimony

Name Lisa Lo
Phone
Email lisa_lo@comcast.net
Meeting Date 01-30-2022
Council/PH Council
Committee
Agenda Item Bill 41-CD1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

My husband and I are owners with Beach Villas at KoOlina for 16 years and we STRONGLY OPPOSE BILL 41-CD1 for the following reasons.

1. This is our retirement home and need the short-term rental income to offset the high monthly costs of HOA (\$2800+), taxes and maintenance.
2. If bill is enacted, we will be forced to sell our home because the lower income from minimum stay will not support the maintenance cost.
3. If we are forced to sell, who would buy this unit given the high cost of maintenance and knowing full well they can't offset the monthly costs? It will NOT help affordable housing

Testimony
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IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 30, 2022 8:29 PM
Subject: Council Testimony

Written Testimony

Name Michael Lo
Phone
Email michael_lo@comcast.net
Meeting Date 01-30-2022
Council/PH Committee Council
Agenda Item BILL 41-CD1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

My wife and I are owners with Beach Villas at KoOlina for 16 years and we STRONGLY OPPOSE BILL 41-CD1 for the following reasons.

1. This is our retirement home and need the short-term rental income to offset the high monthly costs of HOA (\$2800+), taxes and maintenance.
2. If bill is enacted, we will be forced to sell our home because the lower income from minimum stay will not support the maintenance cost.
3. If we are forced to sell, who would buy this unit given the high cost of maintenance and knowing full well they can't offset the monthly costs? It will help affordable housing

Testimony Attachment
Accept Terms and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, January 30, 2022 9:03 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cynthia Fullmer
Phone
Email cfullmer888@gmail.com
Meeting Date 01-20-2022
Council/PH Committee Zoning and Planning
Agenda Item Short Term Rental
Your position on the matter Oppose
Representing Self
Organization
Written Testimony I oppose the short term rental bill
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 31, 2022 6:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name J. Nielsen
Phone
Email yato14k@yahoo.com
Meeting Date 02-02-2022
Council/PH Committee Zoning and Planning
Agenda Item PROPOSED CD1 TO BILL 41 (2021)
Your position on the matter Oppose
Representing Self
Organization

Request that the City Council due their due diligence to protect legal vacation operations and not punish them. Focus of enforcement of the laws against the illegal vacation rentals.

Submission of written testimony
Date: Jan 31, 2022
By: J. Nielsen
Email: yato14k@yahoo.com

Reference: PROPOSED CD1 TO BILL 41 (2021)

PART I. BRIEF SUMMARY BY SUBJECT MATTER

Written
Testimony

8. Nonconforming Use Certificates ("NUCs"). Amends ROH Section 21-4.110-1 (NUCs for TVUs) and Section 21-4.110-2 (NUCs for B&Bs) to require B&Bs and TVUs with NUCs to comply with the restrictions and standards in ROH Section 21-5.730(b)(3). Increases the fee for renewal of NUCs for B&Bs and TVUs from \$600 every two years to \$4,000 every two years.

PART II. DETAILED SUMMARY BY BILL SECTION

B. Adds a new SECTION 2 of the bill to increase the fee for renewal of nonconforming use certificates ("NUCs") for B&Bs and TVUs from \$600 every two years to \$4,000 every two years.

Position: We are OPPOSED to these provisions raising the permit fee to \$4,000 for two years. The fee was just raised two years ago – when we were shut down and had no income coming in. Now you want to raise the rate 667% which is an unreasonable amount for Bed and Breakfasts. Remember we are small residential operations and do not generate large

revenue like the investment properties that are vacation rental homes and condos. We recently had to raise our rates to compensate for the new Oahu TAT of 3%. We can not in good faith raise the rates again for this proposed extreme permit fee increase. The City Council in good faith should not burden the legal B&B operations to the point of closure. Exuberantly raising this permit fee is a slippery slope. Will the Council raise other permits this much? If not, then this is unfair to this type of small business.

PART II. DETAILED SUMMARY BY BILL SECTION

Renumbers subsequent bill SECTIONS.

L. Adds a new SECTION 8 of the bill to amend ROH Section 21-5.730 as follows:

r. Adds a requirement that an informational binder be provided to transient occupants. The binder must include a floor plan, parking plan, trash collection and disposal instructions, house rules (including quiet hours between 10 p.m. and 7 a.m.), emergency contacts, copies of the registration certificate and certificate of insurance, and copies of the GET and TAT licenses.

PART II. DETAILED SUMMARY BY BILL SECTION

3. In subsection (c), relating to advertising requirements:

b. Requires advertisements to include the tax map key number of the B&B or TVU (in addition to the registration or NUC number).

Position: We are OPPOSED to any requirement for listing of tax numbers in a public forum. This is equivalent of giving out ones Social Security Number in the business forum. Listing the NUC number is proof that the establishment has meet all the requirements to obtain the permit. Listing the elements (Tax key number and GET and TAT numbers) that one must produce to obtain the NUC permit is redundant and evading the privacy of the establishments.

Testimony
Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, February 1, 2022 12:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Vicki Henry
Phone
Email vshenry@yahoo.com
Meeting Date 02-10-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 Amendments to Transient Accomodations
Your position on the matter Oppose
Representing Organization Self

Written Testimony

While I oppose Bill 41 both in increasing the number of days from anything more than 30 days and or increasing property taxes and fees for those parcels that offer a mixture of personal use and monthly short term rentals, it appears that some form of this bill will be passed. I urge you to amend the Bill to provide a special exemption for condominiums in the Waikiki zone from Kuhio Ave to Ala Wai Blvd to be exempt from this ordinance. Special exemptions have been given to areas in Turtle Bay, the Gold Coast and other areas. Since 1999 we have been allowed as owners to both use our home and provide some monthly rentals in our unit. This change will remove many monthly rentals to retirees that visit Oahu, hurt Waikiki small businesses and cause these units to strictly be used by owners due to the onerous costs and minimum days requirements presented. This area of Waikiki is a resort area and is not in keeping with the intent of the bill to provide relief from unlawful transient rentals in single family residence areas. We always pay our GET and TAT for any rentals. Thank you.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 2, 2022 9:38 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alethea Rebman
Phone
Email akr9@hawaii.rr.com
Meeting Date 02-10-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony Gold Coast should absolutely not be included in areas where vacation rentals are allowed. This area is uniquely situated and suited for residents' recreation and should be preserved as such.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 2, 2022 3:49 PM
Subject: Council Testimony

Written Testimony

Name	Alix Noda
Phone	
Email	alix.paradisehawaii@gmail.com
Meeting Date	02-01-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I feel that the 90 days is too long, and it should still be 30 day minimums. I have family members and friends who come to Hawaii for month long stays and 90 days would be too challenging and seems too long.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 2, 2022 8:07 PM
Subject: Council Testimony

Written Testimony

Name Leslie Lewis
Phone
Email leslie@lewishawaii.com
Meeting Date 02-10-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41 (2021). The existing 30 day minimum for short term rentals serves a need that expensive hotels can't. There is a difference between short term rentals and vacation rentals and this difference should be further clarified. Short term rentals serves the needs of many who are between selling and buying a home, or remodeling a home, or returning to the island and in process of finding something more permanent. They are not transients. Staying in an expensive hotel would not make sense. These are not tourists. Please do not pass this bill 41.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 2, 2022 7:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peter Arnold
Phone
Email pete@hawaiilife.com
Meeting Date 02-02-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41/CDI
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

BILL 41/CDI strikes at the very heart of misrepresentation. Making a law stating that rentals have to be longer than 30 days strikes of too much power wielded in a irresponsible and short-sighted manner. Witness upon witness came forth and gave you all solid reasons for leaving the rental law as it stands...only to fall upon deaf ears. When large voting blocks, (Re: Hotel and Restaurant Union) have more say-so about the wishes of homeowners than the homeowners themselves then it makes little sense. Shame on you who support these changes. It's about doing the right THING, not harboring votes.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, February 3, 2022 8:45 AM
Subject: Council Testimony

Written Testimony

Name Morgan
Phone
Email mnmurray23@gmail.com
Meeting Date 02-03-2022
Council/PH Council
Committee
Agenda Item Bill 41/CD1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I strongly believe that the 30 night minimum for short term rentals should be kept. A lot of 30 night minimums are not just for tourists and I think that is not being taken into consideration. There are residents that need month to month, traveling nurses, military families, family members coming to help sick loved ones, business trips, and the list really does go on. Raising the nightly limit to 180 days or even 90 days is extremely unfair and has 0 benefit to local families. The 30 night minimum is already strict enough- a lot of local families rely on secondary income just to be able to live here. PLEASE do not make this any harder than it already is.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, February 3, 2022 1:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Brent Cullinan
Phone
Email Brent.cdi@gmail.com
Meeting Date 02-10-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41(2021) (CD1)
Your position on the matter Support
Representing Self
Organization

Written Testimony I'm in favor of making the apartments eligible for vacation rental.
If the Condo allows It, the owners have every right to benefit from their investment as they see fit.
The government has no business dictating how private property can or cannot be rented.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, February 4, 2022 1:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shayne Stambler
Phone
Email shayne808@hawaii.rr.com
Meeting Date 02-10-2022
Council/PH Committee Zoning and Planning
Agenda Item #41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

This does not help long term renters... the people that work the jobs that cater to the tourist. The disruption to neighborhoods has already been written about and reported. If this passes one must wonder why. There are enough hotels in Waikiki and other resort areas to cover our tourist needs. And if not, wouldn't the value of a trip to Hawaii be all the more so, if it were more exclusive..... more precious. It would certainly help this anger toward having so many tourists.

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, February 4, 2022 1:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	karen lucas
Phone	
Email	karen.lucas6@gmail.com
Meeting Date	02-10-2022
Council/PH Committee	Zoning and Planning
Agenda Item	bill 412021 CD1 Gold Coast vacation rentals
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Visitors have plenty of places to stay in Waikiki. Kaimana beach should be for locals.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

TIME RECEIVED
February 7, 2022 at 2:05:20 AM HST

REMOTE CSID
780 451 6876

DURATION
311

PAGES
6

STATUS
Received

FROM :

FAX NO. : 780 451 6876

Feb. 07 2022 07:07AM P1

Sent via Fax- 808-768-3826.

To: Brandon Elefante- Zoning Committee Chair
To: City Council Members,
Written Testimony:

7 February, 2022

Re: Assessment- Bill 41 (2021) CD1- NUC units- Waikiki Special District

Please find attached our analysis of proposed Bill 41 (2021) CD1 Relating to NUCs in Waikiki Special District.

As Fee simple owners of Waikiki Sunset condominium unit, we support proposed Bill 41 (2021) CD1 with one major amendment to Table 21-9.6(A) Waikiki Special District, provided that 'Nonconforming use certificate' is made available to 100% of Fee simple owners in Waikiki Sunset (ie. building-wide NUC availability), for an annual fees of \$2,000 per application (existing and new applicants) for multiple economic, regulatory and legal reasons outlined on the attached 3-page report.

Thank you for your considerations.

.....
Mahalo,

Diana Panizzon and Guido Panizzon, P.E. M.Eng. (Retired)
Waikiki Sunset condominium Unit owners since 2007 and enjoying Hawaiian culture since 1974.

Attachment:

Assessment Report (3 pages+ 2 graphs) plus Cover page.

pg 1/6

Assessment of Bill 41 Nonconforming Use Certificate (NUC)- (1/21/2022).
Condominium Units In Waikiki Special District (WSD).

Last updated: 2/07/2022

By Guido Panizzon, P.E., M.Eng.

Brief Summary of Subject Matter

1. On October 13, 1978, Waikiki Sunset building was registered as condominium under Declaration of Horizontal Property Regime in the Office of Assistant Registrar of Land Court of the State of Hawaii as Document No. 910922 and recorded in the Bureau of Conveyances of the State of Hawaii in Liber 13310 at Page 577, pursuant to Chapter 514A, Hawaii Revised Statutes (the "Condominium Property Act").
2. City Ordinance 17-13 (Bill 8 (2017), Sec 8-7.5 defines: "Apartment building" means a multi-family dwelling that is situated on a single parcel, which parcel is not subdivided into condominium units; whereas "Condominium unit" is a dwelling unit that is part of a condominium property regime established pursuant to Hawaii Revised Statutes (HRS) Chapter 514A (before year 2006).
3. Condominium Property Act, § 514A-4 - Separate titles and taxation: "Each condominium unit that has been created, together with its appurtenant interest in the common elements, constitutes, for all purposes, a separate parcel of real estate". "Each apartment shall be treated as if it were sole and entirely independent of the other apartments in the property of which it forms a part, and the corresponding individual titles and interest shall be recordable", as per HRS §514A-4 and 514A-1.5. (Supp. 2015).
4. Since Occupancy on October 26, 1979, the Waikiki Sunset is a 435-unit, condominium project located on Paoakalani Avenue, provides wide variety of owner "uses": primary residential, short-term rentals and long term rentals and condominium suites. Owner's freedom of choice is important imperative.
5. To qualify for 'short term rental', Waikiki Sunset condominium must meet the following requirements:
 - Underlying Zoning requirement as defined under Land Use Ordinance (LUO) Sec. 21-9.80-5,
 - Environmental Assessment (EA) study as defined under HRS Chapter 343,
 - Real property classification defined under ROH Sec. 8-7.1(c)(3) as "Hotel-resort" or TVU and
 - Registration defined under Sec 21-4.110-1 Transient vacation units- Nonconforming use certificates.
6. Over the past 40 years, the record shows Aston-resort rental pool managed up to 370 units (or 85%), 40 units (or 10%) operators and 25 units (5%) resident owners, without encountering any negative environment assessment impact, traffic congestion, noise concerns, illegal parking, neighbor complaints, or receiving any DPP violation notices. This is prima face evidence of positive benefits to community.
7. Over the past 40 years, the perceived market value of nonconforming use certificate (NUC) units and that of non-NUC units have been the same, almost indistinguishable from the buyer's perspective. The vast majority of owners purchased their units with the understanding and expectation that their units could be rented out as short-term rentals. Eg: Year 2007, Unit #2105 with NUC sold for lower price than Unit #2006 without NUC; while both of them were in the Aston rental pool program.
8. During this 40 years, all 435 Waikiki Sunset owners: (59% with NUC and 41% non-NUC owners) have resided on the same parcel of land, same zone classification, same AOA maintenance fees, same property tax assessment, equal share of building infrastructure replacement costs and equal share of capital reserves; therefore, they should all be treated the equitably and fairly with same economic benefits.
9. Pursuant to Sec 21-9.20 Special Districts. "The purpose of a special district is to provide a means by which certain areas in the community in need of restoration, preservation, redevelopment or rejuvenation may be designated as special districts to guide development to protect and/or enhance the physical and visual aspects of an area for the benefit of the community as a whole". ROH § 21-9.80-1. (Added by Ord 99-12). Ordinance 19-18 is creating a situation which is contrary to this purpose.

10. During the past two years, Waikiki Sunset has renovated and rebuild its infrastructure, including new plumbing DWV (Drain, waist and venting), Fire Head sprinkler system, new Electrical system, and Air conditioning (A/C) system. Waikiki Sunset 2021 Capital budget has projected \$17 Million, in addition to existing \$10 million capital reserve, resulting in about \$27 Million capital expenditure.
11. The significance to this large expenditure by Waikiki Sunset during covid pandemic is two-fold:
 - a. This large capital expenditure is shared equally by all 435 owners, adjusting for floor area,
 - b. This capital rejuvenation is consistent with LOU Sec 21-9.20- Special Districts mandate.
12. A reasonable person would argue that two identical units (#1906 and #2006) located in same zoning district, same condominium building, with equal floor area, should be treated equally by the City so that they are able to earn the same "net operating income" and not be subjected to a prejudicial, antiquated Ordinance(s) because paying an annual NUC fees to the City, does not change/improve the environmental assessment nor environmental impact on the Waikiki Special District neighborhoods.
13. However, since City passing Ordinance 19-18 (3 years), Waikiki Sunset condominium units without "Nonconforming use certificate" (NUCs) have been over-assessed by as much as +50% (or 228,000), resulting in real property over-taxation (average \$940 per year), in violation of assessment rules. Waikiki Sunset non-NUC owners over-taxation for 2020+2021+2022= \$940 x 178x3 yrs= +\$502,000.
14. Our calculation of real property assessment of non-NUC units using two standard methods shows:
 - (a) Sold prices using comparable is minus -\$228,000 (-50%) vs City assessment. See Chart #13.
 - (b) Property value using income approach is - \$259,000 (-52%) vs City assessment. See Chart#14.
 - (c) Projected annual rental reduction of about -\$30,000 (or 2.25 times) lower compared to NUCs units.
 - (e) Capitalization rate indicates rate of return (ROR) expected to be generate from property investment is also reduced from 3.20% to 1.51%, as a result of unit property devaluation.
15. We recommend Table 21-9.6(A) - Waikiki Special District Precinct be amended to permit all 435 Waikiki Sunset unit owners to renew, reinstate or to apply for "nonconforming use certificate", provided they meet all registration requirements outlined in Bill 41 (2021), Sec. 21-4.110-1-Transient vacation units (TVU), which allows each owner the freedom to choose TVUs, as listed in Figure #4.

Exhibit #4:

Table 21-9.6(A) Waikiki Special District Precinct- Amendments

Re: Bill 41 (2021) CD1- Section 9: Table 21-9.6(A): ROH 1990, Page #36 is amended;

Waikiki Special District Precinct- Permitted Uses and Structures

Use or Structure	Precinct			
	Apartment	Condominium- "Waikiki Sunset"	Resort Mixed Use	Public
1 Bed and Breakfast homes (B&B)	[Pe]	[Pe]	[Pe]	
2 Hotel	P/e	P	P/c	
3 Transient Vacation Unit (TVR)	-	P/inc	P/c	
4 Principal Residence	P	P	PRU=	
5 Vacation Home (<6 months)	P	P/inc	PRU=	

Key: P= Permitted use

P/c= Permitted use subject to standards in Article 5.

P/inc= Permitted use subject to Nonconforming use certificate

PRU= Plan Review Use by DPP Director

Key reasons for recommending this building-wide NUCs availability are listed hereunder:

1. This option supports Bill 41 (2021) purpose for properties that are located in the Waikiki Special District (WSD), which is "intended primarily to serve the visitor population".
2. This option supports Bill 41 purpose "to better protect the City's residential neighborhoods". The more tourists stay at Waikiki Sunset condo (WSD), fewer tourists will move to residential areas.
3. This option retains 'ownership property rights' acquired under 'Fee simple owners' which are protected under Hawaii Constitution and under U.S. Constitution's Fifth Amendment.
4. It is natural expansion of existing NUCs' registration process from 257 (60%) to 435 units (100%), recognizing that circa 25 unit owners (5%) will not apply because of 'permanent residence'.
5. Offering building-wide NUCs does not discriminate among unit owners, per Sec 21-4.110-1(b). In fact, it provides a level playing field among unit owners within Waikiki Sunset condominium.
6. City and County of Honolulu will increase their annual revenue by applying \$2,000 NUC fee to 100% of units; therefore, increase NUC fee revenue to $(\$2,000 \times 415 \text{ units}) = +\$830,000 \text{ per year}$.
7. City and County will increase their annual revenue due to higher real property assessment from average of \$300,000 to \$550,000, resulting in increased property tax $(\$940 \times 178) = +\$167,000$.
8. Waikiki Sunset unit owners will also benefit because they will not have to pay the higher class 'resort-hotel' rate of 1.39%, which is unjustifiable for condo units with lower income potential.
9. Capitalization rate (Cap rate), that indicates the rate of return (ROR) expected to be generated on real estate investment property, show higher property taxes reduces Cap rate from 3.2% to 1.93%.
10. Keep owners' vested right to operate 'short term rental' that were established prior to Ord. 89-154. Record shows that "short-term rentals" were offered at the Waikiki Sunset condotel since 1979, while 'short-term rentals' were not regulated in the Apartment Precinct until 1986; therefore, Ordinance 89-154 and Ordinance 19-18 should not apply to the Waikiki Sunset condominium.
11. Waikiki Sunset condo owners are allowed to continue operating 'short term rental' under LUO Sec. 21-2.100(a)(b) "Existing uses" because this clause "*recognizes the hardship imposed upon uses which were legally established, but which now fall under the procedures and standards of the following permits cluster housing*".
12. Ordinance 19-18 is not legally allowed to abolish "*Preexisting lawful uses of property which are generally considered to be vested rights that zoning ordinances may not abrogate*", as per Robert Ferris Tr. v. Planning Commission of City of Kauai (August 09, 2016).
<https://caselaw.findlaw.com/hi-intermediate-court-of-appeals/1745888.html>
13. Waikiki Sunset owners can prove their legal 'use of the property' over which 'adverse possession' or 'prescriptive easement' is claimed has been: actual, hostile, open, exclusive and continuous for minimum of 20 years, as per HRS §669-1(b) (2013) and §657-31.5- Object of action law.
14. U.S. Supreme Court has ruled under U.S. Constitution Fifth Amendment, property owners have rights that 'municipal government cannot overregulate its use' by preventing owners from "making reasonable economic use of their own property"; as per "Knick v. Township of Scott".

Diana Panizzon and Guido Panizzon, P.E. MEng (Retired).

Waikiki Sunset unit owners (since 2007); and enjoying Hawaiian culture since 1974 (48 years).

(*) Note: This is my engineering analysis of proposed Bill 41 (2021), CD1 (1/21/2022) which is based on my broad 40-year experience of developing corporate policies for a \$ 46 Billion corporation.

Chart #13

Sold Unit Prices vs-City Property Assessment (2020-2021)

Comparable properties analysis of last 5 Units sold prior to July 1 and Market trend to October 1, 2021

Updated: January 12, 2022

Waikiki Sunset units sold prices - All 1-bedroom units-Without NUC licence.

Unit #	Date	NUC Unit- Yes/ No	Assessed Value- 2020	Sold Price- 2020-2021	Changed Value- Sold Assessment (\$)	Changed Value- Sold-Assess (%)
1005	1/17/2020	No	512,200	171,000	-341,200	-199.5%
2812	2/25/2020	No	563,400	490,000	-83,400	-19.1%
2810	2/28/2020	No	562,300	505,000	-57,300	-11.3%
809	4/29/2020	No	515,400	480,000	-35,400	-7.4%
2303	8/25/2020	No	541,700	375,000	-166,700	-44.5%
2712	12/31/2020	No	544,500	420,000	-124,500	-29.5%
1805	4/5/2021	No	528,500	368,000	-160,500	-30.2%
2811	7/31/2021	No	508,300	398,000	-110,300	-23.8%
Subtotal units (2)=			517,400	345,000	-172,400	-30.8%
< See Note #1 below:						
2810	8/10/2021	No	501,800	625,000	123,400	19.7%
2114	8/19/2021	No	627,600	850,000	22,400	3.4%
2205	11/19/2021	No	501,900	391,000	-110,900	-28.4%
1905	12/13/2021	No	498,400	398,000	-100,400	-25.2%
2304	12/20/2021	No	525,600	500,000	-25,600	-5.1%
Total units (13)=			534,569	438,077	-96,492	-34.8%
< Decreased value						

Waikiki Sunset units sold prices- All 1 and 2-bedroom units- With NUC licence.

1-1 bedroom units - with NUC license.							
Unit #	Date	NUC Unit- Yes/ No	Assessed Value- 2020-2021	Sold Price- 2020-2021	Changed Value- Assess (\$)	Sold- Assess (\$)	Changed Value- Sold-Assess (\$)
	Notes #2	Notes #3					Notes #4
1	2903	2/13/2020	yes	560,500	567,000	6,500	1.1%
2	1013	4/22/2020	yes	551,500	728,000	176,500	24.2%
3	904	11/20/2020	yes	550,000	500,000	-50,000	-10.0%
4	3206	1/4/2021	Yes	582,800	560,000	-32,800	-5.0%
5	910	2/8/2021	yes	513,300	380,000	-133,300	-35.1%
6	3308	3/19/2021	yes	584,900	620,000	35,100	5.7%
7	1805	3/29/2021	yes	531,000	390,000	-141,000	-36.2%
8	2309	3/31/2021	yes	539,800	450,000	-89,800	-20.0%
9	1207	4/5/2021	yes	538,300	425,000	-113,300	-26.2%
10	3013	4/15/2021	yes	591,400	765,000	173,600	22.7%
11	2402	4/30/2021	yes	541,800	514,370	-27,230	-5.3%
12	3105	6/24/2021	yes	528,000	520,000	-8,000	-2.1%
Subtotal units (5)=			543,820	534,874	-8,746	-5.3%	< See Note #2 below:
13	1410	8/16/2021	Yes	485,900	471,000	-14,900	-3.2%
14	1903	9/3/2021	Yes	498,400	550,000	51,600	9.4%
15	2306	9/8/2021	Yes	502,200	542,000	39,800	7.3%
16	1802	9/10/2021	Yes	482,000	565,000	73,000	12.9%
17	2708	10/14/2021	Yes	499,800	597,000	97,200	18.3%
18	1013	10/21/2021	Yes	586,400	788,000	201,600	25.6%
19	3501	11/4/2021	Yes	526,100	568,000	41,900	7.4%
20	3507	11/12/2021	Yes	526,100	565,000	38,900	6.9%
21	3509	12/13/2021	Yes	526,100	565,000	38,900	6.9%
Total units (21)=			535,481	553,827	18,346	0.33%	< Increased value

Following Waikiki Sunset units are identical in every aspect (area, finishing) except for NUC certificate.

Appeal	Unit #	Date	NUC Unit- Yes/ No	Assess Value- 2021	Sold Price- 2021	Assessed Value- 2022	Correction Factors 2021 Assessment	2022 Adjusted Assessment
	2006	na	No	\$499,600	na	\$503,100	Less	\$503,100
1. Apply discount value between City Assessment vs Sold value units = (-33.1%)								-172,400
								V V V
Adjusted	2006	na	No	499,600	na	503,100	-172,400	\$330,700
								City Assessed Value

Footnotes:

1. Comparable 5 sold units are non-NUC licence, 1-bedroom; sold prices is moving downward (-50%); outside 10% allowable limit.
2. Comparable 5 sold units are similar except they have NUC licence; sold prices are within 10% allowable limit.

Chart #14
Income Approach to Value Property Assessment (2022)

B. Parizack 6 Feb 2022

Cap Rate indicates the rate of return (ROR) that is expected to be generated on real estate investment property. < Note #1

Ordinance 19-18 is unfair and discriminatory because both NUC units and non-NUC units are pay same property tax rate (0.35%); but NUC units are allowed to operate as "Hotel & Resort"; thus generate higher "effective Gross income" (close 2.4 times higher).

Comments >>>: < STR >>> < STR >>> < STR >>> < STR >>> < STR >>>

Descriptions: Unit #2006 is non-NUC unit	Note 2		Notes 3		Note 4		Note 5		Note 6		Compare 2018/2022
	Year - 2018	Year - 2019	Year - 2018	Year - 2019	Year - 2018	Year - 2019	Year - 2018	Year - 2019	Year - 2018	Year - 2019	
1 Gross Income- 12 months											
Monthly income- actual or estimated	Assume amount	54,000	54,000	54,000	22,800	22,800	22,800	22,800	22,800	22,800	2.4
	Monthly amount	4,500/mo	4,500/mo	4,500/mo	1,900/mo	1,900/mo	1,900/mo	1,900/mo	1,900/mo	1,900/mo	
2 Less Vacancy and Collection loss-		0	13,716	2,780	0	0	0	0	0	0	
3 Annual Vacancy rate (%)		0.0%	25.4%	10.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
4 Effective gross income- (Form 1042-G)		54,000	40,284	20,520	22,800	22,800	22,800	22,800	22,800	22,800	Note #7: 2.6
Expenses											
5 Property management fee (10%-40%)	Varies by agency	20,254	19,233	2,280	2,280	2,280	2,280	2,280	2,280	2,280	
6 Real Property assess tax (0.35% v 1.39%)		1,782	1,879	1,877	1,877	1,877	1,877	1,877	1,877	1,877	
7 City NUC fees-assume \$2,000 per year		0	0	0	0	0	0	0	0	0	
8 Condo HO-6 Policy Insurance	Set by Insurance	300	304	310	310	310	310	310	310	310	
9 Maintenance and Repair fees		960	640	0	960	960	960	960	960	960	
10 AAO maintenance & utilities fees	Set by Board	8,489	8,662	9,575	9,575	9,575	9,575	9,575	9,575	9,575	
11 GFT (4.71%) and TAT (10.25%) taxes	Set by City	7,035	5,277	3,363	7,995	7,995	7,995	7,995	7,995	7,995	
12 Total expenses		38,820	32,185	12,405	12,405	12,405	12,405	12,405	12,405	12,405	
13 Net Operating Income (NOI) >	Baseline >	15,180	8,099	8,115	10,395	10,395	10,395	10,395	10,395	10,395	4.9
Observation on City Property Assessment >	Given by City >	Observation >	Baseline:	high	high	high	high	high	high	high	
15 Capitalization rate= NOI/Assess Value=	15,640/485,500	3.13%	1.67%	0.002%	1.53%	1.53%	1.53%	1.53%	1.53%	1.53%	< Note #8
Assume 2018 Year as Baseline for Cap rates:											
16 Adjusted Real Property Assessment =	15,640/3.2%	485,500	296,037	89,610	219,344	219,344	219,344	219,344	219,344	219,344	1.6
17 Calculated Percent change in Assessed Value:	Equal:	52%	80%	38%	58%	58%	58%	58%	58%	58%	

FootNotes:

1. Capitalization rate (aka Cap Rate) indicates the rate of return (ROR) that is expected to be generated on real estate investment property.
2. Year 2018 Baseline Cap rate (hotel pool) for Gross income and NOI since it is last year before Ordinance 19-18 came into effect.
3. Year 2019 Cap rate and Net Operating Income (NOI) are lower due to Ordinance 19-18 -before advent of Covid19 pandemic.
4. Cap rates for Year 2020 is lower than Baseline because of Ordinance 19-18- prohibited short term rentals (less than 30 days).
5. Lower Cap rate for years 2022 assuming STR is available at \$2,000 per year, it will yield lower property assessments.
6. Lower Cap rate for year 2022 assuming real property tax is higher (1.39%) due to reason in district to "hotel-resort" class.
7. Comparing Effective gross income for two years: 2018 is 2.6 times higher year 2022 because short term rental is prohibited.
8. Capitalization rate shows Option with higher NUC fees is better than Option with higher property tax rate (via razorings).

Sources:

Data obtained from Waikiki Sunset units for year 2018 and projected post Bill 41 (2021) CD1.

From: CLK Council Info
Sent: Sunday, February 6, 2022 9:29 AM
Subject: Council Testimony

Written Testimony

Name Marsha Johnson
Phone
Email m2john3@gmail.com
Meeting Date 02-10-2022
Council/PH Council
Committee
Agenda Item Bill 41(2021) (CD1)
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I am a resident of the Gold Coast. I think this part of bill needs to be deleted: Section 21-5.730.1, Paragraph (a) Subparagraph 1. I do not want apartments to be eligible for use as vacation rentals.
Overcrowding of Kapiolani Park and Kaimana Beach by visitors is my nightmare. Please keep these places for residents to enjoy and keep the visitors in Waikiki. Thank you for your dedication and hard work.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, February 5, 2022 6:46 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dan Garcia
Phone
Email dcgarcia_96826@yahoo.com
Meeting Date 02-10-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 (2021) (CD1)]
Your position on the matter Oppose
Representing Self
Organization

Dear Zoning and Planning Committee,
I am contacting you regarding Bill 41 (2021) (CD1)] The part that needs to be deleted is Section 21-5.730.1, Paragraph (a) Sub-Paragraph (1) which are found on pages 16 & 18 of Bill 41 (2021) (CD1)Dear Zoning and Planning committee,

The bill in its present form will make 700 Gold Coast apartments eligible to be used as vacation rentals.

Written Testimony

This is a needless expansion of Waikiki and I am opposed to it. This will increase traffic, reduce parking and exacerbate overcrowding in places like Kapiolani Park and Kaimana Beach. This will benefit visitors to the detriment of our residents.

Sincerely,
Daniel Garcia
3071 Pualei Circle, Honolulu, HI

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, February 5, 2022 6:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lloyd Kuribayashi
Phone	
Email	llk8877@gmail.com
Meeting Date	02-09-2022
Council/PH Committee	Zoning and Planning
Agenda Item	4 vacation rentals
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	By making vacation rentals 6 months will put all vacation rentals out of business
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, February 7, 2022 9:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peter Whitar
Phone
Email pwhiticr1@gmail.com
Meeting Date 02-10-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 4 (2021) CD1
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

fCommittee Chair and Members:

My wife (a school teacher) and I (retired DOH employee) have lived on the gold Coast for over 25 years. It's our home and we strongly oppose the extension of the Waikiki tourist sone into our residential neighborhood. COVID has reminded us all of the importance of maintaining the quality of life of residents. This is not to be sacrificed for the benefit of any additional tourism especially in residential areas. Noise, pollution, limited parking and deteriorating sense of community and Aloha will only be made worse by additional tourist in our area. Our particular concern is section 21-5.730.1, Paragraph a, Sub paragraph 1. Please DO NOT permit expansion of vacation rentals in the Gold Coast neighborhood. It's for the residents of Hawaii and not tourism.

Mahalo for your consideration.

Peter Whitar

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, February 7, 2022 11:02 AM
Subject: Council Testimony

Written Testimony

Name Litan Rath
Phone
Email litan.rath@gmail.com
Meeting Date 02-07-2021
Council/PH Committee Council
Agenda Item Bill 41 Bill No. 4
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Aloha! My family and I live here and we own a unit of Kuilima West. We appreciate this open dialogue opportunity. I am really worried about this item. We paid prime price for the unit with the "by-law" words of legal rental and certain cost. If this item pass, we will have to pull our daughter out of the school she is in or I work on 3rd job after I get offthen who will take care of the keiki?this unit is family investment from TuTu, us, and etc.. This item can really hurt our families and the community. My neighbour is a Kahuku farmer, she lives at her farm and rent out her unit to cover the cost and save for her retirement. She runs a program helping local homeless people. We are local families who work hard, take care of our communities and families. We hire local people and support local schools. Please consider us and our livelihood. Mahalo!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, February 7, 2022 4:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Asia Yeary
Phone
Email YEARY.ASIA@GMAIL.COM
Meeting Date 07-10-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Dear Councilmembers,
I support the intent of Bill 41 but can you please delete the section on the Gold Coast? My mom lives on the Gold Coast and I lived there for many years in a quiet building. If this Bill allows for more short term rentals along the Gold Coast, my mom and everyone else who lives there will be overcome by tourists and will no longer have a neighborhood. On behalf of all of the families (there are many) that live on the Gold Coast, can you please not allow for permitted B&Bs and TVUs in this special district. Allowing short term rentals in this area will cause these neighborhoods to fill up with tourists. Kaimana will no longer be a neighborhood beach. Where will local families go that they can mingle and visit with friends? This is one of the last local beaches along the South Shore and this Bill would change that and turn it into a tourist beach like Waikiki. Please save Kaimana beach and the Gold Coast neighborhood and keep B&Bs and TVUs from being permitted in this special district. Thank you!
Asia

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, February 7, 2022 5:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lauren M.Y. Wong
Phone	
Email	Laurenwong@aol.com
Meeting Date	02-10-2022
Council/PH Committee	Zoning and Planning
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, February 8, 2022 8:54 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name germaine salim
Phone
Email gsalim@hawaii.edu
Meeting Date 02-10-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 (2021) (CD1)
Your position on
the matter Comment
Representing Self
Organization

Written Testimony As a resident of Kapahulu, I oppose the expansion of vacation rentals into the Gold Coast area. This would effectively expand Waikiki to the detriment of residents who live, work, and school in the area. Please please, do not expand into the Gold Coast.

Testimony
Attachment

Accept Terms and 1
Agreement

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 9, 2022 4:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	NormanBurger
Phone	
Email	nbfb2@aol.com
Meeting Date	02-10-2022
Council/PH Committee	Zoning and Planning
Agenda Item	bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	<ol style="list-style-type: none">1. Economy 1012. tourism is Apprx. 25% of Honolulu Economy3. 25% of tourists would not be caught dead in Waikiki4.End TVA's kill big part of economy. shopping ,dining, etc., etc5. Nuff said
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 9, 2022 6:31 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Pat Henry
Phone	
Email	jpatrick_henry@icloud.com
Meeting Date	02-10-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (2021) (CD1)
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	Please delete Section 21-5.730.1, Paragraph (a) Sub-Paragraph (1). Pleas do not expand the Waikiki tourist area into my residential neighborhood.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 9, 2022 8:09 AM
Subject: Budget Testimony

Written Testimony

Name	Stephen Hygard
Phone	
Email	shygard@hotmail.com
Meeting Date	02-09-2022
Council/PH Committee	Budget
Agenda Item	Bill 4 + Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	We are not in favor of Bill 4. This will make it much more difficult to keep my home.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 9, 2022 1:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name John Hagihara
Phone
Email johnhagihara@gmail.com
Meeting Date 02-10-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Comment
Representing Self
Organization

Aloha,

Written
Testimony

Please remove the special carve out for the Gold Coast District. Short-term rentals should not be allowed on the Gold Coast. The area is zoned for apartment and it is surrounded by one of our most heavily utilized public parks. Allowing the short-term rentals in the Gold Coast would essentially extend the resort district from Waikiki across the park and contribute to the ongoing commercialization of the park. It makes absolutely no sense that the Gold Coast would be allowed short-term rentals, but portions of Waikiki would not. The carve out seems arbitrary and there is really no justification for why it would be needed. Please keep the tourists in Waikiki.

Mahalo,
John Hagihara

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, February 9, 2022 6:20 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Laura St. Denis
Phone	
Email	laurapix63@gmail.com
Meeting Date	02-10-2022
Council/PH Committee	Zoning and Planning
Agenda Item	allowing short term rental Gold Coast
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	Board member neighborhood board 5 spoke with neighbors who live on Gold Coast. No one is in favor of having more tourists in our neighborhood.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, February 11, 2022 3:08 PM
Subject: Council Testimony

Written Testimony

Name Yu Chen Sun
Phone
Email erinsun168@gmail.com
Meeting Date 02-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Thank you for the opportunity to provide testimony to this bill. We purchased our property in Honolulu Hawaii Kai neighborhood in 2021. Due to work, my husband and I are traveling back and forth in between Honolulu and Northern California. In order to be able to afford the mortgage payment, fees and property tax, when we are not living in Honolulu, we rent out our home to families who need to stay for minimum 30 days. Those who rented our place for at least 30 days, were recent transplants looking to purchase home in Oahu, visiting professors teaching in University of Hawaii, and Canadian families who need a warmer place to spend their winter holidays. We've been following the rules to rent out at 30-day minimum, paying GET and TAT taxes and contributing to the local economy.

Written Testimony Before we purchase our place, we specifically looked for homes in the residential area that allow 30-day minimum rental. The rental income is critical to our livelihood and we do not want to live in resort area where there was no 30-day minimum requirement. Now if bill 41 passed, we will have difficulty renting out our place for 90-day at a time and will be forced to sell our property and leave Hawaii.

From our research, the enforcement to illegal short-term rentals was not well executed. We also heard from friends who reported illegal short-term rentals to the city multiple times but never saw any enforcement. The administrative rules to empower DPP to implement Ordinance 19-18 were never finalized and put into effect. The administration failed to implement ordinance 19-18 and allowing it time to show its effectiveness before adopting a completely new ordinance for short-term rentals, to us, is simply laziness.

We are law abiding Oahu residents and would like to see the administration implement enforcement on illegal short-term rentals. Bill 41 is unfair to residents like us who follow the law, contribute to the community, and provide services to people who need 30-day rentals.

Please stop Bill 41, it's unfair, unjust and purely a lazy tactic to avoid illegal rental enforcement. Thank you.

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 4, 2022 1:10 PM
Subject: Council Testimony

Written Testimony

Name Pamela C Taylor
Phone
Email bpbazn@msn.com
Meeting Date 03-09-2022
Council/PH Committee Council
Agenda Item Bill 4 and 41
Your position on the matter Oppose
Representing Self
Organization

We own a condo in Kuilima East and spend part of the year there to be close to our family living in Kahuku.
I have a concern that I have not seen addressed.

.STR demand is here to stay! No matter what is done to the legal STR units in resort areas to discourage owners from renting, there will still be a need for affordable stays for families, locals, and others. Now that our legal units are registered and the DPP has all our information, we will be the ones restricted and watched. Our guests will be identified and rooms policed.

Written
Testimony

I don't hear anything about the "greater good of protecting neighborhoods" anymore. If these bills pass, the number of illegal rentals in neighborhoods will see a great increase. With the continuing lack of enforcement of Bill 89, this will create an even more attractive option for homeowners to rent out rooms, for guests to bunk up without limits, and for cars to park everywhere on neighborhood streets.

During Pipemasters, the side roads were packed with cars and people. It would be interesting to know how many of these accomodations were legal STR's.

The more the DPP and the Board restrict those of us who have been designated legal, the more short term travelers will move back into the neighborhoods. Isn't this how this mess got started? The demand for reasonably priced short term rentals will not go away! It seems like there is something bigger and more profitable for the DPP and the

Board at play here. Who is the money behind Bill 41 and 4, and why is Bill 89 not enforced? I am asking for a timely response

Mahalo for your time.meigh orhoods

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 9, 2022 3:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Peter Hwu
Phone	
Email	phwualoha@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	This bill destroys the livelihood of many homeowners including families, retirees, and senior residents in the state of Hawaii who depend on short-term rental incomes to make ends meet in Hawaii in favor of big corporate businesses who will survive in any economic conditions. The only ones who stand to lose with the passing of Bill 41 are the local residents of Hawaii.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 9, 2022 5:30 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jack Duke
Phone
Email jack@olaproperties.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization Ola Properties, Inc
Dear Chair, Vice Chair, and members of the committee.

My name is Jack Duke, I live in Waianae, Sea Country, and I am testifying today in extreme opposition to Bill 41. This law would have a detrimental impact on my entire family. I believe we have laws on the books already that if applied will fairly resolve the issues with illegal short-term rentals.

Written
Testimony

Thank you for this opportunity to testify.

Jack Duke

96792

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 11, 2022 2:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robert Griffith
Phone
Email lagosbob@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD1
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I Oppose Bill 41 both in increasing the number of days from anything more than 30 days and or increasing property taxes and fees for those units that offer a mixture of personal use and monthly short term rentals,
-If Bill 41 moves forward it should be amended to add a special exception for condominiums in the Waikiki zone from Kuhio Ave to Ala Wai Blvd (currently designated as Apt Mixed Use Sub-precinct & Apt Precinct) as is being done for the Gold Coast area of the Diamond Head Special District, Koolina Resort area and Turtle Bay. The intent of the bill is supposed to address problems in residential areas. Our area of Waikiki has been providing 30 day rentals since the condominium were built.
-Most condominiums in the Waikiki area between Kuhio Ave and the Ala Wai canal are second homes. These units that are currently rented for 30 days or more to retirees visiting Oahu, families awaiting housing and traveling professionals. These rentals provide many benefits to the local economy. Increasing the property taxes and adding additional fees on these units will simply remove these units from the rental market and will not increase the housing supply as these owners use the units for many months each year. This change will reduce GET and TAT revenues as the units are no longer rented.
-Please allow the current rules and fees to apply to 30 day rentals in Waikiki between Kuhio Avenue and the Ala Wai Canal as they are today without certificates and additional fees.
Thank you
Robert Griffith
2140 Kuhio, Unit 2402

Testimony Attachment

Accept Terms and Agreement

1

From: CLK Council Info
Sent: Wednesday, March 16, 2022 12:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rebecca C Kim
Phone
Email carolt@cbpacific.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

First point: The idea of protecting residential neighborhoods is sound; however, having City Council come up with a ruling for the entire island of Oahu is the wrong approach. Rather let the neighborhoods take charge of their own future and actually create a neighborhood board to govern their situation. It is unrealistic to expect a City Council to do anything that will be workable for individual neighborhoods.

Second point: Regarding condominiums, all of Waikiki and the area bordering Kapiolani Park on the ocean side should be zoned a special resort area. Let the individual boards and associations make determinations on the rental minimum allowed. It only adds confusion to make parts of these areas special resort zoned and the other areas NOT.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 17, 2022 7:51 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marion Shay
Phone
Email marionshay@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41 (2021) CD1
Your position on the matter Oppose
Representing Self
Organization

Please allow the current rules and fees to apply to 30 day rentals in the Waikiki APT mixed use sub-precinct area without additional fees and certificates.

Increasing rentals to 90 days or more will not solve the housing shortage issue because owners will keep their units for their personal use. 30+ day rentals are ideal for retirees, contract workers and citizens who require temporary accommodation for a variety of reasons. These renters could not afford to stay in Waikiki if they had to pay for hotel rooms. Losing these rentals would negatively impact the local economy and take away jobs from your citizens.

Written Testimony The APT mixed sub precinct area is not a desirable residential area for families - it is ideal for tourism and should stay affordable for retirees, contract workers and citizens who require temporary accommodations.

Hotels should not monopolize Waikiki - healthy competition and a variety of options is good for the economy.

Put your efforts toward enforcing the 30 day minimum rule.

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Thursday, March 17, 2022 11:52 AM
Subject: Council Testimony

Written Testimony

Name Grant Allison-Young
Phone
Email bascoe11@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony My family and I (from Australia) have been to Hawaii every year (except last year) since 2004. Always stay in a STR- on different islands, usually for 3 - 4 weeks. Our average spend is about \$20k all up- after our visit to the Waikiki Banyan this April we will probably have go elsewhere- Thailand and Bali much closer and cheaper- no aggravation and they are begging for tourists to return. It is not viable for us to visit for 3 - 4 weeks and stay in a hotel.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 17, 2022 4:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kyle
Phone
Email kd9975@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose Bill 41. Please vote no on Bill 41 for the following considerations:.
I support reasonable and thoughtful STR regulations and would like to see Bill 89 enforced prior to creating new additional regulations. Kuai enacted a law very similar to Bill 89 and they're stating it's having the desired effect of stopping illegal and inappropriate STR's. Based on Kuai's experience, I would like to see Honolulu County enforce Bill 89 monitor results and then take additional actions, if needed. But, if there is data that suggest Bill 89 is not the right answer, I would like to see the County stop rushing Bill's through committee and convene a Task Force made up of key stakeholders and to perform a complete financial and community impact assessment (to home owners, hotels, local business, STR owners and county coffers) and then propose a comprehensive and informed STR Bill that benefits the entire community.

Respectfully,
Kyle Duncan
Home owner at Kuilima Estates.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:07 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Avery Aoki
Phone
Email avery.aoki@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

As a resident in the Makiki area, as well as one working in the hospitality industry, I encourage this committee and the City Council to pass Bill 41. I see various homes that are likely operating illegally and this creates disruption to our neighborhoods in terms of more traffic, noise and limiting housing for our local residents. With the limited housing supply is driving costs so high for local families passing this bill will assist in providing more supply of housing. The ST rental units should be contained to resort districts such as Waikiki and Ko Olina rather than infringing on residential neighborhoods. I encourage the committee to move this bill forward by passing Bill 41

Testimony
Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 17, 2022 10:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cade Watanabe
Phone
Email Cwatanabe@5.unitehere.org
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Chair Elefante & Members,

Written
Testimony Thank you for your careful consideration of Bill 41. I stand in support of the CD2 & ask for your Committee's continued support of sensible measures that help to address our City's affordable housing crisis and need for balance as our #1 industry continues to emerge from the pandemic.

Respectfully submitted,
Cade Watanabe

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 17, 2022 9:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marya Grambs
Phone
Email mgrambs@hotmail.com
Meeting Date 02-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written
Testimony

I urge you to pass Bill 41. Our neighborhoods are being inundated, and affordable rentals have become nonexistent, due to the inexcusable proliferation of illegal vacation rentals. It's a myth that most of these are struggling people who can't pay their mortgage unless they rent out a room. The vast majority -- estimated at 73%-93% - are whole homes. And the majority of owners are non-residents. We must look at the greater good, which is to preserve our neighborhoods and free up affordable rental stock.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robin O Estrada
Phone
Email robin.estrada@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I've worked in Hawaii's hospitality industry for 30+ years, currently I work for Hawaii Vacation Condos by Outrigger which has direct competition with illegal short-term rentals. These illegal rentals are causing unfair competition to our legal vacation rental owners as well as causing havoc in our neighborhoods. Its horrible to have to see different people go in and out of the townhouse next to yours; the loud parties, the inconsiderate things some people do is tiring. Please pass Bill 41 to make our communities a better place to call home and to help our hospitality industry. Thank you.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 8:04 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Leo DAi
Phone	
Email	leo.dai@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Type Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I live in Honolulu and working for Outrigger. I do not support illegal short-term rentals because it: <ul style="list-style-type: none">- drives up housing costs for local families,- hurts the tourism industry- and those who work with legitimate hotel owners and operators
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 8:11 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kaiana Lee
Phone
Email kaiana.lee@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Aloha, thank you for taking a moment to reviewing all statements about Bill 41 and allowing me the opportunity to share my perspective. My name is Kaiana Lee and I'm the Front Office Manager at Embassy Suites by Hilton Waikiki Beach Walk managed by Outrigger Hospitality Group. It's imperative to save our communities from illegal short-term rentals to defer housing costs from increasing and the detrimental impact on the tourism industry.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 8:15 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name mary reilley
Phone
Email reilleykirby@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony

I urge the Committee to pass Bill 41 which limits vacation rental owners to no more 4 rental contracts per year. The proliferation and lack of enforcement of vacation rentals in my community of Kailua has impacted us negatively for too long. I continuously read the letters of opposition from the "industry" about creating jobs, allowing folks to stay in their homes, etc.

Well, there are many residents that feel Kailua has been overwhelmed with tourists; the beaches, tour busses, trails, and neighborhoods seem to exist only for tourists these days! Our young people can not afford to stay in the neighborhoods they grew up in! Please, I implore you, to finally act pono for Hawaii's neighborhoods! Pass Bill 41. We've been debating this for way too long. Instead of building more small apartment complexes in Kailua, let's open up the rental market by going after illegal vacation rentals. Save Kailua, please.

Respectfully,
Mary Reilley

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 8:22 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lauren Chow
Phone	
Email	Lauren.Chow@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I live in Hawaii and work for Outrigger Hotels and Resorts. It is very important to save our communities from illegal short-term rentals by passing Bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 8:24 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Elena Shiroma
Phone	
Email	elena.shiroma@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 8:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mary Loy
Phone	
Email	mary.loy@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Type Bill 41
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: Friday, March 18, 2022 8:41 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Markus Krebs
Phone	
Email	markus.krebs@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 9:38 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Frances L. Britten
Phone	
Email	franbritten@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Vacation rentals are a blight on our community. Anything that can be done to curtail or mitigate them should be done!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 9:49 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Tyler Castro
Phone	
Email	tyler.castro@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 9:51 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Paul Spriggs
Phone	
Email	pspriggs@hotmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 9:52 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Luana Maitland
Phone	
Email	luana.maitland@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Support Bill 41 to save our community from illegal short-term rentals. Hurts the tourism industry
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 9:56 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sheryl Tsugawa
Phone	
Email	sheryl.tsugawa@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Aloha, I don't support illegal short-term rentals as it drives up housing costs for my family and local families in general. It also hurts the tourism industry and those who work with legitimate hotel owners and operators.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 10:14 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mitch Yokoyama
Phone
Email mitch.yokoyama@hgv.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Hawaii has many issues that drives up costs:

1. Jones Act
2. Inflation
3. Short Term Rentals that investors buy up properties that eventually drive up housing costs!

Written
Testimony

I support Bill 41 because we need to regulate Short Term Rentals that are burdening the local people that has been raising costs and only benefiting the investors. Seriously speaking, are these short term rental investors pitching in on the money pit rail project at all? No. Hotels and Timeshares do through raised property and lodging taxes! Not fair! Are short term rental investors helping the island communities by donations or volunteer work? No. Hotels and Timeshare businesses do. Are short term rental investors helping to spread awareness of the Hawaiian Culture? No. Hotels and Timeshare businesses do as an obligation of doing business in Hawaii. Think about that for a moment before anyone opposes Bill 41. We need to regulate. We need to make sure this will result in lessening short term rentals that do nothing for the people of Hawaii but give us burden. Hawaii Needs To Step Up!!!

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 10:15 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Danette Bolosan
Phone	
Email	danette.bolosan@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 10:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathy Foley
Phone
Email kathy.foley@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization Outrigger Hospitality Group
Aloha,

Written Testimony As a 30+ year hospitality industry employee and resident of Kuliouou, I support Bill 41 because it keeps residential communities residential and vacation rentals to zoned resort areas.

Mahalo for the opportunity to share my support of Bill 41.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 10:37 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	James Kaneshiro
Phone	
Email	james.kaneshiro@hgv.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 10:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Bob Berges
Phone	
Email	bob.berges@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I have personal experience of having an illegal vacation rental as my neighbor. late night music, parking and all of the things that come along with this when there is no oversight.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 10:40 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Maria Cecilia Hamao
Phone	
Email	cecilia.hamao@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	As a renter, I disagree with illegal short term rentals as it affects the cost of living in the island.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 11:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name C. Young
Phone
Email Alohadiva@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

Please support Bill 41. Without some type of consequence and enforcement of our laws, people continue to take advantage of, and mock the system in Hawaii. Currently people buying and managing illegal vacation rentals think the laws are a big joke.
We cannot have a quality community without middle class, employees, and indigenous people. If you continue to allow mostly outside absentee buyers to run short term rentals, they will continue to take up inventory, displace many and falsely increase prices. They quietly cause much more damage than is acknowledged, yet.
Mahalo for your consideration.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 11:11 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ricol Akana-Phillips
Phone
Email ricol.akana@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Aloha! My name is Ricol Akana-Phillips and I live in Nanakuli but have worked for almost 30 years with Outrigger Hotels. I support Bill 41 because we need to save our communities from illegal short-term rentals that also impact the cost of housing in Hawaii. Hawaii residents are having to move out of Hawaii to states that have more affordable housing and college graduates who want to come back home stay on the mainland because they can't afford housing in Hawaii.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 11:13 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kiana MacDonald
Phone	
Email	kiana.macdonald@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Type Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I live in Pauoa Valley, work in Waikiki and I believe it is important to save our communities from illegal short term rentals by passing Bill 4.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 12:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kris Andrade Portillo
Phone	
Email	kris.portillo@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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: Friday, March 18, 2022 2:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jenna Villalobos
Phone
Email Jenna.villalobos@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Aloha, my name is Jenna Villalobos, Im a renter in Hawaii Kai and I work at Outrigger Hospitality Group. At this moment my living situation is at risk because my lease might not get extended due to my owner wanting to make the house a short term rental or sell. This means I would have to uproot my children and move. Also Bill 41 would supports the hotel industry and all the infrastructure built in waikiki for tourism and all the locals who depend on that to feed their families. First hand, I know most airbnb hosts are companies not individuals pushing out families from the suburbs and making it harder to support the 1000's of people who work in hospitality. Please pass this bill 41.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 2:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ron Comeau-Freitas
Phone
Email ron.comeau-freitas@alamoanahotel.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 re: vacation rentals
Your position on the matter Support
Representing Organization Self

Aloha,

Written Testimony

I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. The proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

Mahalo!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 3:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Roland Kam
Phone
Email rolandj.kam@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

I have worked for both hotels and condos. As a hotel worker, we definitely have been affected by the free-for-all vacation rentals that have occurred. With hotels being a significant contributor to generating money for the islands, more support needs to be given to hotels. This gives back to the state, the county and also the people with jobs and income. When I was in condos, it was so very difficult to provide actual residents good living experiences because so many of the units were owned by international buyers who used the rentals to make money. Local residents who want to live in these building never get to make their homes feel like an actual home and community. For example, a Japanese resident wanted to ban people with tattoos from using the pool because tattoos made them feel uncomfortable. This is not common, but just an example of some of the strange challenges I faced daily that did not put our own people living here first.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 3:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Richard Hagstrom
Phone
Email rehagstrom@aol.com
Meeting Date 03-21-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41 CD 1, CD 2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I support Bill 41 CD1 and CD2 because our neighborhood is being inundated with tourists (many of whom are renting homes in our community) causing traffic, problems connected with a lack of parking spaces, over use of facilities like parks, beaches and trails, etc. We purchased our property before any short term rentals were allowed, and we relied on the zoning in place at the time to protect us from hotel-type occupancy... Our kids can't afford to live here because of high rents and housing prices, which is partially caused by those who have converted an otherwise long-term rental to short term.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 1:59 PM
Subject: Council Testimony

Written Testimony

Name ROBERT S. MOENG
Phone
Email MYDOGROSCO101@GMAIL.COM
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I am a long time resident of Kailua and have seen the impact of short term vacation rentals. There are several in my immediate neighborhood. Homes are purchased, significantly remodeled and then put into service as short term rentals. The owners in my area are not trying to make ends meet, they are clearly making investment decisions to buy and rent as a business. Doing business like this should be limited to tourist areas only. Although there are currently restrictions for short term rental in residential areas, these restrictions have not been effective and they have largely been unenforceable. Given the estimated number of illegal short term rentals in Kailua, it's clear that owners simply ignore the current restrictions, knowing that there will not be any repercussions. Bill 41 is a major step towards correcting this situation with its clear definitions and constraints for short term rentals and the stated consequences for disregarding the law. This is the first, notable effort by government to put a stop to short term rentals in residential neighborhoods. I ask that you step up and pass Bill 41 CD1. If not now, when? If not now, these businesses will continue to grow, and perhaps grow at an even greater rate, because investors and owners will know that government lacks the will to effectively limit the short term rentals.

Testimony
Attachment

Accept Terms
and Agreement 1

From: CLK Council Info
Sent: Saturday, March 19, 2022 10:31 AM
Subject: Council Testimony

Written Testimony

Name martin haas
Phone
Email haas32@msn.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item vacation rentals
Your position on the matter Oppose
Representing Self
Organization
Written Testimony My vacation rental causes no problems for anyone & provides retirement income for me & wife..It also provides pay for my workers.My clients spend considerable money in the community!Taking this away would be a WRONG!!!!
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 1:26 PM
Subject: Council Testimony

Written Testimony

Name Pat Meyers
Phone
Email patmeyers88@gmail.com
Meeting Date 02-23-202y
Council/PH Council
Committee
Agenda Item 41CD
Your position on the matter Support
Representing Self
Organization

Written Testimony Please support 41CD. WE CANT DEAL WITH HOMELESSNESS unless we have ENFORCED RULES AND DECENT HOMES TO LIVE IN.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 1:39 PM
Subject: Council Testimony

Written Testimony

Name	Pat Meyers
Phone	
Email	patmeyers88@gmail.com
Meeting Date	03-23-202y
Council/PH Committee	Council
Agenda Item	41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	PLEASE SUPPORT BILL41CD2 (I filled out one form but forgot the correct number of bill, this is just to let you know what I am asking support for. THANK YOU!)
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:39 PM
Subject: Council Testimony

Written Testimony

Name Craig Hara
Phone
Email thnlinc@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Aloha'

I am here to oppose Bill 41. Why is there such a rush to pass this Bill? Something like this that would affect the State's and Resident's livelihood, should be thought out and examined much more thoroughly. Why even do this when the MOU was never implemented or enforced. As I stated before, a pro Bill 41 testifier stated that 70% of vacation rental Owners or outside investors not living on Oahu. So why don't you draft a Bill that allows only the 30% of LOCAL vacation rental Owners that reside on Oahu to operate. All the other States have Bills and Laws that provide exemptions or perks that are reserved just for local residents. Wouldn't this also help manage tourism that some groups are saying is excessive. I believe that by getting rid of the 70% of outside Owners of vacation rentals, you will not be receiving the complaints of large noisy parties, parking problems from vacation rentals, unruly and late night activities that some of the pro Bill 41 testifiers spoke of. I'm pretty sure that the complaints coming from Kahala, Kailua, Kaneohe etc are not owned by the Local 30% of vacation rental Owners that reside here. Would your family allow their guests to get unruly or out of hand on your families property? I don't think so. Local people would not allow this kind of activities or behavior. It seems like the majority of people oppose this Bill yet it continues to advance. What is wrong with that picture? I hope no one has special interests like the 2 senators who were recently on the news. If you took a comp room or trip or anything from these people that are lobbying to shut down vacation rentals. The truth will come out sooner or later. I'm sure there will be many lawsuits if this Bill is passed and then everything will come out. Please do the right thing and support the LOCAL people that voted you into

zoned neighborhoods and I actually support and applaud the city's effort to do so. For to many years booking platforms such as Airbnb have abused this island for profit and market share. They did so knowingly, and I personally know for a fact they knew what they were doing years ago. They didn't care where on the island they listed and whether it was illegal and honestly, the city also has to accept blame for not clamping down on this long ago. But don't penalize legal owners for your failure.

The lax treatment of Hotels and Time Shares and the inequality of the treatment between that group and the small percentage of RESORT ZONED OWNERS is anti competitive. Protecting corporations with unjust rights at the expense of small business persons in the RESORT ZONES is punitive for no reason other than egos and/or profits for corporations and some city officials which is active abuse by the city towards RESORT ZONED OWNERS and may be subject to unnecessary litigation if passed in it's current form due to LOSS OF PROPERTY RIGHTS WITHOUT COMPENSATION,

You must resolve to protect RESORT ZONED OWNERS. They should not be subjected to the same narrow regulations and viewpoints as the rest of the island.

A simple registration of \$50 for RESORT ZONED OWNERS and posting on booking sites should be all that is needed.

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 4:04 AM
Subject: Council Testimony

Written Testimony

Name Richard Kelly
Phone
Email aloharichard1@gmail.com
Meeting Date 01-26-2022
Council/PH Committee Council
Agenda Item Bill 41 cd 2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

As a real estate agent with the State of Hawai'i, I represent multiple owners of condo property in the RESORT ZONE of Waikiki. When they purchased their property, they did so with the understanding that short term rentals in this zone was legal. The city said so. We have followed all rules over the years including, but not limited to; signing in units with Tax ID #'s, listings including tax IDs and TMK #'s, all in addition to paying GET and TAT taxes when required.

The proposed registration requirements do nothing more than saddle these RESORT ZONE OWNERS with unnecessary expenses to obtain title and tax reports, a ridiculous amount for insurance which is virtually unobtainable and other forms of "evidence" represents undue burden, an incredible amount of time and costs which restricts these owners from operating as intended, and up until now, LEGAL. Yearly re-registrations are also severely restrictive, costly and unwarranted in the amount of time it will require. THIS IS A LOSS OF PROPERTY RIGHTS OF RESORT ZONE OWNERS without compensation.

Has anyone with the city thought about how many city employees we will need to contact and the time and expense this will require before we register? Can the city keep up with all the requests and the lines? Have any of you seriously thought this through? City services move at two speeds...slow and stop. There is no way we will be able to be permitted on time. This is a complete failure from the start! The proposed requirements are a farce and I have to wonder if this is intentional.

I understand the need to clamp down on illegal rentals in non-resort

Office.
Mahalo

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:09 PM
Subject: Council Testimony

Written Testimony

Name	Casey Kribel
Phone	
Email	Caseykribel@gmail.com
Meeting Date	03-23-2022
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: Sunday, March 20, 2022 4:37 PM
Subject: Council Testimony

Written Testimony

Name	Mike Nichols
Phone	
Email	Rosenicholsbooks@aol.com
Meeting Date	03-23-2022
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: Sunday, March 20, 2022 5:10 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Katie Kingsley
Phone
Email kwkingsley@yahoo.com
Meeting Date 03-24-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41 cd2
Your position on the matter Support
Representing Self
Organization

Written Testimony Please remove the financial incentive to rent short term and thus remove housing options for residents. We need more housing options in residential neighborhoods. If someone wants income, let them rent long term. Not short.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 5:17 PM
Subject: Council Testimony

Written Testimony

Name Perle Besserman
Phone
Email psbesser@gmail.com
Meeting Date 03-20-2022
Council/PH Committee Council
Agenda Item Short term vacation rentals
Your position on the matter Oppose
Representing Organization Self

Written Testimony

The invasion of short term renters in our neighborhoods has destroyed the environment and way of life for local families throughout Hawai'i. A profitable playground for corporate vacation real estate companies like Air B and B, their short-term visitors care nothing at all for civil behavior expected of residents, partying at all times of day and night, playing rowdy games in backyard pools and strewing rubbish everywhere— not to speak of parking illegally in driveways beyond their rented houses and trashing property they leave behind to the neighbors of their offshore investors to clean up.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 11:41 PM
Subject: Council Testimony

Written Testimony

Name Maureen L McKeague
Phone
Email reeniemck@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Organization Self

Written Testimony As life long residents of Lanikai who live on our property and have been renting our home for 30 days or more for the past 10 plus years after our 6 children grew up and mother passed away. We have been able to maintain our home and share with many friends from all over the world as well as block off dates for our children and grandchildren to visit. We do not disturb our neighbors or cause any parking problems as we provide parking and quiet hours. A 90 day minimum is a ridiculous regulation to impose on those of us who have been abiding by the 30 day minimum while paying all our taxes and providing housing for the two and three generation families who have been coming to our islands and supporting our businesses for so many years. Please vote no on Bill 41.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:53 AM
Subject: Council Testimony

Written Testimony

Name Tom and Corinne Rollman
Phone
Email tomrollman@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony We are VERY MUCH OPPOSED to Bill 41. This draconian measure is overreaching and completely unnecessary. It favors the hotel lobby by lining their pockets while stripping small business owners of their livelihood. Ultimately this Bill will hurt Oahu's economy. Please reconsider and enforce the current 30 day mandate. Thank you.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:44 AM
Subject: Housing and the Economy Testimony

Written Testimony

Name	Meg Lin
Phone	
Email	Linm001@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Housing and the Economy
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please support Bill 41 CD2 to make housing a priority for locals and stop the spread of illegal vacation rentals. Let's stop talking about our desperate need for residential housing and our dependence on tourism. Let's take action now by passing Bill 41 CD2.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 8:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathy Shimata
Phone
Email kshimata@hawaiiantel.net
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 4 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony
Aloha,
I live in a residential neighborhood because I want to know my neighbors. We have zoning districts for a reason. You can't open a bar or manufacturing facility in the residential district. Vacation rentals are also NOT ALLOWED in the residential and apartment districts. Resort districts are where vacation rentals belong. We need housing for residents and not more tourists.
Please pass Bill 4 to keep our neighborhoods friendly.
Mahalo,
Kathy Shimata
Honolulu 96822

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 6:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robert E. Fox
Phone
Email rfoxent@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 40
Your position on the matter Support
Representing Self
Organization

Written Testimony

I am concerned that Air BNB and the like will be able to take over our neighborhoods, creating HOTEL zoning in what was intended as residential zoning. We had this battle regarding Monster Homes that were trying to create dense rental housing in single family residential neighborhood. Lord Knows I have one next to my house and it is hideous. They paved over the entire lot, undercut the solidity of my lot where I have built a 120 foot lava rock wall, which is not impacted. I have new tenants every month moving in and out and we have NO PARKING for all these people. The run-off from rain is 6 inches deep going down Maile Way. If we allow short term rentals in our neighborhoods, we will be creating a disaster for our islands. Neighborhoods will become hotel usage. This is not right. I suggest that you designate all of Waikiki as Short Term Rental (I saw the proposed map which designated only one property owners property Mauka of Kuhio for airbnb.) That is just another example of corruption and paying off the system.. Create all of Waikiki as Air BNB allowable and If an owner is not actually living on their property, then restrict Airbnb in the neighborhoods PERIOD. I don't mind that someone uses Short Term Rentals to pay their mortgages, but they should be onsite and in person to control the mess. On the rest of the islands, NO to any short-term rentals in apartments or condos of 4 or more units. This is merely common sense. We have seen how life can be without travelers and perhaps this is a learning time. We should not give up our quality of life for money. Once you give Hawaii away, one can never get it back. Think about that.

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Monday, March 21, 2022 2:06 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marisa Nguyen
Phone
Email mypillbuggy@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

The only people in favor of bringing more tourists into our residential neighborhoods are the people who gain financially from it.

The demand by visitors for an alternate vacation experience should not outweigh the demand by our local residents and communities for housing, quality of life, and social and cultural wellbeing.

Written Testimony Business owners who say they must run vacation rentals out of their homes to make ends meet, can instead rent to long-term residents. They can generate income while helping our population.

Vacation rentals have been allowed to run rampant in our neighborhoods.

If you care about homelessness and if you care about our residential neighborhoods, support Bill 41 CD2.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:50 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stacy Becker
Phone
Email sbecker@gvtc.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

My husband and I(along with our 75-member company) have visited Oahu annually since 2002. We first stayed in hotels but found eating in restaurants for 3 meals daily was very expensive, so in 2015, we began staying only at condos in Waikiki and Turtle Bay. The 30-day minimum rule and now the fees/taxes on short-term rentals are driving(intentionally, of course) guests back to hotels BUT the average visitor can't afford the hotels, taxes/resort fees for longer than 3-4 days. It's the residents and the condo visitors that buy groceries, gas, products, etc., in the small economies of the various communities all over the island rather than just in the Waikiki area. The shut down of Hawaii for such a long time has killed the economy, some businesses are closed forever. The bills that hamper the STR owners only further closes Hawaii to visitors and crushes Hawaiian residents. The high rental fees/taxes and restrictions on stays will force visitors to travel elsewhere. We can't stay for 30 days nor do we want to pay punitive high taxes/fees which wastes our money. We have a 75-member staff that will no longer visit Oahu.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:19 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Larry Oldfield
Phone	
Email	larry@olaproperties.com
Meeting Date	03-23-2020
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	Hawaiian Princess at Makaha located at 84-1021 Lahalahi Street is a mixed use building with both timeshare units & individually owned condos. The owners of the privately owned condos should not be forced to rent for 90 days when the timeshare unit right next door can rent daily
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patricia von Sydow Aurely
Phone
Email pilatesfithi@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 (CD2)
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I OPPOSED TO THE BILL 41 (CD2). It is unbelievable Bill 41 will remove our freedom to chose where and how we would like to stay/staycation when travel. It is very important to keep SHORT-TERM VACATION RENTALS (STRs) AND AFFORDABLE HOUSING. This is Hawaii is our home and most to the population is mid or lower class, we can't afford more high prices and less opportunities.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:35 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Paul Aurely
Phone	
Email	paurely@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 (CD2)
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I OPPOSED. I can't believed a Bill 41 (CD2) even exist. We need the SHORT-TERM RENTALS, and the owners of the homes should have the freedom to rent their houses as they please. THIS IS A FREE COUNTRY AND WE SHOUD KEEP THAT WAY.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:45 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Phyllis takara
Phone
Email Kina7pua@icloud.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
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, March 21, 2022 2:05 AM
Subject: Zoning and Planning Testimony
Attachments: 20220321020438_Testimony_to_ZP_3232022.pdf

Written Testimony

Name ichiro okamura
Phone
Email iokamura0824@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41,CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment 20220321020438_Testimony_to_ZP_3232022.pdf
Accept Terms and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name_____.

Date_____.

Signature_____.

From: CLK Council Info
Sent: Sunday, March 20, 2022 9:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Joslynn Ojiri
Phone
Email Squanto0518@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41. CD 2
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I support Bill 42 CD 2. We need to stop supporting or ignoring illegal vacation rentals that exist on our communities. These rentals remove available homes for our local communities. We are seriously lacking affordable rentals and home for purchase due to these illegal rentals. Investors are purchasing homes and converting these into multi unit vacation rentals that severely restrict home availability. Many of our local residents are having to live with extended family members due to high rents. For those without support find themselves houseless which includes families with children. Vacation rentals should remain within the resort communities such as Waikiki and Ko-Olina.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 9:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name June Rae Hee
Phone
Email Manoavalley2004@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

I am submitting written testimony in support Bill 41, CD2, to make housing a priority for locals and to stop the spread of (illegal) vacation rentals.

Written
Testimony

Because of multi-billion dollar companies like Airbnb and Expedia (who don't care that they are displacing residents) we are quickly losing what makes Hawai'i so special ... a connected community that cares about neighbors, friends and family. Outsiders and investors (many of whom do not even live in our state and whose sole interest is to generate profits) are snatching up properties and drastically driving up prices - resulting in the further degradation of the integrity of our residential neighborhoods. These are the very people and businesses who don't care about their neighbors or the people who have called Hawai'i home for generations.

We have zoning districts for a reason. Vacation rentals are NOT ALLOWED in the single-family and apartment-zoned districts. Resort districts are where vacation rentals belong. We need housing for residents and not for the accommodation of more tourists. We need to maintain the integrity of our neighborhoods, rather than to "commercialize" them and drive up property costs for the local residents.

Once again, vacation rentals should have no place in our residential neighborhoods. Mahalo for your consideration.

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Sunday, March 20, 2022 10:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robbie Berkstresser
Phone
Email roubberks@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Please help to make housing affordable for local residents by passing this bill. I believe it will also help to keep our residential neighborhoods unified and better able to help keep down crime. Let's keep vacation rentals in resort districts, not residential neighborhoods where residents should be able to live as neighbors.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 10:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Gary Hirokane
Phone	
Email	hirokaneg@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
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: Sunday, March 20, 2022 10:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Eric Wong
Phone
Email kamheights@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2See
Your position on
the matter Support
Representing Self
Organization

Aloha! My name is Eric Wong and I humbly ask that you must SUPPORT Bill 41 CD2 to make housing a priority for local residents and stop the spread of illegal vacation rentals. Let's not kid ourselves about our community desperate need for residential housing and our dependence on tourism.

Written
Testimony Please take action now by passing Bill 41 CD2!

Mahalo,
Eric Wong
Born, raised and lived on O'ahu since 1964.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 11:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wayne Tanaka

Phone

Email wctanaka@gmail.com

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41

Your position on
the matter Support

Representing
Organization Self

Written
Testimony All of our housing units should be used to provide homes for Hawai'i residents. None of our housing units should be used to feed the speculation boom that is compromising our island's food security, ruining our social fabric, and driving kama'āina into the streets or off the islands.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:54 AM
Subject: Council Testimony

Written Testimony

Name Linda Legrande
Phone
Email lindalegrande2243@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization
Written Testimony We all realize how desperately we need affordable housing for local folks & our children. Zoning districts should be used for that; for local residents' housing, not out-of-state investors profiting on our diminished quality of life. Please pass Bill 41.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 7:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Karen Turner
Phone
Email Karenturnr@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Residential areas such as Kuilima Estates are being ruined by out of state investors who rent the condo with no regard for the impact-on the community, These properties exist as money pits for owners who mainly reside in the mainland.
There should be a limit on the number of units in a given community that can register as str
In addition, str units should have only two guests per bedroom not filling up a living room with couches to stuff more guests in and create noise and crowding in a community.
Think about what kind of environment you as residents would wish for yourself and act accordingly.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 7:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dawn Bruns
Phone
Email dawnbbruns@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

We have rented a bedroom in our home, month-to-month, long-term, since 1983 and we will continue to rent month-to-month because it is our understanding you can't remove that property right.

Written Testimony If this was a separate housing unit, I could understand a 90-day requirement, but because this person lives within our single-family home, I will not rent to someone I don't know for 90 days. Because we currently have a 45-day required notification period to terminate a tenant, I would understand a 45-day requirement.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 9:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Brett Kurashige
Phone
Email brettkurashige@yahoo.com
Meeting Date 02-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony Thank you for the opportunity to submit written testimony in support of Bill 41 CD2. Hawaii's cost of housing (both home ownership and rentals) has skyrocketed to unimaginable levels in just a few years, and it does not bode well for the future of Hawaii. It is clear locals are being outbid. We must take a stand against this. Bill 41 CD2 is a step in the right direction.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From:

Sent:

Subject:

CLK Council Info

Sunday, March 20, 2022 9:09 PM

Zoning and Planning Testimony

Written Testimony

Name

Neil Frazer

Phone

Email

neilfrazer@icloud.com

Meeting Date

03-23-2022

Council/PH Committee

Zoning and Planning

Agenda Item

Bill 41 CD2

Your position on the matter

Support

Representing Organization

Organization

Organization

Frazer-Frantz Family Hui

Aloha Chair and Members of the Planning & Zoning Committee

Written Testimony

Mahalo for your continued work on this contentious subject. As you have a lot of testimony to read, I'll be as brief as possible: In our present situation there are hardly any long-term rentals available, and the result is that it is nearly impossible for knowledge based enterprises (software, science, medicine, education) to prosper in Hawaii because the high cost of housing makes it impossible for such enterprises to attract and retain skilled employees. That is why (you know this) we have such shortages of doctors, nurses and teachers.

In other words, if we do not greatly reduce the share of rental housing devoted to TVUs, there will never be any hope of diversifying our economy away from the tourism business, which, as the pandemic has demonstrated, can dry up without warning.

Mahalo for your unselfish service to the people of O'ahu.

Testimony Attachment

Accept Terms and Agreement

1

From: CLK Council Info
Sent: Sunday, March 20, 2022 6:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robert Logreco
Phone
Email rlogreco@roadrunner.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 41 & 4
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, March 20, 2022 6:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sheryl
Phone	
Email	Sherylacacio@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	41 & 4
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, March 20, 2022 6:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Andrew Logreco
Phone
Email andrewlogreco@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 41-4
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, March 20, 2022 6:00 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name JoAnn Salakielu
Phone
Email salakielu616@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony Oppose this bill.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 6:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Midi Cox
Phone
Email midicox@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony Please support Bill 41 CD2 to make housing a priority for locals and stop the spread of illegal vacation rentals. Let's stop talking about our desperate need for residential housing and our dependence on tourism. Let's take action now by passing Bill 41 CD2. Mahalo.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 6:47 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name veneeta acson
Phone
Email acson99@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 41 cd2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I do not want to live next to an illegal vacation rental where I do not know my neighbors. i want to feel safe next to people I know. I do not feel safe knowing that there are strangers in my neighborhood: people who are here today and gone tomorrow ; people who do not care about Hawai'i, my neighborhood, my family or me. Vacation rentals are not allowed in the residential and apartment districts. vacation rentals belong in resort areas. We need housing for residents and not more tourists.
I support bill41

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:02 AM
Subject: Housing and the Economy Testimony

Written Testimony

Name Crystal Empalmado
Phone
Email tehere86@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Bill 41 will hurt more than just property owners. Jobs on the north shore DEPEND of short term rentals (STR) for business. These include caretakers, cleaners, lawn care workers, and small business owners that depend on STR for business out in these areas.

Written Testimony Because there are only 2 hotels on the North Shore, people visiting the island have few choices, and the jobs related to STR rely on those.

I have had too many friends move because their jobs relied on STR. Job should not be at stake!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 5:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kai Duponte
Phone
Email kaiduponte@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41CD2
Your position on the matter Support
Representing Self
Organization

March 20, 2022

Aloha Honolulu County Council!

I am on the island of Maui, but I want to support Bill 41 CD2 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,

Written
Testimony

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: Sunday, March 20, 2022 5:19 PM
Subject: Zoning and Planning Testimony
Attachments: 20220320171909_20220321121742.pdf

Written Testimony

Name	SHIRO ORITO
Phone	
Email	shiroorito@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41, CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please see my Testimony attached
Testimony Attachment	20220320171909_20220321121742.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name Shiro Orieo

Date 3 / 21 / 2022

Signature Shiro Orieo

From: CLK Council Info
Sent: Sunday, March 20, 2022 5:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Keith Watanabe
Phone
Email ampeep@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I support Bill 41 CD2 which makes housing a priority for locals and stop the proliferation of illegal vacation rentals. Outsiders and investors are buying properties which dramatically drives up prices. These businesses and people only care about profits and have no interest in the adverse impacts of their rentals on the surrounding community. Zoning laws were enacted to promote the orderly development of the city. Apartment buildings were specifically limited to those areas with appropriate zoning. Bill 41 CD2 would help to restore this control.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 4:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name J. Nielsen
Phone
Email yato14k@yahoo.com
Meeting Date 02-03-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Request that the City Council due their due diligence to protect legal vacation operations and not punish them. Focus of enforcement of the laws against the illegal vacation rentals.

Submission of written testimony
Date: March 20, 2022
By: J. Nielsen
Email: yato14k@yahoo.com

Reference: PROPOSED CD1 TO BILL 41 (2021)

PART I. BRIEF SUMMARY BY SUBJECT MATTER

Written
Testimony

8. Nonconforming Use Certificates ("NUCs"). Amends ROH Section 21-4.110-1 (NUCs for TVUs) and Section 21-4.110-2 (NUCs for B&Bs) to require B&Bs and TVUs with NUCs to comply with the restrictions and standards in ROH Section 21-5.730(b)(3). Increases the fee for renewal of NUCs for B&Bs and TVUs from \$600 every two years to \$4,000 every two years.

PART II. DETAILED SUMMARY BY BILL SECTION

B. Adds a new SECTION 2 of the bill to increase the fee for renewal of nonconforming use certificates ("NUCs") for B&Bs and TVUs from \$600 every two years to \$4,000 every two years.

Position: We are OPPOSED to these provisions raising the permit fee to \$4,000 for two years. The fee was just raised two years ago – when we were shut down and had no income coming in. Now you want to raise the rate 667% which is an unreasonable amount for Bed and Breakfasts. Remember we are small residential operations and do not generate large

revenue like the investment properties that are vacation rental homes and condos. We recently had to raise our rates to compensate for the new Oahu TAT of 3%. We can not in good faith raise the rates again for this proposed extreme permit fee increase. The City Council in good faith should not burden the legal B&B operations to the point of closure. Exuberantly raising this permit fee is a slippery slope. Will the Council raise other permits this much? If not, then this is unfair to this type of small business.

PART II. DETAILED SUMMARY BY BILL SECTION

Renumbers subsequent bill SECTIONS.

L. Adds a new SECTION 8 of the bill to amend ROH Section 21-5.730 as follows:

r. Adds a requirement that an informational binder be provided to transient occupants. The binder must include a floor plan, parking plan, trash collection and disposal instructions, house rules (including quiet hours between 10 p.m. and 7 a.m.), emergency contacts, copies of the registration certificate and certificate of insurance, and copies of the GET and TAT licenses.

PART II. DETAILED SUMMARY BY BILL SECTION

3. In subsection (c), relating to advertising requirements:

b. Requires advertisements to include the tax map key number of the B&B or TVU (in addition to the registration or NUC number).

Position: We are OPPOSED to any requirement for listing of tax numbers in a public forum. This is equivalent of giving out ones Social Security Number in the business forum. Listing the NUC number is proof that the establishment has meet all the requirements to obtain the permit. Listing the elements (Tax key number and GET and TAT numbers) that one must produce to obtain the NUC permit is redundant and evading the privacy of the establishments.

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 4:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rose Wilson
Phone
Email lmloke407@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41, CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

When I purchased my unit at the Colony Surf in 2002 I obtained a business license and set up a GET and TA account I have paid all my taxes and file state of Hawaii taxes forms each year. When I am not in Hawaii. I rent my unit at the required 30 day minimum. Now, I am being punished because the Planning Commission has been unable to get on top of illegal renters for over 20 years. I just bet that the planning department will be coming after the legal rentals because they have the information on file and illegal rentals will continue to persist. Why is there a rush to exploit the legal rental market in the county? Why are you and the city council allowing Blangiardi and Uchida to ramrod this thru. Take a breath please and step back before rushing this amendment change

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:42 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name John Otto
Phone
Email ottobond808@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Councilmembers:

I write to support Bill 41 CD2, although there is room to improve enforcement language and close loopholes.

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.

Written
Testimony

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 CD2 with minor tweaks 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 it 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: Sunday, March 20, 2022 3:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Vanessa Distajo
Phone
Email vanvanes@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Chair Elefante and Council Members,

I value the opportunity to submit written testimony in SUPPORT of Bill 41 CD2. 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 CD2 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.

Written Testimony

The language of the current ordinance, signed into law a couple years ago, was not stringent enough, and now we are dealing with the negative impacts. Bill 41 CD 2 helps to address some of the loop holes, yet it needs to be stronger. There need to be fines for even first time offenders because they know that transient vacation rentals are illegal, yet they are choosing to violate the laws anyway. They continue with the illegal behavior because they have learned that there are no serious consequences for them. Meanwhile, they are making money off of our neighborhoods, disturbing our peaceful way of life, while raising the cost of housing for local people. Our middle class people are being priced out of the competitive market, and can no longer afford to purchase a single family home in the neighborhoods where they grew up. Rents are through the roof too! Many local people have been relocating to other states due to this economic crisis.

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 2 to preserve

our neighborhoods and housing for local people.

With respect for your consideration,
Vanessa Distajo

Testimony

Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:36 PM
Subject: Zoning and Planning Testimony
Attachments: 20220320153541_Bill_041_2021_CD2_Short_Term_Rentals_Letter_2022_03.pdf

Written Testimony

Name	Karen Lisoway
Phone	
Email	lisowayk@telus.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	See attached letter.
Testimony Attachment	20220320153541_Bill_041_2021_CD2_Short_Term_Rentals_Letter_2022_03.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Aloha, City and County of Honolulu Council

I am writing to you as an owner of a condominium unit that has an existing Non-conforming Use Certificate and is located just outside the current Waikiki Resort zone. I am opposed to the new ordinance that is being proposed to replace Bill 19-18. Although the changes that are being proposed in CD2 are an improvement to both the proposal put forth by the DPP and CD1 there are still a number of items that need to be addressed.

Favoritism to the Hotel industry – we have listened to a number of hotel lobbyists that are all in favor of this new Ordinance. Of course they are in favor of it since it gives them a clear competitive and unfair advantage over the small business short term rentals. CD2 is proposing annual fees of \$1000 to renew my NUC. Up from \$300 that it is currently and making it an annual requirement instead of bi-annual which increases my costs and the costs of the city since city personnel will need to deal with licensing on an annual basis as opposed to every second year. That is a significant increase and added burden to my costs. If I have to pay this fee per unit then why don't the hotels also have to pay it? It would create a level playing field if both short term rental units and hotels had to pay the same fee per unit. As a single unit operator the rental of that unit is my only source of income. I don't have the benefit that the hotels have of having restaurants, convenience stores and boutique shops from which to generate revenue and yet you are charging me higher fees and imposing more stringent guidelines.

I think council needs to ask themselves what is the real purpose of this increase in fees? Who stands to gain the most if this bill passes? Clearly it's the hotels. A fair and just council would not allow this to happen.

Section 21-5.730 (a) - Council also needs to ask themselves why are the Banyan and Waikiki Sunset being included in the resort zone? Is it because they are managed by Aston Hotels and Resorts and because Aston is a key player in the consultation process of modifying this bill and is a key lobbyist of the changes being pushed through? Is it because Aston has a clear link with the DPP? Don't kid yourselves, they are simply lobbying for their own benefit, not for the benefit of the Hawaiian residents.

Section 21-5.730 (c)(3) – Why are hotels and time shares exempt? Another clear advantage given to the hotel industry over the small business short term rentals.

Legal NUC being penalized – It appears as though those of us operating legally and paying all our taxes currently are being penalized under the new proposals. Our fees are increasing so that the DPP can use additional funds to crack down on illegal operations. Instead the focus should be strictly on identifying and eliminating illegal rental units. There is no need to penalize legal units that are contributing to the work force in Hawaii. All the local residents that we employ to manage, clean, maintain and renovate will be out of a job. We are supporting the local economy far more than multi-national hotel chains that take all their profits off shore.

We pay our share of income tax, TAT, GET and property taxes, this will all disappear as well. How does this benefit Hawaii? It's the illegal units that should be paying for the enforcement costs. The fines being levied should pay for the effort to monitor it. The more illegal units there are, the more fines that are levied which results in more funds to crack down on them. Over time as the DPP is successful in shutting them down the funds decrease but the effort to crack down on them decreases as well. By increasing our fees on a permanent basis the DPP will be getting funds continually which should not be required.

Collaborative Effort – Most owners of short term rental units are entrepreneurs. To be a successful entrepreneur you need to be an innovative and creative problem solver. Members from this group being part of a joint committee would have a lot to contribute towards creating a bill that has everyone's interests in mind.

The DPP put forth that the reason for these amendments is to create more affordable housing and to crack down on illegal rentals. Ordinance 19-18 gives the Planning Commission all the power they need to crack down on illegal rentals and they have done nothing. I can sympathize with those that live in residential areas and have to deal with illegal units that are causing a disruption to their neighborhood but Ordinance 19-18 gives the DPP all the ammunition they need to crack down on illegal rentals, they have just chosen not to. We need the DPP to better enforce the current rules. What makes you think they will enforce the rules of the new proposal? All it does is increase the cost to those of us that follow the rules and pay all the taxes. It will do nothing to prevent illegal rentals if the DPP doesn't enforce it just like they don't enforce the current law.

Regards,

Karen Lisoway

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jamie Kato Robinson
Phone
Email katonatto@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

Dear Councilmembers,

Written Testimony I strongly support Bill 41 CD2. Residential zoning is for residents. Resort zoning is for tourists. Please uphold our laws and make housing for residents a priority.

Thank you,
Jamie Kato Robinson

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Fred Batkin
Phone
Email fhb1308@gmail.com
Meeting Date 03-23-2022
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.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:20 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shawn Zaa
Phone
Email szaa1@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Dear Councilmembers,

Written Testimony I support Bill 41 CD2. Hawaii is becoming more and more unaffordable. Allowing vacation rentals in our residential neighborhoods has greatly exacerbated this problem. Please prioritize housing for locals over tourists.

Thank you,
Shawn Zaa

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sandra Gishitomi
Phone
Email pitaandsan@icloud.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization
Written Testimony I support Bill 41 CD2. We need housing for residents and not tourists.
Testimony Attachment
Accept Terms and Agreement I

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lane Nagano
Phone	
Email	lbnagano1@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 CD2. We need housing for locals and not tourists.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Marilyn Moniz
Phone	
Email	monizkah@gmail.com
Meeting Date	09-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	We need our neighborhoods back!
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jean Zaa
Phone	
Email	jeanzaa@hotmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Please support Bill 41 CD2. We need housing for local families and not tourists!
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 2:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tina Gray
Phone
Email Tinagray808@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written Testimony

Please pass bill 41. Help us keep our neighborhoods free from the commercial plague of tourism. Please uphold our zoning laws and keep our neighborhoods for our local working families.

Oahu has too many tourists. Keeping them in tourist zoned areas is the only way to manage over tourism and control our quality of life.

The opposition outnumbered the silent majority of families that are too busy raising their families and working long hours to pay high rents and property prices caused by tourism in our neighborhoods. The opposition profits from exploiting neighborhoods. They are fighting for their exploitive illegal rental activities. Please stop this and save our neighborhoods. Mahalo.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 2:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name John Lisoway
Phone
Email Jlisoway@telus.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

This should be called the Hotel Lobby Bill if we are being honest.

Written
Testimony

Bill 41, CD2 contains language that gives Hotels and Timeshare units owners an unfair business advantage. The city has already raised the property tax of short term vacation rentals to the same level as hotels. Now the city wants LEGAL short term rentals, to pay a \$2000 registration fee and then an annual \$1000 fee for each unit, even if that unit within the Resort zone. All businesses operating in the Resort Zone should be treated the same under the rule of law. This will create an unfair business advantage for Hotels and Timeshare unit holders.

It is recommend that ALL short term vacation rental units AS WELL AS all hotel room units and timeshare units pay an EQUAL annual registration fee of \$200. This would create more income for the city and put all businesses offering short term rentals on a more level playing field.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 3:49 PM
Subject: Zoning and Planning Testimony
Attachments: 20220320154907_Testimony_on_Bill41_CD2.PDF

Written Testimony

Name NORIFUMI NAKAMURA
Phone
Email nnorifumi.nn@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41, CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony Testimony attached
Testimony Attachment 20220320154907_Testimony_on_Bill41_CD2.PDF
Accept Terms and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members.

I strongly oppose this bill for the following reason.

I strongly recommend: deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy. If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island. Condo owners can also protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area. However, it makes no sense for Waikiki. Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special District are in only a few minutes walk distance from the Resort Precinct of Waikiki Special District where people can stay less than 30 days. I strongly recommend that Waikiki Special District should be completely excluded from the 90 days minimum rule.

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in

Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii Kai

Thank you for your consideration on this critical measure.

Name NORIYUKI NAKAMURA

Date 03/29/2022

Signature Noriyuki Nakamura

From: CLK Council Info
Sent: Sunday, March 20, 2022 1:59 PM
Subject: Zoning and Planning Testimony
Attachments: 20220320135904_Testimony_on_Bill_41_CD2_page2.PDF

Written Testimony

Name NORIFUMI NAKAMURA
Phone
Email nnorifumi.nn@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41, CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony My Testimony is attached.
Testimony Attachment 20220320135904_Testimony_on_Bill_41_CD2_page2.PDF
Accept Terms and Agreement 1

IP: 192.168.200.67

Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?


The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name NORIFUMI NAKAMURA

Date 03/20/2022

Signature 

From: CLK Council Info
Sent: Sunday, March 20, 2022 10:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathie Schmid
Phone
Email kathie@captaincookresorts.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Aloha,
Why are the DPP and Mayor Blangiardi rushing to expedite and rubber-stamp Bill 41, while continuing to not enforce the current law (Ordinance 19-18), ignoring the many concerns and confusion around Bill 41? Responsible governance require that our elected officials take the time to carefully deliberate on complicated issues.
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. Therefore 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 takes away 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 system which would be a significant cost to City and County taxpayers.
Mahlo,

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 11:48 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name SharLyn Foo
Phone
Email Bpacker@maui.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Aloha again, This is SharLyn Foo again. I appreciate that CD2 is more reasonable than the prior bill. However, once again some sections are punitive to the people that have lived within the laws for decades. Why should we be lumped in with new regulations just for parody?
Such as raising certificate fees to 5X more. Do liquor licenses go up constantly?
The North Shore Master plan doesn't allow any more BB or TVU at all, so this bill targets us legal folks.
No one goes on vacation for 90 days! This will just force more underground rentals. They don't even need to advertise because years of illegal rentals has built their client base. What was wrong with Bill 89 and ordinance 19-18. Never implemented because Uchida said they couldn't figure out 1000ft distance. How are they going to figure out how long people stay?
Sincerely

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 12:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pauline Mac Neil
Phone
Email dearpauline@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 (CD2)
Your position on the matter Support
Representing Self
Organization

Vacation rentals are a business, not a residential use.

The housing crisis for local workers and families intensifies as residential rooms, apartments, and homes are captured by the visitor industry.

While not all neighborhoods are targeted, all local renters are impacted by the removal of long term rental units.

Written Testimony Bill 41 (CD2) is needed to address loopholes that have allowed bad actors to disregard government agents and agencies tasked with enforcing existing laws.

Legislative powers are the backbone of a just and livable society.

Pass Bill 41 (CD2) and restore the rule of law.

Mahalo for your efforts to keep communities safe and livable.

Pauline Mac Neil
Kailua, HI 96734

Testimony
Attachment

Accept Terms and
Agreement

1

From: CLK Council Info
Sent: Sunday, March 20, 2022 1:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Heather Strait
Phone
Email kailuaisland@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Comment
Representing Self
Organization

Vacation rentals in residential neighborhoods is a significant problem and I appreciate the City's efforts to curb illegal vacation rentals.

Written Testimony However, there must be an exception for neighbor island residents who need temporary housing on Oahu for whatever the reason e.g. medical care, family events, back to school shopping, etc.

Residents holding a valid Hawaii drivers license or state ID must be exempt from the 28-day minimum stay requirement. Hawaii residents must be allowed to rent a home on any island for just a few days.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 10:02 AM
Subject: Zoning and Planning Testimony
Attachments: 20220320100227_Opposition_to_Bill_41.docx

Written Testimony

Name Ryan Scarborough
Phone
Email rscarborough@wc.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment 20220320100227_Opposition_to_Bill_41.docx
Accept Terms and Agreement 1

IP: 192.168.200.67

March 20, 2022

Aloha City Council Members,

I wanted to share my views on the proposed amendment to the City's ordinance to redefine short-term rentals from less than 30 days to less than 90 days. I ask that you consider this as written testimony submitted in connection with the proposed changes to the City's ordinance on short-term rentals.

My wife and I own a home in Hawaii that we visit each year for an extended summer stay (usually 4-6 weeks). We purchased our home in 2016. We used to live in Hawaii in the late 1990s, and we intend to permanently move into this home when we retire within the next ten years. We have engaged a reputable property management company to maintain our home and, when we are not there, to oversee monthly transient vacation rentals. We use the funds from those rentals to pay for maintenance and help us cover the mortgage on the home. We have been conscientious about complying with local ordinances, particularly the 30-day rental requirement. Over the years our rental periods have ranged from one month to seven months, depending on the needs of the guests. We have never done shorter rental periods, and we have never had a complaint from our neighbors.

I ask that the proposed change from 30 days to 90 days to the definition of short-term rental be rejected, as it unfairly punishes homeowners such as myself who have complied with the existing ordinance and who utilize the income from short-term rentals to help offset home expenses ranging from maintenance to mortgage. It is unfair to make such a fundamental change, which has a substantial impact on homeowners who rely on this income source, while simultaneously not offering any opportunity for homeowners to obtain any certificate excepting them from these requirements. The proposed legislation sweeps far too broadly and will negatively impact countless homeowners who rely on this important source of income and who have conscientiously followed existing rules related to short-term rentals. It unfairly punishes many homeowners such as myself who have responsibly adhered to the rules but yet face the loss of an important source of income.

Making such a dramatic change so quickly after the Council enacted a new policy on short-term rentals is unwarranted. Not enough time has gone by to determine the effectiveness of the current policy, which itself constituted a significant shift in approach. Rather than redefining the definition of short-term rental, I think the Council should devote greater resources and attention to enforcement of the existing policy on short-term rentals: allocate more funds; authorize greater enforcement penalties; crack down on homes whose online listings do not comply with the existing ordinance. But please do not punish the vast majority of homeowners who adhere to the requirements of the existing ordinance. To do otherwise is to take away valuable and important rights homeowners have. And it will do little, if anything, to achieve the stated objective of this legislation.

In closing, please ask yourselves what problem you are trying to solve. Is the problem with disruptive guests staying in short-term rentals? The problem is not with the visitors who stay in these properties; their numbers are small and they respect the neighborhood. And to the extent there are any outliers, this can be addressed with greater devotion to enforcement. The problem is with the companies that bring busloads of visitors from Waikiki and other resort areas to places on the island that heretofore have been undiscovered. That has nothing to do with short-term rentals and everything to do with commercial tourist operations.

Mahalo for your consideration.
Ryan Scarborough

From: CLK Council Info
Sent: Saturday, March 19, 2022 7:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dan Nishikawa
Phone
Email dnishikawa@fhb.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization
Written Testimony Oppose penalizing legal vacation rentals.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 8:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Meetay Moonay
Phone
Email meticulousmike@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Bill 41 is NOT government by the people. It is big business squashing the little people with the help of our city council. To put it plainly: It is government OF the people, BY the HOTELS, FOR the HOTELS. Shame on any of you who vote in favor of this Bill 41. SHAME!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 1:46 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Simon Cacy
Phone
Email thecacyfamily@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written Testimony As a long time renter in Kailua, I have seen the effect that short term rentals have on the community. Rents increase and house in my neighborhood have become de facto hotels. Keep tourists and traffic out of our neighborhoods please.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 4:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Karen Young
Phone
Email kareny402@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Please vote against Bill 41 moving forward for final passage by the full Council. Bill 41 needs to be held in committee for further stakeholder discussion.

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 on 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.

Bill 41 targets LEGAL short term rentals to pay for enforcement of ILLEGAL operators. Why does the bill punish LEGAL operators?

Changing the minimum rental period to more than 30 days is illegal based on Hawaii State law, and conflicts with the Landlord/Tenant code.

Passage of this bill which takes away 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 system which would be a significant cost to City and County taxpayers.

Any fees and restrictions imposed on short-term rental properties in resort zones must equally be placed on hotels on a room-by-room basis.

Why are DPP and Mayor Blangiardi rushing to expedite and rubber stamp Bill 41, while continuing to not enforce the current law (Ordinance 19-18), ignoring the many concerns and confusion around Bill 41? Responsible governance require that our elected officials take the time to carefully deliberate on complicated issues.

Testimony Attachment

Accept Terms and Agreement

1

From: CLK Council Info
Sent: Sunday, March 20, 2022 7:33 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	John Miller
Phone	
Email	Dana86@hawaiiantel.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support limiting the number of Contracts per year and contract length must be 90 days
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 9:50 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Paula Ress
Phone	
Email	paular@hawaiiantel.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	For about 30 years I have been testifying in support of residential neighborhoods. Every time I believe we have solved problems of using our homes for resort areas, the scofflaws find a way to thwart the advances and continuing to use our neighborhoods for personal gain. HELP!!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 6:39 PM
Subject: Zoning and Planning Testimony
Attachments: 20220319183925_Bill41_Testimony.docx

Written Testimony

Name	Itsuji Hatano
Phone	
Email	itsuji@captaincookresorts.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Organization
Organization	Captain Cook Real Estate
Written Testimony	
Testimony Attachment	20220319183925_Bill41_Testimony.docx
Accept Terms and Agreement 1	

IP: 192.168.200.67

Aloha,

First of all, I would like to thank you, City council members for tackling this very sensitive issue of our community.

I have been following this issue from the very beginning and I am somewhat confused and concerned after reading this new CD2.

#1 Regarding the issue of Gold Coast being considered as a resort zone in CD1 and now they seem to be restricted to 90 days minimum. I wonder why the Gold coast must take such a blunt blow. I am sorry to see Colony surf to become just a regular condo after all these years of being a unique accommodation attracting very valuable cultured people from faraway places. These part time residents created the basis of this wonderful community. I think Gold Coast should be left as 30 day minimum as it has always been.

#2 I understand among all those condos in Waikiki special apartment precinct, only Waikiki Banyan and Waikiki Sunset were accepted to do short term rental. And all the rest of the condos are restricted as 90-day minimum rental. I strongly wish you to think again to create middle ground positions like 30-day minimum.

#3 I heard people saying Kauai and Maui as a success story. I think it is a horror story! Have you recently tried to book a family vacation to Maui or Kauai? Well, the price of the accommodations has skyrocketed, and you have a very few choices. Average islanders should not pay \$600-\$1200 / nigh where we used to pay \$300.

I remember people saying that we should hike-up the price and reduce the number of rental units so that only small number of affluent people can visit Hawaii!

Well, now the reality seems that we local with limited money must compete with these rich travelers to visit our own beautiful outer islands. I hope Oahu will not follow that course of disaster.

I would like to ask our council members to re-think this Bill41 and find a middle ground moderate solutions. As it is, this Bill will take so much away from we locals.

Mahalo

Itsuji Hatano

Captain Cook Real Estate

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jaymar Acidera
Phone
Email jaymar.acidera@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony My name is Jaymar Acidera and I live in Ewa Beach. I currently work at Embassy Suites Waikiki Beach Walk by Hilton. I think it's important to keep the people of Hawaii on the islands instead of them choosing to leave for the mainland for cheaper cost of living. Thank you for your consideration.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Janet
Phone
Email Allstarrjanet@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I feel it would be an unfair proposal to ask that Airbnb units to pay a registration fee without asking hotel rooms to pay the same fee for each of their rental rooms. This proposal is being driven by the hotels to try and put airbnb's out of business.

I hope the council understands that and votes in favor of the people not the big business hotels.

I manage 4 units and have always paid all the taxes and raised property taxes as asked to . They are all registered -

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jun Tang
Phone
Email waikikiph201@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 2. 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: Saturday, March 19, 2022 5:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Charles Yu
Phone
Email louis.tang868@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 2. 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: Saturday, March 19, 2022 5:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Liqiang Tang
Phone
Email ltng255@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 2. BILL 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony The city already has increased taxes tremendously, and imposing more fees and restrictions is a gross misuse of legislative power against the small business owner. I oppose the below:
- Increases definition of a short-term rental from 30 to 90 day stays
- Increase initial registration fee to \$2,000
- Increases fines of up to \$10,000 per violation

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name joseph Sonoda
Phone
Email joseph.sonoda@outrigger.com
Meeting Date 03-23-202y
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
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: Saturday, March 19, 2022 3:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Harry Nakamura
Phone
Email alohaharry@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Aloha! City Council Member's,
I oppose Bill 41 immensely! I beg that you do too.
After graduating from UH and majoring in Business Management, I spent part of my early working years on the mainland. My intent was to learn as much as i could, then return to Hawaii
someday and start my own business.
I was very fortunate to return to Oahu and build my own large home in Kailua. I wanted a very nice home, afterall, I did work very hard on the mainland, and made decent money. My goal in life was always to live a good life. Another goal was also to do a house rental business, and therefore built this large home. The rental business was and has continued to do well because I have always been a customer driven person and I have enjoyed every minute being in this business.
Due to family dynamics, my family has diminished over time, and I have been left with a beautiful large home. I have worked hard over my lifetime, and don't want to give up my dream home.
Bill 41 will be ruining my life and long-term goals if it allows only 2-bedrooms and a total of 4 people to occupy a rental.. That is so unfair to those of us that have worked so hard to afford a very nice home, being able to share it with others, and to think of having to sell it soon.
Please oppose Bill 41 or atleast allow some of us kama'aina to share our 5-bedroom homes with large families/friend's that want to vacation in Hawaii for weddings, anniversaries, graduations, reunion's, etc. We need to continue the Aloha Spirit!
Mahalo Nui to you for listening and for your consideration!
Harry Nakamura
Kailua, Hawaii

Testimony
Attachment

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:53 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Noni Floyd
Phone
Email nonifloyd@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization Windward Branch YMCA

Written Testimony This bill is horribly counterproductive for our economy, it is unfair to locals trying to make ends meet by renting for 30 days, and it shows that the council and mayor have local 5 controlling them. Tourists who don't want to stay in a Waikiki or Ko'olina existence while here will go to another island or another part of the world. Shops and restaurants outside of Waikiki have been hit enough through covid and increased rent, but this will put a deeper nail of their coffin. Please just enforce what you already made law, leaving it 30 day minimum. Mahalo.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 4:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lloyd Kuribayashi
Phone
Email llk8877@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

People visiting will not end up staying longer than one month as not many people can afford staying in a hotel for three to six months. The hotels will not make more money as visitors will just stay shorter periods. The vacation monthly rentals will have to rent houses only long term. Everyone loses.
Our rental isn't much difference between monthly or yearly but the wear and tear is the biggest difference.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 4:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Clint Evans
Phone	
Email	clint_evans010@msn.com
Meeting Date	03-19-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Short term rental
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I want the money to stay here in Hawaii for Hawaii
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Catherine Tang
Phone
Email tang.catherine13@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item 2. BILL 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony The city already has increased taxes tremendously, and imposing more fees and restrictions is a gross misuse of legislative power against the small business owner. I oppose the below:
- Increases definition of a short-term rental from 30 to 90 day stays
- Increase initial registration fee to \$2,000
- Increases fines of up to \$10,000 per violation

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 2:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Harry Nakamura
Phone
Email alohaharry@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Aloha! City Council Members,
Please oppose Bill 41 CD1 and CD2.
I am a long-time kama'aina, born and raised in Kailua, HI. I did move to the mainland after graduating from UH in Business Management, for the sole purpose of furthering my career. I always intended to return to Kailua, and my dream came true when opportunities came about. I always wanted to be 'self-employed', just like my Dad. He encouraged us children at a very young age to be our own boss and lead by example. After all, he was able to accomplish that himself with only a high school diploma!
My wish was to start a business that services the public, and strongly people oriented. I always looked at Hawaii as a gathering place, and after meeting so many people on the mainland, it just seemed right to start my own business, and be able to share my home state with mainland people. I have a lot of pride being from Hawaii, and now I am sharing the aloha with others..
I want to continue sharing my 'aloha' and I am very proud to do it!
Please don't pass Bill 41 for the sake of us long time kama'aina. The rewards of doing my vacation rental business are like no other.
Mahalo for listening!
Harry Nakamura
Kailua, Hawaii

Testimony Attachment
Accept Terms and Agreement 1

From: CLK Council Info
Sent: Saturday, March 19, 2022 2:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name William Scott Davis
Phone
Email williamscottdavis@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Short Term Rentals
Your position on the matter Oppose
Representing Organization Self

Written Testimony Please just leave the existing laws alone. We are mom and pop business just trying to make it. We are already taxed at an insane amount. We had a hard enough time with you banning rentals during Covid. Please let us who have rentals in the current legal zones operate in peace.
Mahalo!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 2:57 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gerard Banel
Phone
Email gbanel@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 - CD 2
Your position on the matter Oppose
Representing Self
Organization

Bill 41 - CD 2 has not addressed any concern about the legal transient vacation units in the Waikiki hotel and resort zone, more specifically, units that are in a building where some units are managed by a "hotel pool".

I own a unit in the Pacific Monarch, and operate my vacation rentals myself, it is not part of the "hotel pool" managed by Aqua/Aston hotels.
I chose the Pacific Monarch because it allowed me to use my apartment for myself at any time during the year, and to rent it to visitors when I'm not using it.
Both these usages would become illegal with this Bill.

1. THIS BILL NEGATIVELY IMPACTS OUR WAIKIKI NEIGHBORHOOD FOR THE LOCAL POPULATION.

Written Testimony My units are in the hotel and resort zoning, it doesn't impact the "character and fabric of our residential neighborhoods" and it is "consistent with the land use" (terms used in Bill 41 to ban the current legal usage of my units).
In fact this Bill is trying to remove all legal residents in buildings in Waikiki that are partially operated by "hotel pool" companies like Aqua, or make living in these buildings on a permanent basis more difficult (requiring special authorization). This bill will negatively impact local residents, by banning them in some neighborhoods.
This bill removes my right to use my unit freely for myself (as a staycation, or just weekend in Waikiki).

2 UNFAIRNESS. THIS BILL GIVES MORE RIGHTS TO HOTELS .

I manage my units myself, and hire local staff to operate them. I'm not part of Aqua/Aston hotels. This bill would force me to put my units into the hotel pool.
This is unfair and has no valid reason.

This parts of the law does nothing to "better protect the City's residential neighborhoods and housing stock".

It only gives more power to hotels and companies like Aqua/Aston (companies that are not even fully operated in Hawaii, which means that part of the benefits leave Hawaii and do not profit to the state and the local population).

The fact that there is a conflict of interest by the person who drafted this law is a red flag.

Hotels and individuals should be given the same rules. If a single TVU unit in a resort and hotel zone has to pay a \$2000 initial fee and \$1000 renewal annual fee, then every single unit for every hotel MUST also pay the same fee.

As such, I urge council members to review this bill, in order to protect current legal usage of units in buildings that are partially managed as "hotel pool" companies.

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:12 PM
Subject: Zoning and Planning Testimony
Attachments: 20220319151132_Testimony_of_Bill_41.docx

Written Testimony

Name George Butler
Phone
Email fourboysnagirl@juno.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment 20220319151132_Testimony_of_Bill_41.docx
Accept Terms and Agreement 1

IP: 192.168.200.67

Please do NOT Hastily approve Bill 41!! I offer my assistance as a long term Hawaiian resident, to work with you to develop a Bill or MOU that will be mutually beneficial to and protect the rights of our citizens!

After many years of searching, I have found my retirement home/condo on the beach and needed to buy it when it was available for sale, the problem is I am not yet retired and my kids still live with us and go to school in Hawaii. The only way I can keep my dream alive, is to rent it out as a vacation unit. The condo represents our future, but we can only afford it by offering it as a vacation rental until we are ready to move into it. I have tried renting it out for long term, but no-one can pay enough to cover my mortgage, insurance, and HOA fees. The ONLY way I can break even is to rent to vacationers. When ordinance 19-18 was approved and I could only rent my place for 30 day intervals, I had to lower my price and my place became vacant more of the time. I now have to subsidize my place with my savings. Increasing to 3 month rentals will completely end my dream and ability to rent my place without losing money each month. The sad thing, is my government officials that I voted into office, are spoiling my dreams and taking money from my pockets and putting money in the pockets of large hotel conglomerates from the mainland and overseas. I claim it is taking money from my pockets, but actually it takes money out of the local Hawaiian Bank that holds the mortgage, the local HOA and it's local subcontractors, the local restaurants gas and grocery stores visited by my guests and the cleaning lady I hire. All do not get paid if I am forced to sell by over-regulation.

I support and look forward to working together to develop a Bill or better yet, a mutually agreeable MOU without government regulation, that will allow Hawaiian residents such as myself the opportunity to use our property the way we see fit, whether it is to rent to someone for 6 months, 3 months, 1 month or 1 week. It shouldn't make a difference, and I don't believe it is legal and contradicts other regulations to restrict leases to more than a month (Hawaii Landlord/Tenant Code & State Regs).

Please don't restrict short term rentals for only out of state owners of hotels and resort locations, but allow us local citizens to keep our dreams alive. It is fun hosting people new to the islands, as we proudly show them our Aloha spirit. Our guests don't want to be at resorts, but want to experience our unique, proud and authentic culture directly, not through some Disney character or artificial setting in Waikiki. Please spread the wealth of tourism (our states #1 industry) to more impoverished areas of Oahu other than resorts. Our guests don't hold wild parties, as they are tourists and don't know people on the island. They don't come here to commit crimes, and frankly spend the majority of the time away from our unit sightseeing, not bothering our neighbors.

If you must regulate, then let any Hawaiian citizen have at least one short term rental permit, regardless if it is zoned for resort or a residence. This will keep out mainland real estate investment corporations from buying up multiple condos for short term rentals or building monster homes and reducing housing availability. Allow us residing in Hawaii an opportunity to keep our places (inherited or purchased) and share some of the prosperity from tourism. Allowing Hawaiian citizens to obtain only one permit, will naturally limit the number of places permitted to a controllable number. Require each unit to have an on-island manager or owner who is available 24/7 for any issues. If neighbors have problems or don't share the Aloha spirit, let the Home Owner Associations resolve any issues neighbors may have using their rules and board meetings and owners' forums, city and county shouldn't need to be involved by prohibiting permits based on perceived potential issues. I have yet to hear one argument for regulation that is applicable to me, yet I will suffer an end of my retirement hopes and dreams from Bill 41 as it currently reads.

Please don't give in to big hotel business pressure, but allow us residents to be able to keep our properties through the only way we can...vacation rental income....mahalo

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Francine Hagstrom
Phone
Email francine33333@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill CD 2
Your position on
the matter Support
Representing Self
Organization

Written Testimony

I was President of the Lanikai Association when short-term rentals were first authorized in the late 1980s. We objected to this use in Single-Family Residential Zoned neighborhoods, but the City Council passed it anyway, stating that it would only include a few residents who were renting out rooms in their homes, and that the non-conforming use permit would not be transferable to subsequent owners. Ha! Neither happened, and now our residential communities are inundated with both legal and mostly illegal vacationers. Please pass Bill 41 CD2 to lessen the use of these residences and allow much needed long-term units.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Thomas and Melissa Dalbert
Phone
Email thomasdalbert@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization Self

Aloha Committee Members,

We worked hard to get a signed MOU in place that placed heavy restrictions on TVUs and B&Bs. Why have those rules not been enforced and tested?

Bill 41 makes it impossible to have Mom-and-Pop B&Bs in most remote areas. With Ordinance 19-18 we had a very good solution to allow owners who permanently live on the single property they own to use up to 2 bedrooms in this same home for short term rentals. This is easy to control. With limited permits for each neighborhood, no area of the island could have been overwhelmed by these kinds of B&Bs.

Written Testimony

Short term B&Bs are clearly not disruptive to our residential neighborhoods since the owners are required to live on the same property. Our two bedrooms that we intended to rent to professionals, students, and tourists do not remove any housing stock from the market but allow us to hold on to our expensive property even with a lowered retirement income. It also allows us to reserve the space for our kids and relatives when they come to visit us and take care of us.

We haven't found a single person who objects to this kind of B&B. Why does the county want to take this option away from us?

Thank you,
Thomas and Melissa Dalbert

Testimony Attachment

Accept Terms and Agreement

1

From: CLK Council Info
Sent: Saturday, March 19, 2022 1:51 PM
Subject: Zoning and Planning Testimony
Attachments: 20220319135115_Opposition_to_Bill_41_Letter_-_barrett.docx

Written Testimony

Name	Barrett Hara
Phone	
Email	barrett.hara@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220319135115_Opposition_to_Bill_41_Letter_-_barrett.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

I am writing in opposition to Bill 41.

First, I don't own a STR, nor work for any businesses relating to STR. Second, I am not a tourist. I was born and raised in Oahu. I am a long time Oahu resident. My two daughters were born and raised here as well. I'm like most of the residents from Oahu that strongly oppose Bill 41. The following are my personal experiences which shape my reasons in opposing Bill 41.

I have three sisters that came from Japan to visit me and my family from time to time. In the past, I booked for them a cottage located in Punaluu. They really liked the beach that hardly have people like in Waikiki. They enjoyed Polynesia Culture Center, Kualoa Ranch, Food trucks, and the small eateries, etc. I asked them if they wanted to go to Waikiki and they said no. Waikiki has too many people and they rather enjoyed the serenity of being in the country. They told me staying away from the tourist area was very enjoyable and can't wait to return. They are looking forward to return to Oahu once Japan is reopened again.

My daughter, whose husband is in the Military, has two children. Her family moves frequently. She wants her children to be able to see their grandparents and come home whenever there is opportunity. Each time she booked a house or a cottage for a month, mostly in the rural Oahu. She wants a place big enough to accommodate her family and the grandparents, so that we could spend some quality time being together. We cooked, watched movies, played games, talked story and re-connect with each other. The kids could go to the less crowded beaches. We had great times when all our family and relatives were able to be in one place under the same roof. This kind of family time together will not be possible if they had to stay in hotel rooms.

My other daughter lives in Thailand, and she comes with her husband, son, her in-laws. They, too, also prefer to stay at STR for the same reasons stated above.

Without STR, I am afraid that I will not be able to see my grandkids as often as I have been able to. My daughters would have to book 3 to 4 rooms to accommodate their families when visiting me. On top of that, we have to eat out for every meal. Economically, it is not feasible for both my daughter to stay for a month if the only accommodation available is in the resort areas; nor to stay at STR for 90 days if Bill 41 passed. And I know I am not the only grandparent whose grandkids don't live on the island, and always look forward for children and grandchildren to return home for a visit.

While I understand there are STR guests in the wealthy neighborhoods disrupting the residents' peace, there are many, many more courtesies guests, like my families using STR that benefits the neighborhoods, particularly in the rural Oahu.

Bill 41 has the effect of wiping out all STR. My families will be penalized by the few bad apples and the special interest groups who lobby for the passage of Bill 41.

Why not enforce the law you passed two years ago first to see if that will eliminate the bad STR hosts and guests before considering another law? I am not a lawyer, what Bill 41 does is so obvious that it favors one type of businesses over the other. It is unconstitutional as I understand the equal protection clause.

For the above stated reasons, I ask that you vote NO to Bill 41 in its current form. The Oahu families similarly situated like mine would appreciate to have more options on where they want to stay when they return home to visit.

From: CLK Council Info
Sent: Saturday, March 19, 2022 11:42 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Susan Dowsett
Phone	
Email	sdowsett@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	2. Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Support revisions which should help with enforcement. Absolutely support the 90 day minimum rental.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 12:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ana Sofia Krogh
Phone
Email sofisurf@icloud.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I highly oppose Bill 41. It clear looks like some are taking advantage of a few neighborhood complains to lobby against short term rentals, ABNBs in other to lobby for big hotels. Hotels have been merging and creating a monopoly offering high prices and terrible service and conditions. Hawaii has room for both. People should be able to rent their extra rooms or home to tourist. We pay property taxes (very high) and the extra income helps support many households. Stop the "hotel lobbying", please do not pass Bill 41.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 12:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Caroline Miner
Phone
Email C_Miner@outlook.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Written
Testimony

Aloha and thank you for the opportunity to comment.
I support the overall bill; however, I have some concerns regarding changes that were made since the last version. I do not support change #8 (renumbered section 9) removing the requirement to post notices that the unit is being used as a TVU. I think posting information is the best way to assist with enforcement because neighbors are a key component of getting a handle on this problem. Also, at the last meeting one of the callers suggested limiting the number of legal TVUs within a neighborhood to a certain (small) percentage so that no single neighborhood or building becomes overly saturated. This was an excellent suggestion that I didn't see added. Similarly, I did see that the requirement for TVU to NOT be greater than 50% of a multifamily dwelling was deleted (#7 in renumbered section 9). That requirement should not be deleted, and it SHOULD be increased to not greater than 10% with an exception for condo hotels that choose to operate primarily as a hotel. I live in Makaha Valley Towers (a large condominium) and the percentage of resident owners is only about 30% because so many people buy these units specifically to rent them on platforms like Air B&B/VRBO. Having a high concentration of tourists in our residential area destroys the community.

Finally, I DO NOT SUPPORT allowing people who are currently operating illegal TVUs 180 days before they have to follow the new rules (item J in renumbered section 11). They need to stop immediately! Their activities are currently illegal; they should not be given a grace period to continue illegal activities before enforcement.

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Saturday, March 19, 2022 12:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Walter Weiss
Phone
Email waltweiss@comcast.net
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item 2.BILL41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony I am a resident of Kuilima Estates and host short term rental visitors when my wife and I visit the mainland. The proposed fees in this bill would be more than our rental income hence our opposition to the bill.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 1:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mark Baker
Phone	
Email	markbaker@compuserve.com
Meeting Date	02-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	The only rental problem on my street has been with long term rentals. it is a pleasure to spread Aloha to those on vacation. Please find a way to allow responsible vacation rentals outside of the hotels. That is what I look for when travelling.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 1:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name James Brazwell
Phone
Email sbrazwell007@gmail.com
Meeting Date 03-21-2022
Council/PH Committee Zoning and Planning
Agenda Item CR-8 Bill 41 (2021) CD1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Please oppose Bill 41. This bill will hurt residents following the current law and will have an adverse impact on our economy. As was the first bill, this is clearly written to favor large hotel companies, with little regard to the changing needs and desires of the people visiting our Island. Please enforce the current bill, and give it a chance to work, before making changes that will do significant harm to our business and local communities.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 9:54 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jill Paulin
Phone
Email jillpaulin@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Aloha Zoning Chair and Council Members;

I appreciate the changes and compromises that are included in Bill 41 CD2. However, I am disappointed that there will not be a way to rent monthly past the 180 day grace period (for those of us renting monthly currently). Please reconsider the definition of Short-Term to allow monthly or 30 day rentals. Please don't eliminate this much needed market because of a few bad players. With staffing, the DPP can handle these violators.

Written
Testimony

If this cannot be changed, please consider permitting 30 day rentals for those that have been renting this way already. If this is not possible, please add back the exceptions that the DPP had once proposed (ie; traveling medical workers, students, remote workers...).

Any of these options or compromises will allow the City to stay out of the legal battle that will ensue if the this Bill is passed. It will also allow the much-needed OTAT to continue to grow rather than go to another island or destination all together.

Mahalo,

Jill Paulin
Haleiwa, HI

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Saturday, March 19, 2022 9:56 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Susanna Siu
Phone
Email Blingthisaznkid@gmail.com
Meeting Date 03-19-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written Testimony My name is Susanna Siu and I live in Salt Lake. I work at embassy suite waikiki. I want City to take action against the people and organizations profiting from illegal short-term rentals.

Testimony
Attachment

Accept Terms and
Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 10:32 AM
Subject: Zoning and Planning Testimony
Attachments: 20220319103137_Public_Testimony_March_23_Zoning_and_Planning_Committee.docx

Written Testimony

Name Paul Nachtigall
Phone
Email nachtiga@hawaii.edu
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your
position on Oppose
the matter
Representing Self
Organization

Public Testimony March 23 Zoning and Planning Committee.

My wife and I are retired and have lived in Kailua for nearly 50 years. We bought a condo in Kuilima Estates West to spend some time on the North shore but mostly as a part of our retirement income. Bill 89 assured us that it was legal and without a huge problem of bureaucracy to manage.

Why, after 4 years of work, has the work of both Government and Citizens on Bill 89 been thrown out the window? Why are there two pages of Government bureaucracy forced on us by the Department of Zoning and Planning. There is no benefit to us. It seems very much like punishment by DPP creating an enforcement department staffed by former police officers for a crime we did not commit.

Why was there no consideration of the effects of Bill 41 on the economy of Oahu. If there are 10 million tourists that visit and only 7 million hotel rooms, has anyone considered the effects of decreasing our State economic engine by 30%? Has anyone done an economic analysis of this bill?

Why is this being pushed so fast? Why has there been very little input to the writing of this bill by the community?

It is in your power to stop this unanalyzed bill. There is general agreement that there is a need to control short term rentals in purely residential communities. Unfortunately, this bill does not do that. It punishes those who have property in resort communities by inflicting large costs and a terrible bureaucracy on them. The hotels have no similar bureaucracy. Why not allow a task force to be formed that includes the voices of those Kamaaina that will be most affected rather than rushing this bill through now? Please vote no. Do not allow this bill to move forward.

Written
Testimony

Testimony
Attachment

20220319103137_Public_Testimony_March_23_Zoning_and_Planning_Committee.docx

Public Testimony March 23 Zoning and Planning Committee.

My wife and I are retired and have lived in Kailua for nearly 50 years. We bought a condo in Kuilima Estates West to spend some time on the North shore but mostly as a part of our retirement income. Bill 89 assured us that it was legal and without a huge problem of bureaucracy to manage.

Why, after 4 years of work, has the work of both Government and Citizens on Bill 89 been thrown out the window? Why are there two pages of Government bureaucracy forced on us by the Department of Zoning and Planning. There is no benefit to us. It seems very much like punishment by DPP creating an enforcement department staffed by former police officers for a crime we did not commit.

Why was there no consideration of the effects of Bill 41 on the economy of Oahu. If there are 10 million tourists that visit and only 7 million hotel rooms, has anyone considered the effects of decreasing our State economic engine by 30%? Has anyone done an economic analysis of this bill?

Why is this being pushed so fast? Why has there been very little input to the writing of this bill by the community?

It is in your power to stop this unanalyzed bill. There is general agreement that there is a need to control short term rentals in purely residential communities. Unfortunately, this bill does not do that. It punishes those who have property in resort communities by inflicting large costs and a terrible bureaucracy on them. The hotels have no similar bureaucracy. Why not allow a task force to be formed that includes those that will be most affected? Please vote no. Do not allow this bill to move forward.

From: CLK Council Info
Sent: Saturday, March 19, 2022 10:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Bret
Phone
Email Growb@polynesia.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Our family depends on income from our vacation rental to survive in Hawaii! Stop making things more difficult for locals to leverage their property to get ahead.

Plus, in order for vacation properties to compete, they must maintain their property, unlike long term rentals.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 10:46 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name CHITO H GEBHART
Phone
Email chitogebhart@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item #1 - Bill 41
Your position on the matter Oppose
Representing Self
Organization

To Whom It May Concern, 03/20/2022

I am taking this opportunity to write directly to you in my own words rather than merely signing a prepared statement.

First, I want to state that I am Opposed to Bill 41 as it is written.

My wife and I are on the verge of retirement and our lifelong dream is to retire on Oahu. We had the fortunate opportunity, through hard work, tight budgeting and wise investments to purchase a home in 2014. Shortly after our purchase we became aware of home sharing as a way to supplement our costs. We applied for and received from the State, a GET and a TAT license. Little did we know at the time, about the furor surrounding the short-term rental industry in Hawaii.

Written
Testimony

We have been visiting Hawaii as a family for the past 30 years. Most of our family holidays have been spent in Hawaii. We've visited all the major islands. We've owned a timeshare at the Hilton Hawaiian Village for the past 15 years. Our adult daughters spend all their vacations at our home. Our youngest daughter and her husband last Fall chose Lanikuhonua as their wedding venue and were married by Auntie Neti. We are in the process of becoming residents.

I empathize with the residents who wish to turn back the hands of time. The lessons of life teach that the only thing which is constant is change. My Family and I, together, spend over three months out of the year at our hale. We are sensitive to the claims of over-crowding, raucous partying, illegal parking, rude neighborhood behavior but none of us have ever witnessed any of that. And these are activities which have laws against, already on the books.

I don't know the exact statistics, but I believe the primary industry in Hawaii is tourism. The

massive number of jobs, most small businesses and the fabric of modern Hawaiian life is geared toward tourism.

It is unrealistic to expect that function to be contained in small enclaves of "resort districts" which were established decades ago.

There MUST be a better solution other than draconian, abusive policies which criminalize thousands of property owners, jeopardize tens of thousands of jobs and small businesses. This is an issue which has developed over decades. Isn't it logical that it will take more time and effort than a few Bills attempting to solve the issue immediately?

For example, one website claims that 27% of short-term rental property owners, own an average of 20 properties, EACH. Sounds like a fabricated statistic to me but I think they are trying to imply that most property owners have little care for the impact on the community, of short-term rentals. Wouldn't it be better to start there and restrict ownership to one TVU to one owner?

Such dramatic changes in policy has many unintended consequences. Among others are:

1. Disabling many small businesses which support the Home sharing industry. I personally employ over 10 persons, part time, in support of my home sharing
2. Hurting small local businesses outside of the tourist centers; stores, shops, restaurants which are supported in large part by local visiting tourists.
3. Loss of revenue for the State from associated taxes, GET and TAT. I submitted over \$10,000 in taxes last year to the State and County. Airbnb published an article recently which calculated that if they were able to collect and submit GET and TAT taxes for 2019 as an example, the State would've benefited in the amount of \$68 million dollars!
4. Adversely effecting residents who depend upon the income in order to live
5. Eliminating competition in a free market economy, benefitting the Mega Corporations based on the Mainland. The claim that Hotels are being harmed has been debunked by their own statistics: for the seventh year running, during 2019, Waikiki hotels experienced 100% occupancy!

I am just one individual. If there are truly over 10,000 home sharing properties, multiply my figures by 10,000 and consider the loss of revenue, loss of jobs (and these people are voters).

I am in compliance with the recent legal settlement over Bill 89 which established the rule restricting a single visitor per 30 day period. I believe all parties to that agreement settled in good faith. What has changed? Please reconsider the law as it is written and make rules which strike a balance between economy and culture.

- I ask that Bill 41 not move forward for final passage by the full Council. Bill 41 needs to be held in committee for further stakeholder discussion.
- 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.
- Bill 41 targets LEGAL short term rentals to pay for enforcement of ILLEGAL operators. Why does the bill punish LEGAL operators?
- Changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code.
- Passage of this bill which takes away 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 system which would be a significant cost to City and County taxpayers.

- Any fees and restrictions imposed on short-term rental properties in resort zones must equally be placed on hotels on a room-by-room basis.

Why are the DPP and Mayor Blangiardi rushing to expedite and rubber-stamp Bill 41, while continuing to not enforce the current law (Ordinance 19-18), ignoring the many concerns and confusion around Bill 41? Responsible governance require that our elected officials take the time to carefully deliberate on complicated issues

Thank you for your time and consideration.

Sincerely,
Chito Gebhart
949 291-2117
chitogebhart@gmail.com

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 7:44 AM
Subject: Zoning and Planning Testimony
Attachments: 20220319074411_Bill_41_testimony_creative_ads_from_2019.pdf

Written Testimony

Name Kim Jorgensen
Phone
Email hawaiiicondo@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

I am writing in FULL SUPPORT of Bill 41, CD2.

PERFECT COMPROMISE

The 90-day minimum is a good timeframe and compromise for all the various reasons people were noting against the originally proposed 180-days.

Having a minimum of 90-days will help stop the fake 30-day rentals that some STR owners have easily been doing – the contracts may state the actual 2-week stay, but the owners would definitely charge more if the renter wanted to stay for the full 30 days.

Written Testimony

KNOWN 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 examples from 2019 ads that were used to circumvent the 30-day zoning at Waikiki Lanais, 2452 Tusitala St.)

In 2018, a real estate broker advised a group of fellow illegal STR operators at Waikiki Lanais to have their guests tell any DPP inspector, Resident Manager, or other residents that they are friends or family; or to simply not talk to anyone on the property.

WHY WILL IT TAKE 180 DAYS TO HAVE THE ORDINANCE TAKE EFFECT?

Bill 41 was introduced in October and some form of it is likely to pass; if the DPP were to start some groundwork now, then that would give them a jump on the project and DPP will only need to tweak their set-up based on the final version of Bill 41.

Testimony Attachment

20220319074411_Bill_41_testimony_creative_ads_from_2019.pdf

Accept Terms and Agreement

1

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 your self, 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

★★★★★ Excellent 4.6/5

\$260 avg/night

★★★★★ 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: Saturday, March 19, 2022 8:12 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Bernie Ardia
Phone
Email ba4bsinyc@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

My name is Bernie Ardia. I and my spouse own one unit in Waikiki. A 100% legal STR that we purchased making positively certain that we were purchasing a legal STR. We pay monthly and yearly fees and taxes that are required. We employ local Honolulu residents to manage, clean and repair this unit. Our building was built in 1968 as a hotel. It has never been a residential building since it opened. We do not make local housing less affordable in any way. In fact, we allow locals to be employed so they can make a living and live in Honolulu. We purchased and remodeled using all local vendors and legal contractors. Again, allowing them to make a living. This HALF-BAKED BILL 41 is so unnecessarily targeted at innocents. We are one example. WHY and HOW can taking away our right to choose who we are managed by or who we choose to make upgrades - help what you profess to be helping locals live better.

This Bill 41 is blatant corporate backed mess. YOU HAVE CREATED BILLS TO CURB YOUR FEARS

JUST LEARN HOW TO ENFORCE THEM!! - Remember - HOA members PAY Hotel Corps to run the desk - How fast will those same Hotel corps who think they will gain more profits be voted right out the lobby door? VERY FAST. I implore you to vote against this Bill 41 until it is ready to come out of the oven. Nobody wants a slice of this underbaked cake. It's hard to end with Aloha when this Bill 41 shows NO ALOHA, So, Mahalo

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Saturday, March 19, 2022 9:06 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ralph Kaaumoana Hasegawa
Phone
Email ralphhasegawa@yahoo.com
Meeting Date 03-23-2022
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: Saturday, March 19, 2022 9:34 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name peter knerr
Phone
Email knerrp002@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill41,cd2
Your position on the matter Support
Representing Self
Organization

My name is Peter Knerr. My wife and I are both retired government employees and have lived in Lanikai for the past 38 years. Before COVID hit, I could throw a stone from our property and hit four illegal B & Bs or TVRs. Here are some reasons why B & Bs and TVRs do not belong in our residential neighborhoods.

1. Infrastructure problems. Kailua is a residential neighborhood which has not been designed for, nor does it have the infrastructure to become a major tourist destination.

2. Parking problems. Many of the streets in our neighborhood do not have on-street parking. We have had issues with visiting renters parking on the street and the garbage truck was unable to pass and consequently some of our neighbors did not get their garbage collected. We are concerned that if we needed an emergency vehicle such as a fire truck or ambulance, there could not be enough room for them to pass. This is a health and safety issue.

3. Crime problems. Because our neighborhood is becoming more of a tourist destination, we are having an increase in tourist-related crime. Ironically, the owner of the only well managed vacation rental in our neighborhood used to be the head of our local neighborhood watch program and used to tell us that it was important to get to know our neighbors. That's hard to do when they are constantly changing.

4. Traffic problems. What with more tourists in our neighborhood, there is more traffic.

5. Noise problems. Tourists don't have to get up in the morning to go to work and since they are on vacation, can stay up until all hours and party. And believe me, some do.

6. Increased prices of real estate. Allowing vacation rentals encourages investors to purchase residences for lucrative rental to tourists. This escalates the price of residential property (and property taxes) and helps to keep prices out of reach of our local residents.

7. The majority of local people are against vacation rentals in their residential neighborhoods. The Kailua Neighborhood Board has stated its opposition, as have many other community associations throughout Oahu.

The supporters of B & Bs will provide stories about how vacation rentals are providing support for elderly retired people who couldn't otherwise afford to live in Hawaii. There may be a few of these, but the vast majority of those who host illegal vacation rentals, including

those in our neighborhood, are not in that category. I realize that those of us who oppose illegal rentals are fighting an uphill battle, since vacation rentals are a lucrative business, and money talks. However, I hope you will do the right thing and support Bill 41 for those of us who would like our residential neighborhoods back.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 9:49 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kimo Smigielski
Phone	
Email	kimo@portfoliohawaii.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing Organization	Organization Sandwich Isles Realty, Inc.
Written Testimony	Our company opposes this Bill and believes that better enforcement of current laws should happen first.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:13 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name LILLIE MCAFEE
Phone
Email lilliemcafee@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41 CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony PLEASE VOTE NO ON BILL 41 CD2. IT IS GROSSLY UNFAIR TO THE HARD-WORKING, TAX-PAYING, LAW-ABIDING MIDDLE CLASS FOLKS WHO ARE JUST TRYING TO SURVIVE BY RENTING THEIR PLACE TO HELP PAY THE BILLS.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:18 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mike Jackson
Phone
Email mikejacksonatlarge@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41-CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Several Meetings, and hours of work and input went into the formulation of Bill 89, and yet it was never enforced by the DPP. Instead, they are pushing hard to establish even more burdensome regulations on Oahu's private property owners. Truth is the DPP has for many years had the ability to stop illegal rentals, but have not done so. Instead the DPP and Mayor want to establish ordinances which will force many locally owned and operated small businesses to shut down. The 90-day minimum stay requirement is a business killer for Short-Term Vacation Rentals. Visitors and Vacationers, who Heavily contribute to the Oahu economy simply cannot stay for 90 days.

If you approve this minimum 90-day rental bill, many small businesses, their employees, and local companies that provide services for them will suffer greatly.

By the way, your more than tripling of the annual cost of the NUC renewals from \$300 to \$1,000 is a "slap in the face" to those STR owners who have obeyed the rules, and paid their GE and TA taxes for many years. Surely, this is not the time to punish local businesses with increased taxes and fees, nor is it a good idea to devastate our visitor industry. Didn't the 2020 pandemic teach us anything?

Reducing the cost to live on Oahu, and supporting local businesses should be a major goal of City/County government.

Also, please don't believe that Bill 41 will significantly lower the homeless population, add affordable housing, or clean up our parks, beaches and highways.

Mahalo for listening, Mike-----

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Saturday, March 19, 2022 6:31 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David
Phone
Email wayoverhead@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Please do not pass this bill this affects way beyond any vacation Rental affects long-term rentals as well as many many landlords and more importantly tenants like the month-to-month concept of renting

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 6:59 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Karen Cochran
Phone
Email kldcochran@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Dear Committee members-

Thank you for continuing to address concerns regarding the proposed changes to short term rental regulations. For 25 years my husband and I have rented our Waikiki condo legally and paid our taxes, employing cleaners and contractors, and allowing many good citizens to work in Honolulu on temporary positions and “good” tourists to appreciate the islands. We have NEVER had a complaint. We have been able to adapt to the recent restriction to 30 day rental minimum, but the proposed 90 day minimum will be an extreme, unnecessary hardship.

Our condo in Waikiki is in a building which has allowed short term rentals since it opened in the 1970’s. It is situated between Kuhio and the Ala Wai, which is currently outside the area in which you will continue to allow 30 day rentals. And yet, we are only a short block from other buildings which will be allowed to continue short term rentals, one block to the Prince Kuhio Hilton, and several other hotels.

We respectfully request that our area – between Kuhio Ave and the Ala Wai- be included in the area that allows short term rentals, or at least continue the 30 day minimum already in place.

Mahalo for your consideration,
Karen and Greg Cochran

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 7:10 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shantel Burns
Phone
Email shantel.burns@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony "I am an employee of Embassy Suites by Hilton Waikiki Beach Walk and I do not support illegal short-term rentals. These illegal rentals drive up housing costs for kama'aina and hurts the tourism industry I work in. I encourage the bill to be passed into law so the City can take action on people and organizations profiting from these illegal rentals."

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 7:41 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Denise Boisvert
Phone
Email infofordenise@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

I am in full SUPPORT of Bill 41, CD2. Although 180-minimum days had good intentions, I think a 90-day minimum is more practical for various types of contract workers, persons with temporary housing needs, and it is even a useful amount of time for snowbirds.

It is has been heartbreaking to see so many hard-working, long-term tenants in Waikiki's Apartment Precinct be kicked out by landlords and condo buyers in order to operate (illegal) vacation rentals on land zoned for 30-day minimum rentals.

These investors (who usually don't live in Waikiki or even in Hawaii) turned many of my neighborhood's residential condo buildings into illegal "hotels". Fortunately, Bill 89 passed (even if DPP didn't fully realize it; then the pandemic hit) so some of them started to follow the law; but not all. Bill 41 is much better.

Written Testimony I can't imagine being a young person today and trying to get ahead in Hawaii. Young adults who have grown up in Hawaii can rarely afford to purchase a house in Hawaii because of the exorbitant market prices caused by low inventory. Even a fixer-upper is beyond most of their means; but a condo can be a good alternative starter home because they are usually less expensive, especially in older buildings.

Bill 41 would help encourage illegal vacation rental operators to follow the law (and offer more housing to long-term tenants), or be an incentive to sell their apartment-zoned investments (thus making more real estate inventory available) and to purchase a legal STR in a Resort area if they adamantly want to pursue such a business.

Two recommendations:

- 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!

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 3:20 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name James Wilson
Phone
Email kailuawilson@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41, CD2
Your position on the matter Oppose
Representing Self
Organization

Please keep the 30 day minimum short term rental stay. Please do not punish local families who rely on this added income to help out with tuitions, retirement, food, medicine etc..
This income stays in Hawaii and is spent in Hawaii.

Written Testimony Investors should be restricted to the 90 day minimum stay. Please don't punish honest local families trying to make ends meet.

Thank you

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 4:53 AM
Subject: Zoning and Planning Testimony
Attachments: 20220319045245_Waikiki_Banyan_Owner_Letter_to_City_Council_Members_March_19_2022.pdf

Written Testimony

Name Arthur and Debbie Riggs
Phone
Email arthurriggs@yahoo.ca
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment 20220319045245_Waikiki_Banyan_Owner_Letter_to_City_Council_Members_March_19_2022.pdf
Accept Terms and Agreement 1

IP: 192.168.200.67

March 19, 2022

Dear Council Members,

Re: Opposition to Bill 41, CD2

Our names are Arthur and Debbie Riggs. We are owners at the Association of Apartment Owners of Waikiki Banyan, and we strongly oppose Bill 41. We ask that you vote in good conscience against this bill which seems to have been written by the Hotel Industry for the Hotel Industry. We stand with you ridding Hawaii of illegal STRs and have always run our STRs according to the laws of Hawaii, but this bill confusingly changes directions drastically and suddenly favours the Hotel Industry at the expense of visitors, small business, individual property rights, and the Aloha Spirit.

Waikiki Banyan vacation rentals are and always have been a valuable part of Honolulu's tourism economy. Not only do our vacation rentals provide affordable accommodations, but more importantly they also add needed dollars to the local economy. Our visitors patronize local shops and restaurants, rent vehicles, take adventure outings, and often make return trips. These visitors in turn share their experiences with family and friends, keeping the economic cycle alive and vibrant. No longer allowing STRs will effectively kill off tourism. More seriously and harmful to Hawaii itself, longer rental periods will restrict remote workers, many who come to Hawaii for a few weeks to a couple of months in order to carry out specialty work for the islands.

In addition to the contribution our visitors make to the local economy, as owners, we contribute a great deal to the local economy by purchasing furniture, appliances, housewares, insurance, and various utility services. We also contribute to the local job market by hiring a management company which in turn employs cleaners, maintenance workers, bookkeepers, accountants, trades people, etc. A final way we contribute is to the State and Federal Government through the taxes we pay on our vacation rental earnings. This money goes directly into government coffers for a whole range of programs benefitting all of Hawaii society. Bill 41 makes it too expensive and almost impossible for us to continue with our vacation rentals. This in turn is going to hurt small businesses which rely on us and others like us. Excessive permitting fees of \$2,000-\$5,000 is a money grab and aimed at punishing property owners and Hawaii's small businesses.

Bill 41's attempt to limit owners' rights and give preferential status to hotels is simply unacceptable. We ask that you consider interests other than the Hotel Industry when voting on this one-sided discriminatory Bill, avoiding the tsunami of future legal challenges and corruption probes.

Thank you for taking the time to read our concerns. We ask that in your consideration of all members of Oahu society your decision will be prudent, fair and in-line with the Aloha Spirit.

Sincerely,

Arthur and Debbie Riggs
Owners of 2103, Tower 2

From: CLK Council Info
Sent: Saturday, March 19, 2022 4:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tom Spheeris
Phone
Email spheerist@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 42
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I am opposed to 90 days. The one question I need to ask is where to my kids grandparents come stay when they want to visit for a month or two? I live in Kailua and a retired couple cannot afford the daily rate of one of the few vacation rentals that would be legal in the area. The prices of these rentals are already extraordinary and will go up precipitously with the passing of this bill. The few legal rentals there are are already booked over eight months in advance at times and not available for long periods of time. Taking even a reasonable daily rate of \$200 a day and multiplying that by one or two months is not affordable for a retired couple.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:06 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name John Mair
Phone
Email mammothjohn@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

As a resident and retiree living in Waikiki, we oppose the Bill 41 measure and all of its related bills. Waikiki is an area designed for tourism and many of us retirees depend on legal, tax paying income for our support. The arbitrary drawing of exclusionary lines down Kuhio Avenue eliminates many long-time properties from being designated as STR's which makes no sense. In ALL of the written and oral testimony on these matters, the vast majority have been AGAINST Bill 41 and its related bills. You were elected to represent us so please do so and dont cave to the BIG MONEY. STR's can be regulated and serve the local people and community by paying taxes and employing local people. Please follow your constituents wishes and VOTE NO on Bill 41!!! thank you..

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 5:11 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ken Kribel
Phone
Email kkribel@icloud.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I am against Bill 41. It will hurt more people if it passes than if it does not.
Not only will the homeowner suffer so will all the support people like housekeepers, maintenance people, property managers, catering companies and local businesses.
Please vote no.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wendy Barnfield
Phone
Email wendy@ragingisle.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

Please do not pass Bill 41. Economically it is detrimental to the owners of TVU and to the state. I Recommend enforcement for those who are illegal . This was proposed to protect the neighborhoods , yet it's designed to penalize the Legal TVU owners. It's apparent this bill is backed and favors the hotel industry. There is an assumption that the TVU industry is harming the hotel industry but it is not. TVU's fills a nitch the hotel can't do. There is an assumption that TVU's are bad, bad how and bad for what? To target such a small group to increase revenues is extremely selective. With a windfall of over 3 billion for our state and then raise taxes and fees with limitations is unjust. Please do not support Bill 41.

Sincerely,
Wendy Barnfield

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Skyler Phipps
Phone	
Email	dhcondos@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Please vote "no" on bill 41 CD2.
Testimony Attachment	Please don't sell out the little guy to big hotels.
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mike ANdersen
Phone
Email meticuloumsike@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41, CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

This is NOT government by the people. It is big business squashing the little people with the help of our city council. To put it plainly: It is government OF the people, BY the HOTELS, FOR the HOTELS. Shame on any of you who vote in favor of Bill 41. Shame!

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 8:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Rita X Albina
Phone	
Email	delfina@hawaiiantel.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	41 CD2
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: Friday, March 18, 2022 8:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dan Carpenter
Phone
Email dic9944@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony This is a horrible bill designed by hotel managers to eliminate perceived competition. It harms local residents in favor of out of state investors and does nothing to help make more affordable housing. While there may be some actual problem areas with vacation rentals this treats the whole island as one. Please go back to the drawing board and come up with something appropriate and specific to the problems.
We should be able to legally rent our home when we go away for vacations.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Saturday, March 19, 2022 2:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kris Anne Gustavson
Phone
Email kag@opdinc.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

As a local girl, trying to keep a place in Hawaii to visit family, we own a condo at Kuilima and do short term rentals to pay for the unit. Please don't let the hotel lobbies get the upper hand and price us little guys out. Please make things reasonable for vacation rentals on the island. Why would we want to limit the number of tourists bringing money into the island? Why do you want to stop locals from earning money. Please pass this bill and help Oahu's economy thrive.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 5:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jeffrey J. Sol, M.D,
Phone	
Email	solj001@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I support Bill 41 because it will return our neighborhoods back to the local people who live there.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 5:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Justyn Wee
Phone
Email justyn.wee@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position
on the matter Support
Representing
Organization Self

Written
Testimony As a hotel employee, there are many negative impacts of vacation rentals. It is important to crack down on these because they do not provide any give back to our tourism industry which is currently suffering from the current pandemic. As an industry, we are all striving to return to the pre pandemic ways and with these illegal short term rentals around, it is not possible.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 5:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Josh Akana-Kawamura
Phone
Email joshua.akana@hgv.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization
Written Testimony Drives up costs for local families and hurts tourism.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shari Fujita
Phone
Email shari.fujita@outrigger.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position
on the matter Support
Representing
Organization Self

Written Testimony

I am Shari Fujita and live in Hawaii Kai and I am employed by Outrigger Hotels & Resorts. I am in full support of Bill 41 that will make it easier to enforce and hold operators of illegal short-term rentals accountable in complying with the law and redefining the short-term rental period. Limiting the short-term rentals to resort districts will result in unnecessary disruption to our neighborhoods. I personally live next to a short-term rental and it can be noisy and disruptive at times.

Testimony Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Meetay Moonay
Phone
Email meticulousmike@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony This bill is NOT government by the people. It is BIG business squashing the little guys with the help of city council.
To put it plainly, it is:
Government OF the people,
BY the HOTELS,
FOR the HOTELS.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 18, 2022 7:42 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathleen Ochsenbein
Phone
Email crjjsp@comcast.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Please vote "no" on bill 41 CD2. This bill has many major flaws as pointed out in Councilwoman's Tupola's testimony when it was presented at the last meeting. It was apparent that she had done her homework. This bill would hurt locals, banning month-to-month rentals for those who can least afford it. It would keep ohana from staying near their families. Please do your research. There are really not many people trying to ban STU's, just the same "Keep it Kailua" people that testify over and over.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:01 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Carole Jacobs
Phone
Email carolemoranda@icloud.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I am a retail owner in Kailua that relies on tourists to pay my rent of \$12,000 month. Without tourists retail stores in Kailua cannot make it! Rents continue to go up and the numbers of tourist continue to drop. Our vacation rental customers are independent travelers who will not stay in hotels, they have been to Waikiki, if Bill 41 passes they will go outer island. They are good spenders, their money goes back into HI, and Kailua restaurants, retail, water activities. I have owned my store 15 yrs, with the Pali closed, 9 months, 2+ years of Covid, and now the prospect of no short-term vacationers in Kailua I will be forced to close if Bill 41 passes. We love short term renters, they love Kailua, most of them are couples and I do not believe they are causing any problems in residential neighborhoods. There should be a way to regulate vacation rentals as in most other states & countries where you have a permit, and those you break the rules are individually fined. Owners who live on the property, or in state that manage and supervise their rentals should not be lumped in with out of state owners who are not in HI to monitor or do not have property managers. We just spent 10 days in London in a small residential apartment, we used a lock box, we were respectful of neighbors, quarters were tiny, not one problem. There is a correct way to do this, Bill 41 is not it. We did not want a hotel experience; we wanted a neighborhood experience. I do stay in hotels, but for a night or two, not when I want a feel of a country, city, village and have 10 days. I oppose! Keep the Aloha in Hawaii...let's welcome our visitors back!

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Monday, March 21, 2022 9:04 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kim Holland
Phone
Email waiomao@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 cd2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony I am a property owner in Honolulu. I do not rent any part of my property, but I am strongly opposed to this bill. It is an unnecessary overreach of government authority and the benefits have not been demonstrated.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:06 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kirsten Oleson
Phone
Email kirstenllo@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 Short Term Rentals
Your position on the matter Support
Representing Organization Self

Written Testimony

I fully support limiting transient vacation units in space and time. Transient vacation units do not belong in neighborhoods, where they erode the community social fabric. I live in Kailua, directly between two TVUs. The house makai of us frequently has loud parties late into the night, disturbing my kids and my neighbor's keiki, who have to attend school. The TVUs rarely have parking, so our driveway is always blocked.

The use of housing for the visitor industry moreover removes much needed housing for locals. I am a professor, and I regret that all my graduates must leave Hawaii because they cannot pay for housing. This is directly related to housing being used for visitors.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:17 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Devon Dailey
Phone
Email hawaiiipolo@gmail.com
Meeting Date 03-22-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 cd2
Your position on
the matter Support
Representing Self
Organization

Written Testimony Vacation rentals in neighborhoods allow tourists to take over residential areas. When this happens we lose housing for long term renters and local people get pushed out of hawaii. Tourists create a lot of extra traffic and by turning houses into hotel rooms we destroy the sense of community of neighborhoods.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:24 AM
Subject: Zoning and Planning Testimony
Attachments: 20220321092343_Bill_41_proposed_CD2_HTF_3.23.22.pdf

Written Testimony

Name Hawaii's Thousand Friends
Phone
Email htf3000@gmail.com
Meeting Date 03-21-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD1
Your position on the matter Support
Representing Organization
Organization Hawaii's Thousand Friends
Written Testimony
Testimony Attachment 20220321092343_Bill_41_proposed_CD2_HTF_3.23.22.pdf
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

March 23, 2022

COMMITTEE ON ZONING AND PLANNING

Brandon J. C. Elefante, Chair

Esther Kia`aina, Vice Chair

Radiant Cordero

Calvin K. Y. Say

Bill 41 (2021) proposed CD2
RELATING TO TRANSIENT ACCOMMODATIONS

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health and cultural and natural resources, supports Bill 41 proposed CD2 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

Data from the Census Bureau shows that Oahu has a vacancy rate of 9.2%, with 34,253 unoccupied homes.

According to the Census Bureau a housing unit is considered occupied if it is owned or rented by occupants as a primary residence.

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.

Comments specific to the proposed CD2.

We are pleased to see that according to Table 21-3 MASTER USE TABLE, Bed and Breakfast Homes and Transient Vacation Units are not permitted in P-2, agricultural districts, country, and all residential districts. This restriction will help free up for rent and for purchase homes for local residents.

We are concerned that A-1 and A-2 zoned properties in residential communities could slowly unit by unit be turned into defacto TVUs as has happened in Waikiki.

Pg. 23 (E) We are concerned that the renewal fee was reduced from \$2,000 to \$1,000. We ask you to reconsider this amendment because the reduction eliminates money that the city can use for enforcement of these ordinances.

Pg. 25 (1) This new amendment is unclear. If a client books a room does that qualify as "registered" or is there some other requirement such as signing an official document?

Pg 27 (F) Informational binder required. We recommend that the informational binder include pages where a client can register as required on page 25 (1).

Pg 29 Recommend adding. (iv) The informational binder must contain information on what to do if an emergency siren goes off and include evacuation routes and directions to the nearest shelter
Coastal areas are vulnerable to tsunamis and without adequate information tourists will be lost about what to do and where to go.

Pg. 30 (7) We support the prohibition against transfer of B&B and TVU registration from one party to another and that it does not run with the land.

Pg. 31 (C) Recommend adding (iii) The Department of Planning and Permitting may not negotiate the reduction of a fine more than 10%.

It has been our experience that DPP has negotiated fines down on the promise to correct the violation and when the violation isn't corrected the city has lost money that could have been used to enforce B&B and TVU ordinances.

Page 34. (D) We recommend adding an anonymous hotline or some sort of mechanism where people can remain anonymous when reporting their neighbor. This will help eliminate retaliation against a neighbor who reports a violation.

With the incorporation of the above recommendations and to free up much needed rental and for purchase housing we urge you to pass Bill 41 proposed CD2.

From: CLK Council Info
Sent: Monday, March 21, 2022 9:41 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mark R. Hagadone
Phone
Email hagadone@techexpts.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position
on the matter Oppose
Representing Self
Organization

Written Testimony

I am opposed to this Bill. I encourage the committee continue to hold this for further stakeholder discussion. My position is that the vast majority of rentals operate responsibly in Honolulu and are adequately underpinned by an MOU signed by the County and legally binding for enforcement. Changing the minimum rental period to more than 30 days conflicts with the Landlord / Tenant code and will certainly lead to further litigation because this Bill, as it is currently written, is illegal based on Hawaii State Law, takes away property rights and creates an artificial class for hotels which will undoubtedly, be challenged the Courts. We encourage cooler heads prevail and urge the Committee to consider further thoughtful deliberations on these complicated and unresolved issues which will only serve to further separate our community and our neighborhoods in litigation. Please do not allow Bill 41 to move forward.

Testimony Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:56 AM
Subject: Zoning and Planning Testimony
Attachments: 20220321075606_20220323PZTestimony.pdf

Written Testimony

Name	Edward Jones
Phone	
Email	honolulu@paradiseip.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220321075606_20220323PZTestimony.pdf
Accept Terms and Agreement 1	

IP: 192.168.200.67

**Testimony In Opposition
Bill 41(2021) – All Versions
City and County of Honolulu
Committee on Zoning and Planning
March 23, 2022**

RE: BILL 41 -- ILLEGAL BAN OF AFFORDABLE ROOM RENTING

Aloha Councilmembers of the Committee on Planning and Zoning,

Members should be proud of the accomplishment of Bill 89, Ordinance 19-18, the 30-day rule here:

(d) Unpermitted bed and breakfast homes or unpermitted transient vacation units.

...

(2) It is unlawful for any owner or operator of an unpermitted bed and breakfast home or unpermitted transient vacation unit, or the owner or operator's agent or representative to:

(A) Rent, offer to rent, or enter into a rental agreement to rent an unpermitted bed and breakfast home or unpermitted transient vacation unit for fewer than 30 consecutive days;

The Findings and Purpose Section 1 of Bill 89 are the definition of **THE ISSUE**. Absent evidence of significant community impact from 30-day room renting (aka Bed and Breakfast Home), this government is engaged in **TAKING** of business **WITHOUT COMPELLING REASON** and without **FAIR COMPENSATION**.

By unanimous vote, this legislative body established **THE NARROWLY DEFINED REMEDY** as the existing Ordinance 19-18. The **GUT AND REPLACE** Bill 41 unlawfully **BROADENS THE REMEDY** ensnaring other businesses.

30-day room renting is just one example of business unlawfully impacted by Bill 41.

My role is to manage two rooms for my brother-in-law. It is cruel and unusual punishment to shut down the lawful businesses of our disabled kupuna on a fixed income! His Hawai'i small room renting business has been operating at this location since 1996 to locals, visitors, students, and professionals.

QUESTION: What evidence does the committee have on room renting complaints that would warrant a ban?

The reasons for my opposition are well articulated in the [Floor Statement by Councilmember Andria Tupola](#). "The people of Hawai'i come before any other interests or industries".

VISITOR ENTRY / BORDER CONTROLS – ISOLATIONIST POLICIES

This is a rebuttal to City Council Chair Waters comments on Star Advertiser “Spotlight Hawai‘i” March 11, 2022. He states:

“... it [Bill 41] basically says you can only have short term rentals in resort areas ... and I have no problem with that.”

Specific Comments clip on Bill 41 is here <https://youtu.be/Hf3mDqGH6sl>.

Full Livestream: [VIDEO: Honolulu City Council Chairman Tommy Waters joins the Honolulu Star-Advertiser’s ‘Spotlight Hawai‘i’ | Honolulu Star-Advertiser \(staradvertiser.com\)](#)

The state, not the city regulates renting behavior in [HRS 521 Residential Landlord Tenant Code](#). HRS [§521–22] a state law that preempts LUOs, allows rentals for as short as a week.

[§521–22] Term of rental agreement. The landlord and tenant may agree in writing to any period as the term of the rental agreement. In the absence of such agreement, the tenancy shall be month to month or, in the case of boarders, week to week. [L 1972, c 132, pt of §1]

The existing 30-day rule is the sweet spot that exceeds the length of stay experienced by almost all tourists on the island. 30 days is an established global standard that protects communities from being overwhelmed with tourists. If residential use is allowed, then renting must be allowed.

QUESTION: Councilmember Cordero specifically asked DPP about the conflict Bill 41 has with state law. There was a commitment from DPP to follow up with an answer. What was the answer?

For foreigners, it is the duty of US Customs and Immigration, not the city to institute controls.

Controls on US citizens to travel between the 50 states are forbidden by the Privileges and Immunities Causes of the US Constitution.

Chair Waters assumes in his calculations that all visitors are tourists. The 30-day rule is working. In the 26 years of operation, no tourist has made a reservation.

Instead, tenants include:

1. Military Police Officer. We serve those who serve. The barracks at JBPHH did not offer a place for restful sleep. Personnel who are rested can make clearer decisions.
2. Author with obligations at home. Was only able to be here 30 days at a time.
3. Students
4. Farmers
5. Athlete
6. Contract nurse. It is said that contracts are more than 90 days. What is the public interest in restricting a medical professional to one location?

7. Remote workers
8. Musician
9. COVID protocol expert.
10. Caregiver relief
11. Local workers who may have an eviction record, just need our one positive recommendation to get started. They often only have the resources for a 30-day month to month rent while they work to earn enough for subsequent months.
12. Instructor/Researcher needing just a month while transitioning to another property. Needed direct 24/7 access to ohana while developing therapies for Parkinson's symptoms.

Residents like flexibility to try for a month without a long-term obligation. This is why there is the concept of month to month renting. About 50 percent of the time as relationships develop the tenancy is renewed.

Tenants can't afford to pay the hotel rate in the resort zone for 30 nights. They work in other communities outside Waikiki.

Off street parking requirements are in the existing LUO and other city ordinances. Council Chair complains about traffic and clogged streets. He dreams of a utopian society where our streets are empty, and the beaches are just for residents. Yet, it is these same tenants who work the crowds in retail serving us with a smile.

Half our tenants leave the off-street parking empty and take the bus.

He assumes economic success will result from maximizing the hotel room revenue. Is our ideal visitor really the one who spends the most in Waikiki?

Where does the workforce live? It falsely assumes that if rentals are confiscated then families will suddenly be able to qualify for mortgages. It falsely assumes that renter will be able to demonstrate that they will be able to pay the long-term rent.

The interests of the people of Hawai'i come before the interests of the hotel industry. Forming a hotel room renting monopoly is wrong.

Isolationist policies of a renting will only widen the affordability gap.

The hotel industry finds itself with an inferior product, a noisy cement box.

In a free market, when one finds themselves offering a substandard product, they improve the product. All will lose with a central planning delete business with the better product approach.

RULEMAKING - A BILL 89 VIOLATION

In its failure to complete the rulemaking, the administration is in violation of Ordinance 19-18.

SECTION 16. No later than six months after the effective date of this ordinance, the Department of Planning and Permitting shall:

- (1) Establish and implement specific procedures by which the public may submit written or verbal complaints and investigation requests to the Department regarding potential violations of applicable laws regarding bed and breakfast homes and transient vacation units. The procedures must include the establishment and staffing of a telephone hotline for verbal complaints and investigation requests from the public;**
- (2) Establish and implement specific procedures by which the Department investigates public complaints in a timely manner, efficiently obtains evidence pursuant to the investigations, and notifies the complaining parties of the status and results of the investigation; and**
- (3) Conduct community outreach to educate the public regarding the complaint and investigative process, and publicize the availability of the hotline.**

It is your oversight duty to protect the community and pass a resolution finding the administration in violation and demand corrective action.

Corrective action should be focused on protecting the public, not removing bulk of the Section 16. These requirements on the DPP are removed in the renumber Section 16. Does the committee no longer find this important?

QUESTION: Where is the compressive white paper from DPP that explains **ALL OF THE ISSUES** encountered in the attempted rulemaking process.

This should be considered an aggravated violation as the outcome of the process **IS NO RULES AT ALL.**

Some of text of Bill 41 is consistent of Bill 89 as enacted. There is opportunity to take the text and use it as draft in the rule making process.

EXCESSIVE FEES

Bill 89 provides for an enforcement process. The DPP already has the authority to make an inquiry to perform an audit. There is a public expectation that they perform these duties.

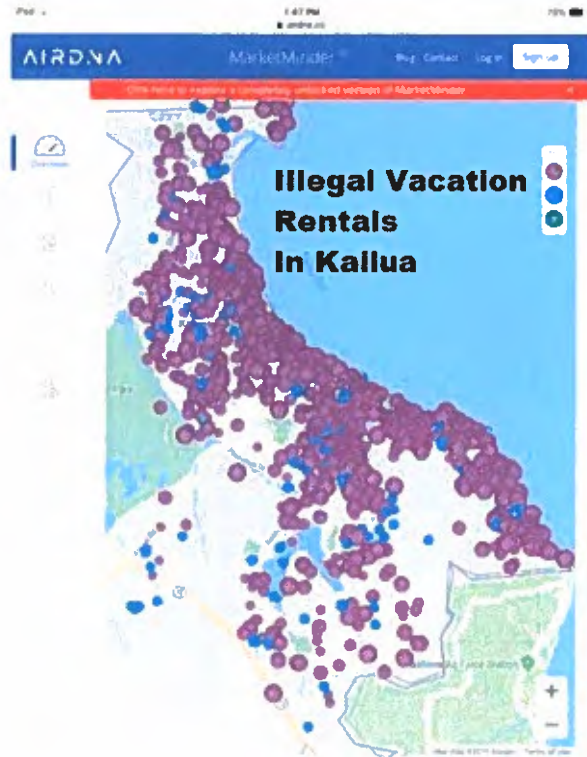
For a rented room, it's not that complicated. It costs less than \$50 to review the results of the inquiry or process a permit.

DDP admits that the remaining amounts \$850-\$4950 are to cover enforcement. They are not required in the existing ordinance. Fees are required in Bill 41. The fees of \$850-\$4950 are a tax. Taxes on a unit basis are expected to be fair, the same for hotel units and all dwellings. No legislative process has commenced to enact this tax.

Starving the DPP of the funds to conduct effective enforcement, training and advocacy occurred when you cast your vote to prioritize the rail over DPP with Bill 40.

PUBLIC EDUCATION – 19-18 SECTION 16(3)

This is the disingenuous purple dot graphic posted on Facebook group [Keep It Kailua](#) January 14, 2022. This is an example of the **lack of public education** that the DPP is obligated to do (Bill 89 Section 16(3)). The department failed to educate the public of the difference between a lawfully operating rental and one that deserving of a complaint. The purple dots are more aligned with **lawful rentals**.



TIMING AND COVID

It has only been a few weeks that we have been able to discuss this illegal gut and replace Bill 41 face to face. Bill 89 was four to twenty years in the making. Because we have enacted Bill 89, we can now take time as the city restores post-COVID.

We are in a housing crisis! This is not a housing bill. The council should prioritize cohesive housing solutions that will go much further to address the issue.

It would be statesman-like conduct to replace punitive provision with incentive provisions.

So that there is balance of input to the lawmaking process, there should be an Advisory Commission on Renting.

This issue important enough for townhalls and other stakeholder engagement.

INSURANCE

This insurance requirement is expensive and burdensome for room renting. Provision is part of the cities war on affordable renting because these costs must be passed on to the renter.

~~(N)~~(D) Insurance coverage required. The owner or operator must maintain a minimum of \$1,000,000 per occurrence in commercial general liability insurance at all times;

More basic insurance like [Airbnb Aircover](#) is an example of what should be enough protection.

MOUs

QUESTION: Is DPP using its failure to act on MUOs as justification for new legislation?

Acting in good faith, the platforms signed MOUs with the previous administration. These documents have tremendous value in compliance process. MUOs are active on two other islands.

The links are [Here for Airbnb](#) and [Here for Expedia](#).

In testimony, the DPP director has indicated a breakdown in communications. Both agreements have this language:

D. **Meet-and-Confer**. If either Party believes that the other is not complying with any of the provisions set forth in this MOU, it shall notify the other and the parties shall meet and confer in good faith to resolve any dispute. Both Parties shall provide one another with reasonable time to resolve or cure any alleged violation or non-compliance of this MOU.

What is the status of meet and confer?

What does this committee plan to insist that the MUOs be implemented immediately?

IN CONCLUSION

Bill 89 keeps our costs down allowing us to pass that savings to our tenants. Bill 41 is designed to be a barrier to affordable housing.

Residents should be fully informed of the total cost of the bill, amounts to defend against the coming tsunami of property rights litigation. The city should be prepared to pay billions in fair compensation for business seizures.

QUESTION: Before this bill was available for first reading, did legal consultations occurred? How did those conversations go? Your time is extremely valuable. Hundreds of testifiers had to take time out of their day to discuss with the legal problems with this bill. What can you do to improve your standards to avoid this in the future?

Now is the time to stop using policy to make it hard for those who are part of the solution. Listen to the **beyond supermajority** of residents opposed to Bill 41.

I urge you to vote **NO** on any further consideration of any version of Bill 41.

Respectfully Submitted speaking on my own behalf,

Edward Jones
Resident District IV
honojulu@paradiseip.com

From: CLK Council Info
Sent: Monday, March 21, 2022 8:02 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Teresa Parsons
Phone
Email Tapaka53@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item 2. Bill 41
Your position on
the matter Support
Representing
Organization Self

I strongly support this bill (including the proposed amendments-CD2). Neighborhoods are being negatively impacted by illegal commercial operations of TVUs. This MUST be stopped.

Written
Testimony

I read the Bill and am concerned about the lack of health and safety components. Maybe there is another Bill or regulation, but it is paramount for TVU/B&Bs to be held to a standard of cleanliness. To date, I've seen no guidelines for cleaning between guests nor standards of sanitation in shared areas. As a healthcare provider, I am concerned how items used by guests (bedding, pillows) and bathrooms are cleaned. It may seem like everything is neat and clean on the surface (clean linens), but if the pillows and comforters are not routinely sanitized between guests, there is a public health risk.

If there is not a separate bill addressing cleaning and sanitizing between guests, I urge the City Council to include a requirement in this Bill to require adherence to cleaning standards similar to other transient accommodations.

Mahalo for allowing my testimony. I am a homeowner and have been negatively impacted by a transient accommodation in my neighborhood.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:03 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sandra Kama
Phone
Email sandra.kama@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony My name is Sandra Kama, I live in the Waikiki area, work at Embassy Suites Waikiki hotel and why it is so important to save our communities from illegal short-term rentals by passing Bill 41.

Mahalo!

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:12 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	RUBY LUSTRIA
Phone	
Email	ruby.lustria@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I work in Outrigger Hotels and this Bill is important to us who work in Hospitality Industry.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:16 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Ruthann Yamanaka
Phone	
Email	ruthann.yamanaka@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name JOJELYN CABULERA
Phone
Email JOJELYN.CABULERA@OUTRIGGER.COM
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

My name is Jojelyn Cabulera, I live in Waipahu and work for Outrigger Hotels and Resorts. It is important to save our communities from illegal short-term rentals because it'll take away jobs for people who are working with legitimate hotel owners & operators. Most of us locals work for the hotel industry, it is our livelihood. Please don't let those illegal short-term rentals take our jobs away from us and pass Bill 41.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:33 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wendy Afuso
Phone
Email wendy.afuso@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
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, March 21, 2022 8:48 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wendy E Norwood
Phone
Email Frklfacewen1@cox.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

This is absolutely NOT a good idea for the community of Makaha. The ability to provide short term rentals to tourists has increased the property value of Makaha and the surrounding communities. It has brought a substancial increase of money being spent and invested providing for increased revenue of all local people. It has allowed us to flourish as a community and provide needed infrastructure in support of the increased visitors which increase the local values and cash flow of all local home owners. Preventing cuurent homeowners from the ability to rent their property for 30 days will cause a severe decline in local income dragging us back down to poverty levels and sub-poverty levels once again with continuous degeneration of infrastructure and no hope for a self-sustaining future!

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:00 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Angela Britten
Phone	
Email	angel.britten@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please support Bill 41 CD2 to make housing a priority for locals and stop the spread of illegal vacation rentals. Let's stop talking about our desperate need for residential housing and our dependence on tourism. Let's take action now by passing Bill 41 CD2.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:32 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Bryant
Phone
Email bryantt.bernardo@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Over 40% of Hawaii residents are renters. Renters that are competing with vacationers in residential neighborhoods who will pay more per month than long term renters.

Residents that want to buy homes are competing with rich investors AND vacation home buyers. Mainland people who are able to pay more than asking price and then live here a month or two and easily subsidize their mortgage by doing short term rentals the rest of the year.

Written
Testimony

Keep hotel rooms in resort areas and help keep residents in neighborhoods. People buying homes in neighborhoods should either be residents living in them or people renting them long term to residents. The people that work and live here should not be competing with Airbnb for the limited number of houses.

No matter how many more houses and condos are built, as long as it's way too easy to turn a residential house into a mini hotel, residents will never be able to compete with vacation rental prices or rich mainland people who can buy multiple homes and then make money off airbnb to pay their mortgage. Residents can't compete with the current rules that favor the rich. Take away the incentive for mainland people to buy multiple subsidized homes here. Don't make it so easy and lucrative for rich investors to buy up all the homes and turn them into mini hotels in residential districts. Multiple home rich people getting richer at regular one-home/no home folks' expense.

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1

From: CLK Council Info
Sent: Monday, March 21, 2022 10:46 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sarah Chinen
Phone
Email schinen@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I support this bill because we really need to control unwanted and illegal activities in our neighborhoods.
Current laws might be able to do this IF we had effective enforcement but unfortunately we do not.

Testimony Attachment
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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:59 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Chuck Gray
Phone
Email Chuckla808@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

We keep saying we need more housing for locals. Stop illegal businesses from destroying our community, keep residential neighborhoods for families who live, work, play, and vote in Hawaii.

Written Testimony Enough talk! Take Responsibility and support Bill 41. People over profits!

Mahalo,

Chuck Gray

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:11 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name TADIA RICE
Phone
Email tadarice@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written
Testimony Hawaii must ensure that all people honor the collective kuleana to protect and promote our culture. There is no place for illegal vacation rentals that displace residents and ignore educating their paying customers that respect is due to all communities when visiting. I fully support the 2025 Strategic Plan, Action A of the O'ahu Destination Management Action Plan (DMAP). I am committed toward kuleana to Mālama Ku'u. Mahalo nui, Tadia Rice

Testimony
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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:10 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name JEAN DICKINSON
Phone
Email jdickinson@pacrimmarketing.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 2. BILL 41 (2021), CD2 – LAND USE ORDINANCE AMENDMENT RELATING TO TRANSIENT ACCOMMODATIONS.
Your position on the matter Support
Representing Self
Organization

I support the proposed version of Bill 41, CD-2 and voice my opinion in support.

Written Testimony Efforts to eliminate illegal vacation rentals directly aligns with the Hawaii Tourism Authority 2025 Strategic Plan, Action A of its O‘ahu Destination Management Action Plan (DMAP). It aligns with our kuleana to Mālama Ku‘u Home (Care For Our Beloved Home).

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, March 20, 2022 8:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathy Shimata
Phone
Email kshimata@hawaiiantel.net
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 4 CD2
Your position on
the matter Support
Representing Self
Organization

Written
Testimony

Aloha,
I live in a residential neighborhood because I want to know my neighbors. We have zoning districts for a reason. You can't open a bar or manufacturing facility in the residential district. Vacation rentals are also NOT ALLOWED in the residential and apartment districts. Resort districts are where vacation rentals belong. We need housing for residents and not more tourists.
Please pass Bill 4 to keep our neighborhoods friendly.
Mahalo,
Kathy Shimata
Honolulu 96822

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:29 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robert Wilhelm
Phone
Email robledowilhelm@mac.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I am an owner of a condo in Kuilima Estates West (KEW) in Kahuku and have owned the property since 2003. My wife and I do not rent our condo, but many of the other owners in our development do massive amounts of short term rentals. In fact, over the last 20 years the entire profile of the owners of apartments in KEW has changed from owners who resided in their apartments but would occasionally rent to professors and others at BYU, or military personnel who needed a place for several months between deployments. Now, many of the apartments are owned by investors who basically operate a hotel with rentals of 2 or 3 days and who are almost never in the apartment themselves. Few of the current owners who rent have the required permits to do so. In my view these owners should be taxed at the same rate as hotels and subject to the same regulatory environment. Bill 41 should require a minimum rental period of 30 days, impose taxes on owners who rent at the same rate as hotels, and have audit and inspection regulations that will insure the provisions of the bill are enforced. Thank you.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:33 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Virginia Dudden
Phone
Email virginia@dudden.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization Chairman Waters and Council Members

Thank you for allowing me this opportunity to speak out against Bill 41 and current amendments. Please vote no on Bill 41.

Ordinance 19-18 was crafted after many months, even years of collaboration from key stakeholders, several city administrations, and the larger community. A legal agreement confirmed by the Courts was reached to allow for 30-day or longer rentals. This is a fair approach to managing legal rentals.

Ordinance 19-18, in addition to the 30+ day rental period, allows for increased enforcement against rental units operating outside the laws and tax obligations. Ordinance 19-18 is easy to understand. Ordinance 19-18 supports small businesses and Oahu residents.

Written Testimony For unknown reasons, the administrative process made available to the Department of Planning and Permitting by Ordinance 19-18 was never written or implemented.

The Council and Mayor should focus on implementing Ordinance 19-18 rather than passing more complicated and confusing laws which will be difficult to enforce. Covid shutdowns and lockdowns are mostly in the past. Now is the opportunity to make and implement the Ordinances for 30-day rentals across the board.

As the manager of a rooming house in Kalihi, I want to remind you that not all short-term rentals are vacation rentals. Our service and construction worker tenants often do not want to sign a lease at all. Their jobs don't come with employment guarantees. Projects end, cleaning jobs get terminated, food service jobs are notoriously fickle. If you pass the 90-day rental minimum, these workers will pay a heavy penalty for breaking leases. How will the 90-day minimum be fairly enforced across the spectrum? Will enforcement action apply equally to

ALL rental operators, whether rooming houses, single-family homes, apartments, condos, or timeshares in or outside the resort boundary?

Civil Beat discussed the governmental worker shortage on Oahu and the lack of funding to pay the needed salaries. Now you, the City Council, want to cut off the local source of TAT revenue from our rental properties. Just when Oahu needs the money most.

Again, I strongly urge the City Council to reject this Bill and its amendments.

DPP, City Council, the Administration should focus their efforts on implementing and enforcing Ordinance 19-18 rather than making even more laws.

I appreciate your consideration,
Virginia Dudden

Testimony
Attachment

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and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:33 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sootaga Tana
Phone
Email soo.tana@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Aloha, my name is So'otaga Tana and I work in the hospitality business. Its very important for us to support this bill 41 so that we can save our community from illegal short term rentals by passing Bill 41.

Testimony Attachment

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IP: 192.168.200.67



**Honolulu County Council
Committee on Zoning and Planning
BILL 41 CD1**

Amendments to Chapter 21 (Land use Ordinance [LUO]), Revised Ordinances of Honolulu (ROH) 1990, as Amended, Relating to Transient Accommodations

Malaki 23, 2022

9:00 a.m.

Council Chambers

The Office of Hawaiian Affairs (OHA) **SUPPORTS** the proposed changes to the City's Land Use Ordinance in **BILL 41 CD1**, which seek to better protect O'ahu's housing stock from the negative impacts of short-term rentals (STRs), through improved enforcement mechanisms and a prohibition on the further conversion of housing units in residential neighborhoods to STRs. By removing much-needed housing stock from the long-term rental markets, STRs significantly exacerbate our current housing crisis, and significantly impact housing opportunities for Native Hawaiians and other Hawai'i residents. OHA therefore appreciates and supports the proposed enforcement mechanisms to address unlawful STRs, as well as the proposed prohibition against new legal STRs within residential and agricultural zones.

As home prices, rental prices, and homelessness continue to increase, as the State anticipates additional population growth and an associated demand for more housing over the next decade,¹ and as we search for ways to address the vulnerabilities exposed and exacerbated by the COVID-19 pandemic, land-use planning that ensures housing affordability and availability is more critical now than ever before. Even prior to the COVID-19 pandemic, Hawai'i found itself in the midst of an affordable housing crisis. Recent research indicated a need for 50,156 more housing units by 2025, with 52 percent of this demand (and 57 percent of the Native Hawaiian demand) for units at or below 80% of the Area Median Income (AMI);² only 28 percent of State's anticipated housing demand (and 26 percent of the Native Hawaiian demand) was for housing units at or above 140% AMI, or for units that do not meet the State's current definition of "affordable housing."³ **With 42% of households in the State and 40% of the households on O'ahu currently unable to afford basic necessities including housing, food,**

¹ SMS, HAWAII HOUSING PLANNING STUDY 38 (2019) AVAILABLE AT https://dbedt.hawaii.gov/hhdc/files/2020/02/State_HHPS2019_Report-FINAL-Dec.-2019-Rev.-02102020.pdf.

² See *id.*

³ See *id.*

transportation, health care, and child care,⁴ our ongoing lack of affordable housing and continuously rising housing costs require bold and aggressive policies and land use enforcement that meaningfully prioritize the housing needs of local residents.

Native Hawaiians are particularly disadvantaged by land uses that contribute to our local residential housing challenges, including increased rental housing costs and rental housing shortages in particular. Notably, Native Hawaiians rely substantially on the rental housing market: the Native Hawaiian homeownership rate is lower than the state average. (57.2% compared to the total state rate of 60.2%);⁵ for non-DHHL properties, the Native Hawaiian homeownership rate is 14.7 percentage points below the total state rate (45.5% vs. 60.2%).⁶ Prior to the COVID-19 pandemic, Native Hawaiian households were also much more likely to be “doubled up,”⁷ with multi-generational or unrelated individuals living together in single households, and Native Hawaiian households are twice as likely to have a “hidden homeless” resident than non-Native Hawaiian households.⁸

Unfortunately, the proliferation of STRs has directly removed much-needed housing units from the residential rental market, and may have exacerbated the rise in rental housing costs beyond what Honolulu residents and Native Hawaiians are able to afford. The state’s 2019 Hawai‘i Housing Planning Study cited estimates and surveys indicating that there may be up to 60,000 STRs in Hawai‘i, with 37,000 of these units in Honolulu County.⁹ The proliferation of such units is not surprising,¹⁰ given their historical ability to generate nearly 3.5 times more income than the average long term residential rental,¹¹ and with STR rental rate increases outpacing residential rate increases threefold.¹² The loss of long-term residential units to STRs, combined with the pressing demand for residential housing, may also be contributing factors to the continuously increasing residential rental rates seen throughout the islands;¹³ notably, Honolulu ranked as the second-highest rent city in the United States as of 2019.¹⁴

Notably, OHA understands that Native Hawaiians in particular are less likely to benefit directly from an STR operation; with Native Hawaiian homeownership rates lower

⁴ Aloha United Way, Research Center: Hawai‘i, <https://www.unitedforalice.org/Hawaii> (last accessed Sept. 27, 2021).

⁵ U.S. Census Table S0201 Selected Population Profile in the United States, available at <https://data.census.gov/cedsci/table?q=s0201%20hawaii&tid=ACSSPP1Y2019.S0201&hidePreview=false> ⁶ DEPT. OF HAWAIIAN HOME LANDS, 2020 ANNUAL REPORT (2021), available at <https://dhhl.hawaii.gov/wp-content/uploads/2021/02/DRAFT-DHHL-2020-Annual-Report.pdf>.

⁷ 24.5% of Native Hawaiian households, compared to 9.0% of state households include more than two generations or unrelated individuals. SMS, *supra* note 1, at 73.

⁸ 38% of Native Hawaiian households, compared to 19% of non-Native Hawaiian households have a hidden homeless resident. *Id.* at 74.

⁹ See *id.*

¹⁰ See *id.* at 66.

¹¹ *Id.* at 65-66.

¹² *Id.* at 71.

¹³ *Id.* (noting the need for “definitive research to establish the link between decreasing residential rental stock due to [STR] conversion and rising residential rents”).

¹⁴ *Id.* at 26.

than the state average,¹⁵ they are less likely to own second or additional homes that could be rented as vacation units. As previously mentioned, Native Hawaiians also often live in overcrowded households, without the extra rooms needed to operate an owner-occupied vacation rental.¹⁶

Clearly, allowing the continued unlawful use of housing units for STRs will only exacerbate our housing crisis, and its impacts on Native Hawaiians in particular. As we seek to protect our most vulnerable as part of our post-COVID-19 recovery effort, more meaningful regulatory and enforcement mechanisms will be critical to stopping the negative impacts of STRs on housing opportunities for Native Hawaiians and other local residents. **Accordingly, OHA supports the regulatory and enforcement approaches in Bill 41 CD1 and the proposed CD2, which will further help to curb and reverse the impacts that STRs continue to have on residential housing opportunities in Hawai‘i.**

As a final note, other jurisdictions have found that any economic benefits gained from permitted short-term vacation rental operations are far outweighed by the larger social and economic costs of removing long term rentals from the housing market. For example, an economic analysis by the City of San Francisco found a negative economic impact of \$300,000 for each housing unit used as a vacation rental, exceeding any economic benefits from visitor spending, hotel tax, and associated revenues.¹⁷ Most recently, the Economic Policy Institute has found that, for “internet based service firms” offering transient vacation rental hosting services, “[t]he economic costs [to renters and local jurisdictions] likely outweigh the benefits,” “the potential benefit of increased tourism supporting city economies is much smaller than commonly advertised,” “[p]roperty owner . . . beneficiaries [from hosting services] are disproportionately white and high-wealth households,” and “[c]ity residents likely suffers when [hosting platforms] circumvent[] zoning laws that ban lodging businesses from residential neighborhoods.”¹⁸

Accordingly, OHA urges the Committee to PASS Bill 41 CD1 proposed CD2. Mahalo nui for the opportunity to testify on this measure.

¹⁵ *Supra* notes 5 and 6.

¹⁶ *Supra* note 7.

¹⁷ See CITY OF SAN FRANCISCO, OFFICE OF THE CONTROLLER, AMENDING THE REGULATION OF SHORT-TERM RESIDENTIAL RENTALS: ECONOMIC IMPACT REPORT, May 2015, available at http://sfcontroller.org/sites/default/files/FileCenter/Documents/6458150295_economic_impact_final.pdf?documentid=6457

¹⁸ See the Economic Cost of Air B&B report, January 30, 2019 available at <https://www.epi.org/publication/the-economic-costs-and-benefits-of-airbnb-no-reason-for-local-policy-makers-to-let-airbnb-bypass-tax-or-regulatory-obligations/>

From: CLK Council Info
Sent: Monday, March 21, 2022 11:38 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patrick Watson
Phone
Email surftone@hotmail.com
Meeting Date 05-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha,

I strongly support this bill as a means to control what I see as a currently mismanaged abuse of vacation rentals in residential neighborhoods. Living in a multi-generational home in Kaimuki I grew up in since the 60s, I have seen an increasing influx of vacation rentals and monster apartment inundate our once peaceful and quiet neighborhoods island-wide. The unfortunate impact is pricing locals out of potential homes and places to live, careless non-residents congesting our quiet residential streets and parking areas, undue strain on our utility infrastructures as single family homes are converted into 20 unit rental apartments, and disruption of the once peaceful towns of Oahu with late night parties, trespassing, littering, and disrespect.

Written
Testimony

How can local families survive when they can no longer afford anywhere to live, due to greedy developers and vacation rental owners with no sense of community purchasing every property made available on the market instantly with cash way over market value; cash they make by abusing this vacation rental apartment system?

I believe there can be a responsible way to control this rental issue by allowing long term leasing of these properties by local residents to good local folks just looking for a place to live and exist. The best scenario would be if the owner actually lives at said property to help preserve the community atmosphere and police the day to day activity on property, and provides reasonably affordable long term leases to working residents or students.

Please help us restore ALOHA to O'ahu and our state.

Mahalo,

Patrick Watson

From: CLK Council Info
Sent: Monday, March 21, 2022 11:41 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ashley K Bailey
Phone
Email ashleybailey@hawaiilife.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Aloha - I am a young homeowner who lives and works in the waikiki area. I currently rent my property out for a minimum of 30 days or more. I would never do short term rentals under 30 days as I am OPPOSED to it for many reasons. However, taking away my rights and other property owners rights and making a mandatory rental period for more than 30 days is not right. I am trying to build a future and be financially stable in this already extremely expensive island. The income generated from my property gives me the opportunity to live comfortably and offer remote workers and travel nurses housing.

It is our rights as property owners to rent our home for 30 days or more. Please do not pass bill 41. It will not only hurt homeowners like myself, but will cause a huge problem for workers needing short term affordable housing.

Mahalo,

Ashley Bailey

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:49 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Catherine Orlans
Phone
Email corlans@outlook.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

When bill 41 was first introduced the 180 days definition made the most sense to revise our county's definition with the same definition as the rest of the state. I feel that compromising here is the only option since there has been confusion since this bill was introduced, however, it doesn't feel pono, or right. The goal of this bill is to better enforce and reduce the number of illegal rentals in residential neighborhoods, but without matching the definition with the rest of the state, it seems like it is now creating another loophole for illegal operators to take advantage of. When affordable housing is a need for our local residents, wouldn't this definition change to 90 days instead of 180 make O'ahu more attractive to outside investors that would be choosing between the islands? If we match it to the rest of the state it speaks volumes on our state's stance on illegal short term vacation rentals. I highly encourage the council to revise back to 180 days with exceptions for students etc,. I am in support of the rest of the bill. In summary, illegal is illegal, even if it's a small business in a residential neighborhood without a NUC - it's still ILLEGAL and they should be shut down. Residential zoned neighborhoods are zoned this way for good reasons.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:25 PM
Subject: Council Testimony

Written Testimony

Name Heather Mazro
Phone
Email hmazro@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha, my name is Heather Mazro and I oppose Bill 41 CD2
I am 30 years old and have been working in the vacation rental industry for more than 6 years.

I have such a love and appreciation for this industry, its where I met my husband, where we adopted our kitty and became a family.. Being a local wife while trying to build a family, we all know how since the pandemic, prices have gone up in so many different aspects and we are forced to pay in this economy. Without the vacation rental industry,

Written
Testimony

Being a small business owner in this industry, it has helped me and my family by being able to support small business owners, and help them grow what they have worked so hard to build.

This island has so much to teach and so much to give and my hope is to continue to teach the visitors from near and far about our precious home and most importantly, the Aloha Spirit.

This industry allows me to provide for my family and to spread the Aloha Spirit. There is nothing more important than that. Please stand with me and oppose Bill 41 CD2

Testimony
Attachment

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and Agreement 1

From: CLK Council Info
Sent: Monday, March 21, 2022 11:09 AM
Subject: Council Testimony

Written Testimony

Name debra Kenworthy
Phone
Email dkenworthy@comcast.net
Meeting Date 03-21-2022
Council/PH
Committee Council
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I believe that 30 day rentals are fine and that the 90 day rental should
be put back to 30 in Bill 41 CD2. Just enforce the laws now on the
books. Don't spoil peoples blessing for those that do not follow the
rules. Go after the people that have no respect.

Testimony
Attachment

Accept Terms 1
and Agreement

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:10 AM
Subject: Council Testimony

Written Testimony

Name Paul Richard Grable
Phone
Email pgrable@lbchlaw.com
Meeting Date 02-23-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

Honolulu is in desperate need of affordable housing and solutions for our homelessness population. Local residents cannot find places to live and cannot afford the housing that is available, We do not need more vacation accommodations as our island is at capacity. Anyone staying in a residence for less than 90 days is not residing on Oahu.

The changes to the vacation rental law in this bill are appropriate and should be good for our community.

Thank you for considering my opinions and position.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:55 AM
Subject: Council Testimony

Written Testimony

Name Elizabeth Perry
Phone
Email Diamondheadliz@aol.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41. 2022
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I am opposed to this Bill. The more I think about it the more terrible I think it is. Just enforce bill 89 , 2018CD2 ... no policy pivot. The ineptitude of enforcement should not mean burdening the small business of short term rentals. So many of our Hawaii residents rely on this extra income that the current 30 day rental requirement provides. Don't make it more cumbersome to make a living . I own 2 rentals that I follow the rules with. Though both are currently rented on a long term basis , I have had many occasions (between long term tenants) that I've rented month to month. Under those circumstances I pay the higher TAT tax and follow the rules. I know many people who have benefited from this flexibility . (both renter and landlord) . It seems pretty clear that Hotels support the 6 month rule but it is hurting the little guy, the individuals who actually live here ! Just inforce current rules .

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:58 AM
Subject: Council Testimony

Written Testimony

Name Ernest Schenk
Phone
Email Ernestschenk@yahoo.com
Meeting Date 03-22-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Again, I strongly object to this proposition. It would reduce the visitor tax as less people will visit Waikiki if they have to spend hundreds of dollars in hotels. As a result lots of condo owners will have to sell their units for lack of income. Please, please oppose this bill. Thanks,
Ernest Schenk, owner WBT unit 2302.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:11 PM
Subject: Council Testimony

Written Testimony

Name Lucky Sprowl
Phone
Email Luckysprowl.ls@gmail.com
Meeting Date 03-2d-yyyy
Council/PH Council
Committee
Agenda Item Vrbo rental
Your position on the matter Oppose
Representing Self
Organization

Written Testimony We have been to Hawaii at least 4 times and the only Way we can afford to stay 5 weeks or more at a time is by staying at a vacation rental or VRBO. They are much cheaper than a hotel and Hawaii makes Billions off of vacation rentals. Please do not do away with them. Hawaii and the tourists will both suffer

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name Yasunori Tsuboi

Date 03/21/2022

Signature Yasunori Tsuboi

From: CLK Council Info
Sent: Monday, March 21, 2022 11:58 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Richard A Roddy
Phone
Email richard@rroddy.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Dear Honorable City Council Members Elefante, Waters, Kia'aina, Tupola, Tsuneyoshi, Say, Fukunaga, Cordero, Tulba,
Mahalo for taking time to read my letter.

I am totally opposed to Bill 41 with either 180-OR-90-Day Minimum Rentals and its provisions.

My Thoughts:

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 high priced hotels.

The loss in tax revenue from short term rentals, down from 17.962% to about 4% would be monumental! It will be millions of dollars in lost revenue to the City, County and State.

I also see more illegal rentals flourishing by going "under ground" and losing all cooperation with the rental platforms (Air BnB/VRBO) that have been working hard to find a common solution.

Written
Testimony

As senior Kupunas, living on S/S and supplementing our income with shorter term rental income, this would be an extreme hardship for us and so many others like us that 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 some 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 helping take care of a 98 year old Kupuna who was in Honolulu at the bombing of Pearl Harbor, an army veteran and a retired master electrician 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 with our short-term rental. Bill 41 would require us to support other local 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 our elder so as not to be a drain on other taxpayers and society and thus, helping the hotel industry to flourish and reap great financial rewards.

Please, I ask respectfully, that you vote NO on Bill 41 and any revisions and stay with the already in place 30-day minimum rental requirements and encourage other Council Members and the Mayor 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. (neighbors turning neighbors)

I wish you the best and hope you will consider my comments. I would appreciate a response, if even brief, so I know you at least read my letter.

Warmest Aloha and Mahalo,

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: Monday, March 21, 2022 12:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mike Shaff
Phone	
Email	mikeshaff0709@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I live in Kahala and work in Waikiki and find this bill critically important to keep our communities clear of disruptive illegal short term rentals. Thank you.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ashley Hardy
Phone
Email ash28hardy@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item OPPOSED BILL 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha, my name is Ashley Hardy and I oppose bill 41 CD2.

I was born and raised on the North Shore of O'ahu and moved to the Windward side of the island in 2008. I am 37 years old and have been working in the vacation rental industry for more than 17 years.

I have a deep love and appreciation for the vacation rental industry as it helped me and my husband along with my 3 boys buy our first home. Being a local wife and mother of 3 boys in Hawaii is tough, we all know the incredibly inflated prices we're forced to pay in this economy. Without the vacation rental industry, I do not know where me and my family would be or what would happen to us.

Written Testimony

This job has not only opened doors for me, it has also helped my family by hiring them for odd jobs and allowing us to make a little extra here and there. It has also created opportunities and jobs for local small businesses (i.e. a/c technicians, construction workers, plumbers, landscapers, cleaners window cleaners, electricians, baby sitters, transportation, activities and so much more) who have worked so hard to make their business stay alive in Hawaii. These small business owners count on this industry to keep their businesses going.

Being in the vacation rental industry, you learn to have a true appreciation for making people happy and find yourself wanting to show them the true meaning of "Aloha Spirit". To me, it is not only about finding someone a place to stay, it is about giving people from different walks of life, the experience and memories that our beautiful Hawaiian Islands have to offer. Sharing the knowledge of our islands, our heritage, our ancestors and above all, respecting our 'Aina.

For all you parents, aunties, uncles, grandfathers, grandmothers, sisters and brothers, you know that when your child, grandchild, niece or nephew does not know how to do something or how to act in a situation, you teach them. I am proud to help and teach the visitors from near and far about our precious home and most importantly, the Aloha Spirit.

This industry allows me to provide for my family and to spread the Aloha Spirit. There is nothing more important than that. Please stand with me and oppose bill 41 CD2.

Thank you for your time

Mahalo Nui Loa,
Ashley

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Priscilla Magallanes
Phone
Email cinomagz@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I am a resident of the North Shore for 45+ years. My late husband was born and raised in Hawai'i. Our children were born and raised here. I am a retired public school teacher for 30 years. We bought our Kuilima condo in 2015 in the hopes to generate supplemental income through short term rental. When Bill 89 was produced, we fought, paid for legal council and WON) to ensure the Kuilima condos would the remain legal short term rentals. Most people who are against short term rentals are FOR rentals in the resort areas. Our deed says under land use section: "visitor accommodations". Please leave Bill 89 intact for Kuilima condos. We already pay the increased TA taxes and GE taxes. An annual fee of one payment would be completely unfair as some people could make that fee in one night and others would struggle to pay the fee(every rental is different).

I applaud Andrea Tupola, Radiant Cordero for opposing this bill. I also thank Heidi Tneyoshi, Calvin Say, Brandon Elefante for at least admitting this bill needs revisions. The other council members who voted in favor of this bill, I am disappointed that you sided with the billionaire hotel industry over many of the local people. Short term rental owners employ local residents and local businesses benefit. Most local people working in the hotel industry struggle to continue to live in Hawai'i. People will still stay in hotels, but please don't eliminate the visitors who choose to stay in vacation rentals. There's room for all of us! So please let everyone benefit from our thriving visitor industry!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Brooke Channon
Phone
Email brookecdee@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization
Written Testimony We need to eliminate illegal TVU's on Oahu. We live and work on Oahu and need your support to improve our quality of life.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	SPD
Phone	
Email	spowerdee@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	It's important to me as a long time resident and especially as a member of the hospitality industry that we limit illegal short term vacation rentals in non resort zones on Oahu
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jeff Wagoner
Phone
Email jeff.wagoner@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written Testimony

It is critical that Bill 41 be approved. It is time to stop tourists from being able to take up a significant amount of homes, condos and apartments within our neighborhoods. Rents are going through the roof and with less inventory, apartments and condos are being priced so high that it is very difficult to find affordable housing on the entire island. Most of these short term rentals are also illegal and we need to pass this Bill in order to have the appropriate enforcement measures in place.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Merle D Crow
Phone	
Email	crowm001@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	41 CD2
Your position on the matter	Support
Representing	Self
Organization	Kohls, Costco, WalMart, Sam's Club, and others
Written Testimony	When I was a director and officer of the KCA, one of the frequent complaints we heard was from residents about short term rentals in their area. We need Bill 41CD2
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

To: Zoning & Planning Committee: March 23, 2022

From: Kandis McNulty, RE: Bill 41 CD2: Support

Please support this bill, with every means at your disposal, to strengthen the enforcement of stopping mini hotels in neighborhoods and apartment buildings. **Who do you want to be living here in the next decade, 20 years and beyond?** Our residents need places to live that are affordable and close to where they work.

Keep the rules simple and enforceable, it makes no sense to tie the hands of your inspectors. Please be foreword thinkers on this issue. Allow the inspectors to use the advertisements as proof of a violation. If a dwelling is being offered on a vacation rental site, **it is a vacation rental!** Use sting operations to prove it! Impose hefty fines on owners of transient vacation units (TVU), and exponentially increase the fines for multiple TVUs. Require signs on dwelling units utilized as a Bed & Breakfast or TVU that provide contact information. The illegal vacation rental owners have been circumventing the laws for over a decade. They have been lying and instructing their renters to lie. They are able to show up to testify in force because this is how they make their money. The normal renter trying to find affordable housing has either moved away, lives with their parents or other multi-family households and cannot take off from work to testify at these meetings.

This problem has been growing for years and due to lack of political will and extreme short-sightedness, the number of illegal vacation rentals has shamefully exploded. They are invasive and unsustainable for the community. The lack of enforcement has emboldened the violators into believing that what they are doing is and should be legal.

If vacation rentals are allowed to continue business as usual, our Islands will become a tourist destination with no residents nor sense of community. Even the wealthy don't want to have party houses next to them. Vacation rentals belong only in resort areas.

EVERY VACATION RENTAL IS A DISPLACED FAMILY!

Kandis McNulty
67-335 Kaiea Place
Waialua, HI 96791

From: CLK Council Info
Sent: Monday, March 21, 2022 12:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mark Bogart
Phone	
Email	bogartmh@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please support Bill 41 CD2 to make housing a priority for locals and stop the spread of illegal vacation rentals. I strongly support this bill!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

To: Zoning & Planning Committee: March 23, 2022

From: Michael McNulty, RE: Bill 41 CD2: Support

Please support this bill, with every means at your disposal, to strengthen the enforcement of stopping mini hotels in neighborhoods and apartment buildings. **Who do you want to be living here in the next decade, 20 years and beyond?** Our residents need places to live that are affordable and close to where they work.

Keep the rules simple and enforceable, it makes no sense to tie the hands of your inspectors. Please be foreword thinkers on this issue. Allow the inspectors to use the advertisements as proof of a violation. If a dwelling is being offered on a vacation rental site, **it is a vacation rental!** Use sting operations to prove it! Impose hefty fines on owners of transient vacation units (TVU), and exponentially increase the fines for multiple TVUs. Require signs on dwelling units utilized as a Bed & Breakfast or TVU that provide contact information. The illegal vacation rental owners have been circumventing the laws for over a decade. They have been lying and instructing their renters to lie. They are able to show up to testify in force because this is how they make their money. The normal renter trying to find affordable housing has either moved away, lives with their parents or other multi-family households and cannot take off from work to testify at these meetings.

This problem has been growing for years and due to lack of political will and extreme short-sightedness, the number of illegal vacation rentals has shamefully exploded. They are invasive and unsustainable for the community. The lack of enforcement has emboldened the violators into believing that what they are doing is and should be legal.

If vacation rentals are allowed to continue business as usual, our Islands will become a tourist destination with no residents nor sense of community. Even the wealthy don't want to have party houses next to them. Vacation rentals belong only in resort areas.

EVERY VACATION RENTAL IS A DISPLACED FAMILY!

Michael McNulty
67-335 Kaiea Place
Waialua, HI 96791

From: CLK Council Info
Sent: Monday, March 21, 2022 12:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Stuart Simmons
Phone	
Email	stu_simmons@hotmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Strongly Support Bill 41 CD2
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Pamela Niesz
Phone	
Email	pam.niesz@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I support additional short-term rental regulations in residential neighborhoods. Illegal short-term rentals drives up housing costs for local families.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Josh tavares
Phone	
Email	Jtava@live.com
Meeting Date	03-23-2022
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. We need housing for locals and not tourists. Motels do not belong in the residential district.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pamela Garrison
Phone
Email garrisonpamela@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Please do pass this long-needed bill. Residential neighborhoods must remain "residential," not "tourist" areas.

What kind of lives will we live if thoughtful zoning regulations disappear?

Appropriate zoning is eroding slowly but surely. How would we residents live if every other lot were full of restaurants, bar, gyms, tourist bedrooms, etc., disrupting our homes for families and children. A life of noise and strangers and overburdened beaches and congested local roads, all the time, every day.

Written Testimony Zoning exists for an important reason.

Please PROTECT our RESIDENTIAL neighborhoods from the ongoing disaster of illegal vacation rentals.

As a 34-year resident of Kailua, I dearly value knowing my immediate neighbors and recognizing their cars. That makes me feel safe.

By contrast, I am appalled by Kailua's inundation of tourists, who overwhelm public areas and disrupt our previously quiet and safe neighborhoods.

Please PASS Bill 41 CD2.

Testimony Attachment
Accept Terms and Agreement

1

From: CLK Council Info
Sent: Monday, March 21, 2022 12:47 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Martin Hubert
Phone
Email mhubert@vgc.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I am opposing bill 41 as it unfairly targets legal TVU operators. Bill 41 should not move forward for final passage by the full Council. Bill 41 needs to be held in committee for further stakeholder discussion

It deprives property owners from enjoying the rewards of their property. It prevents us from renting out on a month-month basis to residence thereby increasing our risk of bad debt. I have to run a business on the mainland so in the months I am away -- I like to share the Aloha with visitors and create income for my local friends.

In its current form Bill41 removes much needed income from the local economy -- depriving local cleaning crews from making a living especially on the Northshore where there are no alternatives (except Turtle Bay enjoying monopoly status - should bill41 be enacted). It will running local surf contests almost impossible -- while drastically increasing traffic that would be very limited could people stay local.

Bill41 unfairly make legal - well meaning operators finance enforcement against bad actors. TVUs are treated unfairly as compared to hotels. The proposed zoning is short changing the country zoned Northshore -- none of our Neighbors are adversely effected by the few visitors we host, we offer plenty of on-site parking on the property.

Changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code. It also would be inconsistent with federal housing standards and rental practices.

As such I urge you not to rubber stamp this bill as it we inflict undue cost on everyone including foreseeable substantial legal bills as it is taking away property rights and creates a privileged class of hotel operators.

Testimony Attachment
Accept Terms and Agreement

From: CLK Council Info
Sent: Monday, March 21, 2022 12:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tia Wou
Phone
Email tiawou@zoho.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I would like to voice my thoughts on the proposed Bill 41 - City's ordinance to redefine short-term rentals from 30 day minimum to 90 day minimum. Please consider this letter as written testimony to the proposed changes to the short-term rental requirement the City is considering.

Written
Testimony

I was born and raised on Oahu and my family has been in the Hawaiian islands since my grandmother was born and raised in Hilo on the Big Island over 100 years ago. I have recently returned to the Islands. My sisters and I recently purchased a family home so that we can spend time together with our extended Ohana and share with our children a part of our history. The only way we can afford to have this home is to be able to do short term rentals for the months that we are not able to be here. One of my sisters also plans to move here permanently in the next 7 years. We have enlisted a very reputable property management company to maintain our home and handle our monthly rentals. We have no intention of doing illegal bookings. We have seen the disruption they cause in the neighborhood and to our way of life. The income gained from our monthly rentals will be used to cover the mortgage, maintenance and taxes of the property.

Sadly, I suspect that this new requirement will not improve anyone's quality of life, because it will not impact those who are doing the most damage breaking the law with less than 30 day rentals. Those people have already shown they will ignore the law. History has shown that the effect of such a stringent new ordinance will likely be to encourage more homeowners, who will feel unfairly penalized by this sudden and extreme change, to join the ranks of the law-breakers. Laws that are unnecessarily strict and not clearly focused on a solution often feel 'unfair' to law-abiding citizens and encourage more lawlessness. It would be more productive to put resources into enforcing the current 30 day limit.

There are many new laws which are urgently needed to protect our islands against disruptive tourism and environmental damage. This is not one of them. Quite the opposite. In fact,

many homeowners feel this proposed change is meant to help those who profit from big hotel chains and resorts (many of whom don't live or vote in our communities.) We feel this regulation is meant to boost those offshore profits, while penalizing the working people of Hawaii. This will be a very unpopular change which will increase resentment and garner opposition amongst voters and community members.

Lastly, changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code

Mahalo,

Tia Wou

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name danielle valdez
Phone
Email danielle.valdez@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position
on the matter Support
Representing
Organization Self

Written
Testimony I am an employee of Embassy Suites by Hilton Waikiki Beach Walk and I do not support illegal short-term rentals. These illegal rentals drive up housing costs for kama'aina and hurts the tourism industry I work in. I encourage the bill to be passed into law so the City can take action on people and organizations profiting from these illegal rentals.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 12:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Vicki
Phone
Email vickisummerland@me.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CDE2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I am a Kailua resident and the only way I will be able to stay in my home - to retire in Hawaii is if I am able to B&B 2 rooms in my home. My home is set up to do this easily. I am on a huge lot with tons of parking and so much space between my neighbors. My house was a rental for 30 years prior to me purchasing it - all the homes around my house were rentals which is a huge reason why we moved to Kailua and purchased this home was with the knowledge that this home had the long history of being a wonderful vacation rental. Kailua needs places for locals visiting families, doctors and nurses who work at Castle and other hospitals, military, people visiting friends and family and honestly a couple who visits Kailua is not harming the community in any way - it does in fact bring money into the community and it allows someone my age to be able to supplement and stay in their home - I live here in my home and I love my community - I love my neighbors - I respect my community and would not only honor the rules put forth but would be careful to scrutinize the guests I would host. I clearly have all the requirements that a rental would need and I would be a great host representing this community and Hawaii with Aloha. This is clearly not fair - not right - not kind and it does NOT hurt the community at all where I live to allow me to legally rent 2 rooms in my home so I can stay in my home and live out my years in my home in Kailua Hawaii. The issue was never the person who lives in their home hosting couples - it was always the party home - the people who purchase whole home vacation rentals and rent to 30 people per night. There is a home near me like this - A guy purchased the house from Texas - sight unseen and rents it to 30 people a night. He does not care about our community or his neighbors. That is and always was the problem.....Not a person who loves their community - loves their neighbors and would go beyond to respect and be super thoughtful of the neighborhood . Please I'm begging you to allow homes that fall under all requirements to apply for a B&B license in Kailua....Please - not allowing this only hurts locals who love their community it does not do anything good for local residents - it just hurts the few who really need it to survive.



WAIKĪKĪ IMPROVEMENT ASSOCIATION

Testimony of Rick Egged
President, Waikiki Improvement Association
Before the
City Council Committee on Zoning and Planning
Wednesday, March 23, 2022
In consideration, of

Bill 41 (2021) CD2– LUO Amendment Relating to Transient Accommodations

Aloha Chair Elefante and Members of the Committee:

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.

Studies by the Hawaii Tourism Authority and others have found eight to ten thousand vacation rentals on O‘ahu, less than one thousand are permitted. To put this number is prospective all of the legal vacation units on O‘ahu are less than 40,000. Twenty to twenty-five percent of all the vacation units on the island are unpermitted transit accommodations. This is a huge problem for our community that must be brought under control.

The transient accommodations market is taking homes away from residents, especially the working-class individuals and families. They are additionally creating road and parking congestion in neighborhoods, bringing about nuisance issues, and in many cases raising public safety concerns for residents.

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 loophole 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.

James Fulton
jimfulton1010@gmail.com

From: CLK Council Info
Sent: Monday, March 21, 2022 12:45 PM
Subject: Council Testimony

Written Testimony

Name Tom Merrick
Phone
Email tom@waikikiplace.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 and revised CD2
Your position on the matter Oppose
Representing Organization Self

I own and operate several short-term rentals in the Waikiki Resort Zone and OPPOSE Bill 41 as it currently stands. I request that it NOT move forward for final passage by the full Council. Bill 41 needs to be held in committee for further stakeholder discussion.

PLEASE make any new registration fees reasonable. I take exception to the huge registration/renewal fees being proposed (\$2,000/\$1,000 annually per unit). This is not needed and is specifically being proposed to hurt small operators like myself. If you are going to implement any new fees they need to apply to hotels in the same way, so if you apply \$2,000 per short term rental unit then you also need to apply \$2,000 per EACH INDIVIDUAL hotel room.

Written Testimony PLEASE talk to all stakeholders. In order to come up with effective and fair solutions for our entire community, we ask DPP to sit down with ALL stakeholders including vacation rental owners and operators, who can help provide insights and solutions it may not otherwise uncover and NOT solely with HTA and hotels who have paid lobbyists pushing for their expansion and control. It seems like DPP and Mayor Blangiardi are rushing this with only hotel interests at heart.

PLEASE focus on enforcing the current law. The current rules and regulations are more than adequate to control rental issues on island. It is just that there has been NO ENFORCEMENT!! The only thing that needs to happen is DPP needs to be given the resources to enforce the current rules. That has never been tried yet, so why would you try to make even more changes now without seeing what the enforcement of the current rules would be like? Get DPP the

resources to do their job and you will see that the rental issues will be resolved. You do not need to hurt the hard-working Hawaii residents like myself. After you verify that proper enforcement is occurring and if there are still issues, then AND ONLY THEN, should you look at tweaking the rules. But, even then, you should not do it behind closed doors with only HTA and hotel lobbyists. You should involve ALL stakeholders including short term rental operators.

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

March 21, 2022

Dear Chair Elefante, Vice Chair Kia'aina, Members Cordero and Say,

I represent State House District 51 of Kailua and Waimanalo which is heavily impacted by vacation rentals. In a recent District survey with 452 respondents, 164 chose vacation rentals as a top priority problem in their community. It came in only behind homelessness and over-tourism.

This is a very divisive issue in my community. You have the opportunity to lay it to rest with Bill 41. I do not have a vote on this issue, yet many constituents have reached out to me on both sides. I do not envy the pressure you are under.

The reason I support Bill 41 is that in my District we have lost all the small units that would have been long term rentals when I was young for our valued community members that cannot afford their own place such as young people, kupuna, and those with low paying jobs. I also support it because my district is overwhelmed by tourists, and tourists staying in vacation rentals do not even give us a break at night.

Through past policy choices, the City and County of Honolulu has created this large and profitable industry right in the middle of our neighborhoods. The City has set the lowest property taxes in the nation, our tax dollars are used to market us as a vacation destination, and our zoning laws are not enforced. Offshore investors, people considering moving to Hawaii to run a vacation rental business in their future home, as well as long-term residents, are merely responding to profitable opportunity these policies created. I can hardly blame them for taking advantage of easy money. Now we can reverse those policies and the economic incentives they created so that residential homes can be put back into residential use.

Mahalo for your consideration,

A handwritten signature in black ink that reads "Lisa Marten".

*Representative Lisa Marten
Vice Chair, Energy & Environmental Protection Committee
District 51 - Waimānalo - Kailua*

From: CLK Council Info
Sent: Monday, March 21, 2022 1:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cynthia Rubinstein
Phone
Email cynthiabeachfront@gmail.com
Meeting Date 02-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Been dealing with this issue since 1989 when I suggested offering licenses to those who were functioning in this manner, which was when the NUC licenses were offered. Then it was me who suggested making everyone advertise 30 day minimum so we would all be on the same page online etc since I had been told by the platforms that my ads were at the very very bottom due to the fact that I advertised 30 day minimum while others offered weekly and had more bookings so mine went to the bottom of the pile as they were not booked as much. It was on Mayor Caldwell's Vacation Rental Task Force, when I made it clear that I would have no option other than suing the City for 'Unfair Competition In Business' that Bill 89 came to be as that was what I was going to be forced to do if we did not come up with REAL ENFORCEMENT. That was sabotaged by a lawsuit (referred to by the Deputy Director at the last full Council meeting but with no explanation other than "There was a lawsuit"). That suit was responded to with a 'Stipulation' that let those involved in the suit and others, I suppose, to be able to go back to advertising daily/weekly and completely destroyed the intent of Bill 89 that WAS WORKING. Paul Brewbaker, in a Civil Beat article about Kailua stated that Bill 89 worked for a while and that thousands of illegal rentals folded. He apparently was not aware of the 'Stipulation' which allowed them all to advertise again and not be cited because DPP couldn't be bothered with any attempt at enforcement, so now those of us who have been fully legal, doing ONLY 30 day rentals are being thrown under the bus as well. This is only about one thing....Forcing ALL visitors into hotels. They really don't care about the few who don't like the rentals in their neighborhoods. If they DID care they would have been enforcing to rid the neighborhoods of the illegal rentals, but that has, to this day, not occurred. This is the hotel lobbyists at their finest.

That's the History. But now, as the Council begs to go along with the hotel industry (we should be wondering WHY), this Bill 41 is generated, but there is a problem because this Bill, if it should become law, is totally ILLEGAL without also offering Anyone who purchased their properties during the time the Zoning stated 30 day minimum, the right to apply for a Non Conforming Use Certificate, as changing this Zoning now makes them potential applicants for a NUC, just like the mechanic who is still functioning in what is now

Residential but used to be a business zone. That is what Non Conforming Use Means....that the use was conforming but with the Zoning change the mechanic's right to function as he always had was OK, and that he would be given a NUC. Vested Rights in property ownership dictates that anyone who purchased their property before this bill becomes law, Must be given the opportunity to apply for a NUC as well.....

Everyone is testifying but only a few are even listening or paying any attention at all because, for some reason, they are indebted either to the hotel industry or the DPP. It's so obvious. So, if you are so determined to rid the island of the right of families, actors, musical stars, and other famous individuals, have at it, but offer those NUC's, as the groups I just mentioned will no longer come to stay on Oahu. These folks will NOT stay in hotels.

Interesting that the State has been begging for a higher class of tourist, other than the \$200 RT, go buy all the groceries and leave nothing for the local mom to buy after work for her family, disrespectful to our 'aina and marine life, local culture tourism that is flocking here now, but this Bill will put the lid on the potential for the classy spend \$\$\$ tourism as they will disappear and all that TAT you all just raised to 14.95% will not be collected on the pricey properties, and they will not become affordable housing either as they just are not part of the affordable group. What I am seeing is a moving towards those being long term housing for those who can afford them, but for more than 6 months, so they only pay GET and the price gouge of the extra 3% will not end up in the State coffers and the low level tourism will take over and we can all watch the death of the local flavor of this island. This Council will be have made sure of that.

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:03 PM
Subject: Zoning and Planning Testimony
Attachments: 20220321130312_22-03-23_Airbnb_Testimony_on_CD2_to_Bill_41.pdf

Written Testimony

Name	Toral Patel
Phone	
Email	toral.patel@airbnb.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	2. BILL 41
Your position on the matter	Oppose
Representing	Organization
Organization	Airbnb
Written Testimony	
Testimony Attachment	20220321130312_22-03-23_Airbnb_Testimony_on_CD2_to_Bill_41.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67



March 23, 2022

Honolulu City Council
Committee on Zoning and Planning
Honolulu Hale
530 South King Street
Honolulu, HI 96813

Dear Committee Chair Elefante and Members of the Committee on Zoning and Planning:

On behalf of Airbnb, mahalo for the opportunity to comment on the proposed CD2 to Bill 41. We remain committed to advocating for sensible short-term rental policy that both allows our community to be compliant and supports the local tourism industry. As expressed in our previous testimony and correspondence, we remain deeply concerned by provisions in Chair Elefante's latest draft of Bill 41.

Legal concerns

We believe CD2 to Bill 41 is flawed and its implementation would be impermissible by state law. The proposed ordinance's amendment to the definition of Bed & Breakfasts and Transient Vacation Units from 30 days (per Ordinance 19-18) to 90 days would be preempted by 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 accommodation uses, cannot be amortized or phased out by local laws. While CD2 proposes a 180 day grace period for Hosts who are currently operating stays of 30-89 days, this addition would not remedy the underlying concern, as state law does not allow for any kind of amortization for these types of existing short-term rental hosts.

The Department of Planning and Permitting (DPP) said as much in testimony provided to the State Legislature on February 4, 2021, regarding proposed amendments to this state law (HB 76, 2021). Specifically, the DPP Director noted 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 (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 specter of federal constitutional challenges, particularly equal protection concerns.

Protecting against unintended consequences

We encourage the Committee to reinsert the safeguards provided by a previous draft's definition of "transient occupants". The definition outlined in DPP's proposed bill draft from the Planning Commission provides exemptions for medical workers, military personnel, and nonprofits. Removing these exemptions could have detrimental, unintended consequences. 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 medium-term accommodations in the wake of natural disasters, including the 2018 Kilauea volcano eruption on the Big Island, during which Airbnb Hosts opened their homes free of charge for these individuals. Given these critical use cases, we encourage the Committee to consider re-inserting these exemptions in the bill.

Leveraging platform agreements

After the adoption of Ordinance 19-18, Airbnb signed a Memorandum of Understanding (MOU) with the City and County of Honolulu to support the DPP's enforcement efforts. The agreement provides the City with meaningful tools to help implement its regulatory scheme. However, this agreement required the City's issuance of Bed & Breakfast permits, which has not occurred to date. Of note, Kauai County has adopted a simple compliance system based solely on the TMK, and has implemented its agreements with Airbnb and Expedia with great success over the past year and a half. A similar platform agreement with Maui County went into effect this January. Airbnb removed over 1,300 listings in Maui that did not comply with the agreement's terms, and now works in close collaboration with Planning staff to support compliance. On the other hand, in Honolulu, the City and Hosts face continued uncertainty and instability. We urge the City Council to provide fair, reasonable and enforceable regulations that promote compliance and that platforms can support. CD2 in its current form is legally flawed, and is therefore neither enforceable nor supportable.

* * *

Mahalo for taking our comments and concerns into consideration as the Committee deliberates the latest draft of Bill 41. As always, we welcome an opportunity for continued discussion and collaboration.

Sincerely,



Toral Patel
Airbnb Public Policy, Hawaii

From: CLK Council Info
Sent: Monday, March 21, 2022 1:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Gerard Gibson
Phone	
Email	jerry@hawaiihotelalliance.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Organization
Organization	Hawaii Hotel Alliance
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Victoria Tapiceria
Phone
Email victoria.tapiceria@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
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, March 21, 2022 1:06 PM
Subject: Zoning and Planning Testimony
Attachments: 20220321130625_Opposition_to_Bill_41_Letter_-_RT.docx

Written Testimony

Name Yadot
Phone
Email yadot1@hawaiiantel.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment 20220321130625_Opposition_to_Bill_41_Letter_-_RT.docx
Accept Terms and Agreement 1

IP: 192.168.200.67

I am writing in opposition to Bill 41 as an impartial lifelong resident of Oahu. I am a second generation Kamaaina.

I am retired and enjoying my golden years. I don't own any STR nor in any business generating income from STR. In other words, I have no skin in the game no matter what you want to do with STR, it doesn't affect me.

However, how our elected government officials implementing their policy affects everyone in Hawaii. As long as I am a resident of Oahu and the State of Hawaii, I should not ignore our government's policy making process. It scares me that when government is willing to enact law to favor one type of business over its competitors, who will be next?

The proponents to Bill 41 says:

1. STR ruins the peaceful residential neighborhoods: I do feel for the residents in Kailua and other neighborhoods who live near irresponsible STR owners/operators. That's why you passed the law two years ago. How good a law is when you don't enforce it? And now, you want to pass another law.
2. STR is not supposed to be in residential neighborhoods: I have not seen any data showing that STRs are inundating neighborhoods. I live in a quiet residential neighborhood as well. For the longest time I didn't even notice 5 houses down my street is a STR. That home has ample parking within its property. I hardly see any one in and out nor do I hear any loud parties from the property. When I read or heard the testimonies of supporters of Bill 41, they frequently portray STR owners/operators as greedy foreign investors, who don't care about local residents. From the opposing testimonies, most of them are local residents just trying to generate some income and to subsidize the high costs of living in our State.
3. STR takes away affordable homes: Hawaii has been a very expensive place to live since I am old enough to realize how hard my parents had to work to put food on the table. Housing was never affordable long before AirBnB provides the platform for STRs. Over thirty years ago, it took my parents', my brother's and my income together to qualify to buy our family home. The lack of affordable housing is a complex social & economic issue. To blame the lack of affordable housing on STRs, in my view as a lifelong Hawaii resident, is solely to drum up support from the general public. Who doesn't support for having more affordable housing? Bill 41 certainly won't achieve it. In fact, it is because housing is so expensive in Hawaii, that's why some property owners have to resort to STR to help subsidize their income. It is not STR causing the lack of affordable housing.

For the above reason, I believe Bill 41 should not be passed in its current form.

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

Written Testimony

Name	Lianne Bryant
Phone	
Email	lianne.bryant@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Illegal short-term rentals are hurting the tourism industry. They need to operate within legal limits.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Vlad Gurovich
Phone
Email vlad.gurovich@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I strongly oppose Bill 41 that not only removes existing property rights from current property owners, it does so without any sense of transparency and logic.

Most recent CD2 of Bill 41 carved out 2 buildings in the Waikiki Apartment Precinct where it now allows to do NIGHTLY rentals as TVUs.

Written Testimony

On other hand my condo building is a few hundred feet away from these now exempt buildings as well as few hundred feet away from Hilton Waikiki Beach hotel and my currently LEGAL right to rent my condo for 30 days or more is being taken away without compensation or grandfathering.

These exemptions are not transparent, not fair and not legal. Please enforce the laws that are already on the books for Waikiki Apartment Precinct instead of rushing new laws in

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:41 PM
Subject: Executive Management Testimony

Written Testimony

Name	Ihab Kherati
Phone	
Email	ihab.kherati@hyatt.com
Meeting Date	03-23-2022
Council/PH Committee	Executive Management
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Organization Hyatt Place Waikiki Beach
Written Testimony	Illegal rentals hurt the legal tourism industry. recommendation that Section 4 be deleted from Bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:56 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gena Whitten
Phone
Email genawhitten@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item CD2 Bill 41
Your position on
the matter Support
Representing Self
Organization

Written
Testimony Short Term Vacation Rentals have a negative impact in our neighborhoods and remove need housing inventory for what is available for working families. Most owners operating these STVR are operating as business own properties for investment. They should be regulated and taxed as a business. Investment owners often do not live in Hawaii and profits do not stay in Hawaii. Regulation and Enforcement is of paramount importance. These owners have already shown they will not obey the laws.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:56 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Barbara Carvalho
Phone
Email auntieb516@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written Testimony We have had a vacation rental over 20 years. We have paid our taxes from day 1. Our neighbors have never complained because we have provided parking on the property. We also in force rules concerning noise. We live on the property. We were told in 1997 permits would be available soon. We are still waiting to obtain a permit. Please pass BILL41

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:51 PM
Subject: Zoning and Planning Testimony
Attachments: 20220321135046_Letter_to_Zoning_and_Planning_Commisson_March_21.docx

Written Testimony

Name	Jim Tree
Phone	
Email	ssitree@aol.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	20220321135046_Letter_to_Zoning_and_Planning_Commisson_March_21.docx
Accept Terms and Agreement	1

IP: 192.168.200.67

Jim Tree
92-102 Waialii Place, B-208
Kapolei, Hawaii 96707
(A resort district condo hotel)

March 21, 2022

Dear Chairman Elefante and members of the Zoning and Planning Committee:

I would like to thank you for the many improvements you have made to Bill 41, first in CD 1 and now in CD 2. The revisions you have made are substantial and are in line with the purpose of the Resort district, to serve the visitor population. All of these improvements should be retained in the Bill that is considered by the full Council at its Third Reading.

CD 1 and CD 2 Contain Substantial Improvements

Condo hotels: Deleting provisions that would have changed five decades of how condo hotels are operated in Hawaii is a substantial improvement. The provisions you deleted, that will keep the status quo, include:

1. Deletion of the requirement to impose a government mandated monopoly by allowing only one central hotel operator to run each condo hotel. Condo hotels often have a central hotel operator, but owners are also free to contract with their own management company or self-manage.
2. Deletion of the rule prohibiting owners in a condo hotel from using their unit as a primary residence. This is how condo hotels have been marketed since inception in the 1970s. Mitch Imanka pointed out changing this could result in a loss of financing for developers.
3. Deletion of the rule requiring an owner in a condo hotel to pay rent to stay in their own condo.
4. Adding a provision that TVUs do not include hotel and timeshare units.

TVUs and B&Bs: The original Bill 41 did not allow TVUs or B&Bs in the resort district, creating more demand for short-term rentals in the residential neighborhoods. Proponents of Bill 41 have consistently testified that the City should be encouraging visitors to stay in the resort districts. Your revisions promote the purpose of the resort district, to serve the visitor population.

1. Deleting the prohibition of TVUs and B&Bs in the Resort district. CD 1 allowed a 50% density limit, but CD 1 has no density limit, consistent with the purpose of the Resort district.
2. Deleting the restriction of only owning one TVU or B&B.
3. Deleting the restriction that allowed only natural persons to register.
4. Changing very complex and expensive insurance requirements to requiring general liability insurance.
5. Reducing registration and renewal fees from \$5,000/\$2,500 in Bill 41 to \$2,000/\$1,000 in CD 2.
6. Deleting the inability to sleep in a studio apartment or living room and replacing it with the ability to utilize sofa beds in studio apartments and apartments/condos.
7. Reducing complex notice requirements.

Each of these changes bring Bill 41 more in align with the purpose of the Resort district and help to implement the Planning Commissions recommendations to bifurcate the Resort district from Bill 41. I have only a few recommendations.

Three Recommendations

Creating consistency between Table 21-3 and the text of Bill 41.

The Land Use Ordinance at the beginning of Table 21-3 states “In the event of any conflict between the text of this Chapter and the following table, the text of the Chapter shall control.” CD 2 at page 12 shows that B&Bs and TVUs are a permitted use in the Resort district. However, the text of CD 2 at Sec. 21-5.730 (pp. 16-17) states:

- (a) Bed and breakfast homes and transient vacation units are permitted [in the resort district, resort mixed use precinct of the Waikiki special district, and] in the following areas:
 - (1) The areas located within the Apartment Precinct of the Waikiki Special District mauka of Kuhio Avenue, as designated in Figure 21-5.1;
 - (2) The areas located within the A-1 low-density apartment zoning district and in the A-2 medium-density apartment zoning district situated in close proximity to the Ko Olina Resort, as designated in Figure 21-5.2; and

- (3) The area located within the A-1 low-density apartment zoning district situated in close proximity to the Turtle Bay Resort, as designated in Figure 21.5.3.

Sec. 21-5.730 does not include a reference to Resort districts in the text and is not consistent with Table 21-3 that allows TVUs and B&Bs in the Resort districts. To make Table 21-3 and the text consistent it is necessary to add language to Sec. 21-5.730. An example of that language is set forth above in [red font].

Other than this textual clean up the other two areas that remain that have a widespread difference of opinion are (1) the TVU and B&B fees and (2) the 90 day vs. 30 day limit for short-term rentals.

The Registration Fee and Annual Renewal.

Bill 41 seeks to obtain funding for enforcing illegal short-term rentals on the backs of small business TVU and B&B operators, and does not seek any contribution from hotels who will gain much of the benefit of shutting down illegal short-term rentals. This approach is fundamentally unfair. TVU and B&B owners already pay the Resort Hotel property tax and TAT and GE tax. The City Council should not set a policy of imposing an additional fee only on small business TVU and B&B owners. There are several ways to create a fund to hire enforcement officers for DPP that are fair in application. First, allocate funds from the City's TAT collections. This way all short-term operators would be paying a proportional share to clean up illegal short-term rentals. Or second, charge each hotel room, as well as each TVU and B&B unit, an annual fee. This would reduce the annual fee from \$1,000 to \$50 per room. Or third, reduce the TVU and B&B registration and renewal to \$1,000/\$200 and make up the difference needed for enforcement officers from penalties collected and a small portion from the city's TAT collected.

90 day versus 30 day limit on short-term rentals.

Considerable testimony has been received on whether short-term rentals should remain rentals of less than 30 days (current rule) or should be increased to rentals of less than 90 days. Those supporting an increase to 90 days have indicated they feel the increase will stop loopholes people use to rent for less than 30 days, decrease tourists in the residential neighborhoods, protect the residential neighborhoods, and create more affordable housing. Those in favor of keeping the limit to 30 days have stated DPP already has the tools to crack down on those that rent for less than 30 days, including a Memorandum of Understanding with third party booking services,

that it is illegal short-term renters that are creating an adverse impact on residential neighborhood and not those who follow the current law, that there are many people in need of 30 to 89 day rentals including, visiting nurses, students, military, those buying and selling houses, and others. The Hawaii Lodging & Tourism Association (HLTA) has been an advocate of raising the short-term rental period, but even HLTA feels it is necessary to have exemptions if short-term rentals are raised to 90 days. In HTLA's January 26, 2022 submission to the city council they stated in pertinent part:

“we would like to highlight the current lack of exemptions in the CD 1. 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.”

M-0014(22) – Testimony on Bill 41 (2021), CD1 for 01/26/22 Council Meeting, at pp 579-80.

In short, a big Mahalo for taking responsible steps to follow the purpose of the Resort district, to serve the visitor population, and to work on removing the Resort district from Bill 41. I request you consider three additional revisions, and that you keep the revisions you previously made and that are a part of CD 2. I support CD 2 and hope it will be improved by (1) creating consistency between Table 21-3 and the text of the Bill, (2) looking at creative ways to fund the enforcement needs of DPP so that 100% of the funds are not put on the back of legal short-term TVU and B&B small business operators, and (3) keep the short-term rental period to less than 30 days or in the alternative put back in the exemptions DPP had previously drafted.

Mahalo,

Jim Tree

To: **City Council Members**

From: Brad Fieldson
201 Ohua Ave, T1-3308 (Waikiki Banyan)
Honolulu, Hawaii 96815

Date: March 21, 2022

First let me say I understand the issue in some housing areas, and I am in favor of fair and reasonable regulations for the vacation rental industry.

I am asking for your support in the effort to change the rules to fair and **properly targeted** regulations. Not regulations that appear to favor the Hotel and Union Lobbyist only.

For the Waikiki district, the current rules as written seem to give a clear appearance it was written by or heavily influenced by offshore hotel owners and their lobbyist.

Please, for the Waikiki business district in particular, make this a fair and simple rule set and reset the proposed boundaries so as to include Kuhio Ave, to the Ala-Wai as part of the Resort Zone/Business District and allow the individual multifamily building's house rules and/or condo governing documents govern their own private property. Keep in mind there are several hotels on the Mauka side of Kuhio. It just makes sense to move the line to the Ala Wai.

The proposed additional fees and set of hoops people would need to jump through appear to attempt to prevent owners from using their properties as permitted when purchased years, if not decades ago.

The litigation exposure to the city could be astronomical. Whatever fees the city thinks they will get it revenue will be nothing compared to the litigation costs as this issue drags on.

Also note the GET and TAT taxes the city is currently receiving will likely drop and no amount of additional or increased fees will likely compensate for that.

It is thought by most on the island that offshore hotel owners and lobbyist are behind most of the wording in Bill 41 as it is related to Waikiki as it is written today. **Keep in mind, Lobbyist don't vote. Residents do!!!**

In closing, only as it relates to the Waikiki area; again, please make this simple. Include Kuhio Ave, to the Ala-Wai as part of the Resort Zone/Business District and let the individual multifamily building's house rules and/or condo governing documents govern their own private property.

Respectfully,

Brad Fieldson
bbrad007@aol.com

From: CLK Council Info
Sent: Monday, March 21, 2022 3:06 PM
Subject: Council Testimony

Written Testimony

Name Tin Myaing Thein
Phone
Email myaing@msn.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I support Bill 41 because Illegal short-term rentals:
drive-up housing costs for Kama'aina families,
hurt the legal tourism industry and destroy our neighborhoods
If Bill 41 is passed into law, it will:
make it easier to crack down on operators of illegal short-term
rentals by redefining short-term rental as any rental period of less
than 90 days.
limit any new legal short-term rentals to resort districts, like Waikīkī
and Ko Olina.
empower the City to take action against the people and
organizations profiting from illegal short-term rentals.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 2:42 PM
Subject: Council Testimony

Written Testimony

Name Laurie Ihara
Phone
Email laurie.ihara@icloud.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item proposed Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written
Testimony

Thank you for this opportunity. I work in the hospitality industry but am submitting this opinion as an individual. I support this Bill to Efforts to eliminate illegal vacation rentals to better preserve our neighborhoods and natural resources. Illegal vacation rentals must follow the regulatory rules to preserve neighborhoods, follow noise and trash restrictions, and pay taxes as other businesses.
My restricting short term rentals, it may improve our housing rental shortages. Thank you.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

**Testimony of Rob Robinson
Vice President and Partner, Springboard Hospitality
Before the
City Council Committee on Zoning and Planning
Wednesday, March 23, 2022
In consideration, of**

Bill 41 (2021) CD2– LUO Amendment Relating to Transient Accommodations

Aloha Chair Elefante and Members of the Committee:

My Name is Rob Robinson, representing Springboard Hospitality. Springboard Hospitality is a locally-owned company that operates 11 hotels across the Hawaiian Islands.

Springboard Hospitality strongly supports the proposed amendments.

Springboard favors stronger regulations and enforcement measures in dealing with the illegal transient vacation rentals in our county.

Studies by the Hawaii Tourism Authority and others have found eight to ten thousand vacation rentals on O’ahu, less than one thousand are permitted. To put this number is prospective all of the legal vacation units on O’ahu are less than 40,000. Twenty to twenty-five percent of all the vacation units on the island are unpermitted transit accommodations. This is a huge problem for our community that must be brought under control.

The transient accommodations market is taking homes away from residents, especially the working-class individuals and families. They are additionally creating road and parking congestion in neighborhoods, bringing about nuisance issues, and in many cases raising public safety concerns for residents.

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 loophole in the existing law.

Springboard 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.

rob@springboardhospitality.com

From: CLK Council Info
Sent: Monday, March 21, 2022 3:29 PM
Subject: Council Testimony

Written Testimony

Name Karen Chang Barr
Phone
Email info@virtualbusinesscopilot.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

I live in Honolulu and have seen the effects of short term rentals in areas outside of the resort zones. After attending a previous hearing in 2021, many who claim they're negatively impacted by Bill 41 are those living out-of-state who financially benefit while not living in Paradise. Furthermore, the increased visitors in residential areas add to road deterioration, excess traffic, and don't pay taxes to help offset their impact. It is my understanding there are a number of illegal short term rental owners not paying their share of taxes, which impacts all City and County of Honolulu taxpayers for services. That's not fair!

Written Testimony Finally, the high cost of housing and the lack of housing is partly due to those who turn residential houses into short term rentals, making 100's of thousands of dollars, while so many local residents either live in inadequate housing accommodations or move away to the mainland. Eventually, the citizenry will be made of non-local-born-and-raised people v. Hawai'i-born-and-raised locals.

I'm for vacation rentals and people making money, but not at the cost of being sprawled all over the island, driving up the cost of housing that is so needed for families!

Mahalo.

Testimony
Attachment

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and Agreement 1

Mark B. Glick

Testimony of Mark B. Glick
before the
City Council - City and County of Honolulu Council
Wednesday, March 23, 2022
9:00 a.m.
City Council Chamber

**RE: OPPOSITION TO BILL 41 (2021), CD1 – LAND USE ORDINANCE
AMENDMENT RELATING TO TRANSIENT ACCOMMODATIONS**

Dear Honolulu City Council Members:

My wife and I are owners of a unit, Apartment 1101, in the Niihau Apartments, on 247 Beach Walk in Waikiki and I write to express our strong opposition to the passage of Bill 41 in its current form, because of the adverse effect Bill 41 will have on our investment backed expectations and the use of our unit for transient vacation rental use.

The Niihau Apartments has 43 apartment units and is located in the Waikiki Resort-Mixed Use District. Since 1990, Article VIII, Section 5 of our bylaws have permitted use of the property as a one-family dwelling, two-family dwelling, multi-family dwelling, hotel, and/or transient vacation units ("TVU"), without limitation.

It is unclear from Bill 41 whether units in a resort district that do not operate as a hotel would be either be (a) subject to the proposed TVU registration requirements, (b) unaffected by the proposed bill because they are in the resort district, or (c) would no longer able to operate as a TVU. If these types of units are either subject to the proposed TVU registration and 50% capacity requirements or will no longer be allowed to use for transient vacation rentals then all the unit owners in the Niihau Apartments who have been renting their property, or have the ability and expectation to do so, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations.

The units in a resort district that do not operate as a hotel, such as the Niihau Apartments should be able to continue their lawful use of transient occupancy without restriction. We request that you revise Bill 41 to clarify that properties in the resort-zoned district **are exempt** from having to register as a TVU and leave the exemption of resort-zoned property from the definition of un-permitted TVU. As your constituents, my wife and I expect that the bills presented and passed are written to protect our constitutional rights, not drafted to eliminate our rights and gamble that no one will seek judicial review. Should Bill 41 pass with this obvious constitutional infringement, it would be a gross miscalculation not to expect that I, along with the thousands of other similarly affected property owners, will hesitate to rise in resistance and file a lawsuit to protect our constitutionally protected rights.

markglick808@gmail.com

From: CLK Council Info
Sent: Monday, March 21, 2022 3:43 PM
Subject: Council Testimony

Written Testimony

Name	Denise Freund
Phone	
Email	denise@alawaihouse.com
Meeting Date	03-24-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing Organization	Organization Ala Wai House LLC
Written Testimony	1. consider defining short-term rental as 60 days, not 90. Because 60 days is more appropriate and accommodating for travel work contracts and for people moving to the island who are looking for a permanent home. 2. clearly define as it relates to zoning: vacation rentals and short-term rentals. 3. clearly define the "initial registration fee" and how it works.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.

I believe that we need to implement different rules for Waikiki Special District and other residential area.

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that Waikiki Special District should be completely excluded from the 90 days minimum rule.

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name KAZUO AOYAMA

Date 03 / 22 / 2022

Signature K. Aoyama

March 21, 2022

Dear Zoning & Planning Committee Chair Brandon Elefante, Vice-Chair Esther Kia'āina, Council Members Radiant Cordero & Calvin Say;

My name is Stu Simmons and I am housing advocate;

I thank you for your hard work in crafting Bill 41 CD2. I understand it has not been an easy task.

Bill 41 CD2 strikes a thoughtful balance of allowing vacation rentals to proliferate in resort zoning, while protecting & preserving permanent housing for residents in residential and apartment zoning.

The so called *"Airbnb effect"* is to some extent remarkably similar to gentrification in that it slowly increases the value of an area to the detriment of the indigenous residents, many of whom are pushed out due to financial constraints.

According to a report by the Economic Policy Institute; *"Cities, popular ones especially, seem to fare the worst. In major cities such as Amsterdam, Barcelona, Edinburgh, and Los Angeles, studies on the 'Airbnb effect' have found that over-tourism facilitated by platforms such as Airbnb negatively impacts on house prices and communities"*.

Research conducted by the Harvard Business Review declared *"Airbnb is having a detrimental impact on housing stock as it encourages landlords to move their properties out from the long-term rental and for-sale markets and into the short-term rental market"*.

Bill 41 CD2 and its amended definition of short-term rentals from 30-days or less to 90-days or less will disincentives vacation rentals in residential zoning by prohibiting residential property owners from renting 12 times a years and eliminating the loophole of illegal vacation rentals from creating fake 30-day contracts.

Bill 41 CD2 also achieves the sustainability goals of the Hawaii Tourism Authority by limiting Oahu's tourism lodging capacity to only the resort-zone districts. HTA's 2020-2025 Destination Management Action Plan recommends decreasing the total number of visitors to O'ahu to a manageable level by controlling the number of visitor accommodations. Prohibiting vacation rentals in residential zoning makes the most sense to accomplish this goal. Hawaii Tourism Authority President and CEO, John De Fries stated *"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 rental properties off the market"*.

Please pass Bill 41 CD2 for a final third reading.

Stu Simmons

From: CLK Council Info
Sent: Monday, March 21, 2022 3:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patrice Kaplan-Fujimoto
Phone
Email Patrizk@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Aloha,

I am a resident who lives in Oahu who opposes Bill 41.

My husband and I bought a condo at the beautiful Kuilima property. Our family has fond memories of golfing in the 1970's when our uncle owned a new unit. With hard work and savings, we were able to purchase property for ourselves. I learned how to golf and became a part of this community.

This condo has been a great option for us, as we can use the unit and rent the condo to families who would otherwise not be able to afford Turtle Bay Hotel at \$700+ a night.

Written Testimony We have paid our share of GE 4% tax and TAT 10.25% tax and I just mailed in the 'new' 2022 OTAT 3% tax, (in addition to our income and property tax).

Please, I am imploring you to stop punishing the owners of 'legal' STR's!

- Ordinance Bill 89, which became law as Ordinance 19-18 on 6/25/2019 is a disaster! It was never enforced due to understaffing. It was never implemented by DPP, as far as I know.

- If Bill 41 passes, is there any guarantee we will be able to get our registration in a timely manner and have someone to speak to on the phone? Please address these issues before, and not after, a new bill becomes law. We cannot trust there will be implementation, which will frustrate not only constituents but state workers themselves. The stiff penalties including criminal actions creates a chilling effect for legal STR operations.

Thank you for stopping Bill 4, as you saw it was unfair and punishing owners of 'legal' STR's.

Thank you for reading my testimony. I hope in your heart you do right by my community.

Mahalo,
Patrice Kaplan-Fujimoto

Testimony
Attachment
Accept Terms
and Agreement 1

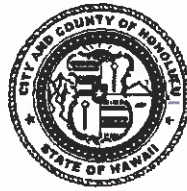
IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 1:41 PM
Subject: Executive Management Testimony

Written Testimony

Name	Ihab Kherati
Phone	
Email	ihab.kherati@hyatt.com
Meeting Date	03-23-2022
Council/PH Committee	Executive Management
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Organization Hyatt Place Waikiki Beach
Written Testimony	Illegal rentals hurt the legal tourism industry. recommendation that Section 4 be deleted from Bill 41.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67



MAR 21 AM 10:27 CITY CLERK

City and County of Honolulu
ARPA State & Local Fiscal Recovery Fund ("FRF")
Funding Request

Throughout this form, sample responses have been provided for each Section based on two hypothetical proposals. Example 1 is an agricultural grant proposal. Example 2 is a mental health support for the homeless proposal. These examples are intended to provide you with ideas on what level of information is expected in your proposal.

1. **Project Name:** Maximum 80 characters

2. **Department:**

Division:

3. **Executive Summary:**

Instruction: In 1500 characters or less, describe your project, stating the amount of funding requested and describing how the requested funding would be used and what is expected to be accomplished.

Example 1: This is a request for \$# to fund three years of agricultural grants to support approximately # farmers and food producers recovering from the COVID-19 pandemic. We estimate an increase in food production by #% and in food sales by #% by the end of the funding period.

Example 2: This is a request for \$# to fund two years of counseling and treatment services for approximately # homeless persons with mental illness. There is urgent need as previous funding has been reduced by \$# due to diversion of resources to address the COVID-19 pandemic.

EXECUTIVE SUMMARY

Oahu's parks in historically under-served communities aren't sufficiently welcoming residents to engage in safe and healthy outdoor activities. A series of studies by Rand Foundation found two key elements to getting historically under-served communities/populations to come to parks: Park Size, and; Park Activities. This project is designed to use a simple tactic to bring more residents in under-served communities out to their parks - we're going to offer them a place to sit in the parks they are most likely to enter. We identified 62 larger parks in CDBG and/or Title I areas, 32 of which offer Summer Fun programs, the remainder having other supervised activities, campsites, beaches or other destinations. These parks are prime for increased activation, but currently lack sufficient places to sit, meet or eat. In 2021 the department removed over 164 dilapidated picnic tables and benches, leaving few or no place for a parent to sit while watching a child on a playground, kupuna to sit under a shade tree, or residents to eat lunch while on break from work. DPR has not bought benches/tables in bulk since early 2020 and the attrition is most acute in our under-served communities. We're asking for \$2,075,000 to install at least 250 benches and 250 picnic tables at these 62 parks, gardens and senior center, to encourage people to gather, socialize and recreate at our parks.

Maximum 1,500 characters

4. Time Sensitivity

Is there a deadline by which you need to have a decision on this proposal? If so, provide the deadline date and reason for the deadline.

DEADLINE DATE

03/25/2022

REASON

Completing the job will take time, as we need to procure a bidded contract, and contractor will have to order and receive a large number of supplies from off-island.

5. What is the problem/issue being addressed?

Instruction: Describe the problem or issue being addressed by this proposal. Provide data to illustrate the size, value, demographics of the problem or issue. Keep in mind the data and information you provide here will be used to evaluate the soundness of your funding request which you will describe later in the proposal. For example, if you are describing providing 200 households with specific assistance amounting to \$1000 per household, we would expect your funding request in question 6 to be around \$200,000.

Example 1: According to [cite source], there are approximately # of farmers and food producers producing [volume and type of produce – can also be shown as a table/spreadsheet] in Oahu in 2019. Today, %% of these farmers and food producers have seen more than %% decline in their revenue or production during the last two years. Research [explain type and source of research: survey done by organization x, data analytics done by organization y, etc.] indicates that the declines are due to labor shortages and shipping interruptions due to the COVID-19 pandemic. The average loss per farmer/producer is approximately \$#, and the range is from \$# - \$#.

Example 2: Prior to the pandemic, in 2019, the City provided \$# in counseling and treatment for homeless persons with mental illness. In 2020 and 2021, the funding levels have been \$# and \$#. This has impacted this population in the following ways: %% reduction in persons served, %% reduction in hours of counseling, %% reduction in hospitalization and medication assistance.

PROBLEM/ISSUE BEING ADDRESSED

Historically under-served communities need equitable access to outdoor places to recreate, congregate and engage in healthy living activities. Honolulu scores 57 out of 100 in Trust for Public Lands' ranking of public parks, with the lowest rankings in amenities and investment. Many of our parks in these communities literally are not welcoming residents by failing to provide outdoor seating or tables.

6. What is the solution being proposed?

Instruction: Describe your proposal and how it will address the problem. Define the solution with data, including the funding amount requested and the budget plans. Include appropriate administrative expenses such as fringes. **Attach relevant documents to this application, including detailed budget, draft vendor scope of work, relevant performance data, etc.**

Example 1: We propose \$X in providing grants to farmers and food producers over a three-year period. In order to be eligible for the grants, an applicant must demonstrate [qualifications such as meeting the definition of being a "farmer" or "food producers", having pre-pandemic revenue of a certain revenue level, producing certain types of products, committing to sustainable farmers, etc.]. The grant size will be up to \$Y because, as we have shown in our answer to question 5 above, that represents the average loss sustained in this population. We also calculate %% of administrative expenses. The grants will be restricted in their usage to [specify usage restrictions for the grant].

Example 2: We provide a table of proposed budget and expenditures. These items and numbers are based on the types of services that were provided by the city during 2019, and the cost has been adjusted based on estimate of costs in 2022 based on 2019 costs adjusted for inflation. We anticipate delivering services to the target populations of # as stated in answer to Question 3.

PROPOSED SOLUTION

Strategically investing in park amenities in a large number of parks will make them more welcoming to residents. DPR proposes to install at least 250 benches and 250 picnic tables in 62 parks in historically underserved communities across the island. These 62 parks are ripe for increased activation due to their larger size and the fact that they host supervised and/or destination activities. For a relatively small investment per-park, people will be more likely to gather outdoors and linger in spaces where they can sit, eat, and engage in healthy living activities.

7. What is the evidence that the solution will address the problem?

Instruction: Recap the problem/issue you stated in answer to Question 5, and explain why you believe the solution will address the problem. Some explanations will be very simple and intuitive, others may want to reference sources such as research or surveys. For example, if households don't have electricity, we don't need much evidence to say paying for electricity would meet the need; however, if households are malnourished, it's not clear giving them money would necessarily address the problem, as households may still use the money toward purchasing food with low nutritional value.

Example 1: The problem we identified in Question 5 is reduction in food production and revenue. We believe grants to farmers and food producers will address the problem because our data review showed that in the three years prior to the pandemic, these farmers and food producers had a consistent year-over-year production growth of #% and revenue growth of \$X. We also have learned that the reduction was caused by labor shortages and supply chain disruptions. We believe the cash grants could help meet rising labor and shipping costs for the target population.

Example 2: The problem we identified in Question 5 is the mental health counseling and treatment needs of the homeless population. According to discussions with the community health centers, HESD's CORE division, Institute for Health Services and other organizations assisting homelessness, there has been an increased number of homeless persons with mental illness requiring counseling and/or treatment which impacted and/or reduced existing resources during the pandemic. This proposal directly meets those needs.

EVIDENCE THAT THE SOLUTION WILL ADDRESS THE PROBLEM

Studies show that larger parks and parks with supervised activities are more likely to be used by under-served populations. Honolulu parks are ranked low in amenities, and seating areas were recently removed en masse due to dilapidated conditions. Benches and tables are strategic investments as they signal "Come. Stay." in a park. City parks with tables and benches, such as Ala Moana Beach Park, have a high volume of users taking advantage of these amenities. The per-good cost of benches and tables is modest enough to ensure benefits (over 500 benches/tables) can reach 62 historically under-served communities and all their residents on Oahu.

8. If your proposal is approved and implemented, what do you expect the problem to look like in 2025? Will the problems still exist? If so, how would the solution be funded after FRF?

Instruction: Describe what – if your solution works as planned – would the problem look like in 2025. If the problem will still exist, explain how you plan to fund your solution after FRF funding expires.

Example 1: Barring other complications, we expect the food production and revenue growth will resume or exceed their historical growth rate at the end of 2025, and no further funding will be needed.

Example 2: The problem will continue to exist. We will have to find other sources of funding after FRF.

SOLUTION OF THE PROBLEM OR CONTINUED FUNDING

This FRF investment will bring City parks in underserved communities up to a respectable baseline of seating areas. We've identified highly durable materials and systems of securing them to assure they will last many years. After the FRF funds are used, DPR will implement a routine replacement program as part of its operating budget, which will be done on a smaller, more affordable scale as we manage natural attrition.

9. What KPIs should be used to measure the desired outcome?

Instruction: Specify what Key Performance Indicators (KPI) will be used to measure that desired outcome of your proposed solution.

Example 1: Food production and revenue numbers and growth rates from grant recipients will be used to measure this expected outcome.

Example 2: We anticipate that the percentage of homeless persons with mental illness receiving treatment will be #%, which represent the percentage we have maintained since [year]. We will use that percentage, as well as the number of persons receiving counseling, treatment, and medication to measure the expected outcome.

KEY PERFORMANCE INDICATORS OR METRICS

Increased use of outdoor areas in parks. DPR staff have already identified the desired seating by location (see attached spreadsheet listing the 62 parks & number of desired amenities). Staff will specify locations within each area for installation, and then monitor and report on the usage of the seating.

10. Is there non-FRF funding available for this project?

Instruction: There are numerous federal funding sources for a variety of projects. Make sure you have done at least the following: (1) a key word search in the American Rescue Plan Act; (2) search the website of relevant federal and state departments and agencies; and (3) search using grants.gov. Describe how and what you have searched. If you have found applicable funding, explain why you still need FRF funds in the requested amount.

Example 1: Our review of ARPA found that Section 1001 allocated \$4 billion for the Department of Agriculture to make available loans and grants "for small or mid-sized food processors or distributors, seafood processing facilities... farmers markets, producers, or other organizations to respond to COVID-19, including for measures to protect workers against COVID-19" (subsection 3); and to "provide other assistance to maintain and improve food and agricultural supply chain resiliency." (subsection 4). We have chosen not to apply for those funding because....

Our review of US Department of Agriculture identified... We have determined we are not eligible or unable to apply for those funding because....

Our review of the Hawaii State Department of Agriculture identified the following financial assistance... We have determined we are not eligible or unable to apply for those funding because....

Example 2: Our review of ARPA found that Section 2701 allocated \$1.5 billion to the Department of Health and Human Services to provide funding for block grants for community mental health services. We have chosen not to apply for those funding because...

We Googled using "federal funding homeless mental health" and found grants available under the Projects for Assistance in Transition from Homelessness (PATH) program run by the Substance Abuse and Mental Health Service Administration (SAMHSA) of the US Department of Health and Human Services. We have chosen not to apply for those funding because...

The Google search also identified \$30.8 million of available funding from the U.S. Department of Housing's Emergency Solutions Grant, which may be used to assist the homeless for services including mental health support, as announced by Senator Schatz. We are applying for \$# of this funding, which will be used toward [describe how this funding is not being used in a duplicative manner as the FRF request here].

AVAILABILITY OF NON-FRF FUNDING

See Attached.

11. Eligibility

Instruction: Review guidance on eligibility in the U.S. Treasury's Overview of Final Rules and the attached flowchart (click on the paper clip in the left panel of the PDF). Identify at least one category for which you believe this proposal qualifies and provide your analysis for each category identified.

Example 1: This project is eligible as responding to a negative economic impact of the COVID-19 public health emergency.

1. The COVID-19 pandemic caused the following economic harm described in section 4.
2. The proposed project addresses or responds to the economic harm described in sections 5 and 6.

Example 2: This project is eligible as a response to a public health need created by COVID-19 because

We believe the proposal qualifies for the Public Health/Negative Economic Impact category because the homeless population's mental and physical health conditions have been exacerbated by the COVID-19 disease: their lack of access to treatment due to reduced funding caused by COVID-19 have exacerbated their pre-existing health conditions. We believe this project also qualifies as government services under the revenue loss category because these mental health services have been part of government services that were offered to the homeless population prior to the pandemic.

ELIGIBILITY

Revenue Replacement

EXPLANATION

Installing benches and tables is part of the ordinary work of DPR. The FRF funds allow us to catch up on a backlog of replacements of seating areas. The proposal also focusses on historically under-served communities, utilizing this category allows us to expand that focus beyond QCT to include Title I and CDBG-eligible communities, to benefit those under-served areas also providing Summer Fun and reach the larger parks that are more likely to be activated.

12. How does the solution relate to the Recovery Plan?

Instruction: The City's Recovery Plan outlines four goals for the deployment of FRF. Explain how the solution meets at least one of the four goals.

Example 1: The solution proposed supports equitable economic recovery by supporting farmers who have been economically harmed by COVID-19 in ways that would allow them to recover to contribute to Oahu's economic growth.

Example 2: The solution provides community support under the first goal of the Recovery Plan. The solution is also listed in Exhibit A.

RECOVERY PLAN CATEGORIZATION

Support an Equitable Recovery and Economic Development

OPTIONAL DESCRIPTION

This project is in Exhibit A of the Recovery Plan, listed under this category as Family, Children and Elderly Support.

13. Identify the proposed method of procurement.

Instruction: Identify the procurement method you propose to use. Purchasing will make the final decision on the appropriate procurement method.

Example 1: We plan to use competitive RFP/RFB to identify a grant administration service provider.

Example 2: We expect to use sole source to procure mental health services from an existing service provider.

[Allow applicant to upload any supporting documents]

PROCUREMENT METHOD

Competitive RFB/RFP

ATTESTATION

I have reviewed the U.S. Treasury Guidance for Coronavirus State Fiscal Recovery Fund. I understand we must comply with all SLFRF requirements issued by the Department of the U.S. Treasury, including reporting requirements. I will participate in quarterly and annual report activities by the U.S. Treasury.

I have reviewed other available federal and state funding sources and determined there is no other funding available outside of SLFRF for this project. I have consulted with Corporation Counsel to assess the eligibility of this proposed use under SLFRF, and the consultation supports eligibility.

Based on my review and consultation, I have determined that the funds requested are reasonable and necessary for its intended use in my judgment as the official responsible for the expenditure of SLFRF funds.

 Digitally signed by Thielen, Laura H
Date: 2022.03.02 15:07:46 -10'00'

DEPARTMENT OR AGENCY HEAD

☐ APPROVED

☐ DISAPPROVED

MANAGING DIRECTOR

COMMENTS

City and County of Honolulu
ARPA State & Local Fiscal Recovery Fund ("FRF") Funding Request

PROJECT: Let's Meet at the Park

DPR – Parks Maintenance and Recreation Services (PMRS), Maintenance Support Services (MSS)

GRAND TOTAL = \$2,075,000

Contractor:

Category total = \$2,075,000

1 Contract (6 months to prepare, bid, select and execute; 4 months to install)	Sub-total = \$2,075,000
	<p>Narrative: DPR will bid out a contract to install up to 347 benches and up to 299 picnic tables at sixty-two (62) locations: 60 parks, 1 senior center, and 1 botanical garden, all located in Title I and/or CDBG-eligible communities around the island. <i>See attached spreadsheet for locations.</i> At least 20% of the benches and 20% of the tables at each location shall be installed in a manner where they are ADA accessible. Installation sites will be identified by Park and Garden staff, based on park usage and amenities such as trees, playground equipment and similar assets that can draw and encourage use.</p> <p>Due to vandalism and theft, benches and tables will include rods extending from the bases that will be cored into the ground. While it increases the cost of the installation, the department has found this to be an effective deterrent to loss of the amenity.</p> <p>Our goal is to have the installation done in a single calendar quarter. DPR will install a minimum of 250 benches and 250 tables. Currently, prices for durable, UV resistant, fire and rot resistant hard plastic are \$2,000 per bench and \$2,500 per picnic table. We have estimated the cost of installation (including the rods and ADA concrete pads) to be 50% of the total contract cost. If bid prices are higher, the department will cover the difference out of operating funds to meet the minimum number of improvements. If bid prices are lower, DPR will install up to the total numbers listed above, which were identified by Park staff for each location.</p>

	Park Name	Size of Park in Acres	Address	Zip Code	Park District	Oahu Council District No.	Summer Fun	Benches	Picnic tables
np	Iliahi Neighborhood Park (Iliahi) *	3.12	2021 California Avenue	96786	3	1		5	
np	Kaala Neighborhood Park (Ka'ala) *	2.16	150 Kilani Avenue	96786	3	1		5	
np	Kahi Kani Neighborhood Park *	2.64	885 Whitmore Avenue	96786	3	1		5	
bp	Kalaniana'ole Beach Park	39.63	89-269 Farrington Highway	96792	3	1	x	6	5
bp	Keaau Beach Park	38.05	83-431 Farrington Highway	96792	3	1		5	24
cp	Makakilo Community Park	8.50	92-1099 Makakilo Drive	96707	3	1	x	5	5
bp	Pokai Bay Beach Park	15.49	85-037 Waianae Valley Road	96792	3	1		1	19
cp	Pu'u'ohulu (Maili Kai) Community Park *	11.00	87-430 Kaukama Road	96792	3	1		5	5
cp	Torao Matsumoto Community Park * (formerly Whitmore)	0.92	1259 Whitmore Avenue	96786	3	1	x	5	5
dp	Wahiawa District Park (Wahiawā)	10.01	1129 Kilani Avenue	96786	3	1	x	5	5
np	Whitmore Neighborhood Park *	2.29	1277 East Nani Ihi Avenue	96786	3	1		5	
cp	Kamokila Community Park	5.89	91-105 Farrington Hwy.	96707		1		5	5
cp	Hauula Community Park (Hau'ula) *	10.39	54-050 Kamehameha Highway	96717	4	2	x	5	5
cp	Kahaluu Community Park	5.63	47-260 Waihee Rd.	96744	4	2	x	5	5
np	Kamananui Neighborhood Park *	0.64	67-369 Alahaka Place	96791	4	2		5	5
bp	Swanzy Beach Park	4.82	55-101 Kulanui St.	96762	4	2	x	5	5
dp	Waialua District Park	12.82	67-180 Goodale Avenue	96791	4	2		5	5
dp	Kailua District Park	18.65	315 Kuulei Road	96734	4	3	x	5	5
	Kaneohe Community and Senior Center	2.00	45-613 Puohala Street	96744	4	3	x	5	5
cp	Kaneohe Community Park	5.51	45-529 Keaahala Rd.	96744	4	3	x	5	5
dp	Kaneohe District Park	31.37	45-660 Keaahala Rd.	96744	4	3	x	5	5
dp	Waimanalo District Park (Waimānalo)	25.31	41-415 Hihimanu Street	96795	4	3	x	5	5
cp	Ala Wai Community Park *	13.98	2015 Kapiolani Boulevard	96826	1	4	x	5	5
np	Ala Wai Neighborhood Park *	15.70	500 University Avenue	96826	1	4		5	
cp	Crane Community Park *	4.96	2903 Kaimuki Avenue	96816	1	4		5	5
cp	Paki Community Park *	2.20	3503 Leahi Avenue	96815	1	4	x	5	5
dp	McCully District Park	1.43	831 Pumehana Street	96826	1	5	x	5	5
np	Moiliili Neighborhood Park (Mō'ili'ili) *	3.44	1115 Isenberg Street	96826	1	5		12	
	Old Stadium Park	9.17	2237 South King Street	96826	1	5		28	10
np	Cartwright Neighborhood Park *	2.37	1313 Makiki Street	96814	2	5		5	5
dp	Makiki District Park	8.70	1527 Keeaumoku Street	96822	2	5	x	5	5
cp	Sheridan Community Park *	1.73	833 Piikoi Street	96814	2	5		5	5
	Ala Puumalu Community Park	62.38	1575 Ala Puumalu Street	96818	2	6	x	5	5
cp	Beretania Community Park *	5.36	1290 Aala Street	96817	2	6	x	5	5
dp	Booth District Park	4.56	2341 Kanealii Avenue	96813	2	6	x	5	5
cp	Dole Community Park *	4.58	602 Magellan Avenue	96813	2	6		5	5
dp	Kalakaua District Park (Kalākaua)	7.77	720 McNeil Street	96817	2	6	x	5	5
cp	Kalihi Uka Community Park	1.03	2329 Kalihi Street	96819	2	6	x	5	5
np	Kamamalu Neighborhood Park (Kamāmalu) *	5.27	1440 Queen Emma Street	96813	2	6		5	5
cp	Kauluwela Community Park *	2.44	402 Kauluwela Place	96817	2	6		5	5
np	Kawananakoa Neighborhood Park (Kawānanakoa) *	2.38	1901 Pauoa Road	96813	2	6		5	5
dp	Lanakila District Park	5.54	1701 Lanakila Avenue	96817	2	6	x	5	5
	Foster Botanical Garden	13.55	50 North Vineyard Boulevard	96817	DUF	6		18	
cp	Fern Community Park *	2.14	1201 Middle Street	96819	2	7	x	5	5
np	Hoa Aloha Neighborhood Park *	3.99	949 Ala Loke Street	96818	2	7		5	5
dp	Kalihi Valley District Park	11.85	1911 Kamehameha IV Road	96819	2	7	x	5	5
np	Kalihi Waena Neighborhood Park *	1.24	2020 Beckley Street	96819	2	7		5	5
cp	Kamehameha Community Park *	8.60	1400 Kalihi Street	96819	2	7		5	5
dp	Salt Lake District Park	84.30	1159 Ala Lili'oi Place	96818	2	7	x	5	5

[illegible]



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

**TESTIMONY TO THE
HONOLULU CITY COUNCIL
Wednesday, March 23, 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.

New regulations and requirements are meaningless without strong enforcement. I encourage the City & County of Honolulu to expedite investigations promptly and issue collectible fines as warranted. In Kailua alone, there is one property accruing over \$1.5 million in uncollected fines. This bill will allow for generous funding, and there is no reason violators cannot be quickly and efficiently prosecuted. These amendments not only provide the funding but the personnel for effective enforcement.

For the constituents and community I serve, mahalo for voting yes on these welcomed and long-awaited Land Use Ordinance Amendments relating to Transient Accommodations.

From: CLK Council Info
Sent: Monday, March 21, 2022 2:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jeremy Lam, M.D.
Phone
Email drjlam@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on
the matter Support
Representing Self
Organization

Dear Chairperson Elephante and Committee,

I am a resident of Manoa and am writing in strong support of Bill 41. Manoa is an older residential neighborhood where city codes have helped fend off large developments into our peaceful, green valley. The City has helped us crackdown on ugliness with its laws on monster homes which have brought troubles to us ranging from overburdened parking and traffic to stressed infrastructure. The City has assisted us in preventing the massive planned development at Paradise Park in the back of the valley.

Written
Testimony

Now we are asking the city to help the community resist the proliferation of short term rentals which feeds the tourism boom. We always speak about problems with parking, traffic, noise, pollution, parties, and not knowing who your neighbors are. We also speak about the lack of infrastructure in our old neighborhood. But the most important reason is we chose to live in a neighborhood that was zoned for a single family residence, not a neighbor with night and day drive thru with unruly strangers.

This Bill will limit legal short term rentals in our valley. It will set a limit to the definition of a short term rental to 90 days. It will make more rentals available in hotel zones where they belong. It will increase enforcement and fines. It will enable more affordable housing for our residents and decrease the numbers of rental owners from receiving their exorbitant profits. It will deter the giant advertising campaign by VBRO, Airbnb, and Expedia and overtourism to enable more short term rentals.

There is an orchestrated opposition led by developers of bigger homes, international rental websites, people in the short rental business (most are non-residents) and their myriad workers that provide yard care, house cleaning, food delivery, etc. I hope you will recognize these parties that are sending you input. They are NOT thinking of the preservation of our

single family home neighborhoods that value the quiet ambiance they desire. They are thinking about their pocketbooks.

Please save our island and its wonderful residential areas from the growing intrusions by transient visitors. Protect our aina. We trust you will protect it from the untoward consequences that abound in other big cities. Thank you for the opportunity to testify in support of Bill 41!

With with regards,
Jeremy Lam, M.D.
22230 Kamehameha Avenue 96822

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 2:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Midi Cox
Phone
Email midicox@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization
Written Testimony I support all actions that will restrict sales of housing to non-residents and make more housing available for residents.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 2:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jacqui Wou
Phone
Email jacquiwou@cox.net
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

To the City Council:

I am writing in regards to the proposed amendment to the City's ordinance to redefine short-term rentals from a minimum 30 days to a minimum of 90 days. For a variety of reasons, as a homeowner, I do not support the change in policy.

My sisters and I recently purchased a family home in Kailua, with the intention to meet collectively 4-6 weeks a year and individually in between, regulations permitting. We have elderly relatives living on the island, who we want to spend more time with. We have recently finished our renovations to the home and have hired a property management company to maintain our home and to oversee monthly vacation rentals. My family's plan is to use the funds to pay for maintenance and help us cover the mortgage on the home. Our property management company manages a number of properties and is conscientious about complying with local ordinances, particularly the 30-day rental requirement.

I object to the proposed change from 30 days to 90 days. I believe it unfairly penalizes homeowners such as ourselves, who utilize the income from short-term rentals to help offset home expenses ranging from maintenance to mortgage.

The proposed legislation is very broad and will negatively impact countless homeowners who rely on this important source of income. In addition we are left very little recourse now that we are unable to obtain permits.

Rather than redefining the definition of short-term rental, I think the Council should devote greater resources and attention to enforcement of the existing policy on short-term rentals, for example; allocate more funds; authorize greater enforcement penalties and crack down on homes whose online listings do not comply with the existing ordinance. Please do not punish

the vast majority of homeowners who adhere to the requirements of the existing ordinance.

In closing, the question I'm posing to the council is, who is this new ordinance serving and what harm is being done? I don't believe the issue is with the visitors who stay in these properties; their numbers are small and they generally respect the neighborhood.

I understand this new policy was implemented to address the very real problem of the local housing shortage, however, it seems highly impractical, and financially unviable for all concerned and an unsound long term solution.

Thank you in advance for your consideration.

Sincerely,
Jacqui Wou

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 2:39 PM
Subject: Zoning and Planning Testimony
Attachments: 20220321143845_20220322093706.pdf

Written Testimony

Name	姫野 ちあき
Phone	
Email	chiaki@smc.ne.jp
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41,CD2
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	バケーションレンタルの規制で所有する物件の資産価値に影響が出るので断固反対します。
Testimony Attachment	20220321143845_20220322093706.pdf
Accept Terms and Agreement	1

IP: 192.168.200.67

Thank you for your consideration on this critical measure.

Name Chiaki Himeno

Date 03/22/2022

Signature Chiaki Himeno

From: CLK Council Info
Sent: Monday, March 21, 2022 2:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name John Mair
Phone
Email mammothjohn@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position
on the matter Oppose
Representing
Organization Self

Written Testimony

I have been a Waikiki Banyan owner for many years, a complex that was built in the 1970's and DESIGNED as a condo-tel for short term rentals. I have monitored all of the hearing on these bills and the VAST MAJORITY of responses have been against these un-American bills!! I understand the need for regulation but Waikiki is designed and marketed as one of the biggest tourist zones in the world. the arbitrary changing of long-standing conditions for owners while taking our property rights away is unfair and I hope that you would REPRESENT YOUR VOTERS and not your pocketbooks and vote against these unfair bills. We will be watching.

Thanks,
John Mair

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 3:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Yoshihisa Saito
Phone	
Email	fwkn0754@nifty.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41,CD2
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, March 21, 2022 3:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Divina Garcia
Phone
Email divina.garcia@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I live in Kapolei and I work at the Hotel industry - Outrigger Hotels Of Hawaii.It's so important to save our communities from illegal short term rentals by passing Bill 41.

Thank You!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 3:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alfred Harding
Phone
Email asharding@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Zoning and Planning Committee Hearing on Bill 41
Your position on the matter Support
Representing Self
Organization

Alfred Harding
92-104 Waialii Place, O-415
Kapolei, Hawaii 96707
(A resort district condo hotel)

March 21, 2022

Dear Chairman Elefante and members of the Zoning and Planning Committee:

I would like to go on record in support of Bill 41, CD2.

Bill 41, CD2 relieves the pressure on residential areas by funneling vacationers away from our residential areas to resort zones. This is the intended purpose of resort zones.

Written
Testimony

I have seen the effects of the housing shortage first hand. Our family has been here since the early 60's and it has been tough to find housing for my brother and sister.

My sister and her husband lived in our moms home in Mililani for many years, sharing the home. Finally, after waiting for almost 40-years, they now own a Hawaiian Homelands, homestead property. Otherwise, they would still be living at home with mom.

My brother currently lives with his in-laws in a shared home as they are unable to find affordable housing. When mom passes away, the house will go to him so that his family will have their own place to live.

I believe Bill 41, CD2 provides the solution that reflects the intent of the council to increase available housing inventory for local residents.

Mahalo,
Alfred Harding

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 3:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Scott Miyasato
Phone	
Email	scott.miyasato@outrigger.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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, March 21, 2022 3:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robert Retherford
Phone
Email robert.retherford@hawaiiantel.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Chair Elefante and members of the Zoning and Planning Committee,

An article in the February 15 edition of the Star Advertiser said: "A new study from CompareTheMarket.com shows Honolulu ranking No. 2 among cities in the world where Airbnb hosts earn more than private landlords. Hosts bring in 205% more in income from rent versus those doing long-term rentals. The writers of the study said the reason that Honolulu ranks second to Las Vegas (where the differential is 555% of short-term over long-term) is that Hawaii rents are so much costlier."

Written
Testimony

Conversion of long-term rentals into short-term vacation rentals is obviously very profitable for those who become hosts. But it also reduces the housing inventory for everyone else who lives and works here. This reduction in housing inventory contributes substantially to increases in home prices and long-term rents. The City's failure to enforce residential zoning laws has allowed this vicious cycle to spin out of control, bringing us to the point where a great many of our young people give up and leave the state for the mainland, because housing has become so costly here that they can neither buy nor rent a house or apartment that meets their standards for bringing up a family.

Bill 41 CD 2 is not a panacea that will resolve all of our housing needs. But if it becomes law, it will help increase the supply of long-term rentals and slow the escalation of rental and home prices, thereby also slowing the brain drain to the mainland.

Please uphold our residential zoning, pass the bill, and have a dedicated source of funding for its enforcement. Let's end the practice of negotiating down violation fines.

Thank you very much,

Robert Retherford
42 N. Kainalu Drive
Kailua, HI 96734

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Roy Imai
Phone
Email roy.imai@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written Testimony

I live next to four big houses under construction which looks like apartment buildings. The myriad of problems to come from parking, visitors is frightening. Property formerly had a beautiful garden, large shady mango trees which have all been removed and property now looks like we are in a tenement area. but this is a residential area that is now being ravaged by large buildings. This is so distressing as I have lived here for 75 years and cared for my parents who purchased property in early 1940's. I am so fearful that these buildings will be utilized like a hotel or rental homes to maximize profitability and destroy the neighborhood. Cannot understand how permitting was allowed in a nice, quiet neighborhood. This kind of nonsense has to stop or Honolulu will be completely destroyed by profit seekers with no island ties.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peter Prose
Phone
Email peter.prose@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

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 CD2 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: Monday, March 21, 2022 4:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Naoko Prose
Phone
Email naokoprose@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
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 CD2 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: Monday, March 21, 2022 4:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Bob Ress
Phone
Email ress.bob@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Since my arrival on Oahu 36 years ago, short term rentals has been a detriment to quality of life of our residents. Numerous bills have been approved but lacked effective enforcement. Pass Bill 41 and enforce it.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ralph S Gray
Phone
Email bgwvrdr@aol.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Bill 41 should not move forward for final passage by the full Council. Bill 41 needs further discussion.

The vast majority of vacation rentals operate responsibly and legally, go after the owners that dont follow the rules and have filed complaints. This is why the rules we already worked so hard to come to and the MOU signed by the County must be enforced. Please let the people have the choice on how they want to manage there homes and extra rooms. We pay the taxes and own the property.

Bill 41 targets LEGAL short term rentals to pay for enforcement of ILLEGAL operators. Why does the bill punish LEGAL operators?

Changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code. I purchased my property with the right to rent for 30 day minimums, and if you take that right away, I should be compensated, condemnation with out representation or compensation. If I had known I could not rent my property for 30 day minimum, I would not have bought the home. Therefore you are reducing the value of my property without compensation. I choose to rent for 30 days, so that I can use my home when its not rented or let my other family members use it when its not occupied. By making this illegal, you make it so local people will have no access to the exclusive beaches around Oahu. Now only rich people will have access to homes on these beaches and locations. there will be empty homes for rich people, sitting empty along Oahu's coastlines. Vacation rentals give access to the families of Oahu to enjoy a home they would normally not be able to stay in. I have been staying in homes on all the islands from my child hood days. Hanalei Bay, Kailua Bay, Sunset Beach, Kawela Bay, Makaha Beach and more. Passage of this bill which takes away property rights and creates a privileged class for the hotels will be vigorously challenged, first through the legislative process, and then through the local/state/federal court system which would be a significant cost to City and County taxpayers.

Any fees and restrictions imposed on short-term rental properties in resort zones must

Written
Testimony

equally be placed on hotels on a room-by-room basis.

Why are the DPP and Mayor Blangiardi rushing to expedite and rubber-stamp Bill 41, while continuing to not enforce the current law (Ordinance 19-18), ignoring the many concerns and confusion around Bill 41? Please do not allow this Bill to pass. You will also destroy a business that the local families of Hawaii survive on. Vacation homes employ house cleaners, yard service, Pool service, home food delivery, support local restaurants and shops and business. its hard enough to survive on Oahu. Please dont take one more way to pay our bills. Create smart rules, that allow for vacation renting, and if the owner is getting valid complaints, then give them 2 warnings, on the third, they loose there license for 6 months, etc...Collect taxes from owners like the TAT and GE and City and county 3%. This is fair and will help our state with better infrastructure and relieve more taxes on the locals. Please think this out and be sensible and dont pass Bill 41. Mahalo and Aloha

Testimony

Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 3:51 PM
Subject: Council Testimony

Written Testimony

Name Rob Gunthner
Phone
Email rob.gunthner@hgv.com
Meeting Date 03-26-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Organization
Organization Hilton Grand Vacations

Written Testimony Thank you for the opportunity to submit testimony. Bill 41 can be an effective enforcement tool to crack down and eliminate illegal short term vacation rentals. Illegal rentals hurt the legal tourism industry. The hospitality sector is a major driver of Hawaii's economy. For years short term rentals have operated unchecked in Hawaii and need to stop.

Thank you.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 3:57 PM
Subject: Council Testimony

Written Testimony

Name Kristin Tani
Phone
Email kristin.tani@hgv.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

I have worked in the hotel industry for over 20 years. I live in Ewa Beach and work in Waikiki. We need to save our communities from illegal short term rentals, as our current infrastructure does not support an influx of tourists in residential areas. Coming off of a pandemic, we need to revitalize the tourism industry in the legal, zoned districts where tourism is allowed. Mahalo

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:09 PM
Subject: Council Testimony

Written Testimony

Name Atsuko valle
Phone
Email Atsukoian@yahoo.co.jp
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 and revised CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I have a local cleaning business and I strongly OPPOSE Bill 41. All the rentals I clean are legal and this bill is trying to punish and get rid of the rentals which would mean all my income that I need to survive would go away. I pay all my taxes (Excise and Income) and this would be devastating to me and similar other local businesses.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:23 PM
Subject: Council Testimony

Written Testimony

Name Pam Yagi
Phone
Email pam.yagi@hgv.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

Aloha! My name is Pam Yagi, a resident of Kapolei for the past 26 years. I am fortunate to be able to own a home in Hawaii. But illegal rentals make it difficult for island residents to buy a home when it contributes to less inventory for residents to purchase or rent. Please pass Bill 41.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Leonard lepine
Phone	
Email	Leonardlepine@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	BILL 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I Strongly support a bill with stiff penalties for scofflaws. Please provide funding for meaningful enforcement. Enact new laws as needed to ensure that lawbreakers cannot skirt enforcement and fines. Do not permit fines to be waived under any circumstances.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sean Brady
Phone
Email seanbrady808@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Aloha Council Members,

Thank you for your hard work in making many important improvements to Bill 41 CD2. As I continue to support the stated purpose of Bill 41, at this time I still must oppose it due to the unequal treatment of legal resort zone owners. I have personally met with 8 out of 9 Council Members to discuss the exemption of resort zone TVU operators from bill 41 which the majority of you agreed made sense. The CD2 draft calls for a blanket registration process, restrictions and fees across all residential and resort zone TVU's treating all of us as though we are operating in residential neighborhoods. As our group has discussed with each of you, our resort zone TVU's have always and will continue to pay hotel and resort zone property taxes which is four times higher than those paid by NUC's and A1/A2 TVU owners. So with this draft, Resort Zone TVU owners are now the most disadvantaged operators, subject to all the same fees and restrictions and residential TVU operators AND we are now the only ones to carry the burden of Hotel & Resort Property tax. Please follow through on your promise to examine exempting resort zone TVU owners from bill 41 as recommended by the planning commission late last year.

The CD2 draft continues to exempt hotel and timeshares from Bill 41 even though these units are being advertised on the online platforms such as airbnb and VRBO by the thousands. As we have discussed with you this will create a major loophole for illegal operators to use this "exempt" status, and without the MOU, the platforms are not going to turn these violators over to DPP. We again ask that you treat all three of the principal resort zone operators equally and exempt TVUs from this bill but subject hotels and timeshares to the same advertising requirements as resort zone TVUs (list TMK & TAT on all ads) to close this loophole and create a fair, sensible system for all resort zone operators, thank you for your consideration.

Sean Brady

From: CLK Council Info
Sent: Monday, March 21, 2022 4:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name James Edward Lewis
Phone
Email jelhawaii@yahoo.com
Meeting Date 03-22-2022
Council/PH Zoning and Planning
Committee
Agenda Item BILL 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I strongly oppose changing rentals in residential areas from a minimum of 30 days to 90 days. This is clearly an illegal removal of home-owners rights.
The government has been unable/unwilling to enforce existing laws which would eliminate illegal short term vacation rentals. We do not need additional laws!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

TIME RECEIVED
March 21, 2022 at 4:42:43 PM HST

REMOTE CSID
8082636121

DURATION
36

PAGES
1

STATUS
Received

03/21/2022 04:42PM 8082636121

CHARLES PRENTISS

PAGE 01/01

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 CD2. CD2 is much more focused on the problems created by short-term vacation rentals, especially where it requires a 90-day minimum stay, deleted vacation rentals from the "Gold Coast", and removed the provision (in Table 21-9.6(A)) which would have permitted hotels in the Waikiki Apartment Precinct.

In the late 1980's, we recognized that vacation rentals were creating problems in our residential areas, so we limited the number to the approximately 800 then existing units. Over the years, through poor enforcement tools and the spread of the internet, they proliferated to over 8,000 units making a major impact helping to turn a housing shortage into a housing crisis.

The negative effects on our housing supply as well as on our economy are clear from the facts. Local residents cannot afford housing. The Hawaii Tourism Authority has reported that 70% of vacation rentals are owned by off-shore owners. In addition, the State DBEDT has data in their "Data Book" which shows that tourists in vacation rentals spend 20% less than those in hotels. It is imperative that we adopt Bill 41 CD2 to provide the tools necessary to improve our housing supply as well as to support the health of our primary economic base. Mahalo.

From: CLK Council Info
Sent: Monday, March 21, 2022 5:15 PM
Subject: Council Testimony

Written Testimony

Name ORLY MAOR
Phone
Email orlymaor@gmail.com
Meeting Date 04-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

If Bill 41 Will pass, it will be a disaster for the whole community. We provide an exquisite experience for the tourists with lots of aloha spirit. We also provide jobs to huge industry, they will all get hurt. We will have difficulty paying our mortgages, bills, we will not have money to support the community. The Community In Hawaii will get hurt really bad. Please don't pass this bill.

Thank you so much,
Orly Maor

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:19 PM
Subject: Council Testimony

Written Testimony

Name	Devon
Phone	
Email	devonmccord88@gmail.com
Meeting Date	02-03-2022
Council/PH Committee	Council
Agenda Item	Agenda Item: Bill 41, CD2
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, March 21, 2022 5:26 PM
Subject: Council Testimony

Written Testimony

Name	Aleta Klein
Phone	
Email	aleta2135@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	YOU are going too far. Oppose this flawed bill in it's entirety.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:08 PM
Subject: Council Testimony

Written Testimony

Name	Tate Keli'iho'omalu
Phone	
Email	Tate.keliihoomalu@outlook.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill041
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, March 21, 2022 6:38 PM
Subject: Council Testimony

Written Testimony

Name Michelle Acohido-Morales
Phone
Email Michelle.Acohido-morales@exprealty.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:47 PM
Subject: Council Testimony

Written Testimony

Name	Christy Aiwohi
Phone	
Email	christy.aiwohi@cbpacific.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Short term rental
Your position on the matter	Oppose
Representing Organization	Organization Realtors
Written Testimony	I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including: -Home sellers/buyers renting until they close on a new property -Residents waiting for their home to complete construction or renovations -Military PCS while looking for a home to buy -Traveling nurses -Families from out of state who are on island caring for loved ones
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:38 PM
Subject: Council Testimony

Written Testimony

Name Maria Morgan
Phone
Email Mmorg1029@aol.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony Bill 41 gives special treatment to hotels.
It s the individual who needs support by allowing them to earn income by renting their home.
It Bill 41 passes it will hurt many more people than if it does not.
Please do not pass Bill 41.

Testimony Attachment
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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:46 PM
Subject: Council Testimony

Written Testimony

Name Sophia Chen-Yeh
Phone
Email SOPHIACHENOD@YAHOO.COM
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Comment
Representing Organization Self

Written Testimony

Buildings that have been operating as condo-hotels do not disrupt the residential neighborhood. I own 2 units in Waikiki Banyan and STR managed by owners or local management companies really help the local economy. Please do not allow large hotel corporations to monopolize and profit from the tourism industry. The cap restriction and also the proposed annual registration fee is fundamentally wrong. Hotels are not restricted to operate at 50% capacity and do not have to pay the registration fee. It is unfair when we have all been imposed the same property tax and pay the same % of GET/TAT revenue to the state but have higher overhead cost ? How would you feel if you are imposed a fee for keeping your job and coming into work but your co workers are not when you are providing similar service. Are we not in a free economy where there should be rights, fairness in business competition that can promote economic growth and progress? The rules should be fair to all. I respectfully thank you for your time.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:05 PM
Subject: Council Testimony

Written Testimony

Name Joni Ann Shiraishi
Phone
Email jonihawaii@hotmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item 41-CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
Tenants who are displaced due to repairs/property tenting etc.

Please oppose this bill.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:20 PM
Subject: Council Testimony

Written Testimony

Name Faye Nakamura
Phone
Email fmnak00@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 (STR & B&B)
Your position on the matter Oppose
Representing Self
Organization

Aloha,
I'm writing in opposition Bill 41, as it's not in any way a realistic solution to any of the standard complaints aimed at STRs....it instead aims to completely destroy the STR/BnB option for visitors to Hawaii. Bill 41 is clearly far more extreme, not only in length of stay, but in fees/taxes imposed....especially for those doing bedroom or small studio options.
IMO, this bill never gave a chance to Bill 89, which caused many, hardship, even at 30 days. Those who couldn't adapt, they've lost their businesses. And for those who managed, they've accepted, abided by, and made work for themselves.

Written Testimony

I help out w/a BnB situation whenever I return to HI. There are several other operators in the area and everyone follows the rules/law. There is no parking, noise, litter, or crime problems. The guests are always very considerate, clean and respectful. I suspect all the people who have the same complaints are exaggerating a 'sometime' thing or in general, do not like tourists. IF in fact, any of these issues were to arise, they can be easily rectified--as each STR's owner lives ON SITE.

Perhaps the Council could stipulate this as one condition of operation.

The 6 mo stay is so extreme as to be unrealistic. This seems planned --to immediately curtail ANY visitor from renting anything aside from a hotel room....which is not affordable at monthly rates, nor ideal in any way.. The 30 days should be a maximum, as even that is not the usual stay for a visitor.

Even for 'snowbirds' 6 months is excessive & unrealistic.

I also believe Bill 41 seems to be rushed so quickly...on an issue that is SO important to 1000's of people in this arena--not only operators but the helpers, like me....and their families.

Many feel this is being rushed through for a reason, and it does seem the Mayor & Council have an agenda on this....Why the rush? Let Bill 89 continue....many have adapted and are making it work, sacrificing where they have to.

When anyone on the Council or from the public brings up housing shortage, over-expensive housing....I'd like to bring up that HI has in general always had expensive housing in comparison to mainland areas. It was never blamed on tourists or rentals back then. If you've noticed, housing nation-wide IS expensive....even in my state which has always been fairly moderate, it's now so expensive, many can't afford to purchase.... even rents are very high.

Take also into consideration that w/the soaring inflation now, interest rates are going to rise...the housing market will continue to be out-of-reach for many, and it would be dishonest to blame it on the STR/BnB situation. It is epidemic and not limited to Hawaii.

The economy is a serious issue that needs to be taken into account -- for the many who are already struggling and how much more serious their dilemmas will be should they lose their livelihood in what is expected to be serious economic downfall.

And this is maybe the crux of the matter...that the Mayor & Council are acting like dictators in how they're approaching this whole issue of one's freedom to be an entrepreneur in a free market using their private property in a way that doesn't hurt, maim, damage someone else....but, in fact, adds to the enjoyment of sharing their culture with visitors who help them AND the state out financially in exchange.

I hope you all think hard about how many people's lives you're affecting...in the stressful and financially difficult time now, and yet to come. You may feel secure and comfy in your paid positions, but most everyone else has increased hardship and uncertainty. There will be many consequences of your decision.

Thank you for your consideration....
~ Faye Nakamura

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:48 PM
Subject: Council Testimony

Written Testimony

Name Eileen
Phone
Email Eileenli1900@gmail.com
Meeting Date 03-23-2023
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Why Bill 41 is not a good bill to pass, why we shouldn't change 30 to 90 days as minimum rental. why should we limit the people's option to choose where they can stay in Hawaii. we should not favors only the hotels because even the owner renting 30 days have to pay the same tax as hotel. GET and TAT and especially for Waikiki people need options to stay for 1 month or 2 months and nost just more than 3 months in hawaii.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:14 PM
Subject: Council Testimony

Written Testimony

Name Yas Kohara
Phone
Email yaskohara@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Furthermore, those legally honoring the 30 day stay rule will no longer be able to offer viable rentals to Oahu's visitors and the results will be horrible for HI tourism. This is a terrible bill, and I strongly oppose it.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:40 PM
Subject: Council Testimony

Written Testimony

Name Tonya coutsourakis
Phone
Email Nshouses@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Rentals min 90 days
Your position on the matter Oppose
Representing Organization Self

Written Testimony I am a realtor & manage several rental properties in Honolulu. We have had a great need for shorter term rentals, less than 90 days especially during Covid with Traveling nurses, people working remotely, etc.
With home sales, Many times the buyers need temporary housing until there new home closes.
Also I had buyers trying to get out of Red Hill Navy housing with poisoned water, they needed to get out immediately to avoid health problems. Please allow shorter term rentals.
Mahalo

Testimony Attachment

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IP: 192.168.200.67

Honorable Councilmembers,

I am totally opposed to Bill 41 and all of it's confusing variations that DPP has come up with as it's difficult to keep up with the convolutions of this situation. If you wish to terminate any short-term rentals by homeowners passing this bill with the limitations of 4, yes 4 rentals per year, this will do it.

For the life of me I can't comprehend the vehement opposition to allowing a homeowner the opportunity to make their homes available to returning members of OUR community to stay within their neighborhoods as opposed to forcing them into the resort areas and paying astronomical rates for rooms and the associated fees; parking for \$ 50 a night and an unnecessary resort fee for another \$ 50 fee. Tell me, who can afford this?? I support those returning for a variety of family events, I'm sure you have families on the Mainland, be it a wedding, 1st birthday, or the inevitable funeral.

I ask you, who in their right mind would go thru the DPP demands, pay a \$ 1,000 permit fee and be allowed to rent only once a quarter? Most visitors be they family or tourist rarely stay over a week, max 10 days, so for the average rate of 150-200 a night, your income would not offset your expenses! STR's do not take away rental units, cause homelessness, drive the price of rentals. Most STR's are rooms in homes and not part of the issues of housing. My room is not suitable for long term and therefore would remain empty!

We have done away with the non-owner occupied TVU's which were for everybody a terrible nuisance and caused most if not all the anguish within communities. I for one being on property have 1 room, off street parking and never had a problem with guests. My visitors are of an older crowd, enjoy the quiet of the neighborhood and wouldn't be on Oahu if restricted to Waikiki.

I can only emphasize that there has to be a better solution than shutting down this segment of housing for visitors. We had a good product with Bill 18-19, a compromise, why was this totally discarded? Please take the time and a 2nd look at this broken and misguided Bill before you vote.

Sincerely,

Ron Steiner

Homeowner, Retired and Vietnam Vet

steiner289@gmail.com

From: CLK Council Info
Sent: Monday, March 21, 2022 11:15 PM
Subject: Council Testimony

Written Testimony

Name Tonic Bille
Phone
Email BBTVU2@aol.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 cd2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Chair Tommy Waters and Council Members.
In 2019, the City passed Ordinance 19-18, allowing a limited number (1700) of new bed and breakfast homes and requiring certain short-term rentals to comply with registration requirements, development standards, and other regulations. Why are you not honoring Ordinance 19-18? Why have you not enforced Ordinance 19-18? Why are you writing bills with the Hotel Association destroying small businesses, which is the majority of short term rentals? Changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code. Bleeding a limited income dry allowing only 4 contracts yearly.
Many owners and their families are forced to sell their homes and leave Hawaii. The situation on Oahu is similar to the following dictatorship ...

Putin is calling on the Russian people to root out and expose the traitors and bring them to the attention of government authorities," "He is basically encouraging people to turn in their friends and neighbors.

Like SB 3333 is turning neighbors against neighbors!

The district court that is located in the county shall have jurisdiction to:
(1) Enjoin the owner of the dwelling unit from providing the dwelling unit as a transient vacation unit; (2) Order the owner to pay to the plaintiff damages not to exceed \$10,000, plus reasonable attorney fees; and (3) Order the plaintiff to pay to the owner reasonable attorney fees in any action under this chapter where the court

determines that the claim was fraudulent or frivolous.

Sincerely,
Tonic Bille
262-8286

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:07 AM
Subject: Council Testimony

Written Testimony

Name Cory Tsuda
Phone
Email Cory.tsuda@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:56 AM
Subject: Council Testimony

Written Testimony

Name Terri Arnold
Phone
Email tfarnoldi@gmail.com
Meeting Date 03-21-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I am opposed to Bill 41. Thirty-day rentals are legal residential rentals under state law and long standing precedent. This bill does nothing to address over tourism and traffic congestion. Those will only be alleviated by limiting the number of flights arriving in Hawaii and limiting the available rental cars.

Written Testimony Referring to legal 30-day rentals as "illegal short term vacation rentals" does not make them so. Thirty day rentals are legal and should remain legal to avoid radically changing the rental market and upending traditional expectations in the management of residential property.

In view of the history of corruption that seems to permeate Hawaiian government, particularly the DPP, it's difficult to not be cynical about the way this bill was introduced and promoted. Please don't choose big money interests over the rights of individual property owners.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:17 AM
Subject: Council Testimony

Written Testimony

Name Makana McClellan
Phone
Email makana.shook@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Aloha,
As kama'āina here for generations, it is critically important that we aggressively work to pass Bill 41. Illegal short-term rentals drive-up housing costs for families like mine, hurt the legal tourism industry that has invested in locals like me for many years, and destroys the fabric of our communities and neighborhoods. The time is now. Any delay would severely jeopardize the future of our keiki.
Mahalo for your consideration.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:25 AM
Subject: Council Testimony

Written Testimony

Name wayne tartaglia
Phone
Email waynetartaglia@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Bill41 is only in the interest of the hotel industries,it will only put more of a finacel burden on the small time resident property owner.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:27 AM
Subject: Council Testimony

Written Testimony

Name erica saltiel levin
Phone
Email erica@sfsweetsf.com
Meeting Date 03-22-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Hello,

I am a property owner in Lanikai, Kailua, and I oppose the Bill 41.

I have four main points against the bill:

1. It is misleading to assume that high-value properties that are used for 30 days rentals will become available for the rental market and add supply for the mid-level income people needing housing. As in any city of the world, high-value real estate either remains empty or is rented at high values. The net result for blocking rental on these kind of properties is not more housing supply, but actually less taxes and revenue for the island.

Written
Testimony

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. We don'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.

4. 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.

Respectfully,
Erica S. Levin

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 4:58 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Chris and Beth McLachlin

Phone

Email manoamac@gmail.com

Meeting Date 03-22-2022

Council/PH
Committee Housing and the Economy

Agenda Item Bill 41 CD2

Your position on
the matter Support

Representing
Organization Self

Written
Testimony We do not want our neighborhood filled with short term rentals. We have seen what they do in other communities and we hope this bill will rectify those indiscretions. Traffic, noise, and loss of community are just a few of the corrections to be made. Thank you

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:13 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Mary K Flood
Phone
Email maryflood50@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization
Organization Honolulu Board of Realtors
Written Testimony There are many reasons to keep the transient rentals at 30 days and to not increase to 90 days . Plus Bill 41 does not address the real issue which is enforcement of current short term rental regulations.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:31 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Cui
Phone
Email Cui_79@yahoo.com
Meeting Date 03-21-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I sincerely believe we do have a shortage of housing, however, I do not agree with bill 41. Bill 41 will hurt another segment of the renter market. We have a lot of government, travel nurses, or company employees who rent fully furnished homes at monthly rental terms due to the nature of their job. These homes were never meant for long-term rentals because they cater to those types of renters. Most of those types of homes that do month to month are people with second homes, who only live here part-time. Therefore as you can see they were never ever going to be rented out because those owners lives here part time. They only rent it out while they are not there for those who like to come to Hawai'i and enjoy it for a month or few months but not long term. More importantly majority of those units are studio and one bedroom units, which really doesn't take from local resident who needs bigger units. By passing this law, it doesn't stop housing shortage. What will help is creating more affordable housing for locals.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:53 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Melanie Long
Phone
Email Melanie@MelanieLong.com
Meeting Date 03-23-2022
Council/PH Committee Housing and the Economy
Agenda Item Short Term Rentals
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Changing a 30 Day rental to 90 is hurtful to our Oahu home owners. It's simply a taking off rights along with, hurting our Kama'aina and making it difficult for sellers/buyers who need to rent until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses, traveling work forces,
-Families from out of state who are on island caring for loved ones and so much more.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:38 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Sharon Moore
Phone
Email smoore.hawaii@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Housing and the Economy
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:49 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Leon Mosher
Phone
Email LeonM@cbpacific.com
Meeting Date 03-21-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Thanks & Aloha, Leon

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:54 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name keenan brown
Phone
Email keenan.brown@compass.com
Meeting Date 03-23-2022
Council/PH
Committee Housing and the Economy
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony As a resident of Oahu, I see no reason why you would need to change the 30 day min to 90 days. Proper and effective enforcement of illegal operations is what needs to be improved. Start with the basics and then you will see change. Writing laws that don't get enforced does nothing to help the situation.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:04 AM
Subject: Housing and the Economy Testimony

Written Testimony

Name AVNIEL S NAIDU
Phone
Email Avnielnaidure@gmail.com
Meeting Date 03-24-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41,cd2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:38 AM
Subject: Council Testimony

Written Testimony

Name Gail Kosiorek
Phone
Email gail@fidelitypropertieshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill41(2021), CD1
Your position on the matter Oppose
Representing Organization Self

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
-Grandparents visiting their children and grandchildren
-Parents visiting their military children

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:11 AM
Subject: Council Testimony

Written Testimony

Name Jim Paulon
Phone
Email jpaulon@waikikicourtyard.com
Meeting Date 04-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony Visitors to alternative lodging accommodations spend less than hotel visitors. Uncontrolled visitor growth overburdens natural resources and infrastructure. Visitors who stay in illegal rentals would likely still come to Hawaii if the illegal rentals did not exist. Illegal rentals hurt the legal tourism industry.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67



Aloha Chair, Vice Chair, and members of the committee on zoning and planning,

My name is Josh Hargrove and I'm the General Manager of the Prince Waikiki Hotel and the Hawaii Prince Golf Club. I am providing testimony 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 and its adoption is urgently needed. Thank you for allowing me the opportunity to testify.

Mahalo,

A handwritten signature in black ink, appearing to read "Josh Hargrove", written over a light blue horizontal line.

Josh Hargrove
General Manager
Prince Waikiki Hotel & Hawaii Prince Golf Club
jhargrove@princewaikiki.com

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:25 AM
Subject: Council Testimony

Written Testimony

Name Harold B Arnold
Phone
Email halarnold2000@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

This is a bill that seeks to make something [30+ day monthly rentals] that has been standard practice in Honolulu for *decades* or longer, newly illegal.

People come that need lodging for all sorts of reasons; and they are all important: traveling workers, people that need over-flow housing for family, people interviewing for jobs/home purchases, remodeling homes and even longer-term visits where they can stay a month [a not unusual vacation time limit for workers] but not longer. Imagine this sort of stricture as common practice: "you have to stay 90 days or you can't come". It would be death for the hotels.

Please consider all the work that hundreds of us did to get the last bill [19-89] by having DPP put in the effort that we all actually asked them to do. Implement that first.

Lastly, the hollow argument that if you accept monthly rentals, "there will be a flood of people cheating". Make the new bill stricter by imposing and funding more enforcement; we all understood that the communities didn't want terms shorter than a month. Make the cheaters 'do the right thing', but don't punish those folks that were following the law.

Testimony Attachment
Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:28 AM
Subject: Council Testimony

Written Testimony

Name Patrick Fujimoto
Phone
Email patrick_fujimoto@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Hello,

Written Testimony Bill 41 is clearly an attempt to limit the legal use of property for rental and business purposes in favor of the hotel industry. There is simply no reason to make short term rentals a six month minimum. Short terms rentals of one month or more are fine and give owners and renter the flexibility they need. I completely oppose Bill 41 and it's restrictions on the fair and legal use of private property.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:00 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Keiko Yamagishi
Phone
Email kyamagishi0921@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:00 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Astrid Jackson
Phone
Email astridjackson@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony Please support Bill 41 CD2 to make housing a priority for locals and stop the spread of illegal vacation rentals.
In our neighborhood a very large house was built. During construction the owner told us it was for his family. When the house was finished, and presumably after the inspection, we noticed that it was being retrofitted. Now it is being advertised on Airbnb.
It seems that this use could have been anticipated, given the layout of this three-story house!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wendy Lee Akai
Phone
Email Wendya@betterhawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Please keep the 30 day minimum rental period for residential properties. DO NOT CHANGE. There is a need for home buyers purchasing homes or selling homes to have an option to rent for 30+ days.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Levani Lipton Lipton
Phone
Email Levani.rachel@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Dear Committee Chair Elefante and Committee Members,

Written Testimony

I am testifying in strong support of Bill 41 CD2. Please support this measure that will protect zoning and keep it residential for our families. We have seen the fallout of from lack of housing and so many are living on the edge of houselessness. In Kailua we have been witness to the proliferation of vacation rentals and the many loopholes that are used to gain commercial profit.

Our people are our most valuable asset. We must invest in our residents and our future generations. This starts with the security of having a place to call home. I urge you to please vote in support of this measure which has the community as a priority over profit. Thank you for the opportunity to testify and for your consideration.

Mahalo,
Levani Lipton

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ian Chow-Ise
Phone
Email ian@pineapplegroup.hi.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Lundstrom
Phone
Email davidlundstrom@hawaiiilife.com
Meeting Date 03-23-2022
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, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name : Garrett Taira
Phone :
Email : gtaira@amghawaii.com
Meeting Date : 03-23-2022
Council/PH Committee : Zoning and Planning
Agenda Item : Bill 41, CD2
Your position on the matter : Oppose
Representing Organization : Self

Written Testimony

I strongly oppose Bill 31, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. I feel the minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days. I often work with sellers in transition and need to relocate temporarily while they await the proceeds from their sale or when working with buyers who are very close to purchasing their new home. Having to commit to a 90 day rental period would be very costly and detrimental, especially since timing is so important in real estate.

Testimony Attachment

Accept Terms and Agreement : 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sandy Ly
Phone
Email sandy.ly@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I am currently living in Kakaako area and work in the tourism industry. It is important to me and my family to save our communities from illegal short-term rentals by passing Bill 41.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ben Tran
Phone
Email bentran@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lou Kane
Phone
Email loukanerealtor@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

In addition to those already mentioned, parents and other family members of college students who will be attending Oahu colleges and universities use 30-day rentals. They stay while assisting their students get situated or visit during the students' years of study. 90 days are too long for these type of renters and nightly rentals are typically cost prohibitive. Special areas of concern are the college/university towns away from Waikiki and Ko Olina.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Taryn Fowler
Phone
Email TarynF@BetterHawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization Self

Attachment
Accept Terms and Agreement

I am a homeowner of a rental on the north shore of Oahu. I have been responsibly renting my house for years for 1-3 months at a time. I pay GET and TAT taxes and also respect my neighbors. I have renters who come back every year - one even coming back for a 4th year in a row.

Written Testimony

There are no "affordable" longer term (more than one month) places for people to stay on the north shore. Turtle Bay Resort is \$900/night for Kamaaina and even the Kuilima condos are about \$200-400/night now! The government is snuffing out any opportunity for both residents to make extra income and also have visitors an affordable place to stay for longer stays.

There is no sense in this bill - to make it 90 days minimum rentals except for the hotel industry to benefit off tourists while making it unaffordable for locals to stay in Hawaii.

I oppose this bill.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rona Shibuya
Phone
Email rshibuya7520@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on the island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name sean ginella
Phone
Email seanginella@hawaiiilife.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:13 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Mary K Flood
Phone
Email maryflood50@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Housing and the Economy
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization
Organization Honolulu Board of Realtors

Written Testimony There are many reasons to keep the transient rentals at 30 days and to not increase to 90 days . Plus Bill 41 does not address the real issue which is enforcement of current short term rental regulations.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name michael riess
Phone
Email mike@foster-realty.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

We oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Joe Ordinario
Phone
Email joe@oteamhawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rolando Enrique Ordinario
Phone
Email aloha@oteamhawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Howard T. Yamasaki (RA) RS-75463
Phone
Email howardtyamasaki@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41 (2021), CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Hal Wilkerson
Phone
Email hal@hpahomes.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Daniel K
Phone
Email tiptop.linters.0b@icloud.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41,CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony While the tourism industry is essential everywhere, it must be regulated in order to provide balance. Rentals below 90 days are on the whole destined towards transient populations (vacationers). As a resident of Kailua the soul of the town relies on residents and not tourists, and yet illegal rentals are pricing out residents and creating a more transient nature. I approve of the commendable attempts to reduce illegal rentals and to make sure all tourism abides by the regulations.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mary K Flood
Phone
Email maryflood50@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41

Your position on
the matter Oppose

Representing
Organization Organization
Honolulu Board of Realtors

Written
Testimony There are many reasons to oppose this bill. Changing 30 days to 90 days places a hardship on people who sell their homes and rent backend on military moving here. Bill 41 also does not address the real problem which is enforcing current regulations for short term rentals.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alison Mitchell
Phone
Email alisonmitchell808@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill41 cd2
Your position on the matter Support
Representing Self
Organization

Written Testimony

Please do 90 days to prevent vacation renting invading our neighborhoods. If 30 days are allowed it will continue as usual with owners signing a 30 day agreement and guests "break" it 27 days early. No loopholes!
Places like Maile Cove, Pupukea and Waialua are over taken with tourists staying short term. Please correct this and stay strict. You are doing great so far! Mahalo

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:20 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name JOHN ASSATURIAN
Phone
Email jassaturian@yahoo.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item BILL 41 CD2
Your position on the matter Oppose
Representing Organization
Organization PEARLRIDGE REALTY INC

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Melody Rutherford
Phone
Email melody.rutherford@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for rentals, B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Employees from mainland companies assigned here on a temporary basis

There are no places for these people to stay in Waianae. We don't have any hotels here!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name James E. Lewis
Phone
Email j.lewis@realtor.com
Meeting Date 03-22-2022
Council/PH Zoning and Planning
Committee
Agenda Item BILL 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I strongly oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michael N Menegas
Phone
Email mikemenegas@kw.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD-2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ernest Kong
Phone
Email ernest.kong@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Darryl Macha
Phone
Email DMMacha@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CDS
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I OPPOSE Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
Thank you for your support!

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Eric Olson
Phone
Email erolson@mac.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

I have no issues with other measures in the bill, but I strongly oppose extending the minimum rental period from 30 to 90 days.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name William Cruz
Phone
Email William.cruz@cbpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jonathan Ford
Phone
Email jonford@outlook.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:25 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marie Massengale
Phone
Email mariem@bhhshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
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, March 21, 2022 5:26 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kasandra Shriver
Phone
Email Kas@kasandrashriver.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 42, CD1
Your position on the matter Oppose
Representing Self
Organization

I am a REALTOR® and property manager in the state of Hawaii, island of Oahu. I strongly support our state and county's enforcement of existing short term rental prohibitions, however, I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.

Written
Testimony

The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Employees of companies on short -term projects
- Families who are displaced by tragedy and waiting for new accommodations;

Creating a bill with too many exceptions is confusing and unnecessary. The 30-day minimum should remain, and the county should properly enforce this, rather than create a larger pool of rentals they are not enforcing or not able to enforce.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:27 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name HIDEO MAEHARA
Phone
Email maeharanonchan1224@gmail.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
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

From: CLK Council Info
Sent: Monday, March 21, 2022 5:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michael Shower
Phone
Email michael.shower@compass.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Abe Lee
Phone
Email abelee1948@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I opposed the bill because there are many instances when people on temporary duty or extended trips need a rental for less than 90 days. 30 days or longer is appropriate time period instead of making the minimum period 90 days.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jonathan Reid
Phone	
Email	jonathan_k_reid@hotmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
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: Monday, March 21, 2022 5:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peter M Chessen
Phone
Email peterc@cbpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones whether you like it or not this is down zoning the city's going to be liable for millions and millions of dollars in lawsuits because of thid zoning maneuverdo something for the people not for the hotels... They may give you lots of money but we give you lots of votes...

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name William Bondanza
Phone
Email bill@cool808.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization Bondanza Inc.

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jessica Hoyt
Phone
Email Jessica.Hoyt@evrealestate.com
Meeting Date 03-23-2022
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, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jessica Hoyt
Phone
Email Jessica.Hoyt@evrealstate.com
Meeting Date 03-23-2022
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, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rosa
Phone
Email Rmsifuentez@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony This is a Bill that is only about protecting the pockets of the hotel chains on Oahu. This is clearly not a Bill to protect neighborhoods. If it were about protecting the residents of Hawaii, you wouldn't be attacking those who are trying to create an income to afford living here.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name James Chan
Phone
Email james@jameschanhawaii.com
Meeting Date 02-03-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

As a residential real estate broker of 19 years, I see so many normal, everyday parties making very normal transitions between properties as they buy, sell to upgrade or downgrade, buy, and repeat as needed. With inventory SO LOW on the island it is so difficult for people to find purchasing solutions to fill their needs(to downsize or upsize) and as a result, they rely on shorter rental periods to "float" their homelessness. These people are NOT vacationers, they are your neighbors to your left and right, your aunties, your uncles, your KIDS. If you increase the rental period to 90 days, this severely cripples these parties from smoothly transitioning by creating unnecessary costs in the form of longer-than-normal rental periods that cut into budgets, less flexibility with planning, and these things will ultimately trickle down to affect the values of real estate(and therefore the wallets of your neighbors, aunties, uncles, and kids) because it'll just be more difficult to transact in a way convenient to people's ever-changing life phases.

A 90 day period is much too long and so much can change in such a period, such as interest rate fluctuations and therefore prices...people are unable to efficiently conduct business, and risk opportunity costs of a rapidly rising interest rate(which is the environment we are in...in just 14 days the interest rate went up 1 entire percentage, which makes a very big difference in monthly affordability. Imagine having to wait 90 days before you can make a move!).

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jinxiu ChengLiao
Phone
Email jinxiu.liao@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 42, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jinxu ChengLiao
Phone
Email jinxu.liao@yahoo.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 42, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sharon Keating
Phone
Email sharonkeating@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. Waikiki is a major tourist destination and should have an exception to allow short term rentals if the building AOA's decide they want it. House Rules of each building should determine if they want short term rentals, 30 days rental minimum, 3 mo rental minimum or 6 mo rental minimum in their buildings. While hotels want high end tourists, it is discriminatory to exclude the regular guy/family that has a 2-week vacation and wants to cook a few meals in the apt versus an expensive hotel stay where all meals are eaten out. There are very few NUC licenses in Waikiki and they fill up fast so it should be the buildings of the tourist destination Waikiki, that should decide rental minimums.

In addition - The minimum rental period should remain at 30 days for other areas because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Waikiki is a major tourist destination and should have an exception to allow short term rentals if the building AOA's decide they want it. House Rules of each building should determine if they want short term rentals, 30 days rental minimum, 3 mo rental minimum or 6 mo rental minimum in their buildings. While hotels want high end tourists, it is discriminatory to exclude the regular guy/family that has a 2-week vacation and wants to cook a few meals in the apt versus an expensive hotel stay where all meals are eaten out. There are very few NUC licenses in Waikiki and they fill up fast so it should be the buildings of the tourist destination Waikiki, that should decide rental minimums.
Mahalo!

Testimony
Attachment
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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lila Gardner
Phone	
Email	lgard@hawaiiantel.net
Meeting Date	03-21-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
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, March 21, 2022 5:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sharon Keating
Phone
Email sharonkeating@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. WAIKIKI is a major tourist destination and should have an exception to allow short term rentals if the building AOAO's decide they want it. House Rules of each building should determine if they want short term rentals, 30 days rental minimum, 3 mo rental minimum or 6 mo rental minimum in their buildings. While hotels want high end tourists, it is discriminatory to exclude the regular guy/family that has a 2-week vacation and wants to cook a few meals in the apt versus an expensive hotel stay where all meals are eaten out. There are very few NUC licenses in Waikiki and they fill up fast so it should be the buildings of the tourist destination Waikiki, that should decide rental minimums. In addition - The minimum rental period should remain at 30 days for other areas because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Waikiki is a major tourist destination and should have an exception to allow short term rentals if the building AOAO's decide they want it. House Rules of each building should determine if they want short term rentals, 30 days rental minimum, 3 mo rental minimum or 6 mo rental minimum in their buildings. While hotels want high end tourists, it is discriminatory to exclude the regular guy/family that has a 2-week vacation and wants to cook a few meals in the apt versus an expensive hotel stay where all meals are eaten out. There are very few NUC licenses in Waikiki and they fill up fast so it should be the buildings of the tourist destination Waikiki, that should decide rental minimums.
Mahalo!

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Trisha Lei Blancaflor
Phone
Email Trishab@amghawaii.com
Meeting Date 03-3d-yyyy
Council/PH Committee Zoning and Planning
Agenda Item Bill 31, cd2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose Bill 31, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days. I often work with sellers in transition and need to relocate temporarily while they await the proceeds from their sale or when working with buyers who are very close to purchasing their new home. Having to commit to a 90 day rental period would be very costly and detrimental, especially since timing is so important in real estate

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ashley Bailey
Phone
Email Ashleykbailey@gmail.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 4-1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:47 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name June Freundschuh
Phone
Email jf@avalonhi.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones. Please keep in mind that many homeowners do earn their living by renting out part of their home. With cost of living getting higher and higher, being able to earn by using their property should be left alone,

Sincerely,

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathy Grindle
Phone
Email kathyg@cbpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

Although I am opposed to short term rentals in our residential neighborhoods, it is my opinion that better enforcement of the current laws is the answer. Changing the minimum rental term from 30 to 90 days will make it difficult for traveling nurses, temporary workers, interisland workers, the businesses who employ them, and temporary or transitioning residents.

The 90 day minimum rental only serves special interests like the hotel industry, whose current price structure prohibits most local folks from spending one night let alone several in a row.

Furthermore, this Bill hurts the local rights of the homeowners who may wish to rent their properties for periods greater than 30 days, but less than 90 days. Why should the homeowners be penalized for the benefit of special interests?

THE ANSWER TO THE VACATION RENTAL ISSUE IS ALREADY ON THE BOOKS!
The City and County should do more to enforce the 30 day minimum.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name DR. KULDIP S BHOGAL

Phone

Email kuldip@doctors.org.uk

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41, CD2

Your position on
the matter Oppose

Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gregg Hirsch
Phone
Email gregg@olaproperties.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly disagree with Bill 41, and I believe it's passing would severely disrupt and compromise the ability of Military families here on the islands a place to live short term while awaiting deployment or alternative housing options after deployment. In addition, many families need short term housing during major repairs to their homes or after they purchase a new home pending it's completion. Bill 41 will only hinder our local residents from living Aloha. Please consider NOT passing this bill for all the right reasons.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:56 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kayo Puerto
Phone
Email kayo.puerto@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Laura Awana Lewis
Phone
Email LauraAwanaLewis@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I strongly oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Specialists coming to advise on projects, including Government and Military
- Neighbor Island Workers commuting weekly for work

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Laura Awana Lewis
Phone
Email LauraAwanaLewis@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I strongly oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Specialists coming to advise on projects, including Government and Military
- Neighbor Island Workers commuting weekly for work

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tanya NL Ahina
Phone
Email tanyahina@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization
Organization HBR

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

Written Testimony

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 5:59 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name ROSS M. BROWN, R
Phone
Email Ross@Hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item • Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I find it hard to believe that considering 90 days as a minimal residential rental period is even being considered at all. What happens when someone gets a renter that they do not want because they are not fulfilling the house rules? Are these owners really going to be supported by the City & County for removing a bad tenant, or is the owner going to be essentially held hostage by a bad tenant? Many of these owners are elderly people in need of supplemental income. Owners should have the right to use their property in a reasonable manner and 30 days is plenty of time to determine the difference between a short term and a long term renter. I strongly oppose this legislation.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:00 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Leslie L Zimmerman
Phone
Email lesliez@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41,CD2
Your position on the matter Oppose
Representing Self
Organization

IP: 192.168.200.67
Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses

Our state needs to oppose Bill 41, CD2, to better serve the needs of our community and to continue to support its residents.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Moyer
Phone
Email dmoyer@hawaiiisands.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I'm a real estate broker and property manager that supports Bill 41. I have seen first hand the negative impact of speculating caused by the short term rental industry over the past 20 years. It is absolutely true to anyone who is being honest and not just looking to profit that short term rentals take away valuable and necessary long-term housing stock and drives up the cost of long-term rentals. It simply is not fair or sustainable for our local residents. I emplor the C&C to do what it must to protect our zoning for long-term rentals. If someone is accused of renting for less than 90 days and they are legitimately renting a property for long-term use (including temporary housing for residents and military) then they can easily prove it.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kaolu Padeken
Phone
Email Emmakaolu@gmail.com
Meeting Date 03-23-2002
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony I strongly support Bill 41 CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. Wish it were 120 days minimum, but 90 days minimum is a good compromise. Vote yes on this bill!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name TABATA TSUYOSHI
Phone
Email t_tabata@sanyukensetsu.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill41,CD2
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, March 21, 2022 6:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alexandria Sissy
Phone
Email sissy.sosner@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Chad Tucker
Phone
Email ctuckvan@yahoo.ca
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I do not agree with the 90 day minimum rental requirement. It is aggressively prohibitive.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Marlowe Tucker
Phone	
Email	marlowekoppen@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am against the 90 day minimum rental requirement.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kelly R Kanoa
Phone
Email KellyK@cbrealty.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD 2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days and the law should be enforce accordingly instead of just making another law to further limit a homeowner. There are many non-tourist-related needs for renting between 30 days and 90 days, including:

Written
Testimony

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses who help serve our community.
- Families from out of state who are on island caring for loved ones
- Etc.

I request you allocate monies to enforce the current law of 30 day minimum rental instead of spending money on making new laws that will further limit homeownership.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Quoc Huynh
Phone
Email quoch808@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name KIMIKO YAMAMOTO
Phone
Email kimi.yamamoto@pemco-limited.com
Meeting Date 03-24-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I am a homeowner in Kaneohe and oppose this change. I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lurline Johnson
Phone
Email Lur@pro808.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers and buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Military who are waiting to rotate out from Hawaii but need to rent for a short period of time before they leave
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Students who are waiting for housing to open up at the beginning or end of a school term.

Thank you for allowing me to put in my testimony,

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathryn White
Phone
Email kathi.white@evrealestate.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41-CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony I totally oppose this bill. 30 day rentals are working fine. Many people who are NOT tourists are using 30 day rentals. It is a form of violation of property rights to impose such restrictions on property owners. I am for democracy! Thank You for your time and service and allowing me a platform to express my views.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Linda C "Dusty" Woodstock
Phone
Email Dusty@horitarealty.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tania de Jesus
Phone
Email taniaD@betterhawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Felix A. Hernandez
Phone
Email felixtherealtor@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	mika kawada
Phone	
Email	nekochinta@icloud.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41, CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am opposing this Bill 41, CD2.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Hitoshi Okada
Phone
Email Hokada@alohahomesagents.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Committee: Zoning and Planning Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony The minimum rental periods should remain the same as 30 days. We have lots of investors who are interested in Hawaii real estate market and tourists should have more choices of accommodations instead of depending on hotels which are controlled heavily by the unions. Hotel should make more efforts to attract tourists and should not prevent investors from buying investment properties.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	mika kawada
Phone	
Email	nekochinta@icloud.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41, CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I am opposing this Bill 41, CD2.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:26 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name James Shively
Phone
Email jamesshively123@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony We rented two houses for a month each (30) day rentals when moving to Oahu while looking for a more permanent house. Government shouldn't be involved in prohibiting 30 day leases they provide a necessary service for lots of different groups. We don't want government asking for proof or taking more power unto itself. We don't live in Russia.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kinu Silva
Phone
Email silva.kinum@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Julianna Garris
Phone
Email julie@garrishawaii.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written Testimony

I have personally had to fine a temporary rental for my family due to construction delays caused by the DPP's slow process to approve permits. I have also had to place several clients in short term rentals when closings have been delayed.

I am absolutely against this bill but not opposed to strong rules for short-term rentals.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Dawn Borjesson
Phone	
Email	friendsofkuilima@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Oppose
Representing Organization	Organization Friends of Kuilima, LLC Aloha Chair Elefante, Vice Chair Kia`aina, and Council Member Cordero and Council Member Say,
Written Testimony	Attached is our written testimony identifying why we strongly oppose Bill 41 CD2 Mahalo~ Dawn Borjesson Chair Friends of Kuilima- a community based coalition
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michelle Van Rafelghem
Phone
Email Doom002@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I have so many friends who look for short term rentals to visit their parents who have transitioned to a small condo and can't accommodate them. Hotels are expensive for many families and if the children are college age, they need more than one room. Some of my friends have considered buying a condo just so they have somewhere to stay during their visits. That takes inventory out of the primary residential market negatively affecting first time homebuyers. How does that make sense?

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patrick O'Neill
Phone
Email Patrick@luxuryhm.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Nill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I highly oppose this bill - just another example of Hawaii legislators killing legitimate business in our state. I am against illegal rentals, but not legal ones. Please do not strike another blow against our economy. Please!! Thank you.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cari Tanabe
Phone
Email cari.tanabe@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Courtney Takai
Phone
Email Courtney@vestahawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Aloha Honorable City Council,

Testimony

Attachment

Accept Terms

and Agreement

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

I urge you to reconsider the terms of this bill. Bill 89 already reformed the vacation rental industry, Bill 41 just complicates it unnecessarily.

Mahalo,
Courtney Takai

Testimony
Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name helena von sydow
Phone
Email helenavonsydow@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Honorable Council members

Our people are vulnerable and suffering with Covid challenges. That's when the Mayor and City Council want to tank our communities' economy. The Mayor introduced, and the City Council is moving forward with Bills 41 - to hurt legal rentals and prohibit residents from renting anything less than 3 months. I suppose it is the easiest time because we are all busy trying to survive while these bills are rushed along with out giving the public a clear understanding of what Bill 41 wants to accomplish

Where is the Fiscal note to attach to the bill?

Written
Testimony

The law requires a fiscal note when a bill has an economic impact.
There is no data to support Bill 41

Thank you to those who voted "NO" on the Hotel Industry Bill 41 - our heroes, Tupola and Cordero showed real leadership, recognizing how families here are trying to keep their properties for the next generation.

My own family will suffer and struggle if Bills 4 and 41 are passed, but the elite do not appear to understand or care. Many of us earn a living by helping to take care of our properties. Our income and welfare depends on vacation rentals. We are not alone

Thank you fir listening
Helena Von Sydow

Testimony
Attachment

Accept Terms
and Agreement

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michael Chow
Phone
Email Solid808ohana@yahoo.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization
Organization SC Realty LLC

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kalani Kam
Phone
Email kalanikam@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Carol Gartland
Phone
Email cgartland@msn.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Harald von Sydow
Phone
Email nztrendshi@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization Honorable Council members

This year, new bills are being introduced that are disturbing for tourists, residents, and small businesses. The City and County leadership does not seem to understand what is really happening.

passed on to visitors, which leads to less money for the tourists to spend at small businesses such as surf lessons, small restaurants, boutiques and other locally owned and operated businesses. All of which provide added jobs to local residents.

Written
Testimony

Bill 41, touted as the route to residential bliss with no Vacation rentals in residential areas, is a wolf in sheep's clothing. Yes, we are in agreement to keep residential homes regulated and enforced to keep track or not allow commercial activity in all residential areas. However, the true nature of Bill 41 is to benefit hotels and to kill small businesses that need that visitor income.

The economic impact of Bill 41 leads to less money for the tourists to spend at small businesses such as surf lessons, small restaurants, boutiques and other locally owned and operated businesses. All of which provide added jobs to local residents.

Bill 41 doesn't increase affordable housing for locals and will adversely hurt our local economies on the North Shore.

As always on O'ahu, we need to look at the laws and how they are enacted and who they are really for. Is it the locals or the lobbyists that are benefiting? I urge City and County leaders to make sure existing laws are implemented and NOT pass new laws that hurt local residents, tourists and our small businesses.

Vote No on Bill 41. Implement and fund existing laws that will help us all.

Thank you
Harald von Sydow

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Caron Lau
Phone
Email ling.caron@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 6:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name D Borjesson
Phone
Email 2wordslc@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing Self
Organization

Aloha Chair Elefante, Vice Chair Kia'āina, and Council Members Cordero and Say~

I oppose bill 41 CD2. The intent of the bill states to increase affordable housing- yet nothing within the bill actually does that. Furthermore, it appears the intent of the bill is to establish a registration list while scarring off legally operating STRs through excessive permit fees and onerous registration requirements. Legal STRs will continue to follow the law whereas, illegal STRs- not respecting neighbors or neighborhoods peaceful use of their property and/or paying required state and county taxes- will continue until caught.

Written
Testimony

If the intent is really about enforcement then DPP should have passed, or proposed specific legislation, in procedural rules to seek out illegal STRs. Again this bill does nothing more than keep legal STRs legal. Why can't DPP seek legislative authorization to inspect properties in known areas of illegal STRs to start the process of closing them down?

If the intent really is to increase affordable housing that is a completely different issue and will not be accomplished through this bill.

Please do not pass this bill. More input and consideration should be taken to eliminate illegal STRs. There is no need to rush a bill that has not been adequately vetted and could result in legal challenges and subsequently more legislation to correct problems this one introduces.

Thank you,
Dawn B.

Testimony
Attachment

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and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cherie Tsukamoto
Phone
Email cherietsukamoto@hawaiiilife.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I vehemently oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days for many reasons, including the fact that our local families, their families, and their visitors, not to mention our students, often need more than 30 days but less than 90 days. Please oppose this bill!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Darcie Y Kaneshiro
Phone
Email darcie@pro808.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Allen Hanaïke
Phone
Email allen@hanaïke.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha Planning & Zoning Committee Members,

I am in opposition to Bill 41, CD2 as currently proposed. Specifically, the 90-day minimum rental period for Bed & Breakfast accommodations and Transient Vacation Units.

The minimum rental period should remain at 30 days.

There are many compelling reasons for NOT extending the minimum rental period beyond 90 days:

Written Testimony

- There is a demand for "Medium" term rentals (anywhere between 30 & 90 days.)
- Home sellers and buyers who need temporary housing to renting until they close on a new property.
- Residents waiting for their home to complete construction or renovations.
- Military personnel and families who are relocating to Hawaii and looking for a place to stay while looking for a home to buy (and don't need to sign a 90day or longer lease.)
- Temporary or Traveling Contractors, Government Workers, Educators, Medical Professionals, Etc.
- Families from out of state who are on island caring for loved ones.
- Local 'Brain Drain' individuals and families returning home with plans to purchase a home, but need medium-term housing options.

Mahalo & Aloha, A. Hanaïke

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Evan Tom
Phone
Email evan.tom@cbpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

To Whom It May Concern,

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

There are real needs for housing, and regardless of it being short term, medium term, or long term, the only way to alleviate those needs is to increase supply.

Testimony
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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Robin markle
Phone	
Email	Robinm@bhhshawaii.com
Meeting Date	03-23-2023
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41,CD2
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, March 21, 2022 7:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kathleen M Pahinui
Phone	
Email	pahinuik001@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD 2
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, March 21, 2022 7:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stephanie Lopez
Phone
Email Stephanie@StephanieLopez.xom
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD-2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ronald M.. Okubo
Phone
Email ron@roncorp.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Erin
Phone
Email Hierin3@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

To the council,

Written
Testimony

I have a legal vacation unit in Waikiki. I pay my taxes on time and employ many local business and persons to help me run my business. With the passing of this bill it'll only make my small business harder to run. Which means it will be harder to support my family or other locals wanting to work. We have cleaners, and lots of maintenance workers coming to update and fix our unit. The added cost only hurts local people who live here and use the rental income to help pay for their own homes and bills. It doesn't make sense to hurt people who are following the law and legally renting out their units. Airbnb and the state already have an agreement that was signed. The state should at least try to uphold their end of the bill already passed and see if it helps or not before trying to pass more laws. It just doesn't make sense. We have a guideline and a place to start. So start there first. Crack down on illegal airbnbs instead of hurting legal ones who are just getting by. Thank you

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Joan Kashimoto
Phone
Email joni@pro808.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41,CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2 specifically the 90 day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Martine Bissonnette
Phone	
Email	bissoma@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Do what you can to enforce laws against vacation rentals in our neighborhoods.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Anne Towey Joyer
Phone
Email annetoweyjoyer@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I am a retired hotel worker. I enjoyed my 35 year long career in the hotel industry. Unlike the jobs of the workers that service the many illegal vacation rentals that operate in my Kailua neighborhood, my job provided me with many protections and benefits, such as medical, social security, and pension benefits that I continue to enjoy in my retirement. We should protect not only our badly needed housing and the quality of life of our neighborhoods, but also help provide and protect good jobs in our hotel industry that operates in properly zoned areas. Bill 41 CD2 is a step in that direction. Bill 41 strengthens Bill 89, an already exciting law to regulate vacation rentals. Please support it.

Thank you very much.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Leah Retherford
Phone
Email leahretherford@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Dear Members of the Zoning and Planning Committee:

I am writing in support of Bill 41 CD2.

As I mentioned in my earlier testimonies in support of Bill 41, I have witnessed firsthand the negative impacts that the explosion of vacation rentals in my Kailua neighborhood 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.

Written
Testimony

I urge you to support Bill 41 CD2. Please help restore badly needed housing to 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

Testimony
Attachment
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and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Cheryl McIlroy
Phone	
Email	msmac1018@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Short term rentals ruin residential areas. Support this bill. Support enforcement against these illegal businesses in our neighborhoods.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dolcy Gebauer
Phone
Email dolcy.gebauer@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
Dolcy Gebauer
Locations RS-79537

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:30 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mark James
Phone
Email mjames0654@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose this bill as it goes too far restricting rentals that are a legitimate source of income for many Island residents. The present rules about no more than 12 rental per year or less controls the weekend warriors who are just coming into party and increase noise and traffic in certain areas. Please do not pass this bill.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:30 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Evan Amakata
Phone
Email evan.amakata@oceanshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization
Organization Oceans Real Estate
Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rachel Johnson
Phone
Email rachel.johnson@uvm.edu
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony People who need supplemental income through renting their property can rent to local residents long-term instead of to tourists in the short term. This will help, rather than hurt the homelessness situation. Support this bill.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gloria Almendares
Phone
Email gloriainhawaii@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Planning and Zoning, Bill 41 & CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I am against Bill 41 and revised CD2. I am a Realtor and Property Manager, therefore, I have direct knowledge about existing BNB's (which barely will be able to survive if treated the same as a Hotel.). I am against "illegal TVR's and illegal BNB's." However, owners that paid a premium for their NCU certificate, and are legally allowed to operate short term rentals and BNB's should not be jeopardized and punished just for the sake of favoring the Hotel industry. I am sure you are aware that they will go out of business, if Bill 41 passes. I am not aware of any Hotel owners that invest their rental income back into the community, like local residents and tourists do. Small businesses in residential neighborhoods will suffer, and probably go out of business. Military families, looking for a permanent rental, will not have a choice but to stay in a Hotel (instead of a short term rental, for less than 30 days), which is 2 to 3 times more expensive than a STR. Families with children will most definitely stop coming to Hi, which I assume is the ultimate goal of our legislature. They will no longer be able to afford a vacation in Hi. Bill 41 favors the Hotel Industry, and jeopardizes the middle class that depends on their STR income for survival in Hi. I am amazed how selective and short sighted our representatives are, by refusing to listen to the People, that want to keep the min. rental at 30 days. Taking away the People's property rights is illegal and unconstitutional! Why not put this to a vote, and let the People decide? That is what a democratic state does, listens to their citizens, otherwise, we will have a dictatorship. Our representatives are NOT listening to what the People want. I predict if Bill 41 passes, Oahu's economy will collapse. Waikiki represents exactly what people on vacation want to get away from: noise and crowds!

Testimony Attachment
Accept Terms and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kelsie Aguilera
Phone	
Email	aguilerakelsie@gmail.com
Meeting Date	03-21-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I support Bill 41 CD2. I support imposing further restrictions on short-term vacation rentals. I oppose the proliferation of short-term vacation rentals in our residential neighborhoods.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Leslie Niebuhr
Phone	
Email	leslie.niebuhr@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
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, March 21, 2022 7:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Budi Staven
Phone
Email budistaven@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Ress Nguyen
Phone	
Email	ressnguyen@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Transient vacation rentals do not belong in our neighborhoods.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Max Towey
Phone
Email maxtowey@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Aloha,

Written
Testimony

My mother was a hotel worker for 35 years and my Dad was a hotel worker for about 25 years. They were able to bring economic stability and good medical for me growing up. I was able to go to college and start my own business because of their steady work at their steady jobs. The hotel industry isn't perfect but, my parents hotel union jobs was enough for me to have a fair start.

The business that I started is based in agriculture. One of the challenges I face on Oahu as a farmer is finding locations to farm. I'm in competition for space with the illegal rentals on agricultural land. The illegal rentals not only damage residential neighborhoods and housing but, also food production. These illegal rentals are a threat to our resilience and sustainability.

Bill 41 CD2 is a brick in a road to a better Hawaii.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:42 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name M. Hiramatsu
Phone
Email wisteriaojp@yahoo.co.jp
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

I oppose to this bill which would solely benefit the hotel operators and only negatively affect the overall public interests, through the direct impacts on the real estate and tourist industries and a knock-on effects on the retail, restaurant and other related service sectors leading to the job losses of those who work in the businesses related to vacation rentals or tourists. Hotel room rates would be more expensive but this would not necessarily lead to more employment.

The lost employment and businesses would impact the tax income of the City. Vacation rental owners are also paying taxes on the rentals and this bill would only benefit the hotels at the expense of losing such diverse tax base.

Written Testimony

This would also affect the public interest by taking away the affordable accommodations from military workers and contractors as well as those working in medical services who require temporary accommodations. There are families of those who are living in Oahu and they need affordable accommodations for family gatherings. They have enjoyed using this option for a long time, and due to the unavailability of such accommodation and with hotel rates catered for families getting expensive, it would become too expensive to hold family reunions. So the bill would be also depriving such chances and happiness from the families of the residents.

The bill would cause a damage to a wide range of workers and the general public, and the benefits are only provided to the hotel operators.

Testimony Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Janice Joyer
Phone	
Email	jmjoyer@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I support Bill 41 CD2. I support strong enforcement of vacation rentals so that we can preserve what little affordable housing is left in Hawaii.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	victor hemmy jr
Phone	
Email	vichemmy@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Support
Representing	Organization
Organization	Hemmy & Associates
Written Testimony	I support the measure in order to provide more housing options for local residents and stabilize neighborhoods. i
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Don Wilcox
Phone
Email donwilcox808@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written Testimony Close the loophole that allows homeowners to rent short-term to tourists and worsen our housing crisis. Homeowners can rent long-term to local residents, creating a win-win situation.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sunny Swanson
Phone
Email sunny.swanson@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Anne Oliver
Phone
Email oliver@cbrealty.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Robyn Doo
Phone	
Email	robyn.doo@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Short term rentals do not belong in residential areas. That is why we have residential zoning.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Chris Johnson
Phone
Email cjohnsonhi@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Vacation rentals
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony I have had my property in Kahala since 1993. It is my property, and as long as I am respectful of my neighbors I should be able to use it out for a part-time vacation rental. That enables me, as a disabled person, to continue to own my property and to share with others our beautiful Hawaiian home

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Mara Langevin
Phone	
Email	hula65@aol.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Transient vacation rentals ruin residential neighborhoods. Enforce laws against them.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lester Salazar
Phone
Email lester@thesalazargrouphawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Budi Staven
Phone
Email budistaven@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose the Bill 41 because it will definitely and greatly reduce my income. Not just me but many others host in the sailed who depended on the short term rental as the only income. we pay taxes and follow the rule , even when you changed the minimum days to 30 days, w epresevere and try our best to survive. It has been challenging because not many tourists are able to spend money and time for a month in hawaii. But we continue and follow the rule. But now if you change this 30 to 90 days, it will definitely end our work and business. Many of my colleague already put their condo for sale instead of trying to rent it out to local, they choose to sell. so how is this solving the rental demand for locals you argued before? Please reconsider , in places like Waikiki which is defitely a tourist and resort area need to be treated as such. You need to make Waikiki accessible for all type of visitors, high end who look for high end resort and hotel, medium end of visitor with families who are looking for well priced hotel with lots of amenities and there are also a lot of visitor who just want to fulfill their dream to come to Hawaii and able to find much more affordable accommodation . This is what an American market should be. Place some rule , like resort zone tax, more safety regulation in place, etc. I think to put 90 days minimum rule will only hurt most of us and benefit few such as hotels chain.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 7:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Julie Meier
Phone
Email juiie.meier@compass.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Much Aloha-
Julie Meier

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

I vehemently oppose Bill 41. I am a 30 year resident of Lanikai and raised my children here. I have been a Board member of my local neighborhood for many years and have given countless volunteer hours to improve my neighborhood. I have a short term rental which I rent out monthly, and I have been testifying and submitting testimony in support of owner occupied vacation rentals for over ten years.

We all thought we had achieved some progress when the MOU was signed with Airbnb and VRBO and the council approved Bill 19-18. Unfortunately for some reason these were never implemented, and instead of going forward we have gone backwards to the beginning of time. Whenever a new bill is introduced, it takes countless hours going through it and testifying or submitting testimony only to have it ignored or minimally changed and then a new version is introduced. It gets more and more complicated and time consuming. Why couldn't the DPP just have implemented Bill 19-18? All those years of discussion with our Reps and City Council members have just been a waste of time.

Most of the tourist revenue is going to big hotel chains or big name stores which are sending the profits off island. The people who can come here for a month are not low paying tourists that you all seem to degrade because they don't have as much money as the Prada shopping visitors. What about the locals who are renovating, people whose relatives are visiting, funerals, weddings, graduations, new home buyers, visiting workers, military...? These all need short term rentals unless you want them all to go to Waikiki?? I think most friends and relatives will think twice before accepting an invitation if they have to stay in Waikiki. What about the local businesses? We will have the big busses again bringing in the tourists from Waikiki which invade Kailua/Lanikai streets and beaches with their bikes and do shop at the stores but it's an onslaught and there's no oversight. It's not the short term rentals which are jamming our streets with tourists, it's the big bus drop offs and others who drive and park everywhere with no concern for the local property owners. This is NOT the fault of vacation rentals!

The issues that people bring up over the years why vacation rentals are bad have changed. It used to be mainly noise but that issue can be proven false by lack of police complaints. (Also, if it's your neighbor who also occupies the property, then there is someone to talk to.) Then it was traffic, and we know that it's the daytime people coming which jam our streets. Complaints about low income tourists who don't bring as much money in is discriminatory, and I thought we were a State with Aloha. As long as the visitor is law abiding and respectful, why would we want someone just because they are richer? We have increasing homelessness but every desirable place does now. You say our children can't afford to live here. Many places aren't affordable anymore, especially after Covid. This isn't because of short term rentals.

The DPP needs to get it's act together and come up with reasonable rules for short term rentals so that everyone can thrive. They need to start enforcing all the building codes. Everything is so vague and inspectors look the other way. Let's be crystal clear about zoning. Are we allowed to renovate our houses to home several families or not? Are you encouraging breaking the law by adding more kitchens and then blame the short term rental "scofflaws" who are following building codes and want to make some money on their real estate legally. The 30 day minimum is deterrent enough to avoid vacationers coming to party. Also, allow OWNER OCCUPIED and you won't have people buying properties for investment. Real estate agents capitalize on how many rentals are in a house and how fast you can make your investment back by buying. This increases prices. If you are serious about homelessness look at all the issues and put money into affordable rentals and look at the big picture.

Lois Crozer
Lanikai

From: CLK Council Info
Sent: Monday, March 21, 2022 8:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name DEBRA PIRO
Phone
Email Debrapiro@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written Testimony

I represent 6 homeowners who rent to individuals that come her for work....but not for 90 day!!! 30 days is ok, but 90 days is impossible to achieve. These travelers need places to stay. Even families coming to stay here and visit loved ones, or family friends, rent for 30 days, just so they can have their own space while here. They do not bother anyone and actually add to our economy more than long term renters. They are visiting so they purchase more food, eat out, rent cars, visit many destinations, as they are bringing children and friends who have not seen Oahu!!

Please do not pass Bill 41. We need to at least keep the 30 day minimum which has been in place for years.....but not regulated. Let's regulate!! NOT MAKE LIFE IMPOSSIBLE FOR HOME OWNERS TRYING TO PAY A MORTGAGE AND EXPENSES.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ursula Retherford
Phone
Email robert.retherford@hawaiiantel.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Chairman Elefante and Members of the Zoning and Planning Committee,

I speak in support of Bill 41 CD2. Many words have already been used to tell the same story, a simple story. It is the story of zoning and its underlying concept of separating incompatible uses. The question here is, "Should we undermine this concept by allowing incompatible resort activities in residential zoning, activities that negatively impact the quality of residential living and eviscerate our housing inventory?" I say No, and I strongly hope that you will, too. Allowing incompatible resort activities in residential zoning is not in the interest of our society or its future.

Written
Testimony

Some things change over time and demand adaptation to new circumstances. Two things that have not changed, however, are our need for housing and our need for a wholesome, nurturing environment in which to live and bring up our families. We should not allow personal and corporate financial interests, and the wishes of visitors for alternative experiences, to diminish our housing supply and quality of life and to erode the cohesiveness of our residential communities. Peaceful residential communities also help provide a necessary respite, a refuge from the millions of visitors that come to our island every year. We need our space to rest, to breathe, to replenish so we can continue to smile and extend aloha to visitors, rather than resentment.

Instead of selling out our residential neighborhoods to entities that have no stake in our communities other than financial, and that do not contribute to the collective wellbeing, we should protect these neighborhoods as we would sacred grounds. Their quality helps determine the physical and mental health of our people, young and old, and, therefore, the health of our society. They are an investment in our future and should not be exploited for anyone's financial gain.

I wish you wisdom and hope you will pass Bill 41 CD2.

Thank you,

Ursula Retherford
42 N. Kainalu Drive
Kailua, Hi 96734

Testimony

Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pauline O'Donnell
Phone
Email Pauline.odonnell@corcoranpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 42 CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patrick Lindo
Phone
Email lindop001@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41CD2
Your position on
the matter Support
Representing Self
Organization

Written Testimony

As a long-time Kailua resident, (who arrived as an infant) I appreciate the residential nature of our neighborhoods. We need to protect that nature as well as protecting the housing supply for residents.

What is the use of residential zoning if not enforced?', Operating an illegal vacation rental for years is no justification for continued illegal operation. This bill would allow the short-term-vacation rentals operating under the Non Conforming Use Certificates issued in 1989 (about 900) to continue. That's fine and should have been enforced. Failure by the City to enforce the zoning laws has allowed the proliferation of those illegal operations. It's time to rectify this mistake.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pamela Deboard
Phone
Email pamdeboard@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony We have a housing crisis in Hawaii. The shortage of affordable housing is worsened by homeowners renting short-term to tourists. Support this bill to encourage homeowners to rent long term to our local residents who so desperately need it. Airbnb and Expedia will exert pressure on you to allow short term rentals in residential areas, but this is not good for our communities.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Diane Kintzz
Phone
Email djkintz@msn.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Hello, my name is Diane Lindo Kintz. My parents bought our family home in Kailua in 1962 and it is currently occupied by my brother and his wife. I am a graduate of Kamehameha Schools, 1974. I support this bill to enforce the laws regarding illegal vacation rentals to protect the limited housing for local people over the profit driven motivations of the mostly non-residential owners of the illegal rentals. This bill will also only allow rentals in resort areas. Hawaii people need to have places where they can live and raise their ohana without being in competition for those who just come to exploit the aina and the people of the aina. Like many locals, I now live on the mainland but I return every year. Hawaii will always be my home and I hope you honor your kuleana to promote what is best for the people of Hawaii.
Mahalo for your consideration.

Diane Lindo Kintz

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tracy Hoevel
Phone
Email tracyhoevel@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony Our local young people are having to relocate to the mainland due to lack of affordable housing. This problem is exacerbated by people renting their properties as B & B's.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jane Cleland
Phone
Email jane.paradise@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Suggested testimony:
I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:30 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peer Blichfeldt
Phone
Email peer_b@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Please consider the wide ranging impact of this bill. It limits the options of renters and landlords and will have little effect on visitors who seldom stay more than 2 weeks.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jennifer Lum
Phone	
Email	jennyholzmanlum@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Save our rentals properties for renting long term to local residents.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Hiromi B Tsuji
Phone	
Email	hiromi.tsuji@locationshawaii.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
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, March 21, 2022 8:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jessica Nishikawa
Phone
Email jessica.nishikawa@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Short term rentals do not belong in residential areas.

Written Testimony If you mess up our peaceful residential areas with these mini hotels, you worsen the brain drain of people leaving Hawaii.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOAO like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

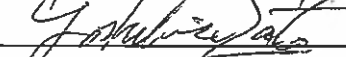
The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name MOMOYAMAKOUSAN CO., LTD

Date 3/23/2022

Signature 

From: CLK Council Info
Sent: Monday, March 21, 2022 8:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Debora Glazier
Phone
Email deb@deborahglazier.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Short term rentals do not belong in residential areas.

Written Testimony If you mess up our peaceful residential areas with these mini hotels, you worsen the brain drain of people leaving Hawaii.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Thalya DeMott
Phone
Email thal.ofmanoa@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Dear Chair Elefante and City Council Members,
I am submitting written testimony in support of Bill 41 CD2, in lieu of in-person testimony due to my work schedule.
Transient vacation rentals in residential-zoned areas greatly reduce housing options for local people. Bill 41 CD2 is essential both for having rental unit inventory available for residents, and for curbing rampant overinvestment for the purpose of converting residential properties into short term rental income-producers.
Greedy opportunists are taking advantage of Hawaii's leniency as violations slip through the cracks and laws are unenforced.
Bill 41 CD2 has the potential to correct omissions of its predecessor, enact stronger enforcement, and to limit tourism accommodations to resort-zoned areas.
Mahalo for your consideration,
Thalya DeMott

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mami Takeda
Phone
Email mamitakeda@me.com
Meeting Date 02-03-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41,CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:47 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Izumi Sawa
Phone
Email c21.isawa@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pauline Chui
Phone
Email pauline@graham-hawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 8:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mialisa Otis
Phone
Email mialisa808@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 cd1
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: Monday, March 21, 2022 9:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name charlotte graham
Phone
Email charlotte@graham-hawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rosaline Wang
Phone
Email rosaline.hawaiiirstrealty@gmail.com
Meeting Date 03-23-2023
Council/PH Committee Zoning and Planning
Agenda Item Bill 41CD
Your position on the matter Oppose
Representing Organization
Organization Honolulu Board of Realtor
Written Testimony Keep the short term rental to 30 days. Do not extend to 90 days. There are great demand for residents in between sold their home and before buy a new one. Not all short term rentals are related for tourists.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Reyna Sueoka
Phone	
Email	00komorebi00@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please support Bill 41 CD2 to make housing a priority for locals and stop the spread of illegal vacation rentals. Let's take action now by passing Bill 41 CD2.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kavella tuulipa
Phone
Email Jandjmoss@msn.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41cd2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Aloha, I have come to Kailua often to visit friends and family. Over the years I have seen my children and my grandchildren born here in Kailua. I live in Guam working for many years and sending financial support my family there in Kailua that lives in a very small home. When we come to visit there are 6 of us that travel back and there is no way to be near our family if we are unable to rent a home near our family. I feel sickened by Bill 41CD2 as with this bill you are not allowing the Kapuna to visit their Ohana here in the islands. As a 75 year old man whom has worked so hard this makes me very sad. Please please please don't allow this to go through. It affects not only me and my Ohana but the islands and locals that rely on this rental income to support their family's. Kill this bill!! Don't let mainland hotels buy you out!! Save Hawaii!!!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Betty Mehringer
Phone
Email mehringerbj@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41 CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I support short-term rentals @ Pat's at Punaluu, as there are not sufficient hotels on the east-side of Oahu. My son & his family live in Kaneohe and we like to visit months at a time, but don't want to commute from hotels in Honolulu and can't afford Turtle Bay Resort, We are retired and enjoy staying near them in a quiet community, where we can cook our own meals and have a short drive to visit them. Short-term rentals are necessary for those of us on a limited income that come to Oahu. Hotels and resort fees are for the wealthy, not the commoner.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tonya Johnson
Phone
Email 8noenoe@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Greg Biebel
Phone
Email idaho.greg@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41CD2
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I have vacationed in Kailua for many years to see family with several family members and if we have to stay more than a month we won't be able to afford to come. Not to mention the restaurants and shops that we frequent will be losing income. We always stay at owner occupied rentals which are quiet and safe. I'm against bill 41CD2. This bill is obviously only supported by hotels and is ultimately hurting businesses and individuals.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mary Ellen Biebel
Phone
Email M2biebel@yahoo.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 51CD2
Your position on the matter Oppose
Representing Self
Organization

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and Agreement

IP: 192.168.200.67

Written
Testimony

Our family has vacationed in Kailua for many years visiting family there. If the bill passed we wouldn't be able to come. All we'd have available would be staying in Honolulu. Our family of seven would need 2 rooms. We can't afford that. If we couldn't come, Kailua town businesses would suffer greatly. Bill 41CD2 cannot pass! It would starve Kailua town of its income. Families would suffer from separations due to the extreme expense of visits. There is nothing about Bill41 that helps Kailua, the people who love it, or the residents. Do not support it!!

Also, owner occupied spaces need to be mandatory. They are kept up with pride of ownership and give visitors a true taste of aloha. There are no parties, no noise, and illegal parking. The owners keep the properties in compliance.

This bill is certainly backed by big hotels . It would not benefit Hawaii. Do NOT vote for Bill42CD2. It is harmful for Kailua, the shops and restaurants, families, and owner operators. Stop Bill42CD2!!!!

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Rucker
Phone
Email dlr1540@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, especially the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:09 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name julie moss
Phone
Email littlepineylodge@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

My husband and I have lived in Hawaii for over 15 years. We currently have a seasonal business on the mainland, so the only way for us to spend time back home on Oahu is to stay in a vacation rental. We always love staying in an owner-occupied rental because they're safe, quiet and well kept. We are a family of 5 and must have 3 bedrooms and a kitchen in our rental. If we are forced to stay in a hotel we will no longer be able to go back and forth between Oahu and the mainland. This would be devastating to our children who constantly long to be back home in Kailua. Please shut down Bill 41. It will only please a small (but loud) group of anti-tourism residents plus the large mainland based hotels who will take the remaining tourist dollars out of the islands (or into the pocketbooks of crooked politicians.) Please don't let them buy you off. Instead support the local economy and the families who need the option of short term rentals in residential areas.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rockwell Canon
Phone
Email Rockyhiseaside@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony There are several very important, logical reasons to oppose certain items in this bill.
Mahalo for your time.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Karen Luke
Phone
Email nahele@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Bill 41 is the opposite of democracy. The illegal taking of property rights is being dictated by the hotel industry.

Written Testimony When the vast majority of testimony is against Bill 41, representation calls for your opposition.

DPP should do its job and follow the letter of the law in ordinance 19-18.

Please do your job and represent the majority of the testifiers against this bill.

Testimony Attachment
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1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Abe Shimoda
Phone	
Email	a.shimoda.dpt@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	bill 41 cd 2
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, March 21, 2022 9:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jacquelyne Phillips
Phone
Email jackiephillips08@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Thoai Pham
Phone
Email thoai.pham@financeofamerica.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
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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
Committee on Zoning & Planning
Bill 41 (2021), CD1
March 23, 2022

Chair Elefante 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 and oldest 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 initial strides that the Department of Planning & Permitting, the administration, and the City Council have made to address these issues through meaningful legislation and have made clear our support of previous versions of this bill. Of late, we have enjoyed productive discussions with Chair Elefante and members of the City Council, and we agree with the amendments included in CD2. We feel that the current version of this measure represents the legislation necessary to further address the issue of illegal short-term rentals in Honolulu.

As such, HLTA supports Committee Draft 2 of Bill 41 (2021).

Mahalo for the opportunity to provide this testimony.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:54 AM
Subject: Council Testimony

Written Testimony

Name Jacqueline Wah
Phone
Email chinatoon@yahoo.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I strongly support this bill. As a long-time renter there is always anxiety for all of us who rent, if we are asked to move or need to find another place for some other reason. It also helps support local residents and fosters a sense of community. We do not want investors who are only interested in making money and changing the complexion of our neighborhoods. Community should come first!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:01 AM
Subject: Council Testimony

Written Testimony

Name Theresa Harden
Phone
Email TH@invest808.com
Meeting Date 03-23-2020
Council/PH Council
Committee
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41 and CD1 for the unlawful attempt to rewrite Bill 89 passed in 2019 which the City and County of Honolulu and The DDP have failed to enact. This is wrong. DPP is not capable of the job at hand and a new SHORT Term Rentals commission should be created as HOTELS do not meet the needs of residents who need short term rentals from time to time. Hotels cater to visitors on vacation for durations of usually less than 20 days. The short term LEGAL market services those needing temporary rentals for periods of time for a few weeks to a few months for temporary use for many reasons such as main residence being renovated, buildings replacing pipes or other major intrusions, outer island families with family member flown to Queens or others coming to Oahu for surgery or other medical treatments. Hotels do not support the residents who can't afford high rates and rentals more then 30 days are needed for tenants between permanent residences or who sold or bought but cannot move in/out.

I oppose changing the 30 day min rule because it is impossible to enforce as it interferes with landlord tenant code.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:43 AM
Subject: Council Testimony

Written Testimony

Name Dorien McClellan
Phone
Email doriencell@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Illegal short term rentals often impede the right of Hawaii residents to a peaceful neighborhood by creating traffic, noise and other disruptions. In addition, they introduce a flow of strangers which threatens the security and experience of an extended ohana our children deserve.

In addition, illegal short term rentals significantly exacerbate our housing shortage.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:45 AM
Subject: Council Testimony

Written Testimony

Name Courtney Shook
Phone
Email makamaeshook@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony My name is Courtney, I'm originally from Kapolei but currently live in Kailua. Living in Kailua, I see so many of the homes in my neighborhood that are being rented out as illegal air bnb, even though I'm native to land, born and raised, I'm scared that I won't be able to own a home here in Hawai'i.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:51 AM
Subject: Council Testimony

Written Testimony

Name Jonah Birch
Phone
Email makamaeshook@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

I'm born and raised in Kailua, my family has owned the home I currently live in for 2 generations, soon I will be the 3rd. I've seen my neighbors/neighborhood change as more illegal air bnbs have popped up. The cost of living has gone up tremendously and I don't see how local families including myself will be able to afford living here. Many of my local neighbors who I grew up next to have moved away, often times it's because the cost of living. We need to regulate these air bnbs because often times they're bought by people who don't even live here, and it takes away homes from those of us who are from the islands.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:59 AM
Subject: Council Testimony

Written Testimony

Name Brandon Kaya
Phone
Email Bkaya@highgate.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony We need these rentals to be held to a higher standard.
Illegal short-term rentals:
· drive-up housing costs for local families. Neighborhoods are becoming a revolving door of strangers from the mainland. Local communities are slowly disappearing.
· hurt the tourism industry, we've gone through the worst times during the pandemic. My family lost jobs.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Brooklyn Kam
Phone
Email twi413@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Matt L
Phone
Email mattscalling@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

My sister is a substitute teacher for the DOE and travels interisland. She needs access to short term rentals as they currently are to get housing.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Theresa Yamanoha
Phone
Email ty2read@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written
Testimony Please Support Bill 41 CD2
Illegal vacation rentals destroy our neighborhoods and deplete our limited supply of
residential housing. Bill 41 will help provide tools and resources to enable enforcement of
the laws. We must remove mini hotels from our neighborhoods and protect our residential
housing.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Duc Ong
Phone
Email duc.ong.realtor@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many non-tourist-
related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 9:55 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ruddy Li
Phone
Email ruddy.li@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD 2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony

Oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment
Accept Terms and
Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Debbie Misajon
Phone
Email debbie@thecoconuttraveler.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I'm strongly opposed to this Bill. My micro business was recently certified as a B Corp and is now the only certified onsite in the islands. We serve respectful, high-end travelers coming to learn about Hawaii. We charge a responsible tourism fee for every day that every guest is in the islands. We work with travel agencies globally and their client to secure the best possible visitor to the islands. These guests understand the importance of our community and environment and are willing to make a positive contribution. This financial contribution is in every itinerary and is donated in full to 501c3 organizations doing meaningful work in Hawaii for the community and environment. 90% of our clients request private accommodations, not hotels or resorts. These guests represent the guest profile the state claims to be focused on.

This Bill is not serving the traveler and doesn't align with the regenerative model of Malama Hawaii.

I suggest DPP focus on enforcing Bill 89 prior to which, the DPP should have been mandating that hotel and resort renovations included a percentage of room keys were renovated into vacation rental-like accommodations to resolve this issue 25 years ago when the trend began.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alejandro Musquiz
Phone
Email alexmusquiz@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Yoshiko Wong
Phone
Email yoshikotanida@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mathew Ngo
Phone
Email mathew@mathewngo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
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, March 21, 2022 10:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Edward Zapita
Phone
Email edzapita@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

I oppose anymore restriction on homeowners until DPP can effectively enforce ordinance 19-18.

Written Testimony

Sincerely,
ED

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Florencia Arias-Nordstrom
Phone
Email alohaflor@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patricia D Watson
Phone
Email pat.watson@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill 41 - cd2
Your position on the matter Support
Representing Self
Organization

Written Testimony

When the average price of a home is well OVER 1 million dollars, how can any council member allow any further illegal use of homes/or apartments for vacation rentals? When I worked at for the City I spoke with homeowners regarding their assessment notices & one woman called in crying saying she was a recent widow & couldn't afford her taxes. She lived in the Kaawa area & said any house sold was becoming a vacation rental, she knew because she has to resort to cleaning many of the houses. She was desperate because her taxes had increased substantially. I understood exactly what she was saying & felt helpless to offer a resolution. Getting priced out of your neighborhood or house because there are no controls with how homes are used is what is happening in today's Hawaii. How can any of you allow this to continue without trying to help those who need your help. Whether it be illegal vacation rentals or monster homes, please do not price our local families & their children out of their homes. This is a real issue & you are hearing from residents who want, really need this to stop now. Enough with all of this, please do the right thing & pass this bill.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 10:59 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Christine Otto Zaa
Phone
Email ottozaa@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Councilmembers,

Mahalo for your hard work on this important issue that will determine the future of Hawaii's local families. We need to make housing a priority for RESIDENTS. And we need to stop catering to TOURISTS and INVESTORS. We need to stop the commercialization of our residential and apartment districts.

Collectively, vacation rentals, monster apartment homes and monster motels have and will continue to have devastating effects in our communities. Local families cannot compete with these investors. The divide between the haves and the have-nots will keep growing. And local families will continue to be displaced and forced to leave our island state.

Written
Testimony

It sickens me to see read all the testimony from those who oppose this bill. People who only care about themselves and their "investments." Many aren't even residents of Hawaii, they are from the mainland or another country. Why do they get a say in what happens in our state? They have no regard for our residents and our housing crisis! All they care about is protecting their financial interests! It's all about me, me, me!

Airbnb and Expedia are the multi-billion dollar mafia who only care about profits. They don't give a crap about our people and communities. They don't care that they have devastated and gentrified communities around the world for MONEY!

Please stand up for those of us who have no financial interest; those of us who have lived here for generations; those of us who care about our neighbors, friends and families; those of us who work hard for what we have and follow our laws. Please DO NOT REWARD those who have no problem breaking our laws and operating illegal vacation rentals; those who don't care about neighbors and the overall health of our communities.

We keep saying we need housing for locals. We keep saying we need to move away from our dependence on tourism. Bill 41 CD2 is a big step in the right direction. Let's take action now!

Mahalo for your service!
Christine Otto Zaa

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Steven Yamashiro
Phone
Email hichumsley@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written Testimony

I strongly support Bill 41 CD2. We do need rules to keep residential areas as what it is intend to be - for residents. There are many different types of zoning districts, each with different criteria of what is allowed and not allowed. We have residential, business, resort, agriculture and industrial zones. This bill allows for bed & breakfast and TVUs to operate in the zones that they are intended for. Allowing B&Bs and TVUs to operate in residential areas creates a situation where B&B and TVU investors are in direct competition with home buyers that are looking for a home to live in. If the highest offer determines who gets the home then the investors will likely purchase the home over the home buyer. This situation alone should demonstrate why we need Bill 41 CD2.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cheuk Ying Ng
Phone
Email azurecyng@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:20 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Timothy Rand
Phone
Email timRand342@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony You guys are placing too many restrictions on landlords without enforcing the basic ordinances such as bill 89. Stop the landlord harassment and allow a min of 30 day rentals on Oahu.

Testimony
Attachment

Accept Terms and
Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:23 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Erci Change
Phone
Email changechange022@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item bill 41
Your position on the Oppose
matter
Representing Self
Organization

I am totally against this bill 41 cd2 in its current format. You should not be dictating rental lease term limitation for 90 min when bill 89 has yet to be enforced.

Written Testimony
Kill bill 41 completely,
Eric

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, March 21, 2022 11:27 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Douglas Fung
Phone
Email dougfung4536@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item bill 41 cd2
Your position on the matter Oppose
Representing Self
Organization

Council folks,

Written Testimony I oppose this bill because you do not understand the rental market on Oahu and are comparing it with the other islands. Here on Oahu you need to have a min of 30 rentals for many who work in the service industry. This 90 day min rental is going to put unnecessary stress on service workers who move around a lot on Oahu.

Stop this crazy bill 41

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

To: Honolulu City Council Zoning and Planning Committee

March 22, 2022

From: Lucinda and John Pyles, Kahala Residents

RE: Testimony in **SUPPORT of BILL 41-CD2 (2021)**, relating to transient accommodations.

We beg you to pass Bill 41 CD2! We have been testifying for 25 years hoping for relief from illegal vacation rentals but instead have seen out of control proliferation of them. Kahala residents since 1973, we have both served multiple terms on the Waialae-Kahala Neighborhood Board.

Why we think this bill is so important.

Where we once had local families for neighbors we now have, on two of our nearest neighboring properties, whole-home vacation rentals which either sit empty or are occupied by a large number of transients. Both properties are owned by non-residents, a Japanese Corporation and a California attorney in the name of an LLC. At these rentals large events/parties are hosted by the transient occupants, frequently weddings. One has an NCU (obtained under questionable circumstances many years ago) and the other has operated illegally for years. We don't even have the property managers contact information for the illegal one.

Elsewhere in Kahala we see increasing evidence of more and more homes being used as short term vacation rentals. While the bogus 30 day contract has allowed many operators to get away with rentals for actual stays of far less than 30 days, the new wrinkle is that in today's world with the increasing ability and popularity of working remotely a work-vacation in a home in Hawaii for stays of 30 days or more has become popular. We believe if this bill doesn't pass we will see an explosion of short term 30-90 day rentals with the same negative impacts as a rental of less than 30 days but with no regulation and no transient accommodation tax.

For five years in a row our population has decreased. We constantly hear about our affordable housing shortage yet we allow our inventory to be diverted to transient use, driving our young and old off island in search of housing! These transient guests, just like a house guest in your home, are not stakeholders in its upkeep; they don't join the neighborhood watch, don't testify on bills, don't greet you at the mail box and inquire as to when the grandkids will be visiting again, don't notice the stranger snooping around your garage, don't vote, aren't contributing to the local workforce, don't employ in our community, don't have children in our schools, don't pay income taxes in Hawaii, don't coach our children's sports teams, don't volunteer at a beach cleanup, support our local charities, buy season tickets to Diamond Head Theater or UH volleyball, etc.

The jobs they claim to create for home services such as house cleaners, yard and pool services are not services unique to a vacation rental. I would assume that no health insurance, social security, medicare, unemployment, temporary disability insurance, retirement contributions is paid by STR operators on behalf of most of these workers. We wonder how many of these workers are paid in cash and may not be filing tax returns.

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").

What we love about this bill.

- STR's restricted to resort areas leaving our residential neighborhoods for our residents;
- Amending the definition of "Transient Accommodation" to rentals of less than 90 consecutive days;
- Prohibition on bogus contracts, i.e. requiring occupancy be for the full stated 90 day period;
- Restrictions on number of occupants, parking, quiet hours, signage, and the size of on-site gatherings;
- Complaints being grounds for permit revocation or renewal denial;
- Permits being non-transferable;
- The requirement that advertising include current registration certificate number and property tax map key;
- That it is unlawful to advertise unpermitted short term rentals for daily or for less than 3 month rental rates;
- The fact that the existence of an unlawful advertisement will be prima facie evidence a B&B or TVU is being operated at the listed address;
- The fines of up to \$10,000 for violation and up to \$10,000 per day for persisting violations.

We need the provisions of BILL 41 CD2 to restore residential zoning's ability to protect and preserve our residential neighborhoods.

Thank you.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:20 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marinda Okelberry
Phone
Email oahumarinda@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Support
Representing
Organization Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military & DOD PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Folks displaced by unforeseen circumstances like a fire, flood, mold abatement, natural disaster, etc.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:57 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mary Smart
Phone
Email mghsmart@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:35 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kevin Inn
Phone
Email Kevini@betterhawaii.com
Meeting Date 03-23-2022
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, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
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-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:42 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Andrew & Huda Montemarano
Phone	
Email	Koohooview@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I strongly oppose this bill and will pursue my legal rights if enacted. Please vote no.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:24 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jane Moy
Phone
Email snow2136@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Dear Councilmembers:

Written
Testimony

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.

We are glad Bill 41(2021),CD2 has added:

- The permitting of B&Bs and TVUs in the designated Apartment Precincts of the Waikiki Special District mauka of Kuhio Avenue which includes The Waikiki Sunset.
- We can register our TVUs as legal entities to give legal protections to our ohana.
- We can operate more than one TVU.

- Allowing 2 adults per room.

However, we do have some strong objections and concerns:

- The initial registration fees for B&Bs and TVUs of \$2,000 and the annual registration renewal fee of \$1,000 are too high. The renewal fee alone jumped 333% from \$300 per year to \$1,000! The initial year itself for initial registration would be a 667% increase from \$300 to \$2,000! Ridiculous! We believe in free trade but these fees are a heavy financial burden in a very competitive short-term rental market. We are just a “mom and pop” literally who have a couple of TVUs competing with many other TVUs, B&Bs, time-shares, hotels and resorts not to mention in a Covid pandemic market with a downturn in tourism for the last three years. We don’t have the shops, attractions and large venues for weddings, meetings and entertainment to draw potential short-term rental guests to earn the extra income and help pay for the initial registration fee of \$2000 and renewal fees of \$1000 per year. We can go for months from having very little to no income and struggle to pay the high taxes and HOA fees. We need help and not a heavy fiscal hammer. I thought the point of this bill was to gain compliance and have lawful good neighborly TVUs, not to drain us financially to help pay for enforcement of illegal noisy non-paying GE or TA tax types.
- If we should have all these fees placed on TVUs, hotels and time-shares need to have equivalent fees and restrictions if not higher on each hotel room and time-share unit since they are obviously in the same bubble of being in the short-term rental market. Again, Hotels and Resorts have the luxury of having shops, entertainment, restaurants, bars, large wedding venues, banquet halls, to help pay for fees and higher taxes where individual TVUs do not.
- 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!
- TVUs should have a lower tax rate and lower fees than hotels and resorts.
- Hotels, resorts and time-shares should have the same 2 adult restriction per room. If there is one hotel room with 2 double/queen size beds then only 2 adults can stay in that room. Fair is fair!
- Don’t make hotels, resorts and time-shares a privileged class by not sharing in the similar fees and restrictions which could bring legal action upon the government.
- If a B&B or TVU should be served a notice of violation and given a date for correcting the violation, there should be a way to appeal and extend the deadline without penalty if the owners cannot find a person to help repair the violation or if there is a wait for product to do the repair. The Covid pandemic has limited supplies and finding people with technical skills.
- Sec. 21-5.730 (b)(1)(A) Bed and Breakfast homes and transient vacation units: “A title report for the subject property that has been issued or updated within 30 days prior to its submission...” Our concern is what is the cost and what if the government office delays the request and we can’t get the “Title report” in 30 days?
- Sec. 21-5.730(b)(1)(B) “A valid State of Hawaii general excise tax license and transient accommodation tax license, and city transient accommodations tax license for the subject property.” Our concern is the cost and how difficult it will be to obtain all these licenses and have this additional “city transient accommodation tax license” it is another tax(cost) on top of the other GE and TA taxes. Are you really trying to be fair or just tax us into poverty and pile up fees until you push us out of the market?
- Regarding advertising, we fully intend to advertise the proper way once we have our permit and NUC with a current registration certificate number and tax map key. However, there are illegal “scammers” who will take the information and falsely post someone else’s place for rent or even for sale directing them to another contact number or way from the true owners of

the unit without the knowledge of the owners. How do we prove that we did not post that false advertisement or had any knowledge and not be penalized?

- 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 such as we have done with our two TVUs.
- • 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.
- • 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.

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 still too much and the new city transient accommodations tax license doesn't help. 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,
Mrs. Jane Moy

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:44 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Thomas D. Barta
Phone	
Email	halemakairealty@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	bill 41cd2
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, March 22, 2022 4:00 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Doug davis
Phone
Email Dougdavis@caronb.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:11 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Keiki Kobayashi
Phone
Email keiki.kob@gmail.com
Meeting Date 03-23-2021
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2

Your position on
the matter Oppose

Representing Organization
Organization Honolulu Board of Realtors

Written
Testimony I oppose the extension of property rentals from a 30-day minimum to a 90- day minimum because this does not allow valid, non-transient rentals. Some examples of those excluded are locals whose house is undergoing renovations, relatives from the mainland who have come home to assist in times of need (deaths, births, caregivers), home sellers renting until they close on a new property, Military PCS while looking for a home to buy, traveling nurses and specialized contractors who need a place to stay while working to fill in much-needed gaps in our local employment pool.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stephanie Fitzpatrick
Phone
Email slfmakiki@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Aloha, City Council members,

I'm here to OPPOSE passage of Bill 41. Please keep the 30 day min. rental period.

Please spend more time considering all of us who provide safe, independent, single-family home, travel accommodations to visitors, and to returning Hawaii residents.

OUR STORY: We have a 1920s beach house, which my grand parents purchased in 1934. At the time, it was actually the house "nextdoor" to them.

Written
Testimony

These past 88 years, we are really fortunate that it still remains in our family. It holds many family memories, over the decades, and we are good stewards of the land and the beach. We love this original, old-fashioned beach house! And we take good care of it.

We are home in Hawaii, third generation, and desire to keep this family property IN our family. But we can only do that by renting - responsibly - short term, so that we too can use it. If you had a family beach house - or maybe you do? - wouldn't you too want to keep it in the family?

OUR REQUEST: Please consider those of us with these Heritage properties. They reflect Hawaii's architectural past. Please consider those of us who:

- ~ are Hawaii owners,
- ~ who only have ONE property to rent,
- ~ who rent only to couples and families,
- ~ who do not allow parties,
- ~ who check people in and out,

- ~ who provide private parking
- ~ who have good long-time relationships with our neighbors
- ~ who have neighbors who sometimes rent our places, for their own family coming for a visit. (It is nice to have a place nearby for family to stay!)

Regarding Renting Short-Term: Our renters would no more cause problems to the neighborhood, than any long-term renter or other owner, would. And they have NOT caused any problems for the twenty years that I have managed this family home. There is no extra noise, no extra cars (probably fewer cars, actually) than if there were long-term renters there. Additionally, consider: how many of us really know our own neighbors currently? I bet most of us don't, or only know one or two on each side of us. So please don't blame this situation on short-term rentals.

We Hawaii owners are out here, on this island, with inherited properties. We want to keep them and we have unique and valuable historic properties to share, with many people. We are responsible and need the income to keep these properties in our families.

Please remember us. We are not hotel keepers, and we deserve consideration, filling a puka in the visitor industry ... not everyone wants to stay in a hotel.

Thank you and Aloha,
Stephanie Fitzpatrick
slfmakiki@gmail.com

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:57 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kevin Muir
Phone	
Email	Kevin@sun.properties.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I oppose this bill because it is not fair to rental dwellings that are bot related to tourism.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:58 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Keahi Pelayo
Phone
Email keahi@keahipelayo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose this bill because it will make it harder for tenants that have been evicted or have had a poor history of paying rent get into a new rental. A landlord may be willing to risk a month to month tenancy so a tenant can prove they are reliable. If the minimum rental period is 90 days, many landlords will not be willing to take on a riskier renter.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:57 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Richard M Williams
Phone
Email rwilliams@listsir.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:34 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rocky Toomey
Phone
Email btfxhawaii@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Bill 41 has been flawed from the start. It punishes legal vacation rentals owners, it conflicts with Hawaii state law, and it is terribly short-sighted. Oahu will lose visitors, and TAT revenue if this passes. Small Hawaii businesses will suffer, as will people employed by these vacation rentals. Tourists will flock to Mexico and other destinations (they already do) because Hawaii will be too expensive and too restrictive. People love to stay in vacation rentals...the statistics are quite clear. If you force them into hotels, they won't come. Less tourists means less dollars spent on Oahu, and less tax revenue. It's that simple. This is a terrible bill. Please kill it.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:18 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Helen Luna Fess

Phone

Email helen.fess@earthlink.net

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41 CD2

Your position on
the matter Oppose

Representing
Organization Self

Written
Testimony I am a Realtor, my husband in healthcare.
Many many times... over 30 years ..we have known people who came to Oahu and other places in Hawaii to work as healthcare employees. There are not enough of these people to fill jobs. Often the people were here for as short as a month , but , generally as long as 6 months. Many remained and are long time residents. The homes are rentals, but this type of housing is vital and is not the same category as short term vacation rentals.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:15 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jaime Moniz
Phone	
Email	JaimeMonizHawaii@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
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, March 22, 2022 6:19 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name BREND A G LAM
Phone
Email 2512manoa@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Dear Chairperson Elephante and Committee,

I am a resident of Manoa and am writing in strong support of Bill 41. Manoa is an older residential neighborhood with a stable community. We are not Waikiki. The City has helped us crackdown on ugliness with its laws on monster homes which have brought troubles to us ranging from overburdened parking and traffic to stressed infrastructure. The City has assisted us in preventing the massive planned development at Paradise Park in the back of the valley.

Now we are asking the city to help the community resist the proliferation of short term rentals which feeds the tourism boom. We always speak about problems with parking, traffic, noise, pollution, parties, and not knowing who your neighbors are.

But the most important reason is we chose to live in a neighborhood that was zoned for a single family residence, not a neighbor with night and day drive thru with unruly strangers.

This Bill will limit legal short term rentals in our valley. It will set a limit to the definition of a short term rental to 90 days. It will make more rentals available in hotel zones where they belong. It will enable more affordable housing for our residents and decrease the numbers of rental owners from receiving their exorbitant profits. It will deter the giant advertising campaign by VBRO, Airbnb, and Expedia and overtourism to enable more short term rentals.

There is an orchestrated opposition led by developers of bigger homes, international rental websites, people in the short rental business (most are non-residents) and their myriad workers that provide yard care, house cleaning, food delivery, etc. I hope you will recognize these parties that are sending you input. They are NOT thinking of the preservation of our single family home neighborhoods that value the quiet ambiance they desire. They are thinking about their pocketbooks.

Written
Testimony

Please save our island and its wonderful residential areas from the growing intrusions by transient visitors. Protect our aina. We trust you will protect it from the untoward consequences that abound in other big cities. Thank you for the opportunity to testify in support of Bill 41!

Aloha
Brenda Lam
2512 Manoa Rd 96822

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:25 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Paula K Bruno
Phone
Email PAULABRUNOCRS@GMAIL.COM
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41,CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:38 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David S. Rogers
Phone
Email royalhawaiiirealty@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 2. Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

As a resident in Hawaii since 1967 and a second-generation Realtor, I am against this useless bill. I have watched the travel industry for over 30 years I calculate my short term clients are paying over 35% tax before even looking at a profit. .Raising the TAT tax to almost 20% is terrible burden for most investors. I was an economics major in college. It seems like the council want's the tourists tax dollar, but they don't want to allow what the tourist wants to do. So they regulate, tax and enforce to set rules which won't work because the system is a free market economy. Why shouldn't I be allowed to rent my home to someone who agrees to rent it. Does it really seem plausible that 50% of a building would be allowed to pay for a short term rental license and 50% would not be allowed to rent. Keep the market free and you do what is best. Trying to enforce regulations by fines in a free market economy will not work and end in a large government waste. There are so many issues the council could be addressing however they seem fixed on trying to regulate and deflate the issue surrounding our biggest economic activity. I am against this bill and hope this council will defeat it.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Adam
Phone
Email adajamrho@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many non-tourist-
related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:47 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Chris Tasaka
Phone
Email chris.tasaka@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:48 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Belmer Negrillo
Phone
Email belmer@mindness.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I have three main points against the bill:

1. 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.

Written Testimony 2. We don'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.

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

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:07 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shari Ogata
Phone
Email shario@betterhawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I am a licensed Realtor and member of the Honolulu Board of Realtors. I am also property owner who has worked hard to provide a few affordable long term rental units for residents of Oahu. In both capacities, I regularly receive numerous requests to accommodate Oahu residents in need of housing for less than a 90-day period. These people are State of Hawaii residents in need housing. Unfortunately, I am usually unable to accommodate them.

For this reason, I strongly oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Outer island residents who need a place to stay while their family members are in need of medical assistance on Oahu.

Please do not allow our City Council to be controlled by the hotel lobbyists to the detriment of families trying to obtain or to provide residential housing for those in need. This Bill infringes on my property ownership rights and impacts my ability to provide much needed housing to the residents of the State of Hawaii.

Be honest and truthful. Take care of your people. Do the right thing and throw this Bill out. Why are you trying to make it harder for locals residents, local property owners and Hawaii/Honolulu tax payers? Don't make bad laws just to benefit/protect the hotel industry.

This decision has wide ranging impact to the local community. Please do the right thing and vote NO on Bill 41, CD2!

Testimony

Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:10 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name michael ford
Phone
Email encinitashomes@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item bill 41, cd2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony the regulatory burdens imposed on citizens need to be lessened, not increased. imposing ever more burdens on housing providers is an unfair reaction to a problem caused by the high costs to build and operate rental units on oahu. the majority of rental units are operated by mom and pop owners with a unit or two...

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:13 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	David Li
Phone	
Email	davidli@remax.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing	Organization
Organization	HBR
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Robin McCann
Phone	
Email	rmccann@hawaii.rr.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.
Testimony Attachment	
Accept Terms and Agreement	<input type="checkbox"/> 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Atsuko Sato
Phone
Email atsuko.hawaii@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
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-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:28 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Emily Meersand
Phone
Email emilymeersand@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:36 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Keith Yoshida
Phone	
Email	yoshidakeith@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Proposed CD2 to 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, March 22, 2022 7:41 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name John An
Phone
Email jsan@mac.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony From it's inception, Bill 41 has been a rushed attempt at gutting and replacing the current law, Ordinance 19-18, and the multiple complete revisions are not only confusing, but do not provide for opportunity to include meaningful input. Why is it that DPP and Mayor Blangardi are intent on ramming this gut and replace Bill through council?

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name stephen williams
Phone
Email sfwilliams@ccim.net
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, cd2
Your position
on the matter Oppose
Representing Self
Organization

Written Testimony

I am a Realtor in Hawaii serving my community for over 50 years. I have watched my neighborhood, Waimanalo, turned commercial. The damage is being done by the monetization of all the things we have worked for to make Waimanalo "a community". These grifters take advantage of that which we have created and are seriously damaging our neighborhoods. There is absolutely no doubt that they are exacerbating the homeless problem. PLEASE LIMIT THIS COMMERCIALIZATION FOR THE SAKE OF OUR CHILDREN AND GRAND CHILDREN. I request with complete confidence that you will take this to heart.
Aloha, Stephen Foster Williams

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Leilani Ambrocio
Phone	
Email	laniegudoy@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Im Leilani Ambrocio. Live in Ewa Beach Hawaii.. i work at Malia Outrigger Hotel,,it is so important to save our communities from illegal short term rentals by passing Bill 41
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:59 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Janet Mindoro

Phone

Email jjmindoro@yahoo.com

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41, CD2

Your position on
the matter Comment

Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:03 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name JACK PITCHER
Phone
Email PITCHERJACK@GMAIL.COM
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
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-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Janine Chang
Phone	
Email	jc@janinechang.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing	Organization
Organization	Mana'o Realty LLC
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Janine Chang
Phone	
Email	janinechang@outlook.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
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, March 22, 2022 8:15 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Fran Magbual
Phone
Email franm@cbpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
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-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:16 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Denise Lindo
Phone
Email Deniselindo77@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I am writing as a 30 plus year resident of Kailua married to a 3rd generation local. In the 30 years I have lived in Kailua there have been many changes to our town and our neighborhoods but the rate of change has grown exponentially in the last 5 years. The tourists have left the resort areas and are now milling about in our neighborhoods without regard for the residents who live here. Illegal vacation rentals have flooded our community as outsiders buy our properties for commercial use and profit causing a severe housing shortage for those who have lived here for generations. Laws have been in place but enforcement is lax so these outsiders are emboldened. Thumbing their noses at the laws and finding the loopholes that allow them to hide their profits. This bill is another step to reign in these illegal profiteer's that bought these properties knowing what they were doing was illegal. If they want to make money they should do long term rentals. They can't make stupid untaxed money but they can provide housing for the residents that need it. We are at a turning point in this fight. Are we going to give in to the illegal profiteers or fight for the neighborhoods we and our children live in? I say we fight and this bill is a step in the right direction. Mahalo

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:22 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Gary G. Grimmer
Phone	
Email	gary@grimmerhawaiiilaw.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD 2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Quit over regulating small private homeowners.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ray Marquina
Phone
Email ray@pro808.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment
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Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:24 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robert Ellison
Phone
Email 3836543@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Dear City Council and DPP

If you were serious about dealing with over-tourism and illegal vacation rentals in a fair and honest way....

~ We would not be hearing the innuendo that the beaches would be empty like during Covid lockdowns if vacation rentals were put out of business.

~ You would gather real data and acknowledge that most of the crowds at neighborhood beach parks are day trippers from Waikiki hotels, bussed in or filling up parking spaces with rental cars (local vacation renters walk to the beaches).

Written
Testimony

~ You would put a moratorium on all new short-term accommodations, including hotels.

~ You would enforce Bill 89, funding enforcement with the fines it provides for.

~ You would duplicate the success of Kauai and Maui in shutting down illegal operators by their good faith adherence to the near identical agreements that Honolulu also signed with the booking platforms.

~ You would enforce existing noise laws for all properties, instead of proposing new ones that would only apply to vacation rentals.

~ You would not propose exponential fee increases on legal vacation rentals, and all annual renewal fees would be the same for legal TVU's, legal B&B's and hotel rooms.

~ You would not propose hotel rate property taxes on properties that are not allowed all of

the revenue streams that hotels can have – restaurants, bars, retail, tour bus operations, etc., and are not allowed to have the density of hotels

- ~ You would not focus on petty micro-management of legal vacation rentals (e.g. requiring scale drawings of parking spaces in vacation rental guest binders) while ignoring enforcement of laws against illegal operators.
- ~ You would not be proposing that legal vacation rental operators foot the bill for enforcement against law breakers.
- ~ You would not be claiming that you were not trying to put legal vacation rental operators out of business, while proposing massive renewal fees that apply only to legal STR's and not to hotels, particularly when the number of NUC's has shrank from the 2,376 issued in 1989 to less than 800 today, much of that drop due to competing with illegal operators who can avoid TAT and GET.
- ~ You would explain why the 2018 study on "Alternative Accommodations on the Island of Oahu" done by Kloninger & Sims Consulting LLC, found that there were "only 659" NUC's on Oahu, while today according to the latest DPP reporting there are NUC's for 759 TVU's and 34 B&B's. Was the consulting firm wrong, or have more NUC's been issued, and if so, who were they issued to and why?

Instead of a fair and honest dealing with the problems of over-tourism and illegal vacation rentals, we are treated to a special interest driven, conflict of interest riddled, poorly drafted, convoluted and confusing hotel industry wish list.

Kudos and massive respect to the small minority on the City Council who have shown the wisdom, integrity and backbone to stand against Bill 41.

Robert Ellison

Testimony
Attachment

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and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:30 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name natalie
Phone
Email nkrawciw@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill41cd2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony 180 day length of time will kill vacation rentals which will kill businesses which does affect locals in the long run. 30 days is hard enough for law-abiding rental owners, can you stick with that definition? referring to section 24.3. thank you.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:37 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Boothby
Phone
Email dlboothby@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Tuesday, 3/22/2022

My name is David Boothby, and I am providing testimony regarding Bill 41 and related CD2. I strongly object to Bill 41 and CD2, particularly the provision that would change minimum rental periods from 30 days to 90 days. Under current law and the Memorandum of Understanding between the city & county and hosting platforms, DPP is receiving substantial data from Airbnb and VRBO about short-term rentals operating on the island, yet there has been little if any enforcement of those violating the rules. The current law has been in place less than 3 years—and almost half that time we were under a pandemic lockdown. A new law will not fix an existing ordinance that is not being enforced.

I also object to the outrageous increase in fees proposed on NUC permit holders and the hardship this will represent to “mom & pop” owners, especially those of us that only rent our homes for part of the year. Especially since hotels are not subject to these one-sided fees. Our condo building is a mix of timeshare and privately owned units. Frankly, renting out our condo does not take away from the supply of affordable housing or contribute to the plight of the homeless nor will increasing the minimum rental term to 90 days.

We pay our GET & TAT taxes every quarter, we do not allow parties and provide off-street parking for guests. We and our guests are good neighbors. Our cleaning person, handyman and onsite staff are well paid for the services they provide and will be negatively impacted if this bill passes.

Since the nearest hotel is 12 miles away from our condo in Waianae, eliminating short-term rentals in this area will further impact an already economically challenged area.

Please reject Bill 41 and CD2 and focus on enforcement of the existing Ordinance 19-18.

Thank you.

David Boothby

84-1021 Lahilahi Street | Waianae, HI 96792 | 360-871-2916 dlboothby@hotmail.com

Written
Testimony

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Anthony Grise
Phone
Email apgrise@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Support
Representing
Organization Self

Written
Testimony Please support Bill 41 CD2 to make housing a priority for locals and stop the legalization of even more vacation rentals. Let's stop talking about our desperate need for residential housing and our dependence on tourism. Let's take action now by passing Bill 41 CD2.

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:41 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mike Starr
Phone
Email Mike@ParadiseIslandPropertiesllc.com
Meeting Date 03-23-2022
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, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

We have numerous corporate / government contractors needing housing 30 - 60 days

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:43 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alison L Yim
Phone
Email alohalivingspaces@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose strongly against Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones. These families can not afford to pay for high cost of hotels. 30 days would cost them a fortune. Show some Aloha with love & kindness to those who can not afford to stay and pay those exuberant hotel fees.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:44 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gail Kosiorek
Phone
Email gail@fidelitypropertieshawaii.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41(2021), CD@
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
-Grandparents visiting children and grandchildren
-Parents visiting children serving in the military

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:49 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ingrid Peterson
Phone
Email irpmailbiz@icloud.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha, Councilmembers! My name is Ingrid Peterson, and I strongly support Bill 41-CD2 to end the explosion of short term vacation rentals in residential neighborhoods. This version of the bill has improvements to close loopholes, increase fines, and allow a renter who needs a month-to-month rental to do so after first completing a 90-day lease. These should resolve many concerns that have been voiced previously.

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.

Written Testimony

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-CD2. Mahalo nui.

Testimony
Attachment

TO: Members of the Council Committee on Zoning & Planning

FROM: Natalie Iwasa
808-395-3233

DATE: Wednesday, March 23, 2022

SUBJECT: Bill 41 (2021), CD1 and Proposed CD2 Transient Accommodations –
OPPOSED

Aloha Chair Elefante and Councilmembers,

Thank you for allowing testimony on Bill 41, CD1 and the proposed CD2 regarding transient accommodations.

The Honolulu Planning Commission took testimony from hundreds of people over several days of hearings. They came up with a compromise in their proposed bill that included exceptions to the B&B and TVU definitions. Those exceptions are not included in any version of Bill 41. I therefore oppose Bill 41, the CD1 and the proposed CD2.

I also oppose the change in definitions of “bed and breakfast home” and “transient vacation unit” from 30 days to 90 consecutive days.

There are legitimate reasons a resident may need housing in their own neighborhoods for less than 90 days.

Please vote “no” on Bill 41, CD1 and the proposed CD2.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:50 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jorge Gorriti
Phone
Email jorgegorriti@hotmail.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shanae Kinimaka
Phone
Email shanaekinimakarealtor@gmail.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
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-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rebecca Miler

Phone

Email rebeccal85@hotmail.com

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41 CD2

Your position on
the matter Oppose

Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67



March 23, 2022

The Honorable Brandon Elefante
Chair, The Honolulu City Council Committee on Zoning and Planning

Regarding: Testimony in **support of the intent of Bill 41 (2021) CD2**

Aloha Zoning and Planning Chair Elefante and Honorable Members of the Honolulu City Council,

For more than 100 years, the American Hotel & Lodging Association (AHLA) has been the foremost representative of and advocate for the U.S. lodging industry. We advocate for our members so they can do their best at what matters most: serving guests, employees and their communities. With more than 150 members in Hawaii representing 110,000 employees, this is a job we take very seriously.

We appreciate the valuable work you have been doing to ensure that Hawaii's tourism industry continues to thrive. Specifically, your commitment to the eradication of illegal short-term rentals in Hawaii. Study after study has shown that the vast majority of short-term rentals in our State are owned and operated by out-of-State commercial hosts who are renting whole units. In many cases, these law breakers are operating 20 or more illegal whole home rentals. This is not home sharing; these are illegal hotels which destroy the aloha in our communities and drive up the cost of housing for our residents. Please accept this testimony as our organization's express support for the intent of this Council's efforts to sufficiently regulate short-term rentals in our communities. Specifically, we offer our support for the intent of the CD2 to Bill 41 being considered by your committee today.

Two years ago this month, the 9th Circuit Court of Appeals ruled against HomeAway and Airbnb and their claims of CDA 230 protections in their litigation against the city of Santa Monica. This was an enormous win for Hawaii as we work to regulate illegal short-term rentals. In brief, this ruling upheld Santa Monica's short-term rental law, which was modeled after San Francisco's short-term rental law. This ruling means policy makers in Hawaii and across the country can and should hold hosting platforms responsible for illegal transactions that take place on their websites. The proposed



CD2 to Bill 41 preserves and builds on these proven and legally defensible enforcement provisions. This makes it clear that the open threats made by hosting platforms to weaponize baseless legal claims against our City are entirely moot. If hosting platforms were genuinely concerned about this measure's legal construct, their attention would focus on Section 4 of the CD2. If left unamended, Section 4 of the CD2 would impact *all* landowners and leaseholders in Honolulu by extending liability to property owners whose tenants engage in *any* unpermitted or criminal acts even if those acts take place without the landowner's knowledge. We recommend the Committee consider the suggested amendments to Section 4 of Bill 41 submitted by the Hawaii Hotel Alliance, an Association Member to AHLA and whose members partner with AHLA on key policy engagements, like Bill 41, throughout Hawaii.

This bill will make possible the purging of illegal whole home rentals from the market while at the same time creating a pathway for legal rentals to be let and taxed appropriately. If successful, Bill 41 could add as many as 10,000 or more units back to the housing pool on O'ahu, while at the same time opening up revenue opportunities for the City and our State through taxation and regulation of legal operators of transient accommodations in our resort communities, where they belong. As amended, Bill 41 seeks to strike the right balance of enforcement while allowing legally permitted short term rental opportunities, giving our visitors a choice in their selection of accommodation while prioritizing the needs and preferences of our kama'aiana.

The AHLA team is available to respond to any information requests that you or your team may have. Thank you for your continued leadership on behalf of Hawaii's visitor industry, our hotel owners, operators, and our many valuable employees.

Mahalo,

Kekoa McClellan
Spokesperson, AHLA Hawaii

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Susan Fuller
Phone
Email fuller@omsoft.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

We appreciate the problems illegal rentals can cause in a neighborhood. We rented our home in Ewa Beach last summer for 55 days to a quiet engineer who had to work here for a short time. He was quiet and respectful of our home and neighbors. We used the rental income to afford a trip to the mainland. I don't see how continuing this source of income for us seniors will hurt anyone.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:56 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name ELIZABETH Mcardle SOLOMON03

Phone

Email e-m-s@comcast.net

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41 CD1

Your position on
the matter Oppose

Representing Self

Organization

Written
Testimony This Bill is just plain wrong. It does not help the residence of Oahu and favors large corporate non-resident investors over the tax paying homeowners. This bill does not reflect the Oahu constituencies and provides all the advantage of this island to non-residents. The island is overrun with tourists and more hotels ruin the reason visitors come to the island.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:57 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Eric Robertson
Phone
Email erobertson453@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41
Your position on the matter Oppose
Representing Self
Organization

DEAR HONOLULU CITY COUNCIL

Written
Testimony

I AM AGAINST THIS BILL BECAUSE YOU KEEP IMPOSING MORE AND MORE RESTRICTIONS ESPECIALLY DUE TO THE 90 RENTAL LIMIT WITHOUT EVEN ENFORCING ORDINANCE 19-18. WHY NOT GET YOUR ACT TOGETHER WITH DPP AND THEN EVALUATE THE RENTAL MARKET SITUATION?

MAHALO,
ERIC

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:58 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michelle Mossman
Phone
Email michelle.mossman@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Thank you for your consideration.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:00 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name ATHER DIMMING
Phone
Email dimyoung@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item bill 41
Your position on
the matter Oppose
Representing Self
Organization

I am against bill 41 specifically -the limit of 90 day rental because I rent to many local residents on a monthly basis due to their work. This bill will affect all of us financially.

Written Testimony Oppose bill 41,

Mahalo,
Ather

Testimony
Attachment

Accept Terms and
Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:03 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Greg A Cook
Phone
Email captaincook@earthlink.net
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill21 Cd 1
Your position
on the matter Comment
Representing Organization
Organization Ocean Villas at Turtle Bay

My name is Greg Cook and I am representing Ocean Villas at Turtle Bay. We want to than you for your efforts to improve Bill 41 CD1 into CD2. I am going into eye surgery today so I may not be able to give testimony tomorrow so I want to make sure you address the correction in the Bill where it does not state that Transient Vacation Units are allowed nin the Resort Zone. The Turtle Bay Resort map does not reflect this either. We know you agree with the intent, but we want it included in the Bill so everyone in the future will be clear on this issue.

Thank You,
Greg Cook, Member of the
Board of Directors, Ocean Villas

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:07 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Victor Shawn
Phone
Email vshawnathonolulu@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

Hello Honolulu City Council

Written Testimony I oppose this bill 41 on the grounds that it will restrict me from renting less than 90 days. I do not rent to tourist and you guys already know that tourist only reside in Hawaii for less than 2 weeks. Bill 89 already has a reasonable restriction of 30 days.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:12 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name George Stibbard
Phone
Email stibbardg75@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:13 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Malia Barger
Phone
Email mbarger808@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many non-tourist-
related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:14 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tiffany Marquez
Phone
Email Tiffanymarquez1993@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony
Suggested testimony:
I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:16 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Iris Y Inouye
Phone
Email iyinouye@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Emergency hires for businesses in private and government sectors

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:18 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Akiko Ota
Phone	
Email	akiko@graham-hawaii.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing Organization	Organization Graham Properties, Inc.
Written Testimony	If the minimum period of vacation rental changed to 90days, no one can rent rooms! It is only for retired people. It is understandable if it will change to 15days.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:20 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Cindy Nelson
Phone	
Email	cindy@haroskyhomes.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
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, March 22, 2022 9:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Virginia J Wallace
Phone
Email virginia.j.wallace@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony The current regulation is satisfactory, stop over regulating residents. I have tenants with many different needs. The majority of the time they are over 90days but sometimes they are renovating or something and just need like 30days.

This is 100% unnecessary.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:29 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patrick Francis
Phone
Email unaguitarra@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose Bill 41 in its current form. It illegally infringes on property owners rights, negatively impacts the livelihood of businesses whose clients include short-term vacation rentals, and benefits the hotel industry at the expense of law abiding property owners renting to vacationers. The provision in the bill requiring rentals to conform to a 90-day minimum is a clear overreach by the bills authors, whose intention is clearly to put a lock on the vacation rental market and funnel all vacationers to Hawaii to hotels rather than more affordable condo rentals. Owners who currently conform to the current 30-day rule, and who also utilize the services of countless cleaning, appliance, maintenance, and retail vendors, contribute so much to the local economy, provide lodging to many healthcare and other business travelers needing a medium-term lodging, and these owners will be unjustly penalized and financially impacted by Bill 41. The right and reasonable thing to do is to remove the 90-day rental requirement from Bill 41 and to enforce the current 30-day rules that already exist. Bill 41 in its current form should never pass, but if it does, will certainly be met by litigation and struck down in court for infringing on individual property rights and creating a monopoly for the large hotels. Thank you

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:31 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ty Robinson
Phone
Email zaiteku@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

While I agree that vacation rentals need some kind of regulation, it has become obvious that the city is not capable of enforcing existing legislation. Adding on more legislation is typically not a good option as it doesn't solve for the actual problem, and it unnecessarily burdens law abiding citizens. The inconvenient truth is that Hawaii desperately needs to diversify its economy. But while the political will to do what is necessary for real economic diversification does not yet exist, tourism is really our only option. Hawaii, and the US at large will be entering a period of great change in the world. Geopolitical as well as global economic changes are coming that will severely strain the systems we have relied on for decades. Oahu has outdated infrastructure, water problems, an isolated economy with a severe lack of economic diversity, a large tax burden relative to other states and now we are seeking physical and political caps on tourism- our bread and butter. We should be enabling residents who live here with the ability to rent out their homes with as little red tape as possible in a minimally regulated fashion. During a period in which the middle class is about to be hollowed out and without a strong economic engine to carry the businesses that provide their jobs, this is not the time to choke off economic diversity, rather, it is a time to step on the gas. Lets expand economic diversity in the interests of the people and entire economy by allowing short term rentals in a responsible managed way with less legislation, not more. More rules are not the answer. Enforce the rules we have and pass laws banning or removing

the economic incentives for operating a short term rental owned by an out of state entity. Hotels can be foreign owned, legally operate and pay less fees per unit than what is being proposed in this bill. Lets operate for the people and by the people. Give Oahu residents the power and tools to help us keep our money here in the islands, and survive what is sure to be a coming economic winter and potential continued brain drain the likes of which we have not yet seen in our lifetime's.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:32 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Arisa Coleman
Phone	
Email	arisa@graham-hawaii.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing	Organization
Organization	Graham Properties, Inc
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:33 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Nancy Taylor
Phone
Email taylor005@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item BILL 41 CD2
Your position on the Support
matter
Representing Self
Organization

Written Testimony Our residential neighborhoods need to be preserved for the quiet enjoyment of our residents who live here and pay taxes. Bill 41 CD2 will help to assure that.
Thank you.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:55 AM
Subject: Zoning and Planning Testimony
Attachments: 20220322095432_Bill_41_CD_2_Table.pdf

Written Testimony

Name Meylysa Duldulao
Phone
Email meylisa@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Aloha Chair Elefante, and Council Members,

My name is Meylysa Duldulao and I oppose Bill 41 CD 2. My husband Jomel and I own a 1911 Kalakaua, Apt 608, which is in the Resort/Mixed Use Special Precinct of Waikiki Special District.

We pay my mother Theresa Tseng to manage and clean the property.

I'm crying as I write this because I'm at home with my 8 year old son Jordan and it's spring break, and it breaks my heart that he keeps asking me to be finished and spend time with him.

Written Testimony I've attached a color table showing the reasons I oppose Bill 41 CD 2. It shows that resort zone TVU owners would have to pay the same fees as residentially zoned owners, and yet, we pay Hotel and Resort Zone Property taxes, which are the highest on the island AND we are in the proper zone to operate a short term rental.

Here is an example of a TVU Owner in a residential zone versus us in a Resort Zone (using property value of \$260,000).

TVU Owner in Residential Zone

- Does not have to register (they use their TVU license)
- Has an extremely simple renewal process (only has to show they have a State GET and TAT, and that they did at least 35 days of transient rentals)
- pays \$1,000 to renew
- in zone Residential A pays \$1,170 in property taxes

TOTAL EXPENSES = \$2,170 a year (not included GE, and both TAT taxes)

LOPSIDED EFFECTS OF BILL 41 CD 2 BETWEEN RESIDENTIAL AND RESORT ZONES

RECOMMEND ADDING RESORT ZONE TVUs TO EXEMPTIONS P. 36 (3) OF BILL 41 CD 2

RESIDENTIAL ZONE						RESORT ZONE			
Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Koolina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units	
LEGAL BY LUO	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	LEGAL	LEGAL	LEGAL	
LEGAL BY AMENDMENT	LEGAL WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL (GRANDFATHER RED)	LEGAL				
PROPERTY TAX CLASSIFICATION	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	
ZONING	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL - VARIOUS	RESIDENTIAL	RESORT	RESORT	RESORT	
REGISTRATION REQUIREMENTS									
REGISTRATION REQUIRED	YES	YES	YES	NO (using NUC)	NO	YES	NO	NO	NO
Registration Fee	\$2000 1st Year	\$2000 1st Year	\$2000 1st Year	NO	NO	\$2000 1st Year	NO	NO	NO
Title Certificate Required	YES	YES	YES	NO	NO	YES	NO	NO	NO
Valid GE, TAT, City TAT License	YES	YES	YES	NO	NO	YES	NO	NO	NO
Evidence of Home Exemption and 50% ownership (B&Bs only)	YES	YES	YES	NO	NO	YES	NO	NO	NO
Evidence of \$1M Commercial General Liability Insurance	YES	YES	YES	NO	NO	YES	NO	NO	NO
Confirmation of permission from HOA, Bylaws, Condo Rules	YES	YES	YES	NO	NO	YES	NO	NO	NO
Information Binder	YES	YES	YES	NO	NO	YES	NO	NO	NO
Evidence no Housing subsidies, rental assistance or evictions	YES	YES	YES	NO	NO	YES	NO	NO	NO
RESIDENTIAL ZONE						RESORT ZONE			

Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Ko Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units
				RESTRICTIONS AND STANDARDS				
Restriction and standards required	YES	YES	YES	YES	NO	YES	NO	NO
smoke and carbon monoxide detector	YES	YES	YES	YES	NO	YES	NO	NO
Maximum 2 adults per room	YES	YES	YES	YES	NO	YES	NO	NO
\$1M in Commercial liability insurance	YES	YES	YES	YES	NO	YES	NO	NO
Gathering restrictions	YES	YES	YES	YES	NO	YES	NO	NO
Information binder required	YES	YES	YES	YES	NO	YES	NO	NO
Physical Inspection of Unit Allowed with Reasonable Notice	YES	YES	YES	YES	NO	YES	NO	NO
Subject to Revocation of Registration if Violating These Restrictions	YES	YES	YES	YES???	NO	YES	NO	NO
Registration Cannot Run With The Land	YES	YES	YES	YES???	NO	YES	NO	NO

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ayumi Yamane
Phone
Email ayumi.yamane@locationshawaii.com
Meeting Date 03-22-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:58 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Young Sook On
Phone
Email alohaons@gmail.com
Meeting Date 03-22-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:02 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Penny Lee
Phone
Email pennyleeloo@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD1 and CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

This bill is written and pushed by the Hotel industry, with the help of a recently placed Planning Director. The goal is to harass and wipe out the small business competition and cement a monopoly for large corporate profits, benefitting non-Hawaiian foreign corporations and hedge funds (think Hilton, Blackstone). Bill 41 has already failed, why beat it to death? Especially considering the state and county has all the tools it needs already to crack down on illegal vacation rentals, if they wanted to. Harassing the relatively few legal STVRs does not make sense, unless you are part of the hotel/resort industry. By the way - why do they keep building and expanding thousands of new hotel and timeshare rooms on an island with limited resources (water, sewer)?

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:02 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ginelli Boyer
Phone
Email ginelli.boyer@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:04 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Junko Inoue
Phone
Email jinoue@kainahale.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony I oppose Bill 41, CD2.
The minimum rental period should remain at 30 days.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:17 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Scott Meru
Phone
Email scottmeru@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Aloha Council,
I plead with you not to move forward with Bill 41. My wife and I legally operate a short term rental at Turtle Bay and it has helped us get through some very difficult times as a family. My wife has a series of serious health issues that doesn't allow her to teach in a classroom anymore. We took all of our savings and put it into getting a small one bedroom unit and prayed it would help us get through some of our financial ups and downs and allow us to take care of our young children. It has proven to be a blessing to us. These help local families. This Bill punishes those that are playing by the rules.

Written Testimony

There is already a current law in place. Please just enforce that law. We already pay a GE tax, TAT tax, property tax, federal and state income tax on our rental. Squeezing local families is the last thing those we elected to represent us should do.

I thank those who have stood up for us and would be so grateful for those who will take a stand for local families that are playing by the rules and helping support Hawaii.

Mahalo for representing the your friends and neighbors here on our beautiful island home.

Scott Meru

Testimony
Attachment
Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:18 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gary Wentz
Phone
Email grwhawaii@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Aloha Honolulu City Council,

As a long-term resident of Kailua and having lived next door to an illegal vacation rental I know how disruptive such rentals are to a neighborhood. Sadly, even though the City has tried to crack down, the illegal vacation rentals continue to flourish. And I am certain that the Council will be hearing today from many of those same people who say they are good “neighbors” but are actually “speculators” seeking to legalize short-term rental incomes to float their loans.

Written
Testimony

That said, I respectfully and strongly encourage the Council help the neighbors in the community by legislating so speculators can be revealed and discouraged. You can do so by approving Bill 41 CD2 as currently proposed by Council Member Elefante and presented on March 23. Noteworthy in the current draft:

- Defines short term rentals as 90 days vice 30.
- Closes loopholes and addresses legal uncertainties in previous versions
- Takes away ability to hide illegal rental behind a “faux 30-day lease”
- Hits the speculators where it will hurt ... enforceable fines of substance.

Thank you for doing the right thing for all the neighbors.

Sincerely,
Gary Wentz
357 Lapa Place
Kailua, Hawaii 96734
808-262-9500 // grwhawaii@hotmail.com

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:20 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Malone
Phone
Email davidmalone808@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms and
Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pamela Small
Phone
Email Pamela97214@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Self
Organization

I can't not even fathom why this is coming up again on your agenda. Hawaii is rated the worst state in the nation for doing business. The WORST. It is evident as to why when bills like Bill 41 come up continuously in the legislature trying to shut down mom and pop vacation rentals that are only trying to compete in the incredibly expensive world of trying to make a living in Hawaii.

Written Testimony

Instead of the legislature applauding its local citizenry for hustling to make a buck, you are trying to PUNISH them by raising their fees, making the minimum stay 180 days, and increasing fines for non-compliance of your onerous and arbitrary rules. You should be ashamed of yourselves.

As legislators, you are not serving the public, but the special interest of the hotels who want to corner the market of the tourism industry.

You should spend your time trying to solve REAL problems facing the people of Hawaii. The high cost of living, the doctor shortage, CORRUPTION, bribery/pay to play, lack of educated employees/employment, the homeless issues, the list is endless. Fewer than 2,000 vacation rentals are a grain of sand on an elephant.

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:40 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lishan Chong
Phone
Email PacificRealEstateInstitute@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:10 AM
Subject: Council Testimony

Written Testimony

Name	Emma Klein
Phone	
Email	emmalanik97@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Living in Waimanalo my entire life I have seen the impact of illegal airbnbs on our community. This is a direct impact on the issue of more and more locals not being able to afford living in their homeland.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:12 AM
Subject: Council Testimony

Written Testimony

Name	Ronson Asuncion
Phone	
Email	Ronsonsasuncion89@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Illegal airbnbs are a nuisance to the local communities and create higher property taxes.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:13 AM
Subject: Council Testimony

Written Testimony

Name Les Rosenthal
Phone
Email lesrosenthal@me.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item TAT BILL 41
Your position on the matter Oppose
Representing Self
Organization

I suggest instead of the highly restrictive laws and enforcement being put into place, each vacation rental wishing to be licensed, would be inspected for a fee and the approval would be contingent on the minimal impact the effect of that rental would have on the neighborhood where that rental is located.

In our situation our impact is negligible because we only rent to same size tenants occupancy and neighborhood impact.

You taking away my property rights because monster or party houses substantially negatively impact those neighborhoods is not rational. Consider more specifically targeting the change that you are trying to make.

Written
Testimony

There are literally thousands of small home owners like me who are feeling the negative impacts of your intended laws.

It is, in my opinion you are not rational to intend to lower property values so that less affluent people can afford to live in the nicest places available.

I challenge you to put these issues on a public ballot instead of being influenced by the hotel lobby and then lying with statistics to us, the public, about how most of the public doesn't want to vacation rentals in certain neighborhoods because of the negative impacts a few spotlighted people perceive to endure.

Respectfully submitted,

Les Rosenthal

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:18 AM
Subject: Council Testimony

Written Testimony

Name Gordon Aoyagi
Phone
Email gord.aoyagi80814@gmail.co
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item CB41-CD2
Your position on the matter Support
Representing Self
Organization

Dear Chair Elephante and Committee Members

Written
Testimony

I am in strong support of CB 41 and urge your adoption. I a resident of Manoa. The purchase and maintenance of my home represents my single largest investment as well as giving me the pleasure, enjoyment and tranquility of a quiet, single family residential community. I purchased this home with the knowledge of and reliance on the single family residential zoning that restricts permitted uses of my property to not only protect and perpetuate the character of our community but also my investment. The covenant implied is that the City and County will perform its enforcement of zoning provisions in a diligent and effective manner as a willing and responsible partner. I also offer that the strength, perpetuity, and vibrancy of single family residential communities form the backbone of Honolulu's` livability and community life. We now find our single family residential communities under assault with market place disruptors offering platforms for vacation transient rentals in our single family communities.

CB 41 offers some hope that effective and timely enforcement of zoning provisions that will address the illegal use of transient vacation rentals in areas zoned for single family use. Please provide for the regular oversight by Council to ensure enforcement of the provisions in the adopted Bill 41 and to evaluate and strengthen enforcement provisions if needed from time to time.

I also urge that you change the time frame for short term rentals from 90 days to 6 months. Most municipalities on the mainland define that short term rentals are not permissible for periods under 6 months;

otherwise shorter periods are considered transient and commercial uses which are not permitted. Any concession to technology platforms and investors in housing for vacation rentals provides opportunity for exploitation and abuse. I urge our Council to be consistent with other municipalities in zoning definitions.

Thank you for your consideration.

Sincerely,

Gordon Aoyagi

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:22 AM
Subject: Council Testimony

Written Testimony

Name Timothy McDevitt
Phone
Email mcdevitt@hawaii.edu
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Owners 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

As the business, education, medical center of the State, there is an overwhelming need for moderate term rentals that cannot be captured in an exception list. The exception list defined in the Transient Occupant definition is an administrative nightmare, adding more complexity and enforcement challenges than simply keeping the definition of a "transient vacation unit" at 30 days.

Legal rentals of properties for periods of 30 days or longer do not take away from the affordable housing supply and limit transient activity in our neighborhoods, while filling a much needed void in the housing market.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:35 AM
Subject: Council Testimony

Written Testimony

Name Monica Salter
Phone
Email monica.salter@outrigger.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 CD 2
Your position on the matter Support
Representing Organization Self

Written Testimony I support Bill 41 because it helps to protect the quality of life in residential communities by keeping vacation rentals in zoned resort areas. Illegal short-term rentals drive up housing costs for local families while also limiting tax collection to help maintain public infrastructure. Thank you for strongly considering the passage of Bill 41.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:38 AM
Subject: Council Testimony

Written Testimony

Name Teresa shook
Phone
Email Resashook@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
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, March 22, 2022 10:39 AM
Subject: Council Testimony

Written Testimony

Name	Roger Shook
Phone	
Email	Resashook@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 10:44 AM
Subject: Council Testimony

Written Testimony

Name	Tazurae Kauwe
Phone	
Email	Tkauwe@gomastercare.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 10:51 AM
Subject: Council Testimony

Written Testimony

Name	Rischelle Cabral
Phone	
Email	Rischellecabral@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

March 23, 2022

The Honorable Brandon Elefante, Chair
and Committee Members
Committee on Zoning and Planning
530 S. King Street
Honolulu, HI 96813

Dear Chair Elefante and Committee Members:

My name is Damian Ameen, an owner of a Condominium located in Beach Villas in the Resort District of Ko Olina, testifying in opposition to Bill 41 CD1 and the proposed CD2. While the changes incorporated through CD-2 are positive and welcome they do not address major flaws with the stated purpose of Bill 41.

The findings and purported purpose of Bill 41 is stated as

“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 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.”

“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.”

Nowhere in the findings or purpose of the ordinance are references to negative impacts on Residential zones by Transient uses within a Resort District identified, as none exists. Bill 41 CD-2 imposes burdensome restrictions, conditions, excessive fees, restrict uses on already conforming property located in a Resort District that does not create any negative impact on residential zones or housing stock located in residential zones.

Owners within Resort Districts, especially Ko Olina, purchased properties that were created, sold and recorded as conforming with the LUO and long term plans of a Resort District. Ko Olina specifically is a Resort Community that contains both a Resort District and Residential Zones such as A1 and A2 with the necessary conditions contained as deed restriction, declarations and master declarations to address the issues outline in the purpose of Bill 41.

Properties within Ko Olina master plan have been conforming since 1986, including both Residential and Resort Districts that include specific requirements designed to mitigate any and all of the issues raised in Bill 41 and its subsequent revisions.

Master Declarations of Ko Olina and Declarations of properties within Ko Olina already address permitted uses within each district, limit short term rentals to only the Resort District while allowing Rentals of longer than 30 days in A1 A2 residentially zoned areas, Within the Resort District owners are already required to:

1. Ko Olina Owners in the Resort District select hotel/resort use or long term residential and should not be subject to additional registration or registration fees.
2. Owners selecting Hotel/Resort use carry one million dollar general liability insurance.
3. Hotel Resort Use subject to GET,TAT and C&C TAT along with higher taxes imposed by the City and County already.
4. Ko Olina Properties already have limits of two adults per room.
5. Ko Olina Projects already have fire control systems
6. Ko Olina Projects already have parking plans & controls in place.
7. Ko Olina Projects already require registration and maintain records for extended periods.
8. Ko Olina Projects already provide applicable house rules
9. Ko Olina Projects already have conditions and rules on gatherings while the ordinance limits such gatherings unnecessarily
10. Ko Olina Projects already have plans to accommodate trash pick up areas.
11. Uses of the property were recorded with the state at inception

While owners within the Resort District of Ko Olina already have the conditions necessary to mitigate all the items mentioned in Bill 41 CD-2, they are not subject to excessive and additional fees, fines, and penalties (other than those imposed by the Ko Olina Resort), they are not subject to annual filings, documentation, and questions of appropriate use which can be denied as outlined in Bill 41.

Subjecting owners in a master planned Resort community such as Ko Olina, which by design mitigates all the issues the C&C is looking to correct, to unnecessary requirements, restrictions, fees, penalties, conditions and changes to use is disruptive and infringes on the rights of property owners and potentially conflicts with HRS 46-4 which provides.

The City and County/DPP should consider exempting owners in master planned resort communities, such as Ko Olina, that already identify and address the issues referenced in Bill 41 CD-2.

Other issues include the failure of the Bill 41 CD-2 to include TVU's as a permitted use in Section 21.5.730 (a) (2) or on Ko Olina Resort District Map (Figure 21-5.2). (TVU is included in the Master Table of permitted uses).

Bill 41 CD-2 remove the right of owners that use their units for Long Term Residential to Short Term rentals by raising the minimum to 90 days from 30 days

C&C should consider language contained in the previous bill 89 be used with the following modifications to apply to the entire Bill 41 CD-2:

Exemptions. The following are exempt from the provisions of this Bill.

Legally established hotels, whether owned by one person, or owned individually as unit owners but operating as a hotel as defined in Chapter 21, Article 10, located in a Resort District.

Legally established time-sharing units, as provided in Section 21-5.640, located in a Resort District.

Legally established dwelling units that are rented for periods of 30 consecutive days or more at any one time, located in a Resort District.

Legally established TVU's that are rented for periods of less than 30 days, located in a Resort District.

If Bill 41 is allowed to stand, it appears likely that the City and County would be liable for unconstitutional takings without just compensation.

Bill 41 CD1 and CD2 while attempting to correct issues with Residential communities, instead removes and restricts, eliminates rights of conforming owners uses within Resort District. Therefore, the Council and this committee should not pass Bill 41. Thank you for this opportunity to testify.

Damian Ameen
92-104 Waialii Place
Kapolei, HI 96707

dameen5086@aol.com

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:14 PM
Subject: Council Testimony

Written Testimony

Name B. A. McClintock
Phone
Email redahi@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I support amendment G. 1. (a), as set forth in BILL041(21), CD1, PROPOSED CD2 - BE1, which will delete the permitting of B&Bs and TVUs in the designated A-2 District situated in the Gold Coast area of the Diamond Head Special District.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:16 PM
Subject: Council Testimony

Written Testimony

Name Brian Dean Biggers
Phone
Email oceanfrontforme@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I made the mistake of purchasing 12 condotels in Waikiki...I own in the Luana Waikiki, the Palms At Waikiki, the Waikiki Banyan, and a penthouse unit in the Hawaiian Monarch.

I thought they were a decent return...passive income, I wouldn't have to manage them.

Well, I don't have to manage them but due to Covid, they turned out to be a terrible investment. For the last 2 years, the income did not even cover my fixed expenses (Resort Zone Property Taxes, HOA Dues, & Insurance), even though they are "free and clear" (no mortgages).

Written Testimony Where is your sense of fairness? Those of us whose units are not in the Aqua-Aston Hotel pools are to be charged registration fees?? (\$2,000 the first year, \$1,000 every year thereafter?)

So it's OK for you (the Honolulu City Council) to step on the small businesses (realtors that manage units not in the hotel pool, their maintenance people, cleaners, etc.)you want to cater to the Aqua-Aston Corporation but step on the small businesses?

Gee, I wonder why?

So in addition to resort zone property taxes that are 3 times as high as property taxes for condos that are not short term rentals, you think it's OK to MORE THAN TRIPLE the non-conforming use permit (I have one ...Waikiki Banyan Tower 1, #614) fee.. from \$600 every 2 years to \$1,000 a year...

...and pad the pockets of the Aqua-Aston Corporation by requiring owners that choose to remove their condos from the hotel pool and let local realtors manage them...to pay thousands of \$ in "registration fees".

SMH and it's absolutely pathetic. I hope someone or some group of people mount a recall campaign (advertise what you are doing here, favoring the hotel corporations over the ma and pop businesses/local business people) for those of you that are voting for this.

Brian Biggers

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67



March 23, 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 the "R" district. **We are very concerned, however, about the impacts of continuing to permit B&Bs and TVUs in apartment districts on our local housing stock, and we encourage further restrictions on B&Bs and TVUs in the apartment districts to ensure that available units are for local residents who need housing, rather than for tourist sprawl. 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, March 22, 2022 11:55 AM
Subject: Council Testimony

Written Testimony

Name STEPHEN KOFSKY
Phone
Email STEVELOVESMUSIC2@YAHOO.COM
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

I want to commend all Council members, especially members Kia'aina and Elefante, in sticking with this Bill and cobbling legislation that appears to fairly resolve the problem of short-term rentals particularly in residential neighborhoods that have been adversely affected. My primary concern remains enforcement which the vast number of residents also apparently share but I remain hopeful for a miracle to this end. I know of a particular example where a non-resident property owner of a very short term TVU, who has been cited several times (NOV's and NOO's) for the same type of violation, recently transferred ownership of at least one of his illegal short-term (3 day) rental properties to his elderly father who has to this date been equally slippery in evading Violation Service Documents from DPP. My worry, as well as that of our local community, is that this cat and mouse evasion will still continue under the new Bill 41 when it finally becomes law, and the DPP as currently structured, will continue to be overburdened with its caseload to be truly efficient in these particular matters.

Dr. Stephen Kofsky
Kailua/Enchanted Lake

Testimony Attachment

Accept Terms and Agreement ¹

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:19 PM
Subject: Council Testimony

Written Testimony

Name Scott A Bell
Phone
Email scott.bell@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization
Written Testimony This is not a good bill and needs to be addressed for the rest of the the other Waikiki buildings for short term rentals.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:47 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Heidi kreul
Phone
Email hkreul@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
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 CD2 with the adjustment of returning to original minimum of 6 months for initial lease.
I am a kamaaina born and raised on the island of Oahu in Kailua.
Over the years I have seen the fabric of our community change from a residential neighborhoods to a transient tourist destination.
I believe we need to keep residential neighborhoods for community members to live in. We need to protect housing for firefighters, police officers, teachers, medical staff, retail and restaurants workers. All of these members of our community are equally important in the function of our society.
Zoning was created to protect housing for our residents and areas for resorts to be built. Of the 10 million tourist arriving in Hawaii 3 million are staying in some sort of short term vacation rentals.
As we struggle with over tourism, a potential water shortage (Red Hill), housing shortages and a homeless crisis it is imperative that we protect the limited residential housing and insure we have homes for our community members.
Today you will hear from real estate agents, Bnb owners, stvr owners, Airbnb and VRBO telling the importance of their businesses to the community. It's their job to attend this meeting. Who you will not hear from are the community members working during the meeting times often more then one job to hopefully keep a roof over their family.
Kekahi I kekahi,
Mahalo,
Heidi

Testimony
Attachment

Aloha,

I am a resident of Honolulu. I have been a short-term tenant, a long-term tenant, a homeowner and a landlord. I possess a TAT and GET license and pay taxes. I am opposed to illegal vacation rentals, and I am opposed to this short-sighted and bloated Bill that will harm me and my community.

First, we have never had functioning legislation regulating short-term rentals. The problems we see in our neighborhoods, about which many are testifying today, are not the result of a lack of legislation. They are the result of a lack of *enforcement* of legislation. According to quotes in the Star-Advertiser from 2019, the DPP estimated there were 6,000-8,000 illegal rentals operating on 'Oahu (<https://www.staradvertiser.com/2019/06/25/breaking-news/mayor-kirk-caldwell-signs-vacation-rental-enforcement-bill-into-law/>) Since Bill 89 was signed into law in June of 2019 thru the end of 2021, the DPP issued only 688 Notices of Violation. Furthermore, the DPP's website actively tells tourists that they will not be evicted or held liable for stays in illegal rentals. **Again, this is an enforcement problem, not a legislation problem.**

This brings us to the current Bill. The issues with Short Term Rentals that drove Bill 89 are still present (due to a lack of enforcement). While the new Bill seeks to give some legal "teeth" to enforcement, it also dramatically broadens the scope of properties and rental situations affected. **Since the DPP could not enforce Bill 89, how does it expect to enforce the dramatically widened scope of Bill 41?**

This short-sighted Bill only considers all tenants fall into two groups: tourists and long-term residents. According to the Hawaii Department of Business, Economic Development and Tourism, the average length of stay for a tourist in 2021 was 10.6 days. In 2018, pre-pandemic and pre-Bill 89, the average length was 9.0 days. **According to the State's own data, tourists, the group blamed for these short-term rental woes, usually stay for less than two weeks.** (<https://dbedt.hawaii.gov/visitor/tourism/>). However, there are other demographics besides tourists that stay for longer than two weeks but shorter than three months. Examples include:

- Travel nurses. There were over 700 travel nurses in Hawaii during the pandemic. The typical travel nurse stay is 13 weeks.
- Families renovating homes.
- Residents seeking to buy or rent permanent housing.
- Graduate students conducting research projects.
- Teleworking professionals

These tenants are short-term renters, but they are not tourists and they do not cause the problems associated with tourists. **This Bill will remove their access to housing.**

Additionally, this bill lumps together Transient Vacation Units (TVUs), where the owner lives elsewhere or even off-island, and Bed and Breakfast Units (BnBs), where the owner lives in the home but rents out a room or rooms (commonly in an attached ADU). **TVUs and BnBs are not the same thing and do not belong in the same legislation.**

TVUs exist exclusively as investment properties. By definition, they do not provide permanent housing for their owner. **BnBs, on the other hand, are not properties; they are living situations occurring in permanently owner-occupied homes.** The homes belong to a permanent resident who lives on the property and shares it with their tenants.

Here is a short list of commonly cited problems with vacation rentals (TVUs) and examples of how BnBs are a fundamentally different thing:

- Investors in TVUs drive up the price of housing, making homes unaffordable for local families. **BnBs help make homes *more* affordable for local families by subsidizing their mortgage payments.**
- TVUs “take up” housing stock and preventing it from being used for long-term rentals to local families. **Since BnBs by definition are owner-occupied and are often rooms in a larger home, they do not “take up” housing stock. Eliminating BnBs does nothing to increase housing stock.**
- Illegal modifications and renovations to create TVU “monster homes” often compromise safety and burden our utility infrastructure. **A BnB is not a building; it is a living situation. BnBs therefore typically involve unmodified homes or already-permitted ADUs.**
- TVUs often have inconsiderate and noisy guests coming and going at odd hours. **BnBs have on-site owners with pre-existing relationships in the neighborhood. They are therefore self-policing; if a tenant is a nuisance to the neighbors, they are also a nuisance to the owner.**
- TVUs can cause a loss of community in our neighborhoods as owners and long-term tenants are displaced by tourists. **There is no displacement of long-term residents in a BnB situation.**
- TVU guests often lack respect for local culture and natural resources. **BnBs have a built-in local host who is perfectly situated to influence guest perceptions and behavior.**

In summation, this Bill does not solve the problem with illegal short-term rentals. It makes it worse by making compliance impossible for owners who do not live in apartment or resort districts, and making compliance onerous for those who do. The result if passed will be a loss of financial security for local families, the loss of affordable short-term housing for those who need it, and the proliferation of illegal vacation rentals deeper into our neighborhoods.

If the Council is serious about addressing short-term rentals, it will keep the terms of the legislation short. **Limit the scope to 30 days or less, clean up the language about TVUs, exempt BnBs, and enforce the law.** Anything beyond this is an overreach.

Aloha.

-Brittain Caldwell

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mollie and Philip Foti
Phone
Email fotiprmk@hawaiiantel.net
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

We are in complete support of Bill 41 CD2
This is a watershed moment, when we can move toward restoring the balance between tourists and the people who live and work on Oahu and call this island home. The same peoples who volunteer for all manner of community activities, whose children go to island schools, who work in stores, hospitals, fire departments, teachers, police, librarians, builders, road workers, farmers, office workers, you name it. These are our people. They are us. And we need homes that we can afford. We need to be able to go to the shore to fish, to uncrowded beaches to swim, to parks to picnic. We need a life.
The tourist industry does not need to take over every facet of our island. We do not need vacation rentals in our residential neighborhoods. They belong in resort areas that can cater to them without disrupting the lives of island residents.
This bill goes a long way toward managing vacation rentals, reining them in, giving government entities the tools they need to do so. We need this bill passed.
Hundreds of houses, cottages and small apartments now used as illegal rentals will return to the long term rental market. The most pressing problem we have in Hawaii is the lack of housing, which contributes to homelessness, to the exodus to the mainland of our local population, to the eroding of the spirit we like to call aloha, that we all hold dear. This bill will go a long way to reversing this trend.
Please pass this bill. Thank you.

Testimony
Attachment
Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:58 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Deja Ostrowski
Phone
Email dejamarie@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony

I support this measure as a necessary step to ensuring housing security for all communities, but particularly our Leeward Coast community of O'ahu. I have seen in the past 5 years how vacation rentals have taken over the neighborhood in Waianae. It will only get worse as the housing market goes higher and local families like myself attempting to purchase with a traditional mortgage are outbid by cash buyers. Rental housing that before housed families has been bought up to be used solely for investment purposes. Landlords give out "30 day leases" that the vacation renters break early and then cycle through. Rather than offer the rental opportunities to local tenants, which would provide the property owner with an income, they choose to get maximum profit by renting only to vacationers. For example, at \$80 a night, a family can 'rent' a property for \$2400 a month. A local family could also rent that unit and provide stability for our community. Please continue to support resident families and the use of our housing for long term stability, not vacation uses.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:59 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kimo Kippen
Phone
Email aloha@pobox.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:01 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kehaulani Breault
Phone
Email kehaulani.breault@evrealestate.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 42, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Mahalo,
Kehaulani Breault

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michael Styring
Phone
Email michael.kailua@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bil 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:10 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Denise Santilena
Phone
Email denise@heyer-associates.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.

As a Property Manager I have had many tenants rent property from me for less than 90 days for the following reasons:

-Medical. Family needs a place to stay while a loved one is treated in the hospital for emergency, cancer treatment, hospice.

-Renovation to existing home. Many clients choose to vacate their home while it is under construction. This is very common and the usual lease term is 1-3 months.

Written
Testimony

-Interim Housing. Many people move to Oahu to purchase a new home and upon their arrival seek interim housing. A one - three month lease helps during this transition period. In fact, I currently have a couple that has moved to Oahu from the Big Island in this exact situation. Another example is I have a current renter in transition between selling their home and purchasing another. They will renovate their new property and a 2 month rental meets their needs.

Many sellers' prefer to move out of their homes while their property is listed for sale and a short term rental is necessary.

Traveling Nurses- I've had a few traveling nurses rent for 2-3 months

TV Production- Hawaii is home to many tv shows and movies, with that brings many people that need accommodation. Many of them stay for less than 90 days.

Requiring 90 day rentals would be damaging to families here for emergencies or being by the sides of their loved ones.

It would have a negative impact for buyers purchasing a home as it would not allow them to take advantage of current interest rates. It may not allow Sellers to move out of their home while their home is listed if they have to commit to a longer term lease. It prohibits traveling nurses/tv production to seek comfortable accommodations within their living allowance.

These are serious issues and I hope my comments are taken into consideration.

Testimony

Attachment

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and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:12 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Spinazza
Phone
Email davespinazza@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written Testimony

I also oppose restrictions as they stand to Short Term Rentals completely. The amount of time and money spent on restricting what private homeowners can do with their property is terrible. I agree that control and restrictions should be in place but feel that resources could be better used to make operating a short-term rental less enticing by focusing on TAT licenses, fees, and enforcement. If I wanted to rent out my home short-term for vacation or other purposes I should be able to assume I am willing to pay much higher taxes that could then but used to invest in the infrastructure that current laws say is being overburdened. Fees and taxes collected could also be used to fund more affordable quality housing projects directly or purchase and rehab of vacant residential housing around the island.

Properties that want to participate should meet requirements to do so such as providing on-site parking so that short-term renters don't take up already valuable street parking.

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:13 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sharmaine Curtis
Phone
Email sharmaine.curtis@evrealestate.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:14 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Elarka Yuen
Phone
Email eshyuen@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD 2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many non-tourist-
related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67



March 23, 2022

The Honorable Brandon Elefante
Chair, Committee on Zoning and Planning
530 South King Street
Honolulu, Hawaii 96813

Aloha Chair Elefante and Members of the Committee on Zoning and Planning,

On behalf of Marriott International and our portfolio of hotels here in Honolulu, I wish to respectfully offer our support for the intent of Council Bill 41 CD2.

Marriott has always been in favor of an effective and sensible framework to regulate the modern practices of the vacation rental industry. As our community continues to grapple with challenges associated with the proliferation of illegal rentals, we appreciate the Council's efforts to modify local law in a way that will limit loopholes and improve enforcement.

The economic consequences of allowing illegal rentals to proliferate are mounting and continue to be felt throughout the entire island. If left unchecked, this illegal activity threatens Oahu's community spirit and long-term economic prosperity.

Bill 41 CD2 aims to restore a healthy balance that will improve local quality of life, bolster the local economy, and enhance the visitor experience. We understand that the measure still requires further refinements in order to limit certain unintended consequences, and we appreciate the Committee's continued attention to those important clarifications. Overall, we believe that Bill 41 CD2 is moving in the right direction and that it will ultimately help put a stop to the detrimental impacts that illegal rental activity is having on our local housing stock, our economy, and our local population.

Thank you for your consideration.

Mahalo nui loa,

A handwritten signature in black ink, appearing to be "Doug Chang", written in a cursive style.

Doug Chang
General Manager
The Ritz-Carlton Residences, Waikiki Beach

I oppose Bill 41 CD2 in it's current state and ask that you consider these points below before voting to advance this bill.

There are currently 16 condotel and hotel buildings in the apartment mixed use zone of Waikiki. If individual owners are not able to rent less than 90 days under CD2 why should these hotels be able to continue to operate? For example, Aqua Aloha Surf is in the Waikiki Apartment Mixed Use Zone and is a condotel. If an owner chooses to enter the hotel pool it would be considered exempt from CD2. That hotel can advertise however they choose, including AirBnB/VRBO which is already in use by this hotel. But if that same owner chose to list their own unit on AirBnB and not share the profits with the hotel, it is an illegal rental? The ultimate use for the unit is the exact same- but now the profit isn't being shared locally. It protects the interest of Aqua Aston and does nothing to reduce tourism.

Bill 41 CD2 provides exemptions for properties in A-1 and A-2 apartment zone, Waikiki does not have an A-1 or A-2 zone, but instead Apartment Mixed Use. Why are other apartment zones exempt but not Waikiki? Right in it's name is "mixed use" why would TVU's not fall under "mixed use"? So far hotels, hostels, timeshares, and commercial activities all operate in the apartment mixed use. Seems like TVU's are the only ones being targeted. Why cherry pick which buildings are exempt, such as Waikiki Sunset and Waikiki Banyan? There are many other buildings just like them which should also be exempt.

In its current form, CD2 requires owners in the resort zone to register their properties to continue renting short term. Why are legal rentals being penalized? These owners have already paid increased property taxes and paid a premium at purchase to have the ability to rent short term. Now that is being taken away? Why aren't hotels required to register all rooms to continue renting?

In the same breath, Bill 41 is being proposed under the premise of lowering tourism but there are currently over 10 proposed or in progress developments in the Waikiki/Ala Moana area alone. If you were to look at the demographics of these buildings, you would find almost all will bring more residents to Oahu rather than serving the existing residents. How does this achieve the goal of fewer people on the island? And why does this responsibility to reduce tourism fall on vacation rental operators when hotels continue to be expanded? For example, Hilton Hawaiian Village is seeking permitting for another tower, but right across Ala Moana Blvd I am not allowed to rent out my condo as a TVU. The same can be said for Waikiki King's Village being demolished and becoming a Hilton timeshare.

There are many buildings in Waikiki which are located in the Apartment zone which were originally built as hotels and converted to apartment buildings later on. These buildings have studio efficiencies under 300 sq ft, they do not have kitchens, and do not have parking stalls. Do you feel it is reasonable to expect someone or a family to live in a studio and not be able to cook for themselves or have a spot for their vehicle to get to work? How many people do you know which would accept these conditions for their family? The best use for these properties are short term rentals, not 90 or 180 days.

Pushing forward with this Bill will do more harm than good by taking away opportunities for us residents to make a living while catering to the hotels that are based out of the mainland or other countries. When Bill 89 was proposed there was a collaborative effort from all parties to pass what ended up being a reasonably fair bill. The city has tools in place such as the MOU to enforce Bill 89, but has not done so. I urge you to vote "No" on Bill 41 CD2 and focus attention on enforcing already passed Bill 89.

Respectfully,
Alyssa Nolan
RA 81130
Tropical Escapes Realty Inc.

alyssa@tropicalescapesrealty.com

March 22, 2022

Dear Zoning & Planning Committee Members:

Re: Bill 41 CD2

I am a fourth generation Kamaiana and have owned my property since 1978. It is the only piece of property I own. If I had wanted to live in a resort area I would have bought in a resort. There is a neighboring residence that now rents for 30 days but advertises that the property can accommodate up to 16 people. Recently there were 6 cars and 24 people at the property (I counted heads when they were taking a group picture on the stairs leading to the beach). The owner of the property resides primarily in California. There are other homes that advertise for a 30 day rental but whose renters never stay for 30 days. They either sign a fake 30 day lease or lie and say they are friends/relatives of the owner staying for free. Some of the properties have been cited in the past but none recently.

I fully support Bill 41 CD2 and sincerely ask you to do so. The bill's provisions should go a long way in allowing local residents to again enjoy their communities, provide for a better neighborhood watch, make available more long term housing and reduce our ever escalating property values. The rental of vacation properties is a commercial activity occurring in a residential neighborhood. It is all about money. I wish the bill was for 180 days but 90 days is better than the current 30 day rule.

Thank you,

Chris Godwin
57-451 Honokawela Drive
Kahuku, Hawaii 96731

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:20 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Larry Baraff
Phone
Email lbaraff@ucla.edu
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Short term vacation rental result in noise, traffic, lack of affordable housing and are favored by owners who often are not living in the community. They are a problem I'm many areas of the world and measures have been taken in other areas and are overdue in Kailua.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:24 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Shaila Campbell
Phone
Email shaila@hawaiihe.com
Meeting Date 02-03-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Organization
Organization Hawaii Homes and Estates LLC

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Annie Song
Phone
Email annie.song312@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:27 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kimo McClellan
Phone
Email jameskaneiakamamcclellan@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position Support
on the matter
Representing Self
Organization

Written Testimony I have lived in Hawaii my entire life, born and raised on O'ahu. We need to keep our communities for our local residents. Of my five sons, only one of them was able to purchase a home on O'ahu, and since he and his wife bought their home the valuation has gone up by so much that they wouldn't be able to purchase their home if it were on the market today. Across the street from me is an illegal short term rental in a home my kids will never be able to afford because these illegal hotels are driving up the cost of housing for locals like me and my family. Please pass this bill and once and for all get rid of these lawbreakers from our communities and maybe, just maybe our kids will have a fighting chance at a home.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:34 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	James Bersson
Phone	
Email	jamesbersson@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD1, proposed CD2
Your position on the matter	Support
Representing Organization	Organization Lanikai Community Association
Written Testimony	<p>The Lanikai Association supports Bill 41(2021) CD1, proposed CD2, Relating to Transient Accommodations.</p> <p>The Draft Bill's Findings and Purpose, copied below, aptly describe the impact of short-term rentals on residential communities and the City and County of Honolulu as a whole.</p> <p>"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 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."</p> <p>Thank you for the opportunity to provide testimony on this important Bill.</p>
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:42 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Helen Peil
Phone
Email propinvst@hawaii.rr.com
Meeting Date 02-02-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

-If the 30 day is destroyed, any visitor above or friends will be forced into hotels. Problem is that the economy of communities like Kailua or any other will suffer. Small shops will close ... all due to this Bill ...

-Bill is purely detrimental and only serves to put more money into the hotel industry. Communities need to thrive as we do with visitors of all kinds bring business.

-cities in countries around the world do vacation rentals. Many people don't want to stay in hotels and prefer the local flavor. Let us do the same.

-Everyone needs to think ahead at the negative repercussions. ... the percentage of rentals does not even compare to the number of people who will be harmed by this.

-monthly (30 day) rentals need to remain a staple.

Testimony Attachment
Accept Terms and Agreement

1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:45 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kim Phung Xiao
Phone	
Email	Kxiao922@gmail.cok
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Im Kim Phung Xiao .i live in Honolulu Hawaii im working at Malia Outrigger Hotels It is important to save our communities from illegal short term rentals by passing Bill 41
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patrick Graham
Phone
Email patrickg@cbpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tyler Hinderer
Phone
Email tyler.hinderer@redfin.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones.

This is the most ridiculous bill and the officials that wrote these new rules should be ashamed of themselves. This just proves what a corrupt government we have here if this passes. You are not going to help locals with this bill. It is disguised only to help the hotel owners.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Edward Wels
Phone
Email edwardwels@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Item #2, BILL 41 (2021), CD1
Your position on the matter Support
Representing Self
Organization JustMe

Written Testimony I support amendment G. 1. (a), as set forth in BILL041(21), CD1, PROPOSED CD2 - BE1, which will delete the permitting of B&Bs and TVUs in the designated A-2 District situated in the Gold Coast area of the Diamond Head Special District.

Thank-you

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Steven Yamamoto Jr
Phone
Email yamamoto.steven@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha,

I understand the intent of Bill 41, but I don't understand how the 90 day time period was decided on and haven't received any response. I have contacted the office of every member on this council and was told repeatedly that it was the number that was proposed by the committee chair, but that they didn't know how the number was figured out. Shouldn't this number be date driven and understood prior to being able to cast a responsible vote?

The number one industry in our State, Department of Defense, continually sends out active duty and private companies to support work being done at various military installations. The workers typically come out to work at the various military installations from 30 to 45 days and are given a housing amount that is far below the average hotel rate? The local work force in this industry can't even come close to supplying enough workers to support this industry. I asked the council members that voted in favor of this Bill, how we take care of this group and have had no response.

Written
Testimony

We also have a very large shortage of health care professionals on this island as well and they typically come out on four to six week contracts. This need has been around for years and not just during the Covid surge These clinician's housing amount isn't even close to what they would have to stay at a hotel nor do either of these groups want to be stuck in a hotel room for four to six weeks. They need a place to cook food and do their laundry. I asked the council how we support these individuals as well and have had no response.

The intent of this Bill has a good, but it is also going to kill the our number one industry in the State as well as prohibit us from having adequate health care professionals on the island to take care of the people on our island. Why would these two groups not be included in as exemptions to this Bill? If not exemptions, how are you planning on taking care of this problem? Respectfully, Steven Yamamoto Jr

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Zeus Kang
Phone
Email zeus@zeuskang.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Lee Slusher
Phone
Email kailuadave5@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Chairman Elefante and Members of the Zoning and Planning Committee,

I stand in support of Bill 41 CD2.

During my presidency of the Kailua condominium Windward Passage (WP), we discovered several owner and realtors were illegally renting apartments on a short-term basis, as short as several days. Transient accommodations were advertised on the internet; just pick up the keys. This of course violate the City and County statutes as well as WP documents.

To be on firm ground, the Board requested a legal review of our documents. Our attorney advised us to change some of the wording in WP documents to make them legally consistent. The proposed document changes were submitted to the owners to eliminate any possibility of WP apartment rentals of less than six months. This required a 67% vote of the owners to amend the WP documents.

Written Testimony This was a difficult decision for many owners as they were also leasing their apartments. The amendment to the WP documents was approved by more than 67% with more than 50% of the owners then renting their apartments in WP.

There were many reasons owners gave for voting for the amendment. Most importantly, it was recognized that WP would become a residential hotel instead of remaining residential condominium as built. Other reasons given were building security and maintenance problems, illegal activities going on in apartments, normal B&B parties getting out of hand requiring the intervention of Kailua Police, etc.

WP is an important real example in Kailua of owners rejecting short-term rentals to keep WP a quiet residential condominium. This was approved despite the probability that short-term rentals would increase the value of the condominium and the rental prices owners could ask. I stand in support of Bill 41 CD2. Thank you for your consideration.

David Lee Slusher

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Aimee Kim
Phone
Email aimee.hawaii@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, especially the 90 minimum rental periods for B&B and TUVs. We still need to keep 30 days minimum rental period as far as buildings AOAO approves. Excessive government interference in the rental period goes against the liberal democratic market economy and it seems the Hawaiian government appears to be threatening the livelihood of many small rental businesses in collusion with a large hand in the hotel industry. As far as I know, among the many visitors to Hawaii, the proportion of visitors who want to stay in Hawaii for about a month or two and experience island lifestyle residences is considerably higher than short-term visits. I think it will be more publicity than commercial hotels to promote our Aloha spirit.
I think allowing rentals for at least 30 days in Waikiki, Alamoana and Kakaako is a way to revitalize the Hawaiian economy.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Barbara Krasniewski
Phone
Email barbarak@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

Aloha,
I'm a longtime resident of Kailua and over the 44+ years, I've seen many changes in my community. Some have been positive but many have been negative as emphasis has tipped in favor of expanding tourists' interests. Fortunately, at this time and with Bill 41 CD2, Honolulu City Council has the opportunity to swing the pendulum back in favor of residents. After all, we purchased our home in this community zoned residential, not resort, knowing there were restrictions to limit tourists to day trips, not overnight stays. I must take issue with people who claim the city is infringing on their rights on what to do with there own private property. That's hardly the case. If they wanted to rent a portion of their home to tourists, they could have purchased a home in a resort area of the county. We bought a home here as we wanted neighbors, not tourists next door. Tourism in our community has decreased the number of available spaces for Hawaii residents to rent. Purchasing a home is. out of sight for many as Illegal rentals have dramatically increased property values (and property taxes) as homes producing income will definitely demand higher sales prices.
I'm requesting City Council members to approve Bill 41CD2 to return our neighborhoods to the residents as the residential zoning is intended. Open up rentals for local families. Thank you

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name NANCY THOMAS
Phone
Email THOMASPROP@HOTMAIL.COM
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item BILL 41, CD2 -
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I am opposed to Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.

- Home sellers or buyers need a rental until they close on a new property or arrange for interim housing after they have sold their property
- New residents need time to find a long term rental or purchase of housing when they move to Hawaii from elsewhere
- Military residents need a place to live while waiting for base housing to become available after being assigned to Honolulu
- Those who are renovating or completing construction on a new or existing residence
- Families with young children or pets need a place to stay other than a hotel or boarding of their pets
- Executives and others who must start work immediately and need interim housing until they find permanent accommodations
- Family members from other states who are caring for loved ones in Hawaii
- Temporary employees, such as nurses, who are in Hawaii for less than three months
- Other companies who are in Hawaii for a construction project that is more than 30 days or less than 90 days.

In the past, I managed rentals on the island and some of the rentals were furnished and rented for more than 30 days and sometimes less than 90 days; but never less than 30 days. The neighbors all knew how to contact me if there was the slightest problem with one of the renters. One of my clients taught at a university in Asia for six months each year but wanted to return to his property during the summer session. Another client planned to move to Hawaii in the future and wanted to secure a property that would be suitable and available to rent in the meantime. A third client worked on the east coast and wanted to take some time off each year to visit Hawaii and stay in her own unit between rentals. I rented to several specialty

contractors who worked on the International Marketplace renovation. Another had a long-term contract and needed to have a place to live until their furniture arrived and they could find a long-term rental.

The highest demand was for military families with or without children or pets who needed to settle in while waiting for base housing. Sometimes it was a month to six weeks and sometimes it was three-plus months. I also rented to a family whose apartment had flooded and the insurance company needed to house them during the renovation process. I also received calls from the Red Cross for victims of house fires or floods.

I rented to several specialty contractors who worked on the International Marketplace renovation. Another had a long-term contract and needed to have a place to live until their furniture arrived and they could find a long-term rental.

Another view is that some of those who can afford to vacation in Hawaii for a month would rather stay in a less hectic environment than Waikiki and get to know the locals and enjoy a quieter vacation.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Malia Odum
Phone
Email maliodum@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41/CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony In light of current events, this is the absolute worst time to further a bill that will place additional financial burdens on small business and property owners. Stop pandering to corporate hotel interests and allow Hawaii's middle class taxpayers to meet the ever rising cost of living. Vote NO on Bill 41.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:42 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Suzanne E Booth
Phone
Email sebaraff@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item 41 CD1
Your position on the matter Support
Representing Self
Organization

Written Testimony

Short term rentals have been an enormous problem in my neighborhood. Absent owners cannot enforce basic consideration for the people who are full time residents. Proper restrictions would free up housing which is in extrememly short supply for local folks. We have suffered long enough with mismanagement of vacation rentals. Do the right thing for the people of Hawaii not the foreign investors and hotel owners. Thank you.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

Wednesday, March 23, 2022. 9:00 AM

City and County of Honolulu Committee on Zoning and Planning

Testimony on Bill 41 CD2 Relating to Transient Accommodations

Chair Elefante, Vice Chair Kia`āina, and Members of the Committee on Zoning and Planning:

I **support** this proposal to reign in illegal vacation rentals, which aligns with the State's efforts in executing its Destination Management Action Plans through the Hawaii Tourism Authority. I would like to offer an innovative amendment.

I encouraged the University of Hawaii to fully monetize their dorm rooms by short term renting them during breaks. They thought it was a novel idea and they were receptive, but I was told that the City permits preclude them from doing so.

Would your committee be receptive to inserting language to allow any educational institution to short term rent their dorms? This will open the door for many of our high schools and colleges that are looking for new revenues.

Thank you for your consideration.

Mahalo,

Senator Glenn Wakai
Hawaii State Senate
Kalihi • Salt Lake • Foster Village

Senator Glenn Wakai
Kalihi • Salt Lake • Foster Village
State Capitol, Room 407, 415 S. Beretania St., Honolulu, Hawaii 96813
Phone: (808) 586-8585 Fax: (808) 586-8588 Email: senwakai@capitol.hawaii.gov

From: Nancy Thomas <thomasprop@hotmail.com>
Sent: Tuesday, March 22, 2022 12:44 PM
Subject: RE: Zoning and Planning Testimony 3/23/22 Bill 41, CD2

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

Thank you for the copy of my written testimony, I realized I did not include my phone number on the form – it was an oversight and I do not want my testimony deleted because of it. The Phone number is **(808) 973-3300** and is included in my standard signature.

Nancy Thomas, REALTOR Emeritus
"The Landlady" RB – 11596
THOMAS PROPERTIES
Office/Cell: (808) 973-3300
Honolulu, HI 96816

From: clkcouncilinfo@honolulu.gov
Sent: Tuesday, March 22, 2022 12:31 PM
Cc: THOMASPROP@HOTMAIL.COM;
Subject: Zoning and Planning Testimony

Written Testimony

Name	NANCY THOMAS
Phone	
Email	THOMASPROP@HOTMAIL.COM
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	BILL 41, CD2 -
Your position on the matter	Oppose
Representing	Self
Organization	

Written Testimony

I am opposed to Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.

- Home sellers or buyers need a rental until they close on a new property or arrange for interim housing after they have sold their property
- New residents need time to find a long term rental or purchase of housing when they move to Hawaii from elsewhere

- Military residents need a place to live while waiting for base housing to become available after being assigned to Honolulu
- Those who are renovating or completing construction on a new or existing residence
- Families with young children or pets need a place to stay other than a hotel or boarding of their pets
- Executives and others who must start work immediately and need interim housing until they find permanent accommodations
- Family members from other states who are caring for loved ones in Hawaii
- Temporary employees, such as nurses, who are in Hawaii for less than three months
- Other companies who are in Hawaii for a construction project that is more than 30 days or less than 90 days.

In the past, I managed rentals on the island and some of the rentals were furnished and rented for more than 30 days and sometimes less than 90 days; but never less than 30 days. The neighbors all knew how to contact me if there was the slightest problem with one of the renters. One of my clients taught at a university in Asia for six months each year but wanted to return to his property during the summer session. Another client planned to move to Hawaii in the future and wanted to secure a property that would be suitable and available to rent in the meantime. A third client worked on the east coast and wanted to take some time off each year to visit Hawaii and stay in her own unit between rentals. I rented to several specialty contractors who worked on the International Marketplace renovation. Another had a long-term contract and needed to have a place to live until their furniture arrived and they could find a long-term rental.

The highest demand was for military families with or without children or pets who needed to settle in while waiting for base housing. Sometimes it was a month to six weeks and sometimes it was three-plus months. I also rented to a family whose apartment had flooded and the insurance company needed to house them during the renovation process. I also received calls from the Red Cross for victims of house fires or floods.

I rented to several specialty contractors who worked on the International Marketplace renovation. Another had a long-term contract and needed to have a place to live until their furniture arrived and they could find a long-term rental.

Another view is that some of those who can afford to vacation in Hawaii for a month would rather stay in a less hectic environment than Waikiki and get to know the locals and enjoy a quieter vacation.

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: JiajunLin [linjiajun@live.hk]
Sent: Friday, March 18, 2022 1:21 PM
Subject: We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

From: MorganEvans [mevans@5.unitehere.org]

Sent: Friday, March 18, 2022 1:29 PM

Subject: We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

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Mahalo

From: DoryneJardine [djardine@5.unitehere.org]

Sent: Friday, March 18, 2022 1:45 PM

Subject: We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

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I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

From: ChreaEvangelista [Chrea.Evangelista@hyatt.com]

Sent: Friday, March 18, 2022 9:07 PM

Subject: We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

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Mahalo

From: JoliTokusato [jtokusato@5.unitehere.org]

Sent: Tuesday, March 22, 2022 7:43 AM

Subject: We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

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I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name yolanda salondaka
Phone
Email yolandas@cbrealty.com
Meeting Date 03-22-2022
Council/PH
Committee Zoning and Planning
Agenda Item bill41 cd2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peter D Arnold
Phone
Email pete@hawaiiilife.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item BILL 41/CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
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-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 12:53 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Anna Barrett
Phone
Email barrett.anna02@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

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- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Glenna Bolster
gbolster@culinaryunion226.org

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo
Glenna Bolster

Tammy Omoso
Tomoso@5.unitehere.org

We support Bill 41 re: vacation rentals

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Mahalo

Sabrina Ruan
suyan0305@hotmail.com

We support Bill 41 re: vacation rentals

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Mahalo

Matiaane Codiamat
mariaane.codiamat@gmail.com

We support Bill 41 re: vacation rentals

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Mahalo

Juliana Alcaraz
juliealcaraz1028@gmail.com

We support Bill 41 re: vacation rentals

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Mahalo

Florence Miguel
prosperity_rfc143@yahoo.com

We support Bill 41 re: vacation rentals

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Mahalo

Purie ibalio
paradisehonolulu@gmail.com

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Mahalo

Purie ibalio
paradisehonolulu@gmail.com

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Mahalo

Matias Flora
matiasflora2@gmail.com

We support Bill 41 re: vacation rentals

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Mahalo

Affron Herring
Affronherring@aol.com

We support Bill 41 re: vacation rentals

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Vangie Mamuad
Vangiemamuad13@gmail.com

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Yong xia Lee
Helenx617@gmail.com

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Editha Balanay
edith.s.bautista@gmail.com

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Vicenta Angeles
tess05angeles@gmail.com

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Shron Dela Cruz
Sharonmaruquindelacruz@gmail.com

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Nympha Comacchio
ncomacchio@icloud.com

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Maria Fuentes

Mariefhel66@yahoo.com

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Lolita Sahagun

Sahagunlolita@yahoo.com

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Kenziro Kloulubak

kankenza.man@gmail.com

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Jaybee Buenavista

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Jorge Laguna

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Kalena Miyashiro

kminc67@hotmail.com

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Carmelita Melegrito

carmelita_melegrito@yahoo.com

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Lilibeth Herrell

Lherrell25@gmail.com

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Cesilee Linares

cesileelinares@yahoo.com

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Ruby Ann Rubina

Mayalu7220@gmail.com

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Ross Baniaga

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My Nguyen

Shortie1774@hotmail.com

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Vivian Villadelgado
viviana_villadelgado@yahoo.com

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kris.laurente@yahoo.com

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Alvin.Castro@sheraton.com

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leonildahipolito0510@gmail.com

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Doris Feleti
David81313@gmail.com

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Carol Longley
808longley69@gmail.com

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Faustino FABRO
faustinofabro@yahoo.com

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Chrea.Evangelista@hyatt.com

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Janal Kaina
kainakolohe@yahoo.com

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Colleen Rost-Banik
crostbanik@gmail.com

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Herminia Ramirez
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Trisha Gonzales
tici68co@gmail.com

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Tina Tolentino
ttolentino2003@gmail.com

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Alexsis-ann Crowell
alexiscrowell@gmail.com

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Cresencia Calapit
Cresenciacalapit@yahoo.com

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ejowenna_jj77@yahoo.com

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proverb356@hawaii.r.com

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Jiajun Lin
linjiajun@live.hk

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dana_girl47@hotmail.com

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Zena Nasau
thrum_spadix.0u@icloud.com

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Lili Li
uhllili1230@gmail.com

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Dhctransfers@gmail.com

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Nothing is sacred on this island any more. Everything is geared towards making money and not taking care of the real infrastructure that makes all the Hawaiian islands special. If all of us locals get pushed off this island, where will the REAL Aloha spirit come from. These are real problems that we locals have to face, with no help. If it was different, I would not have to write this email. Please help everyone, including your families on these islands to keep Local Local! Please have sympathy and empathy for the voters that put you in office to help us in every positive way. For that is why you have been elected!
Help us please!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Mahalo for listening

Sonia Yoshino
syyoshino2@iCloud.com

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Shari Matsuda
shari.matsuda@hotmail.com

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Dynadine Limos
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Roslyn Balasico
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Cresilda Colling
Hilda143@icloud.com

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Marilyn Cabebe
cabebemarilyn@gmail.com

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Leonilda Hipolito
leonildahipolito0510@gmail.com

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Carmelita Melegrito
carmelita_melegrito@yahoo.com

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MASAE KIA
masaekia@gmail.com

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Victor Beebe
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Judith Aquino
judithdais10@hotmail.com

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Luzviminda Rieza
riezaluzviminda@gmail.com

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Kenziro Kloulubak
kankenza.man@gmail.com

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Rodney Nakashima
rnakashima123@hotmail.com

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Maluhia Low
Maluhialow@gmail.com

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Edwina Takaesu
Roxanne1@hawaii.rr.com

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andygrand6@gmail.com

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Edrick Banatao
edrickbanatao_37@icloud.com

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Nakada Hiromi
Nakagrandi@hotmail.com

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Kawaipuna Kalipi
Kkalipi@hawaii.edu

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Cristina Fernandez
cristina_11@yahoo.com

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Lisa Grandinetti
lgrandinetti@5.unitehere.org

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Donna Moore
aprongirlfromhawaii@gmail.com

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Abegail Joy Patoc
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Twoboobers@yahoo.com

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Mark Guanzon
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djardine@5.unitehere.org

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marcella.carranco3@gmail.com

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Moustafa Oumsount
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Maritess Velasco
v.maritess@yahoo.com

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ELENA Carganilla
elenacarganilla3@gmail.com

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Audrey Jordan-Gecain
Ajgecain@gmail.com

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Jiajun Lin
linjiajun@live.hk

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Juan Bautista
bjo_8@yahoo.com

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Lullete Ventura
lsko74@yahoo.com

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I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

Faustino FABRO
faustinofabro@yahoo.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

Robert Clarke
crobert808@yahoo.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

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Mahalo

Alissa Tamayo
alissaoguma@gmail.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

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Mahalo

Carmelita Melegrito
carmelita_melegrito@yahoo.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

Douglas Miyoi
dmiyoi@aol.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

Daniel Domingo
danieldomingo978@gmail.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'āina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

Rowela Lipin
Dabie2017@yahoo.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

Maeleen Lyman
MaeleenLyman@outlook.com

We support Bill 41 re: vacation rentals

Aloha Chair Elefante, Vice Chair Kia'aina and members of the Committee on Zoning and Planning,

As a member of Local 5, I appreciate the City Council's continued effort to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement. Our position remains the same, the proliferation of illegal vacation rentals affects affordable housing and good paying jobs in our community.

Allowing tourists to stay in neighborhoods also causes friction amongst locals and tourists while taking away business from designated tourist areas.

I support Chair Elefante's proposed CD 2 and advocate for the detailed suggestions as outlined in the sign-on letter from the neighborhood advocacy groups including UNITE HERE Local 5 and provided to the Council.

Mahalo

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stanley Yu
Phone
Email stanleyy@betterhawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 41 for a multitude of readings but mostly because I've been operating legal airbnbs (short term rentals - paying all hotel & resort taxes, TAT, GET, etc) at the Hawaiian Monarch in Waikiki for several years now. That being said, our income is not the greatest due to all the high taxes and most times, we only break even. Now that the new ordinance is introduced, Bill 41, imposing rentals to be 90 days or more (meaning no tourist will want to rent from us anymore) along with increased expenses such as the enforcement fund and a hefty annual registration fee, it will literally put me out of business.

For legal vacation rental owners and managers, this is our small business, this also employs thousands of cleaners, and handymen small businesses. This is alot of people's livelihood. As a small business owner, I always support local but once this bill is passed, all the money is only going is to big corporate mainland hotels, what happened to buying local and supporting locals?

Written Testimony

I was born and raised here and this helped my family survive during the pre-pandemic days. We are the local business men and women trying to earn a living with our tourism industry. We should have that right and it should not be taken away from us. Hotels should not be the only ones to have the right to profit from it. This is our home, our land, we should be able use the resources our land has to offer, and it is tourism that is our most valuable commodity. We are in constant competition with big corporations trying to come here and take our jobs. This is Hawaii's tourism industry, this is OUR tourism industry, let the people eat and earn a living. We need to help and support local businesses.

I humbly request to please take a second look at the bill you and others are trying to pass. As a legal airbnb owner, I have paid every single tax since day 1 but to add more will definitely make me want to dissolve the company I have worked so hard to start up. People think airbnbs make a lot but it's really not that much and although I'm mostly quiet in the back ever

since Bill 89 was passed (and I was quiet because that ordinance was reasonable and was there to protect legal airbnb owners and fine the illegal ones), I can't keep quiet about this new bill due to the fact that it will potentially kick out all the legal airbnb owners (especially me being born and raised here) that tried so hard to live in this expensive island.

I thank you for your time and service to the people of Oahu. Please forward to anyone that is interested in a fellow local resident speak of Bill 41. Thank you for your time and patience.

Testimony

Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michael K Dailey
Phone
Email mdhawaiiipolo@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

Please finally pass this bill that provides for some real enforcement of the zoning laws prohibiting illegal vacation rentals in Oahus neighborhoods. I have lived in Mokuleia on the North Shore for 60 years. Over the past decade the housing situation in Waialua and Mokuleia has been negatively impacted by illegal vacation rentals taking local residential housing off the market by converting the units to vacation rentals. This has also created tremendous price inflation as outside investors have bid up the prices of not just beach front but of off beach homes in our community beyond the ability of regular working community members to afford them.

The end result is long time community members and families being forced to move out of the community and their old neighborhoods to be replaced by a constantly revolving door of short term strangers with no long term commitment to the neighborhood, to the community or to the aina.

Its long past time to actually do something about this problem. Bill 41 finally provides for fines that are steep enough not to be just ignored as a "cost of business" to the lucrative vacation rental business model and most importantly, the funding to actually enforce the laws in place. Please pass this bill while there are still neighborhoods and communities to protect.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mitch
Phone
Email mitchatbt@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

There is groundswell of opposition to this bill. It is much too extreme and punitive in nature. It threatens the tourism industry because it will decrease the number of visitors, and it threatens property owners because it will severely restrict what they can do with THEIR own property. While travelers are speaking loud and clear (they want vacation rentals and are booking them in record numbers) they are not being heard on Oahu. They will not submit to being herded into crowded Waikiki hotels...they will simply go elsewhere, and take their discretionary dollars with them. It's a terrible bill. On top of all that, this bill will punish LEGAL owners who have paid their taxes, and their NUC fees year after year. Why in the world would NUC fees jump from \$300 per year to \$1,000? Why are those owners being punished?

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mike Heh
Phone
Email Mikeheh100@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization
Organization Kuilima Estates Coalition

Dear Honorable Council Members, Say, Kia`aina, Cordero, and Elefante:

DPP's credibility is at an all-time low. The fact that they never enforced Bill 89 after 4 years of planning with lots of community input, the Mou's with the major rental platforms, agreeing to post Tmk's so the City could simply identify who was legal and who was not, is a big reason why!

Bill 41 was pushed out by Director Uchida said without any community input even the Mayor stated the Hotels helped them write it! When the bill first came out, the biggest beneficiary would have been Ashton-Aqua and Joy Uchida the DPP Director's wife who is an executive there. Bill 41 is still a gift to the hotels making them a privileged class above legal vacation rental owners.

Written Testimony

Put Bill 41 on moratorium for 5 to 7 years, enforce Bill 89 to identify the illegals by the Tmks the major vacation rental platforms require us to post and shut them down just like Kauai successfully did.

If Bill 41 isn't killed like it should be, then make it fair for the legal vacation rental owners. Like Andria Tupola said; "The people of Hawaii come first before any other interests or industries". Please listen to her 8 minute speech refuting Bill 89 for what it really is, "pages and pages of confusion" that will not restore Dpp's trust and will be a blow to our trust for the city council.

<https://m.youtube.com/watch?v=InJnSWOJi9U&feature=youtu.be>

If you do push Bill 41 forward then at least be fair about it registration fees and annual renewal should be \$500 maximum. These onerous rules about keeping logs of visitors and so on is

something DPP will never be able to monitor should be removed. Make it easier for those of us who have legal vacation rentals to support our communities with them. Especially like those of us at Kuilima Estates on the N. shore whose guests support the N. shore businesses and community. We are on the resort property of the Turtle Bay Hotel and pay 4 to 5 million per year in GE and TAT taxes alone!

Please kill Bill 41 while you still can and force Bill 89 to restore Dpp's trust and keep our faith in City Counsel or remove the cumbersome expenses and difficult process put on the backs of us legal vacation rental owners when the hotels are in their own privileged class. Thank you for your time and hard work!

Mike Heh 808-382-4515

Testimony
Attachment

Accept Terms
and 1
Agreement

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:41 PM
Subject: Council Testimony

Written Testimony

Name	Denise Freund
Phone	
Email	denise@alawaihouse.com
Meeting Date	03-24-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Comment
Representing Organization	Organization Ala Wai House - Gold Standard Realty LLC
Written Testimony	1.The following items need to be clearly defined: short-term rental vacation rental transient vacation unit (TVU) 2. If the minimum short-term rental becomes 90 days, what would the term be for 91 days and longer?
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:07 PM
Subject: Zoning and Planning Testimony
Attachments: 20220322130631_Bill_41_CD_2_Table.pdf

Written Testimony

Name Wendy Chen
Phone
Email chenw5424@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Thank you Chair Elefante and the rest of the Planning Committee for your hard work. CD2 makes a lot of substantial improvements.

If you can further improve the bill by addressing resort zone TVU separately from residential zone TVUs(NUC and those in A1-A2), the advertising loophole for hotel and timeshares, and special consideration to Waikiki apartment and apartment mixed use district, as stated below?

RESORT ZONE TVUs, Hotels and Timeshares

Written Testimony Bill 41 seeks to obtain funding for enforcing illegal short-term rentals on the backs of small business TVU and B&B operators, and does not seek any contribution from hotels who will gain much of the benefit of shutting down illegal short-term rentals. This approach is fundamentally unfair. TVU and B&B owners in the resort zone already pay the Resort Hotel property tax and TAT and GE tax. The City Council should not set a policy of imposing an additional fee only on small business TVU and B&B owners in the resort zone. If you charge each hotel room, as well as each TVU and B&B unit, an annual fee. This would reduce the annual fee from \$1,000 to \$50 per room/unit.

The CD2 calls for a blanket registration process, restrictions and fees across all residential and resort zone TVU's, treating all of us in the resort zone as though we are operating in residential neighborhoods. Our resort zone TVU's have always and will continue to pay hotel and resort zone property taxes (1.39%) which is four times of those paid by NUC's and A1/A2 TVU owners. So with this draft, Resort Zone TVU owners are now the most disadvantaged operators, subject to all the same fees and restrictions as residential zone TVU

operators AND we are now the only ones to carry the burden of Hotel & Resort Property tax. That is equivalent of \$5200 more a year in property tax for a resort zone property of \$500K valuation, than the property tax paid by a NUC or other residential zone TVU (0.35%-0.45%) of the same property valuation. Please follow planning commission's recommendation and exempt resort zone TVU from bill 41.

The CD2 draft continues to exempt hotel and timeshares advertising requirements, even though these units are being advertised on the online platforms such as airbnb and VRBO by the thousands. This will create a major loophole for illegal operators to use this "exempt" status, and without the MOU, the platforms are not going to turn these violators over to DPP.

We again ask that you treat all three of the principal resort zone operators equally (i.e. TVU, hotel, and timeshare) and exempt TVUs in the resort zone from this bill, but subject hotels and timeshares to the same advertising requirements as resort zone TVUs (list TMK & TAT on all ads) to close this loophole and create a fair, sensible system for all resort zone operators.

See attached for the table comparison illustrating different requirements for TVU and hotel and timeshares.

B. Waikiki Apartment District

CD2 recognizes the need to treat Waikiki apartment district (mauna of Kuhio) differently. But unfortunately it check picks two specific buildings as "winners" to allow TVUS. This calls into the question of fairness, transparency and objectivity of the law making process. Please consider allowing TVU in the Waikiki Apartment Mixed use Precinct. Alternatively, please consider allowing 30 day rentals in the Waikiki Apartment Precinct and Waikiki Apartment mixed use Precinct.

Testimony
Attachment 20220322130631_Bill_41_CD_2_Table.pdf
Accept Terms and Agreement 1

IP: 192.168.200.67

LOPSIDED EFFECTS OF BILL 41 CD 2 BETWEEN RESIDENTIAL AND RESORT ZONES

RECOMMEND ADDING RESORT ZONE TVUs TO EXEMPTIONS P. 36 (3) OF BILL 41 CD 2

RESIDENTIAL ZONE						RESORT ZONE			
Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Kō Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units	
LEGAL BY LUO	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	LEGAL	LEGAL	LEGAL	
LEGAL BY AMENDMENT	LEGAL WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL (GRANDFATHERED)	LEGAL				
PROPERTY TAX CLASSIFICATION	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	
ZONING	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL - VARIOUS	RESIDENTIAL	RESORT	RESORT	RESORT	
REGISTRATION REQUIREMENTS									
REGISTRATION REQUIRED	YES	YES	YES	NO (using NUC)	NO	YES	NO	NO	
Registration Fee	\$2000 1st Year	\$2000 1st Year	\$2000 1st Year	NO	NO	\$2000 1st Year	NO	NO	
Title Certificate Required	YES	YES	YES	NO	NO	YES	NO	NO	
Valid GE, TAT, City TAT License	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence of Home Exemption and 50% ownership (B&Bs only)	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence of \$1M Commercial General Liability Insurance	YES	YES	YES	NO	NO	YES	NO	NO	
Confirmation of permission from HOA, Bylaws, Condo Rules	YES	YES	YES	NO	NO	YES	NO	NO	
Information Binder	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence no Housing subsidies, rental assistance or evictions	YES	YES	YES	NO	NO	YES	NO	NO	
RESIDENTIAL ZONE						RESORT ZONE			

Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Ko Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units
Restriction and standards required	YES	YES	YES	YES	NO	YES	NO	NO
smoke and carbon monoxide detector	YES	YES	YES	YES	NO	YES	NO	NO
Maximum 2 adults per room	YES	YES	YES	YES	NO	YES	NO	NO
\$1M in Commercial liability insurance	YES	YES	YES	YES	NO	YES	NO	NO
Gathering restrictions	YES	YES	YES	YES	NO	YES	NO	NO
Information binder required	YES	YES	YES	YES	NO	YES	NO	NO
Physical Inspection of Unit Allowed with Reasonable Notice	YES	YES	YES	YES	NO	YES	NO	NO
Subject to Revocation of Registration if Violating These Restrictions	YES	YES	YES	YES???	NO	YES	NO	NO
Registration Cannot Run With The Land	YES	YES	YES	YES???	NO	YES	NO	NO

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Meredith Grimmer
Phone
Email meredithgrimmer@hotmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michelle Wood
Phone
Email michellewood@hawaiiilife.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony
Thank you for this opportunity.
I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many local residents' needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Also, I strongly recommend; TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.

Until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There

are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.

Lastly, I strongly recommend; Any registration and renewal fees imposed on TVUs must equally be placed on a short term rental condo managed by Hotel. TVUs are being subjected to additional fees, while Hotels and timeshares are completely exempt, despite TVUs has been paying the same hotel and resort property tax and transient accommodation tax. It's not fair to discriminate in those fees based on who manage property (Aton or Local small real estate management companies).

Thank you for your consideration on this critical measure.

Name Yoh Kuwahara

Date 3/22/2022

Signature 

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Peter Rudisill
Phone	
Email	Peter.wildrudi@mac.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	Many legitimate rentals fall over 30 days and under 90 days. This puts a huge strain on the local economy.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:30 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kevin Gooding
Phone	
Email	kgooding41@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I support Bill 41. I have lived in Waimanalo all my life. Short term rentals require regulation as they are degrading our community.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Chrystal S.K. Wong
Phone
Email chrystal@palacerealty.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 42 CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Julie Nurre
Phone
Email julie@hipacificpm.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD 2
Your position on
the matter Oppose
Representing
Organization Self

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops,

Thank you for your consideration on this critical measure.

Name Hitomi Yokoyama.

Date 03/22/2022.

Signature .

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Edward and Brenda Ledding

Phone

Email ted.ledding@gmail.com

Meeting Date 03-23-2022

Council/PH
Committee Zoning and Planning

Agenda Item B 41 CD 2

Your position on
the matter Oppose

Representing Self
Organization

Written Testimony This bill is being dictated by people not interested in the best interest of Hawaii. STV provide employment for many people, provide incomes for business owners, tax revenue for the county, district and state. Provides affordable vacations to families that would otherwise not get to travel. It should be defeated.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:47 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name William S. and Stephanie Pintz

Phone

Email spintz@yahoo.com

Meeting Date 03-22-2022

Council/PH
Committee Zoning and Planning

Agenda Item Bill 41 CD2

Your position on
the matter Support

Representing
Organization Self

Written
Testimony We strongly urge you to support Bill 41 CD2. The spread of illegal vacation rentals is getting out of control. Allowing this to continue makes no sense at all. Many Hawaii residents need housing. And many of us living in established residential neighborhoods are seeing our streets overrun with tourists. Please support this bill!

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alan Gregg
Phone
Email HNL-STR@alang.us
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item #2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I own a unit within the Royal Garden Waikiki and this bill would make it totally inoperable for me. I have STR renters scheduled through August 2023 and when there are vacancies I visit and use the unit myself. Your new rules would negate both of those uses and I will be forced to sell and purchase in a more understanding environment. I have property in Cyprus without any restrictions and I know there are many other locations around the world which are vacation favorites. You will lose tax revenue and vacation revenue if you enact this bill. You will even reduce the US income as many like me will move our holdings to other countries.
Alan Gregg

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Debra Pagan
Phone
Email debrap@cbrealty.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

I Oppose this because we have to think about people, not about the government. Look at all the reasons listed above. You and I know it should be opposed. From Debra Pagan

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 1:55 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Simeon Miranda
Phone
Email simeon.miranda@embassysuiteswaikiki.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position Support
on the matter
Representing Self
Organization

Written Testimony As a general manager of Embassy Suites by Hilton Waikiki Beach Walk, I do not support illegal short-term rentals. These illegal rentals drive up prices for kama'aina that will lead to instability in affording housing. It also hurts the tourism industry I work in. I encourage the bill to be passed into law so the City can take action on people and organizations profiting from these illegal rentals

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Testimony of Niihau Apartments AOA
before the
City Council - City and County of Honolulu Council
Wednesday, March 23, 2022
9:00 a.m.
City Council Chamber

**RE: OPPOSITION TO BILL 41 (2021), CD1 – LAND USE ORDINANCE
AMENDMENT RELATING TO TRANSIENT ACCOMMODATIONS**

Dear Honolulu City Council Members:

My name is Mark Glick and I am the president of the Niihau Apartments AOA, which is voicing its strong opposition to the passage of Bill 41 due to the adverse effect the bill will have on the owners of the 43 apartment units in our building, particularly regarding their investment backed expectations and use of apartment units for transient vacation rental use, if they should so choose.

The Niihau Apartments is located in the Waikiki Resort-Mixed Use District. Please note that since 1990, Article VIII, Section 5 of our bylaws have expressly permitted use of our apartments for residential purposes, whether rented or personally used by the apartment owners, for any duration not less than one day, including, without limitation for hotel or transient lodging use (eg, transient vacation units ("TVU")) by the day, week or month, or other period of time.

It is unclear from Bill 41 whether units in a resort district that do not operate as a hotel would be either be (a) subject to the proposed TVU registration requirements, (b) unaffected by the proposed bill because they are in the resort district, or (c) would no longer be able to operate as a TVU. If these type of units are either subject to the proposed TVU registration and 50% capacity requirements or will no longer be allowed to use for transient vacation rentals then all the unit owners in the Niihau Apartments who have been renting their property, or have the ability and expectation to do so, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations.

The units in a resort district that do not operate as a hotel, such as the Niihau Apartments, should be able to continue their lawful use of transient occupancy without restriction. Therefore, we request that you revise Bill 41 to clarify that properties in the resort-zoned district are exempt from having to register as a TVU and leave the exemption of resort-zoned property from the definition of un-permitted TVU.

Page Two
Niihau Apartments AOA Testimony
March 23, 2022

The owners of the Niihau Apartments are your constituents, and the expectation of each and every owner is that the bills presented and passed are written to protect our constitutional rights. Bill 41 has, in effect, been drafted to eliminate owners' rights seemingly with the assumption that none of our owners will decisively act to seek judicial review to protect their property rights. Such an assumption would be a miscalculation. The Niihau Apartments AOA board passed a resolution on March 21, 2022 voicing our strong opposition to Bill 41 - and if Bill 41 were to pass with this obvious constitutional infringement, the Niihau Apartments AOA will actively engage with similarly affected property owners in the Waikiki Resort-Mixed Use District to take appropriate legal action to protect our constitutionally protected rights. Thank you for the opportunity to testify on Bill 41.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stacy Dees
Phone
Email stacylyndees@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name LAURA ISOLA
Phone
Email Laisola2@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization Aloha!

I strongly oppose Bill 41.

Since I have been required to pay the HIGHEST "HOTEL & RESORT" Property Taxes for my little 247sqft studio TUV at the Hawaiian Monarch Condotel in Waikiki Resort zone you CANNOT impose on top of it any NEW "registration fee" since the Hotels are EXEMPTED from registering and YOU classified my TUV studio as HOTEL!!!!!!

In fact logically TUVs in Resort zone classified as Hotel & Resort have never been required to "register" to do transient accommodations because it's already implied in their Hotel & Resort property taxes classification!!!!!!

Written
Testimony

I remind you that the purpose of Bill 41 is namely to protect and preserve the residential character of residential neighborhoods therefore RESORT areas TUVs should be completely taken out of Bill 41 CD2 because TUVs in Resort areas have absolutely nothing to do with preserving the character of residential neighborhoods since they not residential neighborhoods!!!! It seems evident that the real purpose of Bill 41 is to crash vacation rentals small local businesses to benefit Hotel big corporations which is shameful and call for the resignation of all those who came up with Bill 41 that was drafted with the Hotels big corporations!!!

I therefore strongly request that TUVs already classified as Hotel & Resort Property taxes be taken completely out of Bill 41 CD2!!!!!!

Regarding the rest of Bill 41 CD2 even if it might not all affect me directly I find it way too harsh for our community in Hawaii destroying local small businesses with obsessive red tape and unreasonable fees. All the while benefiting Hotels and time shares. This is unjust and

destructive for our Hawaii community while benefiting hotels!

I strongly request that Bill 41 in any of its various versions be stopped now. There are already previously passed laws and the MOU signed by everyone in agreement that can regulate what's needed to preserve the character of residential neighborhoods and all it needs is to be enforced this is where your energies should be focused!

The funds to enforce it should not be the burden of legal vacation rentals who are following the rules and pay already high taxes!!! Plus I remind you that as the hotels faced a crisis during the pandemic and surely pushed to this unfair Bill 41 to benefit themselves at small businesses expense also vacation rentals suffered greatly during the pandemic so it's wrong to destroy already suffering small local businesses you should instead help them not crash them!!!! I remind you that your duty is to make Laws to make the community happy not to destroy their livelihood!

Furthermore If my family wanted to come visit me in Hawaii they couldn't with this insane Bill 41 if the current 30 days minimum would be 90 days minimum because they couldn't afford to leave their jobs and duties for 90 days and they couldn't afford to stay in Hotel for 1 month so to have enough short term rentals is a necessity and in fact they exist and thrive all over the world! Furthermore changing the minimum 30 days is illegal based on Hawaii State Law and conflicts with the Landlord/Tenant code! Chair Water statement that "Waikiki beach were so much better for him and his friends without tourists" during the pandemic lockdowns and that he wants to limit the tourists number is so selfish shameful and beyond the dignity of a lawmakers to say while so many businesses had to close permanently during lockdowns and people were in line for hours just to get some food to survive!

It's wrong and unacceptable to impose unreasonable restrictions and insanely high fix fees on local short term rentals small businesses that haven't yet recovered from the huge crisis of the pandemic when the tourism sector collapsed and that do not have a fix income but only fix expenses and still continuously face uncertainty!

Vacation rentals local small business are often local people that depend on it for their livelihoods and it's irresponsible and unacceptable to crash them to benefit the hotels big corporations. I for example have an health issue and managing my small studio TUV in Hotel & Resort area in Waikiki is the only activity I am able to do and my livelihoods depend on it while facing the anxiety and uncertainty of fewer last minute bookings not yet returned to pre-pandemic levels as international travels is still not back! Law makers should find way to help us not crash us!

Stop Bill 41 now and focus on enforcing the already agreed upon Laws.

Mahalo!

Laura Isola

Owner and property manager of 1 studio at the Hawaiian Monarch Condotel in Waikiki.

Testimony
Attachment
Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Fred Batkin
Phone	
Email	fredbatkin@gmail.com
Meeting Date	03-23-202y
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
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:03 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Patricia Moore
Phone
Email mooreohana@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Item 2 short term rental bill
Your position on the matter Oppose
Representing Self
Organization

Written Testimony If enacted, Bill 41 could harm Honolulu communities and deeply undermine progress toward stable and enforceable regulation of vacation rentals across the County. We urge the County to implement the existing law. Responsible vacation rentals play a critical role and are an essential option for travelers and non-tourist visitors alike.”

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Fred Batkin
Phone
Email fhb1308@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization
Written Testimony i popose bill 41
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOAO like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days. 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing **90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue.** Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name Ichiro Okamura

Date 03/21/2022

Signature Ichiro Okamura

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:25 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sean Takamori
Phone
Email seant@betterhawaii.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I strongly oppose Bill 41 and specifically the increase of minimum days for rentals from 30 to 90 days. There are a multitude of reasons for this that are not tourism related. These include housing for sellers after they sell their property; travelling professionals such as health care, education (professors, speakers); those from neighbor island or out state coming to care for a loved one; military transfers looking for a home. I am sure there are more that I am leaving out, but raising the minimum rental to 90 days will be VERY detrimental to the people of Hawaii. And raising it to 90 days does NOTHING to help us. Please consider voting NO to bill 41. Thank you!

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lisa Conley
Phone
Email Eveconley4@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Garwin Kamakani Souza
Phone
Email kamasurfah@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item #2
Your position on the matter Oppose
Representing Self
Organization

By changing short-term rental law requirements from less than 30 days to 90 days is discriminating against the citizens of Oahu.

*Most home renters on Oahu want to first lease on a month to month basis. New tenants need to figure out if the rental property is a good fit for them.

*Is parking going to be a problem?

*Is getting to and from work feasible?

*Is the area safe?

*Are neighbors a potential problem? Etc.

*After one month they make the assessment to way out everything before signing a longer lease.

Written
Testimony

** Snowbirds vacationing on Oahu bring in millions of tax revenue dollars every year. They usually stay on Oahu for one month in a privately owned long-term rental condo.

** This annual and cyclical industry has generated hundreds of millions of tax revenue dollars over the years because property owners are allowed to rent for 30 or more day stays.

** If the law changes to 90 days, the Snowbird Industry will dry up on Oahu. The winter snowbirds can't afford a hotel or resort for one month and they will go elsewhere, destroying small businesses and a good tax revenue stream.

*** The 30 day or more law has been in effect for decades. If the law needs to be changed to address illegal short-term rentals in our neighborhoods, Please make this change to the 30 day or more requirement only to the those neighborhoods.

Testimony
Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Janet Young
Phone
Email makaua@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

Aloha I truly support this bill. We all know short term rentals have ruined many residential neighborhoods. Not ONLY taken houses off the market but ruined entire neighborhoods. YES most definitely places for short term rentals but in tourist-commercial areas. One look at the town of Kailua and it truly is sad how it is taken over with short term rentals and tourists. I highly doubt if anyone opposing this bill lived in Kailua with thousands of B&B and TVUS they would enjoy having to put up with it on a daily basis.

Mahalo for taking the time to read this.
Janet

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name RANI BHOGAL
Phone
Email rani_mom23@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

Written
Testimony

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jack Landin
Phone
Email jerpa10461@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

This makes no sense that Kailua is excluded....there are so many local residents who live on their properties - care about their neighbors and their community and want to apply for the B&B license....this community is no different then Kahala or any other community besides only one side is being considered.

The local residents who live in Kailua - on their properties should have the same opportunity to be good hosts as other areas on this island and to exclude Kailua is not fair, legal or respectful to the locals who live in Kailua and want to apply....please reconsider and add Kailua in as was on the original Bill that we fought so so hard to have passed back in October of 2020. I - along with many Kailua home owners fought hard to have the right to apply for the B&B license and we won it did get passed so to exclude us now is just not right. Please please add Kailua and allow us to apply for the B&B license. We are kind - thoughtful - community minded residents who care about our neighbors and it is unfair to exclude when we fought so hard and have waited so long to be able to apply for a B&B license.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stephanie Wu
Phone
Email stephaniew@betterhawaii.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Melga T. Gendrano
Phone
Email mtgendrano@yahoo.com
Meeting Date 02-03-2022
Council/PH
Committee Zoning and Planning
Agenda Item Agenda Item: Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

What is the purpose or intent of trying to change the 30 days to 90 days?
Is it to punish or legitimize an illegal transient accomodation and generate more revenue?
Initiatives like this just erodes respect to the value system we need to keep .

Who is this bill hurting if it gets passed? Honest people. People who have good intentions.

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many non-tourist-
related needs for renting more than 30 days but less than 90 days, including:

Written
Testimony

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

People revolt or resent in more ways than physical when government constantly demands
increase in taxes promising better services or better infrastructure that so oftenly do not
come!

Testimony
Attachment
Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:49 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Bey A. Lontoc
Phone
Email bey@kfgpropertiesinc.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:01 PM
Subject: Council Testimony

Written Testimony

Name Janiece Jenkins
Phone
Email janiecejenkins@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Organization Self

Please do NOT move forward for approval by Full Council and do not allow bought off politicians to push rubber-stamping this awful & confusing bill.

Written Testimony

For 25+ years we have been fighting against the draconian measures the Hotel Industry and Hotel Unions have been 'Incentivizing' our representatives to cancel this much-needed cottage industry for the sake of giving them a full monopoly. The Power Elite tried cancelling the Ride-Share UBER industry, yet you sensibly did not let the Taxi industry have their Monopoly. Just like that much needed industry for our residents that have been born & raised here, we need this industry DESPERATELY to sustain our livelihoods, service the Travel Industry's needs, help provide housing for our returning family visiting us, etc etc.

Passage of this bill takes away property rights and creates a privileged class for the hotels will be challenged with costly lawsuits, first through the legislative process, and then through the local/state/federal court system which would be a significant cost to C&C & taxpayers.

We have enough regulations from a few years ago, no more is needed!

Changing the minimum rental period to more than 30 days seems to so many of us as illegal .

Before even consider voting on this, make sure that any fees and restrictions imposed on STRs be EQUALLY placed on hotels ...on a

room-by-room basis. Equal application of the law,, please. If not, kill this Bill, Please.

As property managers here for 45 years, we can say that it's pure Propaganda that STR change the nature of our residential areas. It is much easier to manage STR bad actors than long term renters that party all night, break numerous residential laws, and to insure neighbor respect. Don't listen to their nonsense: Just ask real, experienced property managers as you are operating on a false assumption promoted by the biased marketing end of the Hotel folks. They have unlimited money to mislead you, and it's just not so or fair.

Please be the responsible leaders that instead take time to carefully deliberate on the complicated real issues. Hawaii needs responsible STR under the already existing laws!

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Victoria Stepanenko
Phone	
Email	vickistep@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing Organization	Organization Workshop Coworking LLC
Written Testimony	<p>Aloha. I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days.</p> <p>As an owner and operator of a local coworking space (shared office) on the North Shore, we see guests visiting for work on island and visiting to care for loved ones. The change in this bill will greatly affect my business.</p>
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Gina Overton
Phone
Email Ginaoverton@hawaiilife.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony
Aloha,
I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property.
-Residents waiting for their home to complete construction or renovations.
-Military PCS while looking for a home to buy or those on limited orders.
-Traveling nurses and other important workers.
-Families from out of state who are on island caring for loved ones that are sick or under going medical procedures.

Mahalo for your attention and time to this important decision that will ultimately affect many local people.

Sincerely,
Gina Overton

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Pat Ferraris
Phone	
Email	get2pat@mac.com
Meeting Date	03-22-2022
Council/PH Committee	Zoning and Planning
Agenda Item	#2: 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, March 22, 2022 3:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Deanna Harding
Phone
Email deanna.harding@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing
Organization Self

Deanna Harding
92-104 Waialii Place, O-923
Kapolei, Hawaii 96707
(A resort district condo hotel)

March 22, 2022

Dear Chairman Elefante and members of the Zoning and Planning Committee:

I would like to go on record in support of Bill 41, CD2.

With that said, there is some ambiguity in the bill, and I recommend that the language contained in the previous bill under the advertising section of Bill 89 be used with the following modifications to apply to the entirety of Bill 41 CD-2:

Exemptions. The following are exempt from the provisions of this Bill.

Legally established hotels, whether owned by one person, or owned individually as unit owners but operating as a hotel as defined in Chapter 21, Article 10, located in a Resort District.

Legally established time-sharing units, as provided in Section 21-5.640, located in a Resort District.

Legally established dwelling units that are rented for periods of 30 consecutive days or more at any one time, located in a Resort District.

Written
Testimony

Legally established TVU's that are rented for periods of less than 30 days, located in a Resort District.

Mahalo,
Deanna Harding

Testimony
Attachment

Accept Terms and ¹
Agreement

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:40 PM
Subject: Council Testimony

Written Testimony

Name peter apo
Phone
Email peterapocompany@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I support Bill 41 to rein in on illegal short term rentals. Will spare Council from citing the long list of common sense justifications for the exercise of temperment for what seems a rampant practice that I'm sure you are receiving from others. Let it suffice for me to say that since 1994 I've seen illegal rentals come and go even in gated communities which is the last place it's supposed to happen since its a gated community. .Never know who your neighbor might be next month or in six months.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 2:56 PM
Subject: Council Testimony

Written Testimony

Name Steven Moses Yamamoto
Phone
Email syamamotosr@gmail.com
Meeting Date 02-09-1948
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I have a legal nonconformance certificate. Why are you raising property taxes and charging an additional \$1000/year registration fee. Hotels are not required to file annually or pay extra for each hotel room. I have paid my GET and TAT every year. Be fair to the small honest guys. My wife and I started renting 30 years ago, but only part time. The rest of the time was for our usage. What can I pass to my Ohana if I have to rent the property all the time to break even. How can you change a person's dream in a stroke of a pen. Vote "no" to bill 41.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Testimony of Michelle Thorstad
before the
City Council - City and County of Honolulu Council
Wednesday, March 23, 2022
9:00 a.m. - City Council Chamber

**OPPOSITION TO BILL 41 (2021), CD1 – LAND USE ORDINANCE AMENDMENT RELATING
TO TRANSIENT ACCOMMODATIONS**

Dear Honolulu City Council Members:

As an owner of Apartment 203, an apartment unit in the Niihau Apartments building on 247 Beach in Waikiki, I am writing to express my **strong opposition to the passage of Bill 41** due to the adverse effect Bill 41 will have on my investment backed expectations and the use of my unit for transient vacation rental use.

The Niihau Apartment building is located in the Waikiki Resort-Mixed Use District and has 43 apartments. I am also a board member of our Niihau Apartment building Association of Apartment Owners and I'm aware that since 1990, Article VIII, Section 5 of our bylaws have permitted use of our property as a transient vacation unit ("TVU") as well as a family dwelling, and potentially for hotel use.

From my reading of Bill 41, I am unable to discern whether units in a resort district that do not operate as a hotel would be either be (a) subject to the proposed TVU registration requirements, (b) unaffected by the proposed bill because they are in the resort district, or (c) would no longer able to operate as a TVU. If these type of units are either subject to the proposed TVU registration and 50% capacity requirements or will no longer be allowed to use for transient vacation rentals then all the unit owners in the Niihau Apartments who have been renting their property, or have the ability and expectation to do so, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations.

When units in a resort district are not currently operated as a hotel, such as the Niihau Apartments, our lawful use of transient occupancy should continue without restriction. We therefore request that you revise Bill 41 to clarify that properties in the resort-zoned district are exempt from having to register as a TVU and that the exemption of resort-zoned property is taken away from the definition of un-permitted TVU. As one of your constituents, it is my expectation that the bills presented and passed are written to protect our constitutional rights - not drafted to eliminate those rights while throwing the dice in the hope none of us will seek judicial review. Should Bill 41 pass with this obvious infringement, please know that I will support joining with the thousands of other similarly affected property owners in the Resort zone in filing a lawsuit to protect our constitutionally protected rights, and will support similar actions taken by the Niihau Apartments Board of Directors.

Mmthorstad@gmail.com

247 Beach Walk #203
Honolulu, HI 96815

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CDI, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name WAKAKO ICHINOHE

Date 3/22/2022

Signature Wakako Ichinohe

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Adrien Jacob
Phone
Email adrienjacob@hotmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item HB41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

The revisions being considered are significant departures from what was agreed to previously and I strongly oppose any changes to ones negotiated in good faith 2 years ago. Given the rapidly rising home valuations and dramatically increasing tax bills burden being placed on homeowners, it would see reasonable that the City would permit owner/occupants to rent a room to travelers and guests without needing to require anything more than a 30 day stay. Additionally, the \$100,000 homeowner's exception has not been adjusted in years. This exception should be raised in order to help with the rapidly increasing tax increases being pass along.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tom Bales
Phone
Email tbales4@aol.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

Aloha - I was floored that Kailua was excluded from being able to apply for the new B&B license's that will be offered to local residents who live here. I am positive if you were to talk to every Kailua resident you would find the majority would be fine with local residents who live on the property renting to couples in order to cover the very high cost of living in Kailua. There is not a Kailua resident who would not think of their neighbors or community before thinking of the needs of a guest they were hosting and to exclude Kailua after all we went through to have the bill passed to offer the ability to apply for a B&B license is just not okay or acceptable. It is clearly not the vote of the majority in Kailua and it should be over turned and Kailua should be included to be able to apply for the new B&B license. I hope you will include Kailua back in as it was originally agreed that Kailua residents could apply when this was passed to have the right to apply for a B&B license.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Al B. Williams
Phone
Email Fenger3000@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Dear Committee Members:

Thank you for listening to the concerns regarding the proposed changes to the short term rental regulations. For the last 12 years my significant other and I have enjoyed our Waikiki condo and rented it when we are on the mainland. Our building, the Four Paddle, is zoned as 30 day minimum. We truly support the current 30 day requirement as we are able to screen any renters to prevent "quick trip" partiers. This is our home for a few months each year. Our renters have consisted of mature, retired, and traveling medical workers. We have never had a complaint. We have paid our taxes and employed cleaners, management, and other contractors. Many of our renters are repeat tenants. Most will not be able to afford to come to the island if this bill is passed as the cost would be prohibitive. The local hotels charge exorbitant rents and fees while providing less than we are. If Bill 41 passes, they will have less competition and will be able to raise costs. Parking at most hotels has more than doubled and is almost as much as the rental car.

The Four Paddle was constructed in 1974 and has been zoned 30 day minimum since completion. It is situated between Kuhio and Ala Wai, which is currently outside the area where you will continue to allow 30 day rentals. And yet, we are literally accross Kuhio from other buildings which will be allowed to have short term rentals. We respectfully request that our area - between Kuhio and Ala Wai - be included in the area that will be allowed to continue the 30 day minimum already being applied.

Actually enforcing the current 30 day minimums in single family dwelling neighborhoods would go a long way to minimize the AirBnB and VRBO impact on housing as it would cause many, if not all, investor/owners to reconsider current and future plans.

Thank You for your consideration,
Al Williams and Deborah Fenger

Testimony
Attachment

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:39 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Richard Whyte
Phone	
Email	whyte.richard@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Stop vacation rentals turning our residential neighborhood into a resort zone. Legislate for sunset clause on "legal" nonconforming use certificates. NUC Should not "go with the land" when sold
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67



March 23, 2022

Honolulu City Council
Zoning and Planning Committee
Honolulu Hale
580 South King Street
Honolulu, Hawai'i 96813

Re: Opposition to Bill 41

Chair Elefante and Members of the Zoning and Planning Committee,

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 includes 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, CD2. We have 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, could have a dangerous and real impact on responsible local homeowners and small businesses—all while failing to address fundamental issues of fairness and enforceability that have gone unaddressed by the Department of Planning and Permitting (DPP).

Following months of community dialogue, Ordinance 19-18 was enacted by the Council in 2020 and established a regulatory framework for short-term rentals (STRs). However, it was never implemented by DPP. 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 (MOU) 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 identify workable, reasonable solutions that meet the County's goals, the sweeping policy changes in Bill 41 are the wrong direction for Honolulu.

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. At the time, DPP alleged that this was necessary to harmonize with state TAT language; however, subsequent CD1 and CD2 language amends this restriction to 90 nights. In either case, the consequence remains: this restriction bans "intermediate-term" stays of between one and three months—effectively closing the door on the local rental industry.

Short and intermediate-term rentals are a necessity for travelers, in particular non-tourist visitors such as 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. Subsequent versions of the bill remove these exceptions, replacing them with equally unenforceable exemptions for month-to-month and holdover tenancy.

Honolulu should remain consistent with global standards and maintain the 30-night definition of transient accommodation rather than creating an impossible system of exemptions and loopholes to account for a fundamentally flawed regulatory structure.

Several foundational questions have gone unanswered by DPP since Bill 41 was first proposed:

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 one or two months?

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 by removing illegal properties per our MOU is a testament to that commitment and we remain eager to identify balanced, sustainable solutions that drive a high rate of compliance in Honolulu.

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.

Richard de Sam Lazaro
Government and Community Affairs, North America
Expedia Group

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:46 PM
Subject: Zoning and Planning Testimony
Attachments: 20220322154555_2022.03.23_HTA_Testimony_-_HNL_Bill_41_CD2.pdf

Written Testimony

Name T. Ilihia Gionson
Phone
Email ilihia.gionson@gohta.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization
Organization Hawai'i Tourism Authority
Aloha Chair Elefante, Vice Chair Kia'āina and Committee Members,

The Hawai'i Tourism Authority SUPPORTS Bill 41 CD2 which will further enhance government's ability to enforce unpermitted short-term vacation rentals throughout the City and County of Honolulu.

Written Testimony 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 residential rental properties off the market, increasing traffic in neighborhoods, and by placing additional burdens on infrastructure and facilities. 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).

We encourage the Committee to consider a minimum of 180 days rental period instead of 90 days. This will make it consistent with the state's definition of transient accommodations found in HRS 237D. We also respectfully request an exemption for non-tourism groups; and non-tourist rental provisions.

While the number of visitors has increased over the years, there have been no major increases to the number of traditional units which include hotel, condo-hotel, and timeshare units. In 2009, there were 32,843 of these units on O'ahu and, in 2019, there were 34,798 units available representing a decrease in these types of accommodations of 6.0 percent. During the same period, O'ahu experienced an increase in visitor arrivals from 4.02 million to 6.15 million, a 52.9 percent increase but without a corresponding increase in traditional

accommodations. We believe these additional visitors likely stayed in non-traditional units, including illegal vacation rentals, located throughout Hawai‘i’s residential neighborhoods. In 2009, 3.9 percent of O‘ahu visitors stayed in a rental house, and this percentage rose to 8.6 percent in 2019.

HTA thanks this body for its work on this bill, which will address the proliferation of unregulated vacation rentals and improve the quality of life of our residents. Mahalo for the opportunity to share our testimony in SUPPORT of this measure.

Testimony
Attachment

20220322154555_2022.03.23_HTA_Testimony_-_HNL_Bill_41_CD2.pdf

Accept Terms
and Agreement

1

IP: 192.168.200.67



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
COMMITTEE ON ZONING AND PLANNING, HONOLULU CITY COUNCIL

March 23, 2022
Honolulu Hale

In consideration of
BILL 41 CD2

Aloha Chair Elefante, Vice Chair Kia'aina and Committee Members,

The Hawai'i Tourism Authority **SUPPORTS** Bill 41 CD2 which will further enhance government's ability to enforce unpermitted short-term vacation rentals throughout the City and County of Honolulu.

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 residential rental properties off the market, increasing traffic in neighborhoods, and by placing additional burdens on infrastructure and facilities. 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).

We encourage the Committee to consider a minimum of 180 days rental period instead of 90 days. This will make it consistent with the state's definition of transient accommodations found in HRS 237D. We also respectfully request an exemption for non-tourism groups; and non-tourist rental provisions.

While the number of visitors has increased over the years, there have been no major increases to the number of traditional units which include hotel, condo-hotel, and timeshare units. In 2009, there were 32,843 of these units on O'ahu and, in 2019, there were 34,798 units available representing a decrease in these types of accommodations of 6.0 percent. During the same period, O'ahu experienced an increase in visitor arrivals from 4.02 million to 6.15 million, a 52.9 percent increase but without a corresponding increase in traditional accommodations. We believe these additional visitors likely stayed in non-traditional units, including illegal vacation rentals, located throughout Hawai'i's residential neighborhoods. In 2009, 3.9 percent of O'ahu visitors stayed in a rental house, and this percentage rose to 8.6 percent in 2019.

HTA thanks this body for its work on this bill, which will address the proliferation of unregulated vacation rentals and improve the quality of life of our residents. Mahalo for the opportunity to share our testimony in **SUPPORT** of this measure.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ralph Slotnick
Phone
Email rsindustriesusa@aol.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

We worked so hard for the right to apply for a B&B license and finally October 1st 2020 we won the ability for 1700 new legal B&B permits to be issued after a very long difficult fight. Now all of a sudden I understand that the Kailua Community is being excluded from applying.

This is not just, not honorable, my guess is not legal to exclude Kailua when so many of it's residents fought so hard to have this bill passed. Please do the right thing and add Kailua residents back in and allow them to apply for their B&B license's. There is no good reason that Kailua should be excluded when it was pass and agreed that it would be included. I think if you do not include Kailua home owners to have the ability to apply for the new B&B license you will have a long fight on your hands. Please do the right thing and put Kailua back in as it was originally and allow the Kailua residents to apply for the Bed & Breakfast permits that were promised. Thank you

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lila Marino Camacho
Phone
Email Lilamc@bhhshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly OPPOSE Bill 41. I have been a realtor for 18 years now. There are many people that need short term rentals for multiple reasons. Military have limited time to find housing that need to occupy rentals for their families and pets. I have had MILITARY clients with children and pets cooped up in a hotel room for months waiting to close on their property of choice. Local families that need time to find another home to purchase can take anywhere from one month to a year. If they are locked in a long term rental, it will affect their ability to move forward with their current plans of purchasing a home if the right one should come along. Local families have extended family visiting that need a place to stay that do not want to stay in Waikiki, nor can they afford to when it is a family of 5 or 6. There certainly should be parameters in place to hold the integrity of our neighborhoods. However to place unnecessary restrictions is absurd and unfair. This ultimately will hurt our local economy.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Heidi HO
Phone
Email hh808hh@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41 CD@
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose the proposed Bill 41, CD2.
I believe the proposed law is unconstitutional since it deprives property owners of the use of their property and does not serve a public purpose. Its sole purpose is to discriminate against individual property owners in favor of hotel owners which is a denial of the right of equal protection under the law which is guaranteed under the constitution.
The current law restricting rentals to a 30-day minimum rental period I believe is unconstitutional. An extension of this law to a 90-day minimum rental period is a blatant abuse of private property rights.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:53 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name H. Ho
Phone
Email heidiho.realtor@gmail.com
Meeting Date 02-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Organization
Organization Honolulu Board of Realtors
Written Testimony I STRONGLY oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones
Testimony Attachment
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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:56 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name mike larson
Phone
Email m.larson@outletrecreation.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

We bought a retirement property for my wife and I about a year ago. We are really excited about retiring to Hawaii but we are several years away and hoped to get most of it paid for before retirement. The property is very expensive for us and the only way we can afford it now is to rent it out on a 30 day and over basis. We bought the property based on the laws at the time and we have been renting it for the last year. We believe that changing this rule now, is extremely unfair and will force us to sell the property. I assume many others are in the same situation and if many others need to sell, it will drive the real estate prices downward. The passing of this new law will destroy our dreams and we ask that you consider our situation and the many people similar to us that are just trying to follow the laws but don't see how it's fair to change them after we already have purchased. Thank you, Mike Larson

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 3:57 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name CAROL CHRISTIE
Phone
Email csquared789@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony Attachment

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IP: 192.168.200.67

Barbara Mayer 03-23-22 testimony on Bill 41-CD1--

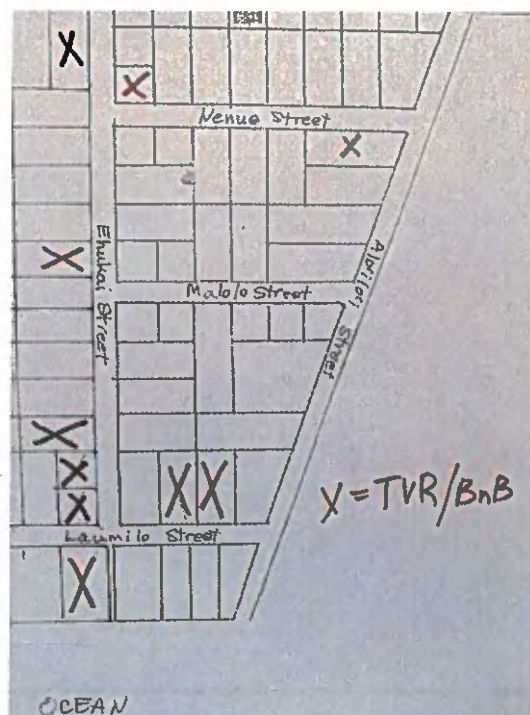
My name is Barbara Mayer; I've lived in the Waimānalo beach lots since 1976. It is astonishing to me to see people from elsewhere moving into our neighborhood, ecstatic about how lovely it is...and then going about conducting commercial activities to the detriment of our home.

I'm testifying in support of Bill 41 CD1; however, I have these comments:

- (1) I am not in favor of section G, number 8, which reads: "Deletes realphabetized ROH Section 21-5.730(b)(3)(E) (former ROH Section 21-5.730(b)(3)(M)), which would have required B&B or TVU owners or operators to notify property owners within 250 feet that the dwelling unit is being used as a B&B or TVU. Realphabetizes subsequent paragraphs."

I want B&B and TVU owners or operators to be *required* to **notify nearby property owners** that the dwelling unit is being used as a B&B or TVU.

- (2) Furthermore, I want every B&B and TVU to be required to display a standardized **C&C plaque** on the outside wall of the unit, clearly identifying the building as a B&B or TVU. It's not enough to have that information buried in TMK documents.
- (3) I want a **limit placed on the number of B&Bs and TVUs** that can operate in each neighborhood. All the B&B and TVU/R units on this map are illegal; most have come into operation in just the last few years.



From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Thomas Ritchie
Phone
Email ritchiet002@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I moved to Hawaii when I was 19 years old. I am now 74. I wrote my parent that I had found a new home and was never coming back. The same happened to myself. My daughter got married and I now have two grandchildren. We sold our home and bought a condominium here and on the mainland. My wife works long distance and in person while here.

We rent our condominium here when we travel our condominium on the mainland. We have always rent on a monthly basis, out of choice and condominium rules. If this changes to STR is done, we will probably have to sell and leave our home of 55 years. We also will not be able to return and stay for any length of time. The last change of STR parameters was perfect, but in your own admission can not be enforced. What makes everyone think 90 days will be enforceable? What it accomplishes is to make short term rental almost impossible! It solves the enforcement problem to vanish. No one will be able to come for a month at a time. A hotel would be too expensive for that!

We purposely bought in Waikiki because of the present 30 day STR requirement. Many come here to enjoy Hawaii for more than a week. They come to visit family that they left behind when they themselves moved to the mainland. They can afford a month, but three? I doubt it! We have had folks use our place to put their children in summer school, before they move here. We've had tenants come to bring their sons and daughters to college.

Figure out a way to enforce your present rules. Do not try to legislate enforcement instead of enforcing!

I'm not going even acknowledge the fact that you are telling us what to do with our legally owned property. Some how this cannot be legal, and could end up going to the Supreme Court.

We are letting our condominium be used by a local family who work for the DOD it use while we are gone, so the can sell their condo because the husband has been sent to Japan for 3 years. After that my daughter is using it to visit her friends and schoolmates. She hasn't

seen them in two years because of COVID-19
Aloha for listening Tom Ritchie

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Karen McCarthy
Phone
Email sksb@earthlink.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, cd2
Your position on the matter Support
Representing Self
Organization

Please support residential neighborhoods and vote for Bill 41, cd2.

This bill will help to keep residential neighborhoods for long term residents. It supports zoning and promotes permanent residency by changing the definition of short-term rentals from 30 days or less to 90 days or less. Both Maui and Kauai define short-term rentals as 180 days or less.

Currently, we have multiple houses surrounding our home that were recently purchased by out of state investors. All of them are renting to tourists for stays of 7-10 days but creating fake 30-day contracts to claim they are renting monthly. To fix this loophole, it would be best if this bill reinstated the 180 days, but 90-days would certainly help the DPP to enforce our zoning laws.

Written Testimony

This bill will also help to stop the tourism sprawl in residential and rural communities. We need these areas for residents to have a home and to live. As of now, my children who are just finishing college will not be able to return home to Hawaii to live due to the shortage of housing. We need long term rentals for residents that make up the foundation of our communities.

You will hear over and over again at the hearing, that the majority of testifiers are not in favor of this bill. That is because for the majority of testifiers vacation rentals are their businesses, and they have substantial monetary gain from this bill not passing. Meanwhile, most long-term residents that would benefit from this bill passing are working at their jobs to support their families. The majority who would benefit from this bill, those that need permanent housing, cannot take an entire day off work to testify.

Please vote in favor of bill 41, cd2.

Thank you so much

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kelly L Sanders
Phone
Email ksanders@highgate.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing
Organization Organization
Highgate Hotels Hawaii

Thank you for this opportunity to provide testimony,

Highgate strongly supports Bill 41. This bill can be an effective enforcement tool to eliminate the proliferation of illegal short term rentals.

The conversation around "Over Tourism" is a direct reflection of the growth of illegal vacation rentals and has had a negative effect on affordable housing, work opportunity for our residents as well as lower overall high spending visitors.

Written
Testimony

Illegal short term rentals have operated in Hawaii for far too long . Highgate urges adoption of Bill 41 to strengthen the enforcement of elimination of illegal short term rentals with the strong recommendation that Section 4 be deleted from Bill 41.

Mahalo,

Kelly Sanders
EVP of Operations
Highgate Hotels Hawaii

Testimony
Attachment

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**Testimony of Michael Troy
General Manager, Park Shore Waikiki**

Before the

**City Council Committee on Zoning and Planning
Wednesday, March 23, 2022**

In consideration, of

Bill 41 (2021) CD2– LUO Amendment Relating to Transient Accommodations

Aloha Chair Elefante and Members of the Committee:

My Name is **Michael Troy, General Manager** representing Park Shore Waikiki. Our property is a 222 room facility located on the corner of KAPAHULA and KALAKAUA Avenues and we are a member of the HLTA, OVB and HVCB organizations. Additional operations in our facility include three dining outlets and a retail store and collectively employs upwards of 50 associates.

The Park Shore Waikiki strongly supports the proposed amendments that implement stronger regulations and enforcement measures in dealing with the illegal transient vacation rentals in Honolulu County.

It has already been proven through various studies by the Hawaii Tourism Authority and others that as many as eight to ten thousand vacation rentals operate on Oahu; less *than one thousand* are permitted. With the proliferation of these accommodations, as much as twenty to twenty-five percent of all the vacation units on the island are unpermitted transient accommodations that are NOT paying required accommodations' fees and subverting laws meant to protect neighborhoods from commercial enterprise operations. This must be brought under control.

In addition to not paying the required fees, the stress this is placing on workers seeking housing in a limited availability market are driving people out of Hawaii altogether. For those that do operate, they are also adding to road and parking congestion in neighborhoods, bringing about nuisance issues, and in many cases raising public safety concerns for everyone.

We applaud the proposed amendments that apply stricter limits as to **where** transient vacation units may exist as well as the amendments changing the definition of a short-term rental **from 30 days to 90**, closing a large loophole in the existing law. This is for the benefit of communities as well as keeping the concentration of accommodations in those districts designed to best manage visitors to the island.

One area of the bill that does deserve modification or elimination is SECTION 4:

- *Section 4 applies to all owners of real property, buildings and premises on which a violation occurs. This Section is grossly unfair in that it imposes vicarious liability to **all owners of real property, buildings and premises** for violations committed by rental tenants and other users including hotel franchisees when in fact, such owners may have no knowledge of such violations, did not consent to, or did not participate in any way with such violations*

Overall, confirming these new amendments on where to permit such vacation rentals and for how long a minimal "stay" period should be are a matter of careful City and County of Honolulu-wide planning. Let's ensure that any short-term rentals be legally conforming, that the operation of such rentals should be fully transparent and held accountable for all required taxes and fees, and that the City of Honolulu should have full enforcement mechanisms and resources to ensure consistent enforcement. We believe these proposed amendments help accomplish that goal.

Mahalo for the opportunity to testify.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rey Toshinaga
Phone
Email Rey@hawaiiidvc.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kent Mannina
Phone
Email kentmannina@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

Aloha I am a simple person who is planning for my retirement. I provided 30 to 90 day vacation rental for those who wish to enjoy Oahu for the fractional cost of a hotel. The changes to bill 41, specifically the removal of 30+ rentals will ruin my business and negatively affect my retirement. Please allow those who want to stay for a month or longer to enjoy Oahu affordably.

Mahalo
Kent Mannina

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:14 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stef Workman
Phone
Email stefworkman@gmail.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

I just heard that Kailua was being excluded from applying for the 1700 new Bed and Breakfast licenses that we worked so hard to have the right to apply for. This is unjust and not fair or okay to do to the Kailua residents who worked so hard to have the new Bed and Breakfast license's available to apply for. Please include Kailua residents in being able to apply for a Bed & Breakfast license. When this bill was passed back in October 2020 - it was passed with Kailua residents being able to apply - It is really not okay or fair that Kailua residents are not being excluded when we worked so hard to have the right to apply. Please do the right thing and do not exclude Kailua residents from applying for these new Bed and Breakfast licenses.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:17 PM
Subject: Council Testimony

Written Testimony

Name Elaine Liu Chow
Phone
Email elaine.chow@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item B41
Your position on the matter Oppose
Representing Organization Self

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Hui Hannah Dou
Phone
Email hannahdou@yahoo.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose the changes to the current STR regulations, Bill 41. The changes to advertising and enforcement that resulted from the creation of Bill 89 are working to curb vacation rentals, please enforce the current law, don't create a new one.

I purchased my condo at Discovery Bay last year in planning to retire at Hawaii in a year or two. I have my unit managed by local rental company while I'm not visiting. I've be compliance on paying my taxes on my rentals (contribute my share to the government). All my unit reservations (30 days or more) were not for vacation people. They were for travelling nurses and contract workers (e.g. experts came to treat the Pearl Harbor oil leaking). As owner, I'm proud to be able to provide the temporal house for these workers that are crucial for Hawaiian economy, health and safety at special time and occasions. If the 30 days minimum were changed to longer (90 days or 180 days minimum stay), it would be super hard for these kind of special contract workers to find affordable house, therefor they would most likely turn down the jobs. No one want to come to do the special jobs to save/rescue special crisis when Hawaiian need it. If these contractor workers have to live in expensive hotel, the high cost will be ultimately casted on Hawaiian to hire them. Bill 41 will have very bad long-term impact for the Hawaii's economy, health and safety.

Please focus efforts on enhancing the regulation of the short-term rental, that's the real problem!

Testimony Attachment

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From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name DTom
Phone
Email derektom@hotmail.com
Meeting Date 03-23-2022
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.

We need to look at the entire state rather than individual business owners. We need to the economy to thrive. Filling hotels, provides jobs and stimulates the economy in areas where the hotels are.

For short term individual B and B's ect, not only does this take away from the hotels, but it also is a nuisance to residents in the area. With safety more of a concern than ever, we shouldn't have to deal with strangers living in our community. And lastly, the problem is the regulation of taxes and if owners are paying them. Why should they get away with not paying resort fee/TAT taxes.

We should be concerned about Hawaii's economy first and foremost.

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:22 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Megan
Phone
Email megannaro28@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony When family/friends from the mainland come to visit I'd rather them support small/family run businesses (B&Bs & TVUs) than larger chain corporations and hotels. They wouldn't be able to do so if the minimum stay is 90 days.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Suzie Mai-French
Phone
Email suzie.mai@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Bill 41 should not move forward for final passage by the full Council. Bill 41 needs to be held in committee for further stakeholder discussions since it did not address why Ordinance 19-18 couldn't get enacted and have data to support why we need Bill 41.
- 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.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:25 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Scott Whiting
Phone	
Email	321z@att.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	Proposed changes will reduce the intent of bill 41. We need a law that takes a clear and enforceable stance against temporary accommodations in our communities.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Chow Yu
Phone	
Email	321x@att.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	I appose the proposed changes to bill 41.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Chow Yu
Phone	
Email	321x@att.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support eliminating vacation rentals in our residential neighborhoods.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:19 PM
Subject: Council Testimony

Written Testimony

Name Elaine Liu Chow
Phone
Email elaine.chow@locationshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item B41
Your position on the matter Oppose
Representing Organization Self

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:26 PM
Subject: Council Testimony

Written Testimony

Name Ana Slater
Phone
Email anafslater@yahoo.com
Meeting Date 02-23-2022
Council/PH Committee Council
Agenda Item Bill 41 (CD 1)
Your position on the matter Oppose
Representing Organization Self

Dear Honolulu City Council Members:

Written
Testimony

I am an owner of a property that has been lawfully renting for 30-day periods or longer, and I write to express my strong opposition to the passage of Bill 41 in its current form, because of the adverse effect Bill 41 will have on my investment backed expectations and the use of my property for transient vacation rental use.

Since the late 1980s, when the land use ordinances changed, it has been permissible to use the property for any rental period of 30-days or longer. The members of the public, and perhaps the City Council too, seems to be conflating illegal short-term rentals and legal short-term rentals. Generally, illegal short-term rentals enter into more than one rental contract in a 30-day period. Whereas legal short-term rentals: enter into only one rental contract in a 30-day period, provide the property for the renter's exclusive use regardless of occupancy, and the rent charged is determined by 30-day rental period(s) and not occupancy. This has been the standard since the late 1980s when the land use ordinances limited transient vacation use to a 30-day minimum. For years this understanding of the LUO was accepted by the director of Department of Planning and Permitting ("DPP") as a valid defense to a NOV, and it was part of two settlement agreements that were reached with the City in two lawsuits.

Lengthening the minimum stay to anything longer than 30-days creates a vested right for these types of properties, and I, along with thousands of other Oahu property owners, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations. Both the Hawaii and Federal constitutions protect a preexisting lawful use as vested property right, which means

it cannot be abrogated without due process of law. Additionally, HRS 46-4, prohibits the counties from creating ordinances that eliminate a lawful use without providing a mechanism for that lawful use to continue. The failure to protect existing lawful uses is a regulatory taking entitled to just compensation.

While section 13 of Bill 41, CD2 recognizes the lawful 30-day rentals it fails to provide a mechanism for all lawful 30-day rentals to register as a transient vacation unit, regardless of the zone or district.

For properties, like mine, that have been lawfully renting for 30-day periods or longer they should be able to continue that lawful use without restriction. We request that you revise Bill 41 to either keep the definition of TVU to a 30-day minimum, allow all 30-day rentals (regardless of zone or district) to register as a transient vacation unit, or create a non-conforming use category for the 30-day rentals. As your constituent, we expect that the bills presented and passed are written to protect our constitutional rights, not drafted to eliminate our rights and gamble that no one will seek judicial review. Should Bill 41 pass with this obvious constitutional infringement I, along with the thousands of other property owners, will file a lawsuit to protect our constitutionally protected rights.

Respectfully,
Ana Slater

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:31 PM
Subject: Council Testimony

Written Testimony

Name	Gregory Thomas
Phone	
Email	artcare@mac.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41, Short Term Rentals
Your position on the matter	Support
Representing Organization	Self
Written Testimony	A minimum of 180 days should be required for legal short term rentals. I support Bill 41 as a renter as well as a condo owner in Kailua, Oahu. We live in a fragile eco-sensitive environment that needs protection and support and not commercialized!
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:30 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name B.A. ALEXANDER
Phone
Email babs@ladybuglan.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, proposed CD 2
Your position on the matter Comment
Representing Self
Organization SELF

Dear Members:

A bill is only as good as the enforcement procedures.

1a. Section 13 ought to eliminate the "or" and instead requires ALL operators of S-T rental units to be registered w the C&C.

In other words, a S-T rental either has a NCU Certificate OR is registered to rent for a minimum of 90 days.

1b. The list of all S-T rentals ought to be posted and readily accessible to the public. A copy of the list, in addition to being on the DPP website, ought to be required to be admitted into the record of each Neighborhood Board meeting's minutes.

2. ALL S-T rentals ought to pay property taxes at a commercial rate. All ought to pay a Business Tax in addition to the fee for the certificate/registration.

Please make the bill more black and white and therefore more readily enforceable.

Give us back our neighborhoods!

Mahalo.

B.A. Alexander
Kailua Resident

Written
Testimony

Testimony
Attachment

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jason Lai
Phone
Email laijason23@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:37 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Scott Whiting
Phone	
Email	321z@att.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I have a correction. I previously said I appose bases on incorrect information. I support the effort to eliminate transient rentals in our communities.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jim Zhang
Phone
Email jimjingzhang@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I oppose the changes to the current STR regulations, Bill 41.
I have a condo at Discovery Bay and will retire at Hawaii in a year or so. I have my unit managed by local rental company to rent at reasonable rentals while I'm not visiting. I pay the taxes and fees on my rentals. All my unit rents (30 days or more) were not for vacation people. They were travelling nurses and contract workers (e.g. experts came to treat the Pearl Harbor oil leaking). As the owner, I'm proud to be able to provide the temporal house for these workers who are crucial for Hawaiian economy, health and safety at special times and occasions. If the 30 days minimum was changed to 90 days or 180 days minimum stay, it would be extremely hard for these kind of special contract workers to find affordable house, therefore they would most likely turn down the jobs, or the costs to Hawaiian to hire them would be very high. If these contract workers have to stay in the expensive hotels, the high cost will ultimately cast on Hawaiian. Therefore, Bill 41 will have very bad long-term impact for the Hawaii's economy, health and safety.

The changes to advertising and enforcement that resulted from the creation of Bill 89 are working to curb vacation rentals, please enforce the current law, don't create a new one. Please focus efforts on enhancing the regulation of the short-term rental, that's the real problem!

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:42 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stephanie Gottlieb
Phone
Email stef@reddotmedia.us
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

Why are Kailua residents suddenly being excluded from applying for the 1700 new Bed & Breakfast license's. The bill that was originally passed in 2020 did not exclude Kailua and Kailua Home Owners really came together to fight for that bill and for the 1700 new Bed and Breakfast license's - To exclude Kailua Home Owners is immoral improper and biased maybe even illegal. Please do the right thing and allow Kailua Home Owners to apply for the new Bed & Breakfast licenses that they worked so hard to be able to apply for. Thank You

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Testimony by Suzanne Young, CEO
Honolulu Board of Realtors®

Committee on Zoning and Planning
Wednesday, March 23, 2022
Honolulu Hale

RE: Bill 41 (2021), PROPOSED CD2 - in opposition with comments

Aloha Chair Elefante and Councilmembers:

Thank you once again for the opportunity to provide testimony on this bill. The Honolulu Board of REALTORS® (HBR) on behalf of our 7,000 members and its City Affairs Committee **opposes the Proposed CD2 for Bill 41 (2021)**, primarily because it changes the current minimum rental requirement from 30 days to 90 days for both B&Bs and TVUs.

While HBR supports enforcement of illegal transient vacation rentals that negatively impact our residential neighborhoods, we continue to remind everyone that **not all short-term rentals are for vacation purposes**. There are legitimate, non-vacation related reasons why our local residents, their families and our workforce need to rent housing for short-term periods of 30 days or more. Here are the top cited reasons from a survey we conducted with our members:

- Home sellers/buyers renting until they close on a new property (62%)
- Residents who are displaced from their homes during renovations or construction (58%)
- Residents who prefer month to month (56%)
- Military PCS while looking for home to buy (51%)
- Traveling nurses (48%)
- Families from out of state take care of loved ones (45%)
- Government and contract workers (45%)
- College students for the semester (39%)

We support the changes in Proposed CD2 that **prohibit advertising daily rates** for both B&Bs and TVUs that are not legally registered or don't have a valid nonconforming use certificate as a simple and effective way for DPP to enforce the illegal vacation rentals that are disrupting our residential neighborhoods. We know that when Ordinance 19-18 first went into effect, that the number of listings online for vacation rentals dropped significantly simply due to the inability to advertise daily/weekly rates. However, 30-day minimum rentals must be allowed.

Additionally, in our legal analysis of Bill 41 and Proposed CD2, we have the following concerns:

LANDLORD-TENANT CODE CONFLICTS - In SECTION 11, Section 21-10-1(2), Page 36, CD-2, we believe there is a conflict or at least potential confusion between the Hawaii Landlord-Tenant Code, Chapter 521, HRS, references to "Month-to-Month" tenancies and the "Month-to-month holdover tenancies". In just one example, the Landlord-Tenant Code allows for a landlord and tenant to agree to a fixed term rental period of 60 days and that would conflict with the minimum 90-day rental period that is in Proposed CD2.

RETROSPECTIVE & VESTED RIGHTS - In the new SECTION 7 of CD2, Page 30, (“New Sec. 7”), it indicates that “Registration as a bed and breakfast home or transient vacation unit is not transferable, and shall not run with the land.” On its face, New Sec. 7 would deny owners of certain vested rights and/or investment-backed expectations derived from complying with the registration and zoning rules and regulations under Ordinance 19-18, thereby violating the due process provisions under the Hawaii and US Constitutions. The regulatory taking of such vested rights under CD2 by prohibiting the transfer of such duly registered and compliant STRs would entitle the owners to just compensation. We question whether this would not violate the due process rights of all affected owners to be free from (i) the improper retrospective application of these new revisions, (ii) the regulatory taking of certain vested right of owners, and (iii) the denial of investment-backed expectations emanating from owners’ compliance with Ordinance 19-18.

We support the amendments proposed by Councilmember Tupola in SECTIONS 7 and 8 of Proposed CD2 on pages 13-16 related to Sec. 21-4.110-1 (e) and Sec. 21-4.110-2 (g) that allow for renewal of a nonconforming use certificate for a TVU or a B&B to be renewed by a new owner so long as the new owner renews the NUC prior to its expiration.

We also support Councilmember Tupola’s amendments to Bill 41 Proposed CD2 that revise the 90-day minimum rental period to a 30-day minimum rental period.

We fully understand and support the community, the Council, and the Administration’s desire to enact policies that allow DPP to adequately and efficiently enforce illegal vacation rentals. We have indicated our support above for provisions in Bill 41 Proposed CD2 that allow for that. However, care must be taken to ensure the entire policy can withstand legal scrutiny and does not negatively impact the legitimate short-term rental housing needs of our residents, their families and our workforce.

Thank you for your consideration and the opportunity to provide our input on this critical measure.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:33 PM
Subject: Council Testimony

Written Testimony

Name Susan Snyder
Phone
Email susan@susansnyder.biz
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

Dear Honolulu City Councilmembers,
I support Bill 41 and a 180 day minimum stay for legal short terms rentals. (I would prefer a one year minimum stay). The exception would be for those with legal vacation licenses that were last granted in 1985.

The Hawaii Tourism Authority has stated the need to regulate the amount of visitors to the islands. This is needed to protect the fragile environment and marine animals. This can be done in part by having visitors stay in the three currently designated resort areas. We also need to keep our neighborhoods and communities for residents.

Residential zones were created for residents, not to be turned in to commercial zones for profit. Having long term rentals will also increase much needed housing for residents. The tourism industry and local businesses thrived for many years with visitors staying in designated resort areas.

Mahalo,
Susan Snyder

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:34 PM
Subject: Council Testimony

Written Testimony

Name Susan Snyder
Phone
Email susan@susansnyder.biz
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony

Dear Honolulu City Councilmembers,
I support Bill 41 and a 180 day minimum stay for legal short terms rentals. (I would prefer a one year minimum stay). The exception would be for those with legal vacation licenses that were last granted in 1985.

The Hawaii Tourism Authority has stated the need to regulate the amount of visitors to the islands. This is needed to protect the fragile environment and marine animals. This can be done in part by having visitors stay in the three currently designated resort areas. We also need to keep our neighborhoods and communities for residents. Residential zones were created for residents, not to be turned in to commercial zones for profit. Having long term rentals will also increase much needed housing for residents. The tourism industry and local businesses thrived for many years with visitors staying in designated resort areas.

Mahalo,
Susan Snyder

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:50 PM
Subject: Council Testimony

Written Testimony

Name marcela gama
Phone
Email celagama@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I am BEGGING the city and county to revise this. Being a small business owner and providing job for several single moms and handymans who depend on this business for a living. This will severely hurt everyone as well as make Real estate values depreciate!!!!

Airbnb and VRBO are the new trend! People choose to travel and rent through them for several reasons! Please be more flexible. Our city needs this option, just like in the rest of the world!!!!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:51 PM
Subject: Council Testimony

Written Testimony

Name marcela gama
Phone
Email celagama@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

I am BEGGING the city and county to revise this. Being a small business owner and providing job for several single moms and handymans who depend on this business for a living. This will severely hurt everyone as well as make Real estate values depreciate!!!!

Airbnb and VRBO are the new trend! People choose to travel and rent through them for several reasons! Please be more flexible. Our city needs this option, just like in the rest of the world!!!!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:57 PM
Subject: Council Testimony

Written Testimony

Name Shiyana Thenabadu
Phone
Email shiyanat@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Enforce the present law of no rentals under 30 days instead of an all out ban on month to month rentals. Most of us understand the need for affordable 30 plus day rentals in neighborhoods for residents and visitors. Most tourists don't stay more than 14 days so the people who need month to month rentals are not tourists. Please kill this bill that is being pushed by the hotel industry and wealthy NIMBYS who can't even stand 12 good tenants per year. If they're bad tenants, call the authorities. Craft a bill that doesn't hurt mom and pop B&Bs who are great neighbors. Outlaw whole house rentals which are owned by absentee investors. Understand and acknowledge the difference. Don't bend to the mighty hotel lobby or to selfish, wealthy NIMBYS. You're job is to find a balance but Bill 41 which outlaws 30 plus day rentals is a slam dunk for the hotels and timeshares only. It hurts working class people who need temporary and affordable housing in neighborhoods.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:55 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jef Workman
Phone
Email Jefworkman@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

Why am I hearing that Kailua Residents are now being prohibited from applying for the 1700 new Bed & Breakfast license's. This bill was passed back in 2020 and Kailua Residents were not excluded. This makes no sense it is wrong unfair and inappropriate to excluded Kailua Home Owners from being able to apply for the B&B license that was approved for Kailua Residents to apply for. back in 2020 Please adjust the bill back to allow Kailua Residents to apply for their B&B license's. Kailua is a tight community and local residents love Kailua - love the community and love their neighbors. The vacation rentals that have been the issue is the off island owners who vacation rent whole homes - they are the ones who do not care about the community or neighbors - it is not right to punish the local residents. Local Kailua residents deserve to apply - some of them need to apply to have the ability to grow old in their generational homes. Please do the right thing and allow Kailua Residents to apply for the new B&B licenses as it was originally agreed when the original bill was passed in 2020. Thank you

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Saito
Phone
Email davids@marinahawaii vacations.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Organization
Organization Marina Hawaii Vacations

Dear Committee,

Thank you for the opportunity to provide testimony. I represent over 200 private rental owners under the Marina Hawaii Vacations rental management. We oppose Bill 41.

I believe most people understand and support the City's position on illegal rentals in the residential zones. However, Waikiki is a globally recognized "resort" destination. Anyone choosing to live in Waikiki understands they choose to live in a "resort" destination.

The legal transient vacation unit owners are paying some of the highest resort taxes in the country and are being penalized with some of the country's highest registration fees and fines.

Written
Testimony

Mayor Blangiardi's State of the City address stated, "The objective of Bill 41 is to stop the expansion of B&Bs and short-term rentals into residential-zoned neighborhoods, but allow for expansion of vacation rentals in or near select resort-zoned communities". The resort taxes, fees, and fines are anything but welcoming and are more prohibitive and unfair.

The DPP suggested the high fees are to allow for additional investigators. This is great for enforcement, but why are the legal rental owners in the approved Resort Zone paying excessive fees to enforce the illegal rentals, mainly the Residential Zones?

The minimum stay will change from 30 days to 90 days to further suppress legal rentals. The Hawaii rental law allows for monthly rentals. Bill 41 conflicts with the Hawaii rental law, infringing on the homeowner's rights. Another example of suppressing rentals for the owners in the legal Resort Zones.

The DPP and the City have full support to control illegal rentals in the Residential Zones. They need to revisit 19-18 and prove they can effectively mitigate these rentals before they

venture blindly into enforcing a broad range of zoning conditions. Waikiki as a resort destination needs to be reanalyzed and that portion of the Bill better designed for fairness and possibly increasing the zone areas. Maybe that will attract more legal rentals from the residential zones to Waikiki, where they belong, in the "resort" destination. We urge you to further work the Bill into something that works for the community and the legal rental homeowner.

Thank you for your time and opportunity to provide a voice from a perspective of fairness.

Best Regards,
David Saito
Marina Hawaii Vacations

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 4:59 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mary Beddow
Phone
Email mbeddow@att.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Oahu will be greatly hurt for so many reasons if we move from 30 day rentals to 90 day rentals. It makes no sense and working in the hotel business for over 20 years I know that this bill is backed and funding by the hotel union. There are so many reasons why this bill is not good for starters Buyers waiting to purchase or get into a home that they have purchased they want a month-month. People here on business. Families that come to visit their families who live here. Oahu will be the only Island to have this bill and it will hurt our tourist industry in many ways this is only a "win" for the hotel industry and the small group of people who are anti-rentals that is until they are looking for somewhere for their family to stay!!! Stop this bill.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Geoffrey Chang
Phone
Email gchang@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written
Testimony Please support Bill 41 and protect the sanctity of our residential neighborhoods. We need rental housing for our residents not for tourists. Where will our workforce live if all the rentals are taken by tourists? Who will rent to residents if they are allowed to make 10 times more money renting to tourists? We must stop the madness now.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:05 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Thinh Nguyen
Phone	
Email	marisatin@juno.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Residential zoning means commercial activities, such as running a mini-hotel (transient vacation rental) out of your house, do not belong. This bill helps enforce laws that protect the residential nature of our residential areas. It helps keep home feeling like home.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Geoffrey Chang
Phone
Email gchang@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written
Testimony Please support Bill 41 and protect the sanctity of our residential neighborhoods. We need rental housing for our residents not for tourists. Where will our workforce live if all the rentals are taken by tourists? Who will rent to residents if they are allowed to make 10 times more money renting to tourists? We must stop the madness now.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Naoko Okada
Phone
Email naokoo@cbrealty.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:11 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Judy Bishop
Phone
Email jbishop@bishopco.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony

I support bill 41CD2 because as a Kailua resident we have had enough vacation rental saturation in our community- as a 20+ year resident, I am terribly disappointed to be living in a tourist destination versus a quiet friendly community I bought into. I bought in Kailua to live in a peaceful neighborhood where I would know my neighbor and build relationships trust and friendships but now I live where almost everyone I see every day is a stranger and residents hide in their homes till nightfall when it feels safe to come out ! it's noisy scary and extremely crowded -there is no consideration paid to residents-it's a free-for-all all night and day ;it's out of control; it's abusive ,damaging ,and ruining residential neighborhoods - creating not only a miserable quality of life for residents,it is driving residents away Hawaii and has a serious talent shortage which prevents economic growth and diversification . Workers young and old do not want to live in this very expensive state unless the quality of life is here but vacation rentals are ruining that quality of life and ruining neighborhoods. Our housing shortage and unaffordability is caused by vacation rentals and it doesn't just affect low income people-middle and even higher income individuals and families cannot find housing. Whether affordable or not the housing is just not there -it's taken up by vacation rentals and By investors who buy multiple homes and rent them out ! Hawaii must stop this prostitution of our residential neighborhoods. Give us back our homes! Save our children from leaving! Support economic diversification!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Thinh Nguyen
Phone	
Email	mmcanonico@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	This bill protects our neighborhoods from the constant in-and-out tourist traffic that occurs when illegal vacation rentals are allowed to take root.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Monique Canonico
Phone
Email mmcanonico@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony This bill protects our neighborhoods from the constant in-and-out tourist traffic that occurs when illegal vacation rentals are allowed to take root.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:17 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jeffrey Left
Phone
Email Jef@reddotmedia.us
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Comment
Representing Self
Organization

Written
Testimony

The new bill excluding and prohibiting Kailua Residents from applying for the Bed & Breakfast licenses is criminal. When this bill was passed in 2020 Kailua residents were permitted to apply and get these new Bed & Breakfast license.
There is no lawful or legitimate reason that would allow this bill to now exclude Kailua residents. This needs to be fixed - Kailua Residents have this right. Other communities similar to Kailua are not excluded and there is absolutely no legal reason to take that right away from Kailua residents when the original bill allowed for a certain number of B&B licenses to be given to Kailua Home Owners. This needs to be fixed and Kailua Home Owners need to be given the right they were promised to apply for and hopefully be awarded the new legal B&B licenses.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Greg Jones
Phone
Email greg@jonesre.net
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Aloha Planning and Zoning, I feel very lucky to have 4 homes on Oahu and being able to visit and stay on the North Shore, Hawaii Kai or Lani Kai and being able to rent my homes short term has provided the ability to live in the beauty of all of the climates the island has to offer at different times of the year. The income produced from my ability to rent these homes allows me to pay the expenses to maintain the homes and build equity and net worth while enjoying this beautiful island. Please don't let the Hotel Lobbies take control of the mom and pop citizens just trying to live and enjoy our property rights which should not be taken away from us. Many thanks for listening. Mahalo.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name John Niebuhr
Phone
Email jjtomatoes@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization
Written Testimony Support this bill. Our children should be able to grow up in real neighborhoods which don't have a constant influx of tourists.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:25 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Charleen Essling
Phone	
Email	cessling@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I live in Kailua and I'm asking you to support Bill 41 CD2. We need to protect our badly needed housing and the quality of life in our neighborhoods.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:25 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Yilan Wilcox
Phone	
Email	yilanw808@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Hawaii is having a housing crisis. This bill will help encourage property rental to long-term residents instead of to short-term tourists.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Victoria Quinn
Phone
Email vicki@summerlandisland.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Self
Organization

Written Testimony

When the bill to allow 1700 new B&B license's was passed back in 2020 it permitted Home Owners in Kailua to apply and be awarded the B&B permit. I understand that in this new Bill 41 it excludes Kailua Residents from applying.

This is not justifiable lawful appropriate or correct and this new Bill 41 needs to allow for Kailua Home Owners to apply as was originally passed. There is no justifiable or legal reason to exclude this community from what it was awarded in 2020. The Kailua community will fight for this right that was awarded to them. I know several Kailua Home Owners are seeking legal representation. Please fix this and don't let this be an issue. This was awarded to Home Owners and Kailua Home Owners were included in that and were counting on that. Please please I beg you to fix this. The Kailua Home Owners love their community and it is non-resident vacation rentals that gave B&B's a bad reputation not the local home owners and local Kailua residents. Please don't punish the local home owners and fix this. Thank you for your help and understanding

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:34 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Cindy
Phone
Email cfullmer888@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I totally oppose Bill 41,CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. 90 days is not acceptable!!!! There shouldn't even be a 30 day minimum because there are many non-tourist related needs for renting such as:
Home seller/buyers renting until they close on their property
Residents waiting for their home to complete construction or renovations
Families from out of state who are on island caring for loved ones.
etc,,,,just to name a few examples.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ann A. Shinsato
Phone
Email ponorealty@hawaiiintel.net
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD 2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:57 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wendy Barnfield
Phone
Email wendy@ragingisle.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD1
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Dear Council and DPP
This bill is so gouging and one sided. It is designed to unfairly select and burden citizens and residents of Hawaii. It's unjustified and the city and state have not done their part to police and correct all the illegal temporary rentals. You have selected a small group of people to burden with over taxing, added fees such as an initial registration and an annual registration. Also the intent to raise property taxes for a small group of residents/home owners is unjust. Please do not support this bill.
Sincerely,
Wendy Barnfield

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:01 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jonathan Reid
Phone
Email jonathan_k_reid@hotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 (2021) CD1
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Dear Honolulu City Council Members:
I am an owner of a property that has been lawfully renting for 30-day periods or longer,
and I write to express my strong opposition to the passage of Bill 41 in its current form, because
of the adverse effect Bill 41 will have on my investment backed expectations and the use of my
property for transient vacation rental use.
Since the late 1980s, when the land use ordinances changed, it has been permissible to
use the property for any rental period of 30-days or longer. The members of the public, and
perhaps the City Council too, seems to be conflating illegal short-term rentals and legal
short-term rentals. Generally, illegal short-term rentals enter into more than one rental contract in
a 30-day period. Whereas legal short-term rentals: enter into only one rental contract in a
30-day period, provide the property for the renter’s exclusive use regardless of occupancy, and
the rent charged is determined by 30-day rental period(s) and not occupancy. This has been the
standard since the late 1980s when the land use ordinances limited transient vacation use to a
30-day minimum. For years this understanding of the LUO was accepted by the director of
Department of Planning and Permitting (“DPP”) as a valid defense to a NOV, and it was part of
two settlement agreements that were reached with the City in two lawsuits.

Lengthening the minimum stay to anything longer than 30-days creates a vested right for these types of properties, and I, along with thousands of other Oahu property owners, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations. Both the Hawaii and Federal constitutions protect a preexisting lawful use as vested property right, which means it cannot be abrogated without due process of law. Additionally, HRS 46-4, prohibits the counties from creating ordinances that eliminate a lawful use without providing a mechanism for that lawful use to continue. The failure to protect existing lawful uses is a regulatory taking entitled to just compensation. While section 13 of Bill 41, CD2 recognizes the lawful 30-day rentals it fails to provide a mechanism for all lawful 30-day rentals to register as a transient vacation unit, regardless of the zone or district. For properties, like mine, that have been lawfully renting for 30-day periods or longer they should be able to continue that lawful use without restriction. We request that you revise Bill 41 to either keep the definition of TVU to a 30-day minimum, allow all 30-day rentals (regardless of zone or district) to register as a transient vacation unit, or create a non-conforming use category for the 30-day rentals. As your constituent, we expect that the bills presented and passed are written to protect our constitutional rights, not drafted to eliminate our rights and gamble that no one will seek judicial review. Should Bill 41 pass with this obvious constitutional infringement I, along with the thousands of other property owners, will file a lawsuit to protect our constitutionally protected rights.

Testimony Attachment
Accept Terms and
Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:15 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name kevin taylor
Phone
Email kdthawaii@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item bill 41
Your position on
the matter Comment
Representing Self
Organization

Since being introduced in October 2021, proponents of bill 41 have lied and misrepresented the facts in their effort to help their friends in the Hotel industry shore up their long suffering business model, and remain profitable.

How did we get here?

1. Bill 41 was designed to go further than Bill 89 did, and give hotel units an advantage over legal vacation rentals.
2. The fact is that for over 40 years, the City & County of Honolulu has provided a framework for legal short term rentals. Now that tourists are favoring non-hotel properties, the City is changing the rules to help hotels (their donors).
3. Bill 89, in 2019, was designed to restrict short term rental options for tourists on Oahu. As it (accidentally) hurt Aston's operations at the Waikiki Banyan & Waikiki Sunset, the DPP just did not enforce it - thus the need for "an enforceable law".

Written
Testimony

Just a few of the things wrong with Bill 41, as currently written:

1. It charges legal vacation rentals (units in "hotels" like the Ilikai, Ilikai Marina, Luana Waikiki, Waikiki Shore, Marine Surf, etc.) a \$1,000/unit annual registration fee - but does not charge this fee if these units are managed by Aston, Castle, Outrigger, etc.(i.e. in the hotel pool)
2. It establishes occupancy limits on vacation rental units - removing their advantage - while not requiring the same of units in the same buildings when managed by Aston, Castle, Outrigger, etc.
3. It makes short term rentals in the gold coast legal - why? Bill 41 is supposed to increase the number of affordable housing units - so why is bill 41 creating more short term rentals in an area where they are currently not allowed???
4. Changing the minimum rental period on Oahu from 30 days to 90 days will disproportionately affect locals. Any attempt to mitigate this by allowing the DPP to offer exemptions will unduly reward a weak and corrupt agency. With 6 DPP staff charged by the

federal government for soliciting / receiving bribes, I fear that asking the DPP to play any role at all will be akin to asking a recovering alcoholic (who keeps falling off the wagon) to work long hours (unsupervised) in a bar, serving alcohol.

5. The global tourism market has changed post-covid - people prefer vacation rentals (with cooking facilities) over hotels.

In Summary:

The City Council should not pass bill 41 in any form. If any part of bill 41 is passed, the City will immediately be sued by multiple individuals and companies.

Bill 41, as written, is a train wreck, and will cost the City more in legal fees (defending it) than the bill will generate. I strongly urge the the City Council to ignore their Hotel & Hotel union donors, and vote no to bill 41.

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:18 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Larry McElheny
Phone	
Email	lkmcelheny@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD1
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha I am testifying in strong support of Bill 41. Please support this important bill. Mahalo Larry McElheny (808) 237-9354
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:26 PM
Subject: Zoning and Planning Testimony
Attachments: 20220322182546_Waikiki_Banyan_-_Testimony_re_Bill_41-CD2
_Relating_to_Transient_Accommodations_3.22.22.pdf

Written Testimony

Name Cheryl Fraine
Phone
Email cfraine@hawaiiilegal.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Comment
Representing Organization
Organization Association of Apartment Owners of Waikiki Banyan
Written Testimony
Testimony 20220322182546_Waikiki_Banyan_-_Testimony_re_Bill_41-
Attachment CD2_Relating_to_Transient_Accommodations_3.22.22.pdf
Accept Terms and Agreement 1

IP: 192.168.200.67

March 22, 2022

ONLINE SUBMISSION

Chairman Brandon J.C. Elefante
Members of the Committee on Zoning and Planning
530 South King Street, Room 100
Honolulu, Hawaii 96813

Re: Testimony re Bill 41, CD2 – Relating to Transient Accommodations

Dear Chairman Elefante and Members of the Committee on Zoning and Planning:

This testimony is submitted on behalf of the Association of Apartment Owners of Waikiki Banyan (the “Association” or “Waikiki Banyan”) regarding Bill 41, CD2, relating to Transient Accommodations. Waikiki Banyan previously submitted testimony regarding the prior versions of Bill 41. By way of this submission, Waikiki Banyan would like to reiterate and supplement its testimony regarding Bill 41, specifically Bill 41, CD2.

The Association supports the stated goal of Bill 41, which is to protect residential neighborhoods from the negative impact of short-term rentals. However, as Bill 41 also impacts Waikiki, which is different from other neighborhoods, Bill 41 needed to be revised to take into consideration the unique history and landscape of Waikiki, which includes condominium buildings, such as the Waikiki Banyan, that have operated as condotels for many years.

Bill 41, CD2 has come a long way in a short period of time and has made major improvements to Bill 41. 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 is appreciative that Bill 41, CD2 recognizes that the Waikiki Banyan’s owners should be allowed to continue conducting transient vacation operations and continue to be part of Waikiki’s unique landscape by being able to offer transient accommodations. Bill 41, CD2, has also addressed some issues that made prior versions of Bill 41 problematic (e.g., eliminating the multifamily dwelling density limits, the 250 foot phone number requirement, and supplemental insurance requirements). That being said, Bill 41, CD2, still has a few issues that should be addressed.

Bill 41, CD2, cannot be read alone to determine its impact on transient accommodation owners. Another bill was introduced earlier this year (i.e., Bill 4 – Relating to Real Property Taxation), which would require transient vacation units (“TVUs”) be classified into the hotel and resort category.¹ Bill 4 would create a much larger tax burden on TVU operators in condominiums,

¹ Bill 4 has been postponed to a date and time determined by the Budget Committee Chair.

even though a unit may or may not be operated as a TVU on a full-time basis.² When considering the tax increase in Bill 4, as well as the various requirements in Bill 41, CD2 (e.g., registration fees, renewal fees, insurance requirements, etc.), the overall financial burden on TVU owners is enormous. The Association estimates that between taxes, fees, and insurance, TVU owners could see an increase of monthly expenses of at least \$700, if not much more. With this in mind, the financial impact of Bill 41, CD2 on TVU owners should be further reevaluated.

Bill 41, CD2, retains high registration and renewal fees. The initial registration for TVUs is \$2,000, while the annual renewals would cost \$1,000. Even the renewal fee for nonconforming use certificates would be increased from \$600 every 2 years, to \$1,000 annually. Not only would the registration fees and the annual renewals present a financial burden on the owners, but it also creates a major administrative burden on the Department of Planning and Permitting ("DPP"). Annually, DPP could receive around eight-hundred (800) renewal requests from the Waikiki Banyan alone. Island-wide, the annual administrative burden could be well into the thousands, especially considering the number of condominiums located in the Resort Precinct of Waikiki. Is DPP equipped to handle such a workload in a timely manner without large staff increases? Rather than requiring annual renewals that face potential back-logs, we recommend having registrations valid for five (5) years, transferable, and cost \$1,000 every five (5) years. Not only would this lessen the financial burden on owners, but it would also ease the administrative burden on DPP.

Bill 41, CD2, also gives DPP broad powers to enforce TVU restrictions, requirements, and standards. For example, Bill 41, CD2 creates uncertainty as to what triggers a denial of a renewal application, as DPP may deny a renewal where "good cause exists for denial." These arbitrary powers to suspend or deny a registration are problematic. In order to avoid confusion and uncertainty, we recommend Bill 41, CD2 incorporating a more limited definition of DPP's powers and implement more objective standards.³

Another concern is the insurance requirement. While supplementary insurance requirements have been removed from Bill 41, CD2, the \$1 million commercial liability requirement is still too high. This adds a further financial burden to TVU owners. While the Association is not opposed to requiring insurance, it should be reduced to a reasonable amount

² In Bill 4, the classification is to be at the "highest and best use." It is unclear if units that might be used as TVUs, whether or not actually so used and whether or not registered, may be taxed at the higher rate.

³ As an example, Bill 41, CD2, proposed section 21-5.730(b)(2) could be revised as follows (deletions shown in ~~strike through~~; addition shown in underline):

The director may deny renewal of a registration if: ~~(i) the owner or operator receives one or more notices of order for violation of subsection within a one year period; (ii) the owner or operator demonstrates an inability to operate a bed and breakfast home or transient vacation unit without causing significant negative impacts to the surrounding community, including but not limited to instances where complaints from the public indicate that noise or other nuisances created by guests disturbs residents of the neighborhood in which the bed and breakfast home or transient vacation unit is located; or (iii) where other good cause exists for denial of the renewal application.~~ The registration certificate shall remain valid until that time the renewal application is approved or denied by the department, provided that an owner or operator of a bed and breakfast home or transient vacation unit submits to the department a timely and complete renewal registration application with all required supporting documentation, including the submittal of, within a reasonable time, any subsequent additions or corrections requested by the department.

(e.g., \$500,000), and given the individual ownership of individual TVUs, may in fact not need to specifically be commercial liability insurance.

Liability concerns is another issue that remains in Bill 41, CD2, as it retains the concept that a condominium association will be liable for violations by its individual owners. For instance, proposed section 21-2.150-2(b) provides, in relevant part, that the following persons are liable for violations: "(1) The owners of real property, buildings, and premises on which a violation occurs. . . ." In a single-family residential area, this provision makes sense. However, in a condominium setting, this creates an untenable situation. All condominium owners "own" the real property/building/premises that makes up the "association." The Association as a whole should not be held liable for the acts of the individual unit owners and Bill 41, CD2 should clarify that condominium association are not liable for owner violations.⁴

Bill 41, CD2 has come a very long way from its inception and the Waikiki Banyan is appreciative of the work the Committee has done thus far in addressing the concerns raised by the Association. We respectfully request that the Committee address our additional concerns before final adoption of this measure.

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
Kapon F.H. Kiakona
Cheryl A. K. Fraine

⁴ As an example, Bill 41, CD2, proposed section 21-2.150-2(b) could be revised as follows (deletions shown in ~~strike through~~; addition shown in underline):

The following persons are liable for any violations identified in subsection (a) occurring on real property and are responsible for complying with enforcement notices issued by the director regarding the real property, building, or premises:

- ~~(1) — The owners of real property, buildings, and premises on which a violation occurs;~~
- ~~(2)~~ (1) Persons that have possession or control of the real property, building, or premises on which a violation occurs; and
- ~~(3)~~ (2) Persons that cause, contribute to, or benefit from a violation, in whole or in part.

For the purposes of this section, "persons" means natural persons or legal persons, including but not limited to trusts, corporations, partnerships, and limited liability companies. Condominium associations, however, shall not be liable for the actions of owners or operators of transient vacation units that violate this chapter or rules adopted by the director to administer this chapter.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:28 PM
Subject: Council Testimony

Written Testimony

Name Barbara Fisher
Phone
Email bambufish@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony I am in strong support of bill 41 and 4 and the regulation of STR. I see a direct relationship between the housing crisis, lack of long term rentals and rising rents to the proliferation of STR. The pandemic allowed us to remember what it was like to not be inundated by tourists on our roads and in our neighborhoods. We need tourists to fuel our economy but it must be in balance with our other needs as a community. This bill seems to move us closer to a fair balance.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 5:30 PM
Subject: Council Testimony

Written Testimony

Name Patty Ochi
Phone
Email ochifamily@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item 2
Your position on the matter Oppose
Representing Organization Self

Written Testimony There is no logic to this bill. Excluding STRs on the island of Oahu forces visitors looking for STR type of accommodations to go to another island rather than stay in a hotel on Oahu. At the same time it will negatively effect the many Oahu residents who rely on STRs for income. Don't punish everyone because of a few bad STR experiences. The responsible STRs far exceed the few bad. Please use a little logic

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:43 PM
Subject: Council Testimony

Written Testimony

Name Carrie Martell
Phone
Email martellcarrie@yahoo.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony Please do not support this bill. A great many people would lose their only source of income. People operating legitimate businesses (STR's) are paying their taxes. Why punish people for trying to make an honest income? Times are so hard right now. Our food, clothing, gas and taxes have all gone up so much, why punish us now? Please don't do this. There are no other options for most here on the islands.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:04 PM
Subject: Council Testimony

Written Testimony

Name Ann Medeiros
Phone
Email Annmedeiros96734@gmail.com
Meeting Date 03-3d-yyyy
Council/PH Council
Committee
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization
Written Testimony Bill 41 is critical to restoring normalcy to our residential communities. It will help to make housing affordable for our young people and return residential neighborhoods back to the way they were designed.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:25 PM
Subject: Council Testimony

Written Testimony

Name	Mercedes Fagundes
Phone	
Email	mercedes_fagundes@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Kailua has priced itself so high that it makes "old Kailua" people forced out of their home and only "new Kailua" people are able to buy houses. We don't need any more vacation rentals here and people who aren't from the aina owning property here.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:28 PM
Subject: Council Testimony

Written Testimony

Name Sana Okmyanskaya
Phone
Email sana@welovestartups.io
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Written Testimony Bill 41 unfairly and illegally removes existing legal property rights from current property owners, without any justification. Given how many supporting testimonies have arrived from Local 5 Union it's obvious the hotels are behind this bill. The council should be doing what's best for their local voting constituents rather than off island hotel chains.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:34 PM
Subject: Council Testimony

Written Testimony

Name Susan J Quick
Phone
Email 4joyquick@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

I live in Kaneohe next to an illegal short term rental. I have reported it to the City but enforcement is difficult. The house is very close to ours. We get cigarette smoke and aerosol sunscreen blown in our windows. The owner's four vehicles are parked on the street so the rental car can hide in the garage. It's difficult to live next to people who constantly change and are always on vacation. When the noise becomes overwhelming, my only recourse is to call the police. There is no sense of neighborliness or respect for this community.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:41 PM
Subject: Council Testimony

Written Testimony

Name	Blair Morrison
Phone	
Email	rbspmorrison@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 8:57 PM
Subject: Council Testimony

Written Testimony

Name John Sausedo
Phone
Email Jbsausedo@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony I live in Kaneohe. People who stay at the illegal bnb create parking problems on our street. I believe one of the reasons we have a housing shortage is too many homes are used for short term rentals.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:03 PM
Subject: Council Testimony

Written Testimony

Name	Rowena L Batungbacal
Phone	
Email	leilanirowena@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 9:28 PM
Subject: Council Testimony

Written Testimony

Name Lauren Tulba
Phone
Email laurentulba@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Aloha, my name is Lauren and I currently reside in Kaneohe. As a native Hawaiian it's important to save our communities from decisions that take away from the people of Hawaii.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:38 PM
Subject: Council Testimony

Written Testimony

Name	Debra Laeha
Phone	
Email	momlaeha@gmail.com
Meeting Date	03-23-202y
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please pass this bill to protect the quality of life in residential communities by maintaining vacation rentals in zoned resort areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:39 PM
Subject: Council Testimony

Written Testimony

Name David Laeha
Phone
Email dlaeha@cfohawaii.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony Please pass this bill to protect the quality of life in residential communities by maintaining vacation rentals in zoned resort areas.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:40 PM
Subject: Council Testimony

Written Testimony

Name	Adam Laeha
Phone	
Email	adamklaeha@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 10:43 PM
Subject: Council Testimony

Written Testimony

Name	Kaylin Laeha
Phone	
Email	Kaylinslaeha@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

Honolulu City Council
City and County of Honolulu Department of Planning and Permitting

September 1st 2021

Dear Council Members and Department Directors,

The Administration-initiated land use ordinance amendment related to short-term rentals, specifically as it applies to owner-occupied bed and breakfast homes (B&Bs) is harmful to residents, and is an inefficient and ineffective way to address crowding, noise and parking violations throughout the Islands.

As a healthcare provider, I find it particularly difficult that we are focused on eliminating what might be a sole-source of income for many local residents during a worsening pandemic.

I would like to address the following line items of the staff report submitted for the administration initiated amendment to Ordinance 19-18 (Bill No. 89, 2018, CD2) Relating to Short-Term Rentals(STR). The staff report excerpts below are italicized and in quotes.

*"ADMINISTRATION INITIATED LAND USE ORDINANCE AMENDMENTS RELATING TO
SHORT-TERM RENTALS AND TRANSIENT ACCOMMODATIONS, POST COVID-19*

Staff Report August 13, 2021

1.BACKGROUND

On June 25, 2019, Mayor Kirk Caldwell signed into law Ordinance 19-18 (Bill No. 89, 2018, CD2) Relating to Short-Term Rentals(STR), which would in part allow more bed and breakfast homes (B&Bs) throughout the Island, including residential neighborhoods."

Bill 89 would have established a small number of legal, registered, and well-regulated bed and breakfast homes, while setting up the framework for enforcement and elimination of existing unregulated bed and breakfast homes.

"Prior to full implementation of Ordinance 19-18, the City along with the rest of the world was disrupted by the shut-down of normal day-to-day activities due to the worldwide Covid-19 pandemic. Neighborhoods began to see what life was like before the proliferation of STRs throughout their neighborhoods. Traffic, crowding, tourists invading residential neighborhoods, and noise at all hours of the day that were typical issues created in part by STRs, disappeared during the pandemic lock down."

Actually, residents had a glimpse into life in the absence of any tourism, the absence of 10 million visitors a year, and the absence of a thriving economy. The memo presumes that the elimination of short term rentals would prevent visitors from traveling to the neighborhoods of Kailua and the North Shore to visit the beaches, or to Portlock and Kahala to hike the craters and cliffs of Diamondhead and Hanauma Bay, from the hotels and condominiums in Waikiki and Ko Olina.

A perfect example of the pre-pandemic invasion of local neighborhoods were tour buses dropping off hundreds of Japanese visitors at the local farmers' market at KCC, and the tourist rental car-packed parking lots at the Kaka'ako farmers' market. Each market required HPD traffic control every Saturday.

"In addition, residents across the state realized what life was like before millions of visitors started coming to Hawaii. No or very little traffic, wide open beaches and trails, and less people in general were "benefits" of the shut-down."

Again, the "benefits of a shutdown" are a dystopian product of an epidemic and are not germane to determining the appropriateness of strict property regulations. The report attributes traffic and crowded beaches to short term rentals, when approximately 90% of visitors to Hawaii stayed in hotels, time-shares, and condominiums or with friends or family in pre-pandemic 2019. (HTA 2019 Annual Visitor Research Report)

According to the Hawaii Tourism Authority, 52,253 visitors stay in bed and breakfast homes each year, which is one half of one percent of total visitors to Hawaii (0.5%) each year. The staff memo and its targeted amendment attributes the disruption of the character and fabric of our residential neighborhoods to less than one half of one percent of all visitors. (HTA 2019 Annual Visitor Research Report).

The memo also implies and never provides any supporting data that the visitors who choose accommodations in hotels and resort condominiums never shop, dine or seek activities outside of their immediate surroundings.

"While the visitor industry is a main driver of Hawaii's economy, discussions have begun on how we might limit the number of visitors to Hawaii. Ten million (10,000,000) visitors annually has become too much. The pandemic caused us to take a closer look at Ordinance 19-18, which would allow a limited number of new B&Bs and require compliance with registration requirements, development standards, and other regulations. However, some of the provisions in Ordinance 19-18 would be impractical to implement and have resulted in enforcement problems. To address these issues, we believe it is necessary to improve upon Ordinance 19-18 by simplifying the City's approach to regulating STRs and other transient accommodations."

The memo and its targeted amendment fail to answer the following questions:

- Other than through increased funding, how does this new ordinance improve enforcement of short term rentals?
- Which specific provisions of Bill 89 were impractical to implement and difficult to enforce and why?
- How will redefining the duration of a short-term rental to 180 days from 30 days make enforcement easier?
- What about the difficulty in issuing and enforcing the sheer volume of exceptions that will be required for military, new movers, and temporary healthcare workers?

"They are inconsistent with the land uses that are intended for our residential zoned areas, they decrease the supply of long-term housing for local residents throughout the City, and increase the prices and rents of housing, making living on Oahu less affordable for its resident

population. Any economic benefits of opening-up our residential areas to tourism are far outweighed by the negative impacts on our neighborhoods and local residents."

First, the report purports, but fails to substantiate how renting a room in one's house to a visitor for the purposes of sleeping and bathing is somehow not consistent with the definition of residential use. The exchange of money for the use of a residence does not equate to non-residential use. For example, adult children who pay rent to their parents does not equate to non-residential use. Likewise, unrelated roommates sharing a home does not equate to non-residential use. Arbitrary time frames (two weeks versus ninety days or six months) do not establish residential use.

Second, the report does not cite any study supporting the claim that bed and breakfast homes increase the prices and rents of housing or make living on Oahu any less affordable.

Furthermore, if it were true that establishing bed and breakfast homes increased the surrounding property values, then it would follow that any homeowner in any state could simply establish a BnB and raise the property values in their neighborhood, which is clearly not true. The property values are high because there is high demand for property in appealing cities. The property is not appealing because there are BnBs.

Something which does improve real estate, the working rail system, will most likely increase the demand for those properties on the rail line. Do we now outlaw the rail line because those property values might rise? Wouldn't the same logic apply to improved schools, roads, walkability to shopping, and parks?

And, despite COVID restrictions banning the operation of all STRs for approximately six months of 2020, and the passage of Bill 89 imposing fines for advertising unregistered short term rentals, housing prices still skyrocketed during that time.

Home prices across the country are at an all-time high, and are the result of low mortgage rates, low-inventory, and increasing materials prices, not owner-occupied bed and breakfast homes. ("The housing market stands at a tipping point after a stunningly successful year during the pandemic," Diana Olick, CNBC, March 12, 2021)

According to the Hawaii Tourism Authority, Hawaii hotels have experienced consistent year-over-year increases in revenue per available room (RevPAR), average daily rate (ADR) and occupancy. Statewide, RevPAR reached \$229 in 2019, the highest in The United States, beating New York City and San Francisco. Hawaii also led the country with an average daily rate of \$283. Hawaii's hotel occupancy reached 81.2 percent, following only New York City at 86.2 percent and San Francisco at 82.0 percent.

Cities in high demand have high property values. Why should corporate-owned, non-local hotels and foreign investors be the sole beneficiaries of this demand?

Additionally, according to the Hawaii Tourism Authority, the average length-of-stay for hotels in Hawaii is 7.13 days, and for bed and breakfasts it is 8.78 days (HTA 2019 Annual Visitor Research Report). With respect to environmental concerns, longer stays equate to a reduction in environmental impact. ("Global trends in length of stay:

implications for destination management and climate change” Stefan Gossling, Daniel Scott & C. Michael Hall (2018) Journal of Sustainable Tourism

“2 The purpose of this Ordinance is to better protect the City’s residential neighborhoods and housing stock from the negative impacts of STRs by providing a more comprehensive and controlled approach to the regulation of STRs within the City and creating additional sources of funding for the administration and enforcement of the City’s B&B and transient vacation unit (TVU) laws”

What protects residential neighborhoods is home ownership, not renters, not investors. Impeding on a homeowners right to privacy and supplemental income is not the solution. Enforcement of existing noise regulations and parking restrictions is a start to protecting residential neighborhoods.

Despite having the most popular beaches on the island, the North Shore and Kailua have been planned poorly for the daily influx of visitors, who are forced to park on residential streets. Many cities solve the problem of visitor parking with a convenient trolley systems, rail or revenue-generating underground parking facilities. With transient accommodation taxes and GET, how have these issues of infrastructure not been previously addressed?

Hypothetical scenario of eliminating one bed and breakfast home from Kailua:

A family rents out a bed and breakfast unit to two visitors with a rental car and they park in the driveway (a provision of Bill 89). With the new provision, the family is no longer allowed to have short term renters and now they rent the same unit to a couple. Each member of the couple has a car, one parks in the driveway and the other on the street. The hypothetical two visitors now stay in Waikiki and order room service from the hotel, instead of a meal for two at Konos’ in Kailua (\$50). They also park their car on the residential street so they can go to the beach. This amendment as applied to one bed and breakfast home would now be responsible for two additional cars in Kailua and a loss of \$18,250 per year of revenue supporting a local business.

The city has a population of one million, and visitors of ten million per year. The strategy of relocating of 0.5% of tourist accommodations to solve the problem of parking and noise is unrealistic. Eliminating owner-occupied bed and breakfasts in an attempt to reduce noise, traffic and parking congestion is the equivalent of brining a knife to a gun fight. It punishes homeowners and may constitute an infringement on property and privacy rights. It protects a hotel industry which is capitalizing on (perhaps exploiting) the natural resources of the island to profit non-residents, foreign investors and major corporations.

A wide-sweeping ban of owner occupied bed and breakfast units also creates a distraction from the enforcement of other major long-standing issues across the islands: vacant homes, abandoned property, homelessness, major illegal dumping, housing code violations, and other forms of substantial noise pollution (moped mufflers).

Perhaps most importantly, a ban of owner-occupied B&Bs is short-sighted and fails to look at other viable alternatives like tourist eco taxes for visitors, higher property taxes for foreign

investors, and fines for owners of neglected and abandoned properties, all of which could increase City & County tax revenues, protect the environment and improve infrastructure for visitors and residents alike.

The issues of homelessness and affordable housing are not best-addressed by eliminating owner-occupied B&Bs, but by asking the corporations doing big business on these tiny islands (big box retailers, hotels, real estate investors, and cruise lines) to do their part to help produce affordable housing.

Registration and regulation of owner-occupied bed and breakfast homes are a path to home ownership for many. Complaint-driven enforcement is a low-cost and efficient means of addressing the concerns of neighbors. Bill 89 as originally passed was an excellent compromise in the best interest of all Hawaii residents.

Thank you for your time and consideration.

Kirsten Krause
Resident, Honolulu, Hawaii

kirstenekrause@gmail.com

From: CLK Council Info
Sent: Wednesday, March 23, 2022 2:31 AM
Subject: Council Testimony

Written Testimony

Name Robin Lloyd
Phone
Email robinlloyd233@gmail.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization
Written Testimony STRONGLY OPPOSED to limiting of short term house rentals to 90 days. Violation of property rights! Please just enforce the current 30 day stay law. Extremely short sighted on the loss of TAT/OTAT/GET income from legal 30 day rentals.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 7:09 AM
Subject: Council Testimony

Written Testimony

Name Stephen Hinck
Phone
Email stephen.hinck@royallahaina.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Aloha my name is Stephen Hinck and I have lived and worked on Oahu since 1985 and work for Highgate Hotels. Saving our community from the illegal short term rentals is very important. I live near Waikiki and already am starting to see more and more of this as COVID weakens.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sheryl kincaid
Phone
Email sherylkincaid1@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item 2
Your position on the matter Oppose
Representing Self
Organization

To whom it may concern.

I strongly urge you to vote no on this bill. I feel that if this bill is passed, there will be serious negative economic consequences for our residents and state.. not only will this bill cause many locals to lose income, but it will also force many tourists to find a different destination for their vacation.

— Most visitors who are traveling as families, multi generational families or large groups will not be able or willing to pay the exorbitant hotel rates it would cost to rent multiple rooms to house such large groups, forcing them to choose a different vacation destination.

— If visitors aren't able to choose STR instead of hotels, many island residents who work in the STR industry will lose their jobs

— if local residents are not able to offer STR of less than 90 days, many traveling professionals (military, travel nurses etc) won't be able to find affordable housing.

— if local residents lose the income from offering STR, there will be much less income flowing into and through the state

Again, I strongly urge you to oppose this bill. Thank you for taking the time to read my comments.

Aloha,
Sheryl Kincaid

Written
Testimony

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Takako Y McMillen
Phone
Email c21takako@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones
- Thousands of jobs and many small businesses related to the support and maintenance of the vacation rental industry outside of the hotels will be lost. Creating a great hardship for many local people.
- The Hotel industry wields far too much influence over our state and local government. Low paying jobs are the result, making it more difficult for local families to afford housing.
- Enforce Bill 89
- Many guests prefer a more local experience than what they receive at hotels.
- Hotels do not have cooking facilities requiring all meals to be eaten outside the room.
- Many guests that are frequent visitors stay 30 days or more and that is extremely expensive at a hotel.

Testimony
Attachment

Accept Terms
and Agreement 1

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Carlin Jones
Phone
Email ckulanijones@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41,cd2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I strongly oppose Bill 41. As someone who was born and raised in Hawaii and who's parents rented most of my life, it was awesome to buy a home only to be able to afford it with my in-laws assistance. Now that they're gone I work two jobs, my wife works for the state and we have rented our "in-laws suite" on Airbnb for the last year to make ends meet. We've taken great strides to make sure what we are doing is completely legal and doesn't impact our neighbors. We provide parking and never rent for less than 30 days. For the last year we've had renters that were traveling nurses, doctors, teachers on travel and a couple that wanted to come home to Hawaii to have a baby in Hawaii but who's home was too crowded from all the family that lives there. The bill proposed would have eliminated all of those opportunity for housing as well as our potential income. The broad reaching bill is proposed as something to eliminate illegal rentals but what it is actually doing is impacting legal renters negatively and taking away housing from people who are coming here to help our communities. Illegal renters have already made the choice to operate outside the laws and what your proposing is not to stiffen the laws already in place but to make new policy that negatively impacts residents that are committed to doing things within the limits of the law. Our tenants have not only been model citizens but also people our state have actively recruited to improve the safety of our citizens.

Please abandon this bill and re-target your efforts at actual illegal rentals.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Aloha, To whom it may concern:

I am a property manager and I work for Elite Pacific Property Management. We are strongly opposed to Bill 41. Bill 41 violates the Takings Clause of the Hawai'i Constitution and the statutory prohibition against changes to county zoning laws that negatively impact existing uses of residential properties.

Voting for this bill is a vote for expensive, drawn out litigation. Litigation means delays in implementation, creating an environment where enforcement is in limbo and bad actors will likely act worse. Further, the DPP has not shared any proposed plans on how they plan to implement Bill 41 better than Ordinance 19-18.

Voting for this bill means swapping a new, highly controversial bill that is sure to be contested in the court of law with a mutually agreed upon law that has simply not been enforced.

We firmly believe that the definition of a short term rental can successfully remain at 30 days, avoiding litigation and benefiting the County and its constituents.

Changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code.

Passage of this bill which takes away 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 system which would be a significant cost to City and County taxpayers.

MAHALO

Paisley Cipres

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Amy Tousman
Phone	
Email	a.tousman@hawaiiantel.net
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Support this bill. If we want our young people to stay on-island, we need housing to be rented to long term residents, not transient tourists.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:51 PM
Subject: Zoning and Planning Testimony
Attachments: 20220322185031_Testimony_Re_Bill_41_-_Committee_on_Zoning_and_Planning_3-23-22_Ivan_Lui-Kwan.PDF

Written Testimony

Name	Ivan Lui-Kwan
Phone	
Email	iluikwan@starnlaw.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Agenda Item No. 2 Bill 41 (2021), CD1
Your position on the matter	Support
Representing Organization	Organization Hawaii Hotel Alliance and American Hotel & Lodging Association
Written Testimony	
Testimony Attachment	20220322185031_Testimony_Re_Bill_41_-_Committee_on_Zoning_and_Planning_3-23-22_Ivan_Lui-Kwan.PDF
Accept Terms and Agreement	1

IP: 192.168.200.67

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A LAW CORPORATION

March 22, 2022

Chair Brandon Elefante, Vice Chair Esther Kia'āina
and Members of the Committee on Zoning and Planning
Honolulu City Council
530 S. King Street
Honolulu Hale, Room 202
Honolulu, Hawaii 96813

Committee on Zoning and Planning
Date: Wednesday, March 23, 2022
Time: 9:00 a.m.
Place: VIA VIDEOCONFERENCE
City Council Chamber

Testimony of Ivan Lui-Kwan Re Bill 41

Aloha Chair Brandon Elefante, Vice Chair Esther Kia'āina
and Members of the Committee on Zoning and Planning:

Thank you for this opportunity to present testimony.

I represent the Hawaii Hotel Alliance ("HHA") and members of the American Hotel & Lodging Association.

I strongly support Bill 41. Bill 41 can be an effective enforcement tool to eliminate the rampant proliferation of illegal short-term rentals.

- A. I join HHA in urging deletion of SECTION 4 of Bill 41:
 - 1. SECTION 4 has little to do with regulation of illegal short-term rentals.
 - 2. SECTION 4 applies to all owners of real property, buildings and premises on which a violation occurs by retail tenants and other users including hotel franchisees, even when such owners have no knowledge of such violations, did not consent to, or did not participate in any way with such violations.
- B. Bill 41 does not violate the U.S. Constitution as a regulatory taking as a result of Bill 41's imposition of a minimum lease period of 90 days.

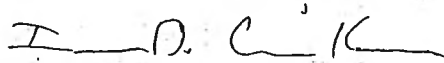
With respect to takings analysis, Bill 41 would likely be analyzed as a partial regulatory taking, also known as a *Penn Central* taking. Compare *Penn Cent. Transp. Co. v. City of New York*, 438 U.S. 104 (1978), with *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003 (1992) (total or *per se* regulatory takings), and *Loretto v. Teleprompter Manhattan CATV Corp.*, 458 U.S. 419 (1982) (taking by permanent physical invasion). *Penn Central* takings require a "careful inquiry informed by the specifics of the case." *Leone v. Cnty. of Maui*, 141 Hawai'i 68, 82 (2017); see also *Penn Central*, 438 U.S. at 124 ("essentially ad hoc, factual inquiries"). The analysis essentially asks "whether a particular government action goes too far and effects a regulatory taking." See *Palazzolo v. Rhode Island*, 533 U.S. 606, 617 (2001).

Penn Central takings analysis looks at three factors: (1) the economic impact of the regulation on the claimant; (2) the extent to which the regulation has interfered with distinct investment-backed expectations; and (3) the character of the governmental action. *Penn Central*, 438 U.S. at 124. In determining whether government action goes too far, courts have repeatedly noted that "[g]overnment hardly could go on if to some extent values incident to property could not be diminished without paying for every such change in the general law." *Id.* (quoting *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393, 413 (1922)).

My analysis is that the minimum lease period of 90 days does not constitute an unconstitutional regulatory taking.

I support adoption of Bill 41 to strengthen the enforcement of elimination of illegal short-term rentals with the strong recommendation that SECTION 4 be deleted from Bill 41.

Mahalo nui loa,



Ivan M. Lui-Kwan

From: CLK Council Info
Sent: Tuesday, March 22, 2022 6:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Tad Grenert
Phone	
Email	tadcycle7@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Tourists' desire for alternative accommodations should not override our local population's need for housing.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:04 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Jeremy Lum
Phone	
Email	lumjere@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Residential areas are zoned that way on purpose. Support this bill to protect our residential neighborhoods.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:06 PM
Subject: Zoning and Planning Testimony
Attachments: 20220322190624_Bill_41_CD_2_Table.pdf

Written Testimony

Name Michelle Yao
Phone
Email yyao2008@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Thank you Chair Elefante and the rest of the Planning Committee for your hard work. CD2 makes a lot of substantial improvements.

If you can further improve the bill by addressing resort zone TVU separately from residential zone TVUs(NUC and those in A1-A2), the advertising loophole for hotel and timeshares, and special consideration to Waikiki apartment and apartment mixed use district, as stated below?

RESORT ZONE TVUs, Hotels and Timeshares

Written
Testimony

Bill 41 seeks to obtain funding for enforcing illegal short-term rentals on the backs of small business TVU and B&B operators, and does not seek any contribution from hotels who will gain much of the benefit of shutting down illegal short-term rentals. This approach is fundamentally unfair. TVU and B&B owners in the resort zone already

pay the Resort Hotel property tax and TAT and GE tax. The City Council should not set a policy of imposing an additional fee only on small business TVU and B&B owners in the resort zone. If you charge each hotel room, as well as each TVU and B&B unit, an annual fee. This would reduce the annual fee from \$1,000 to \$50 per room/unit.

The CD2 calls for a blanket registration process, restrictions and fees across all residential and resort zone TVU's, treating all of us in the resort zone as though we are operating in residential neighborhoods. Our resort zone TVU's have always and will continue to pay hotel and resort zone property taxes (1.39%) which is four times of those paid by NUC's and A1/A2 TVU owners. So with this draft, Resort Zone TVU owners are now the most disadvantaged operators, subject to all the same fees and restrictions as residential zone TVU operators AND we are now the only ones to carry the burden of Hotel & Resort Property tax.

That is equivalent of \$5200 more a year in property tax for a resort zone property of \$500K valuation, than the property tax paid by a NUC or other residential zone TVU (0.35%-0.45%) of the same property valuation. Please follow planning commission's recommendation and exempt resort zone TVU from bill 41.

The CD2 draft continues to exempt hotel and timeshares advertising requirements, even though these units are being advertised on the online platforms such as airbnb and VRBO by the thousands. This will create a major loophole for illegal operators to use this “exempt” status, and without the MOU, the platforms are not going to turn these violators over to DPP.

We again ask that you treat all three of the principal resort zone operators equally (i.e. TVU, hotel, and timeshare) and exempt TVUs in the resort zone from this bill , but subject hotels and timeshares to the same advertising requirements as resort zone TVUs (list TMK & TAT on all ads) to close this loophole and create a fair, sensible system for all resort zone operators.

See attached for the table comparison illustrating different requirements for TVU and hotel and timeshares.

B. Waikiki Apartment District

CD2 recognizes the need to treat Waikiki apartment district (mauna of Kuhio) differently. But unfortunately it check picks two specific buildings as “winners” to allow TVUS. This calls into the question of fairness, transparency and objectivity of the law making process. Please consider allowing TVU in the Waikiki Apartment Mixed use Precinct. Alternatively, please consider allowing 30 day rentals in the Waikiki Apartment Precinct and Waikiki Apartment mixed use Precinct.

Testimony
Attachment

20220322190624_Bill_41_CD_2_Table.pdf

Accept Terms
and Agreement

1

IP: 192.168.200.67

LOPSIDED EFFECTS OF BILL 41 CD 2 BETWEEN RESIDENTIAL AND RESORT ZONES									
RECOMMEND ADDING RESORT ZONE TVUs TO EXEMPTIONS P. 36 (3) OF BILL 41 CD 2									
RESIDENTIAL ZONE						RESORT ZONE			
Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units	
LEGAL BY LUO	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	LEGAL	LEGAL	LEGAL	
LEGAL BY AMENDMENT	LEGAL WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL (GRANDFATHERED)	LEGAL				
PROPERTY TAX CLASSIFICATION	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	
ZONING	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL - VARIOUS	RESIDENTIAL	RESORT	RESORT	RESORT	
REGISTRATION REQUIREMENTS									
REGISTRATION REQUIRED	YES	YES	YES	NO (using NUC)	NO	YES	NO	NO	
Registration Fee	\$2000 1st Year	\$2000 1st Year	\$2000 1st Year	NO	NO	\$2000 1st Year	NO	NO	
Title Certificate Required	YES	YES	YES	NO	NO	YES	NO	NO	
Valid GE, TAT, City TAT License	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence of Home Exemption and 50% ownership (B&Bs only)	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence of \$1M Commercial General Liability Insurance	YES	YES	YES	NO	NO	YES	NO	NO	
Confirmation of permission from HOA, Bylaws, Condo Rules	YES	YES	YES	NO	NO	YES	NO	NO	
Information Binder	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence no Housing subsidies, rental assistance or evictions	YES	YES	YES	NO	NO	YES	NO	NO	
RESIDENTIAL ZONE						RESORT ZONE			

Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units
RENEWAL REQUIREMENTS								
RENEWAL REQUIRED	YES	YES	YES	YES (NUC renewal required only - requires proof of State GE and State TAT license (not City TAT), proof of transient occupancies of 30 days or less for at least 35 days)	NO	YES	NO	NO
Renewal Fee	\$1000/year	\$1000/year	\$1000/year	\$1000/year	NO	\$1000/year	NO	NO
Property tax clearance from Dep of Budget and Fiscal Services	YES	YES	YES	NO	NO	YES	NO	NO
State GET Tax Clearance	YES	YES	YES	NO	NO	YES	NO	NO
State TAT TAX clearance	YES	YES	YES	NO	NO	YES	NO	NO
TAT Tax Clearance from Budget and Fiscal Services	YES	YES	YES	NO	NO	YES	NO	NO
Updated Title Report if Any Changes	YES	YES	YES	NO	NO	YES	NO	NO
Evidence of Insurance Coverage	YES	YES	YES	NO	NO	YES	NO	NO
Confirmation of permission from HOA, Bylaws, Condo Rules	YES	YES	YES	NO	NO	YES	NO	NO
RESIDENTIAL ZONE					RESORT ZONE			

Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Ko Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units
				RESTRICTIONS AND STANDARDS				
Restriction and standards required	YES	YES	YES	YES	NO	YES	NO	NO
smoke and carbon monoxide detector	YES	YES	YES	YES	NO	YES	NO	NO
Maximum 2 adults per room	YES	YES	YES	YES	NO	YES	NO	NO
\$1M in Commercial liability insurance	YES	YES	YES	YES	NO	YES	NO	NO
Gathering restrictions	YES	YES	YES	YES	NO	YES	NO	NO
Information binder required	YES	YES	YES	YES	NO	YES	NO	NO
Physical Inspection of Unit Allowed with Reasonable Notice	YES	YES	YES	YES	NO	YES	NO	NO
Subject to Revocation of Registration if Violating These Restrictions	YES	YES	YES	YES???	NO	YES	NO	NO
Registration Cannot Run With The Land	YES	YES	YES	YES???	NO	YES	NO	NO

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:10 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Scott Nishikawa
Phone
Email scottnishikawa@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony Airbnb and Expedia would like to keep making money on short term vacation rentals in our local neighborhoods. But short term rentals ruin neighborhoods for us local residents. Please support this bill!

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dale Norman Jensen
Phone
Email dalejensen2@gmail.com
Meeting Date 03-21-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization
Member of Zoning and Planning Committee

My comments related to CD2 proposed amendments:

1. I support the idea of annual renewal of non-conforming use certificates (paragraph A). This would give a chance for neighbors to register complaints with the knowledge (hope) that someone in the near term in the City would hear those complaints and take action, i.e. refuse renewal, for a B&B or TVU that is in violation of provisions of this ordinance.

2. In paragraph F-2,a, I question how the administrative authority is going to enforce the 2 guests per room and maximum of 4 adult guest rule. Unless you have access on a more or less continuous basis to the unit rented, it will be very hard to enforce this provision. I agree with this rule, but question how it is enforced.

3. In paragraph F-2,b, I agree with the idea of requiring off street parking for the transient occupants, but I would add the requirement that the transient guests must use these parking spaces. This requirement should be included in the informational binder. In other words don't just tell them, Here's your parking, Let them know you must park there and nowhere else.

Finally, from what I understand the money for enforcement has been pulled out of this bill, and I believe is contained in another bill. I hope that is the case. All the ordinances in the world will not stop the flourishing B&B and TVA market unless there is someone dedicated and funded to carry out enforcement.

Aloha,
Dale Jensen

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:20 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Steve Glazier
Phone
Email ssglazier@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written Testimony Vacation rentals in our residential neighborhoods take away housing we local residents need and make it feel like there's a mini-hotel next door. This enforcement bill is s step in the right direction. Please support it.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:26 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rowly Johnson
Phone
Email rowlyroy@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony While hotel lobbies might have a louder voice, many Residents value and rely on properly managed short stay rental accommodations to support tourism and small businesses. Many of us vote to only support community leaders who appreciate balance in allowing STVRs.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Micah Pregitzer
Phone	
Email	DJninja1@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Support bills that eliminate B and B's / transient vacation rentals in our residentially-zoned areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kristin Counter
Phone	
Email	Kristin@ElitePacific.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Oppose
Representing	Organization
Organization	Elite Pacific
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:35 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name TAE IL KIM
Phone
Email Tik324@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD 2, especially 30 days minimum rental period chane to 90 days.
The state of Hawaii should think that if the minimum 30 days rental period is changed to 90 days, visitors to Hawaii can change their direction of tour to other state or countries. Tourism income in Hawaii is directly related to the local people's lives. They spend a lot of money on the road during their stay in Hawaii.

Rental management company or private Air B&B owners, all legitimate taxpayers, and government cannot take away their right to survival. Why government only protect the profits of large companies such as hotels.
Families relocated from other states to Hawaii also need a temporary residence for short-term till they buy a new home and move in.
I would like to ask why the government restricts such a free market activity, and this state we live is really part of the United States that makes the freedom the best virtue.

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marc Langevin
Phone
Email budha366@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Support
Representing Self
Organization

Written
Testimony Landlords say they enforce politeness rules for their short term vacation rentals. This is irrelevant. It does not change the fact that strangers are moving in and out of the house next door to my kids. It does not change the fact that rental units are being rented to tourists instead local residents, taking away rental options--worsening our housing crisis.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Donna Mintie
Phone	
Email	tadanobu2@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Save rental units for Hawaii residents. Support this bill.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Heather Sloan
Phone	
Email	heather.sloan@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Protect our neighborhoods from short term rentals to tourists. Support this bill.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Andrew Canonico
Phone	
Email	andrewcool808@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Vacation rentals do not belong in our residential neighborhoods.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 7:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Ed Sloan
Phone	
Email	ed.sloan@aecom.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41 CD2
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Homeowners who need to rent their rooms to make ends meet can rent to Hawaii residents and help our housing crisis. Short term vacation rentals do not belong in our neighborhoods.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing **90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue.** Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name AKIHIKO ITO

Date 03 / 23 / 2022

Signature Akihiro Ito

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:19 PM
Subject: Zoning and Planning Testimony
Attachments: 20220322201913_PLANNING_COMMISSION.pdf

Written Testimony

Name Kendrick Morikawa
Phone
Email morikawakenny@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Dear Chair Elefante and Councilmembers Kia'aina, Say and Cordero,

My name is Kendrick Morikawa and I oppose Bill 41 CD 2.

I am a renter living in lower punchbowl, and own a property which is in the Resort/Mixed Use Precinct in the Waikiki Special District (1911 Kalakaua Apt 608).

I am very concerned about the harmful effects of Bill 41 CD 2.

In regards to my personal situation, I own a cleaning company (Smart Clean LLC) and prior to COVID, was running an AirBnB business.

Written Testimony When COVID restrictions prohibited me from operating my AirBnB business, I found a long term renter. Currently I take a \$600 loss/month on my property.

I want to go back to my legal (I am in the resort zone, and paying the same taxes as a hotel even though I have a long term renter) use and operate my AirBnB business.

However I'm waiting for the current laws for direction on the best path to take.

I have met with fellow resort owners and have attached information that shows how Bill 41 CD 2 hurts local residents such as myself. It also offers a solution to make the bill fair for all parties.

We came up with some proposed changes and aids to help in revising Bill 41 CD 2, and I've attached them for your reference.

We also did research on whether the bill would apply to hotel owners or not. What we found is that hotels are exempted, however, so are timeshares. We then did further research and found there are non-resident owners listing timeshares and hotel units on AirBnB. They put their license number as exempt.

We have attached the comparison of 1) AirBnB ads of Hotel Units, 2) an AirBnB ad from a timeshare owner who lives in New York City with 3) a local small business owner's AirBnB ad to show how we are doing the same business - for your attention.

We also noticed that a lot of people (including myself) are confused about resort zone owners vs non conforming use owners (NUC) vs A1/A2 short term rental operators and so on, so we made a chart of residential zoned and resort zoned short term rental (STR) types for your reference. It shows current residential vs. resort zones, what taxes they pay, and what requirements they would have to follow if Bill 41 CD1 were passed as is. This table will show how lopsided this Bill is against Resort Zone TVU owners.

Finally, we attached the first page from the letter the City Council received from the DPP back in October, highlighting that stricter enforcement needs to be placed on residential zones, however resort zones need further discussion.

We feel that the only way to alleviate a lot of the problems this bill proposes is to exempt the resort zone.

I attached some proposed changes.

Mahalo for your time and all you do for our community.

Kenny Morikawa

808-344-1878

Explanation of attachments

Attachment #1 Hotel Ads Using Exempt Status to List on AirBnB

Attachment #2 Timeshare AirBnB Ad by Mike from New York City

Attachment #3 Local Owner AirBnB Ad in the Resort District

Attachment #4 Table of Residential Zone and Resort Zone and Effects of Bill 41 CD 2

Attachment #5 Proposed Changes to Bill 41 CD 2

Attachment #6 DPP letter to City Council showing the need for discussion regarding the Resort District

Attachment #7 Ordinance No 89-154 (from 1989), which established the Non Conforming Use Certificate and also clearly states that Transient Vacation Units are a conforming use in the Resort District (see yellow highlights)

Testimony
Attachment

20220322201913_PLANNING_COMMISSION.pdf

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Start your search



Family Fun in Waikiki at Hilton Grand Islander-2 Bedroom Plus

[Honolulu, Hawaii, United States](#)[Share](#) [Save](#)[Show all photos](#)

Entire condominium (condo) hosted by Mike



6 guests · 2 bedrooms · 3 beds · 2 baths



Entire home

You'll have the condominium to yourself.



Enhanced Clean

This Host committed to Airbnb's 5-step enhanced cleaning process.

[Show more](#)

Experienced host

Mike has 417 reviews for other places.

\$429 / nightCHECK-IN
6/1/2022CHECKOUT
6/6/2022GUESTS
4 guests

Reserve

You won't be charged yet

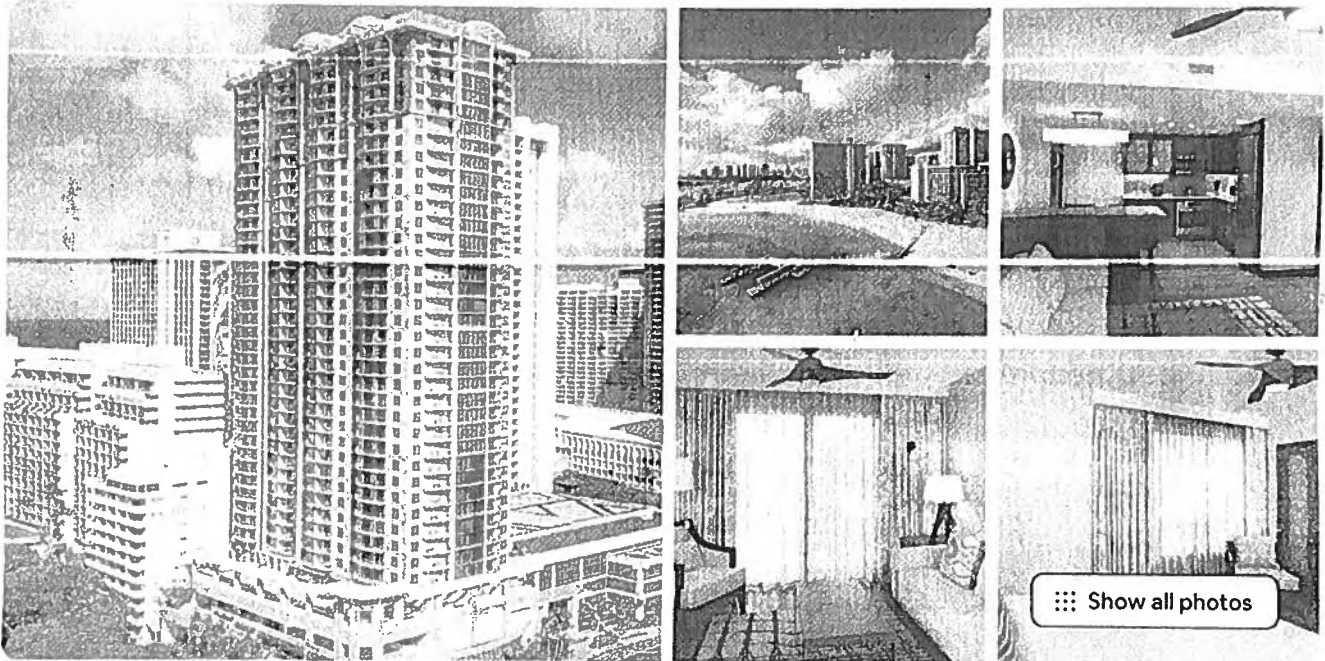
\$429 x 5 nights**\$2,147**



Start your search



Relax in Hawaii: The Grand Islander Resort-2 BR Plus

[1 review](#) · [Honolulu, Hawaii, United States](#)[Share](#) [Save](#)

Entire condominium (condo) hosted by Mike

6 guests · 2 bedrooms · 3 beds · 2 baths



Entire home

You'll have the condominium to yourself.



Enhanced Clean

This Host committed to Airbnb's 5-step enhanced cleaning process.

[Show more](#)

Experienced host

Mike has 416 reviews for other places.

\$429 / night[1 review](#)CHECK-IN
6/1/2022CHECKOUT
6/6/2022GUESTS
4 guests

Reserve

You won't be charged yet

\$429 x 5 nights**\$2,147**

Photos

Amenities

Reviews

Location

X

About this space

Become one with your inner sea captain as your catamaran glides from Honolulu's towers to the forbidding majesty of Diamond Head.

Honolulu rises to meet you with an Aloha welcome! Enthroned in the spectacular verdancy of Oahu, Honolulu provides a unique blend of urban vibrancy and unblemished natural beauty for a vacation that delights every traveller.

Experience the pinnacle of Hawaiian hospitality with a traditional luau or become one with your inner sea captain as your catamaran glides from Honolulu's towers to the forbidding majesty of Diamond Head.

The space

Become one with your inner sea captain as your catamaran glides from Honolulu's towers to the forbidding majesty of Diamond Head.

Honolulu rises to meet you with an Aloha welcome! Enthroned in the spectacular verdancy of Oahu, Honolulu provides a unique blend of urban vibrancy and unblemished natural beauty for a vacation that delights every traveller.

Experience the pinnacle of Hawaiian hospitality with a traditional luau or become one with your inner sea captain as your catamaran glides from Honolulu's towers to the forbidding majesty of Diamond Head.

Soaring above this Pacific haven is the Hilton Grand Vacations Club Grand Islander where Hawaii's warm traditions are preserved in an atmosphere of spaciousness and state-of-the art luxury. This all-suite tower features an exclusive pool, brand-new furnishings, and all the conveniences of home — including fully-stocked kitchens, in-suite washer/dryers, and balconies accessing the beauty of Oahu's mountains, the Pacific, or Waikiki beach. Access to Hilton

[Report this listing](#)

X

KOALA Disclosure- Please read

All units and amenities are resort owned and operated. All units will be assigned upon check-in. Room photos are only samples, the arrangement of furniture and view of the balcony may vary depending on availability. Property maintenance is overseen and controlled by the resort, therefore any issues regarding property maintenance or unit upkeep fall within their responsibility to rectify. Additionally, the resort retains the right to alter or close the amenities in accordance to COVID-19 restrictions, construction projects, or any other ongoing issues. KOALA does not hold responsibility or maintain control over resort units, their location or quality, or resort amenities.

Please ensure to verify the cancellation policy on this listing before booking. KOALA represents individual timeshare owners who offer their reservations for rent at discounted rates and set their cancellation policies based on their own exposure or risk to financial loss. Therefore, once the cancellation deadline has passed, we cannot offer a refund in full or in part for any reason including (but not limited to) Covid related issues, (other than full resort closures), natural disasters, flight issues or delays or personal change of plans.

Guests are required to provide the name and address on the photo ID of the ONE individual that will be handling the check in process. This information must be provided at the time of booking in order for the reservation to be finalized. Please refer to the listing minimum age requirement to ensure you meet check-in eligibility age.

* Please note - the guest completing the check-in process must be at least 21 years of age or older.

License number
exempt

MacBook Pro



Highly rated Host

Mike has received 5-star ratings from 95% of recent guests.

Become one with your inner sea captain as your catamaran glides from Honolulu's towers to the forbidding majesty of Diamond Head.

Honolulu rises to meet you with an Aloha welcome! Enthroned in the spectacular verdancy of Oahu, Honolulu provides a unique

[Show more >](#)

Cleaning fee \$128

Service fee \$0

Total before taxes \$2,275

Add an extra night and save Extend your stay by adding Jun 6 for only \$268. [Add night](#)

[Report this listing](#)

Where you'll sleep



Bedroom 1

1 king bed



Bedroom 2

1 king bed



Common space

1 sofa bed

What this place offers



City skyline view



Resort view



Beach access



Kitchen



Wifi



Pool



Hot tub



TV



Elevator



Carbon monoxide alarm



Hosted by Mike

Joined in July 2020

★ 417 Reviews ✓ Identity verified

Policy number: Exempt

Language: English

Response rate: 99%

Response time: within an hour

Contact Host



To protect your payment, never transfer money or communicate outside of the Airbnb website or app

Things to know

House rules

- 🕒 Check-in: After 4:00 PM
- 🕒 Checkout: 10:00 AM
- 🚭 No smoking
- 🚫 No pets
- 🚫 No parties or events

[Show more >](#)

Health & safety

- ✚ Committed to Airbnb's enhanced cleaning process. [Show more](#)
- 🧻 Airbnb's social-distancing and other COVID-19-related guidelines apply
- ❓ Carbon monoxide alarm not reported [Show more](#)
- 🔥 Smoke alarm

[Show more >](#)

Cancellation policy

Cancel before Apr 2 and get a 50% refund, minus the service fee.

[Show more >](#)



Hi, I'm Mike

Joined in 2020

About

🏠 Lives in New York, NY

🗣️ Speaks English

💼 Work: KOALA Travel

★ 417 reviews

✓ Identity verified

Mike confirmed

✓ Identity

✓ Email address

✓ Phone number

Learn more about how confirming account info helps keep the Airbnb community secure.

Mike's listings

★ 5.0 (1)

Entire home/apt...
Family Bliss! 2BR Deluxe at ...

★ New

Entire home/apt...
Hawaii's Kohala Suites by H...

View all 366 listings

★ 417 reviews



PROJECTS

WHAT WE DO

CAREERS

ABOUT

Q

Situated in one of the most desirable locations in Waikiki, the Hilton Grand Islander is an elegant 38-story tower. The 662,000 SF tower features 418 timeshare suites ranging from elegantly appointed one, two, and three bedroom units, and luxurious two and three bedroom penthouses complete with full kitchens, private lanais and spacious living and dining areas. The tower sits on three podium floors that include a bus depot, loading dock, porte-cochere, lobby, pool deck and lounge. This marks the seventh tower within the sprawling 22-acre Hilton Hawaiian Village Waikiki Beach Resort.

QUICK FACTS

Location
Honolulu,
Hawaii

Client
Brackstone,
Hilton
Grand
Vacations

Industry
Hospitality

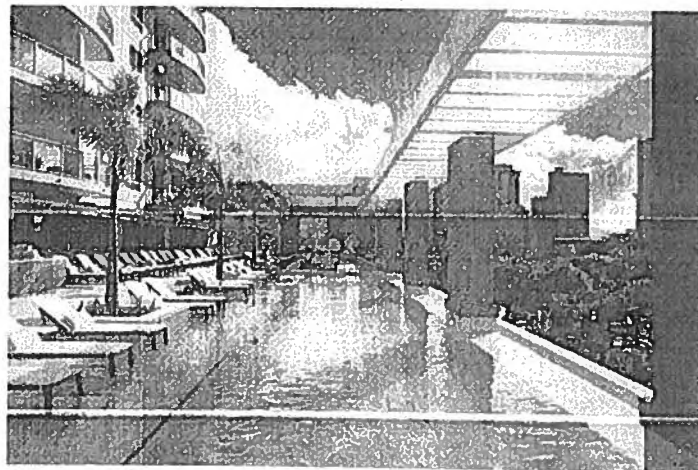
Line
Construction
of
Business

Completion
Date 2017

Duration
6 Months

Contract
Value \$46,964,201

Square
662,000 SF



PLANNING COMMISSION
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-6000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honolulu.gov • CITY WEB SITE: www.honolulu.gov

RICK BLANGIARDI
MAYOR



BRIAN LEE, Chair
KEN K. HAYASHIDA, Vice Chair
ARTHUR B. TOLENTINO
STEVEN S. C. LIM
AKI MARCEAU
RYAN J. K. KANO
NATHANIEL KINNEY
PAME MEATOGA

October 6, 2021

The Honorable Tommy Waters
Chair and Presiding Officer
and Councilmembers
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Waters and Councilmembers:

SUBJECT: A Request for Amendments to Chapter 21, (Land Use Ordinance (LUO)), Revised Ordinances of Honolulu (ROH) 1990, as amended, Relating to Transient Accommodations

The Planning Commission held public hearings on September 1, September 8, 2021, and September 29, 2021 on the above subject matter. Written concerns, comments and public testimonies were received. At the September 8, 2021 public hearing, after closing the public testimony portion of the public hearing, the Commission voted to further continue the matter to September 29, 2021 for decision making.

On September 29, 2021, the Planning Commission voted 6:1 [Commissioner Lim dissented] to approve the recommendation of the Director of the Department of Planning and Permitting (DPP) on the revised draft bill to advance stricter enforcement on the residential zoned areas, but recommended the DPP and the City Council have further discussions on the resort zoned areas. The Planning Commission further recommended the following:

- 1) The City Council look at the minimum length of the Short-Term Rental for the ability to enforce;
- 2) The City Council ensure that any amendments for apartment or apartment-mixed zone to resort is in alignment with the Primary Urban Center Plan or any other Plans that are going through the Council process; and
- 3) The DPP perform community engagement with the Neighborhood Boards.

DEPT. COM. 702

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:25 PM
Subject: Council Testimony

Written Testimony

Name Mercedes Fagundes
Phone
Email mercedes_fagundes@yahoo.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony Kailua has priced itself so high that it makes "old Kailua" people forced out of their home and only "new Kailua" people are able to buy houses. We don't need any more vacation rentals here and people who aren't from the aina owning property here.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:28 PM
Subject: Council Testimony

Written Testimony

Name Sana Okmyanskaya
Phone
Email sana@welovestartups.io
Meeting Date 03-23-2022
Council/PH
Committee Council
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony Bill 41 unfairly and illegally removes existing legal property rights from current property owners, without any justification. Given how many supporting testimonies have arrived from Local 5 Union it's obvious the hotels are behind this bill. The council should be doing what's best for their local voting constituents rather than off island hotel chains.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:29 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alicia Maluafiti
Phone
Email aliciamaluafiti@gmail.com
Meeting Date 03-2d-yyyy
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self
Attachment Aloha,

Accept Terms and Agreement

Written Testimony

I oppose Bill 41. We have used the Ewa Beach Rd. Vacation rentals for years. It's the most affordable and convenient accommodation for visiting ohana - from neighbor islands or mainland. Our own homes are not big enough and the only other options are Waikiki or Ko'olina. These hotels are either too expensive or too far away. The units are NOT in the middle of a suburb but in areas where visitors can relax and enjoy the beach just a walk away. Claims about these rentals inconveniencing neighbors is highly exaggerated. The visitors utilizing these rentals are MORE courteous than our own local neighbors who party all night, play loud music, toss beer bottles all over the road, rev their engines, speed past our homes, blow illegal fireworks, and raise roosters for cockfighting. It's really disappointing to see these local families with vacation rentals be targeted so unfairly. I appreciate them and the service they provide to our community. And they are all very courteous and respectful members of our community.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:34 PM
Subject: Council Testimony

Written Testimony

Name Susan J Quick
Phone
Email 4joyquick@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Organization Self

Written Testimony

I live in Kaneohe next to an illegal short term rental. I have reported it to the City but enforcement is difficult. The house is very close to ours. We get cigarette smoke and aerosol sunscreen blown in our windows. The owner's four vehicles are parked on the street so the rental car can hide in the garage. It's difficult to live next to people who constantly change and are always on vacation. When the noise becomes overwhelming, my only recourse is to call the police. There is no sense of neighborliness or respect for this community.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:41 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Peter Davies
Phone
Email peter@lanikaibeachhouse.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 and revised CD2
Your position on the matter Oppose
Representing Organization Self

Accept Terms and Agreement

IP: 192.168.200.67

Written Testimony

My family has been part of the history of the islands since the 1840s and has played an important part in the development of the Hawaii we know today. Our one remaining footprint is a property in Kailua which brings us back to Oahu every year to see our friends. As non residents in the state we pay a very large amount of tax on this property, contributing handsomely to the city of Honolulu's coffers. We support this by renting the property out on a normal monthly basis to low impact visitors who have no interest to stay in hotels or resorts. We have been doing this continuously since the 1970s, when my father acquired the property. In doing so we are able to give employment to cleaners, yard keepers, tree trimmers, as well as offering a low rent to a retired couple who act as caretakers on the property. Changing the minimum rental period to more than 30 days is illegal based on Hawaii State Law, and conflicts with the Landlord/Tenant code. Passage of this bill would fundamentally affect the viability of using monthly rentals to fund the property tax and give employment opportunities. As such it takes away our property rights, something that I could never imagine coming from a liberal western democracy of the kind that the USA tries to be a champion.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:41 PM
Subject: Council Testimony

Written Testimony

Name Blair Morrison
Phone
Email rbspmorrison@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
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, March 22, 2022 8:44 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathleen Sowell
Phone
Email tksgroup@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Organization Self

Accept Terms and Agreement Aloha,
I oppose Bill 41 because my guests stay the required 30 days minimum and changing it to 90 days would be a hardship on me and my guests. My guests have included retirees during the winter, college students between semesters, remote workers, families relocating to Oahu, and many more. My home is in Makaha where there are no resorts or hotels, and my guests enjoy the quiet beaches and countryside. They spend their money in the local restaurants and stores which helps our economy on the westside of Oahu. If Bill 41 passes my guests have said they will stay on another island instead which will hurt Oahu's economy. I will be forced to sell my home and will no longer enjoy Oahu myself. Since Bill 89 passed three years ago I have followed all the rules and paid all my taxes. I just don't understand why you wish to punish me and all the other law-abiding taxpayers. The DPP should only go after those that don't follow the law which the DPP promised to do when Bill 89 was enacted. I don't understand how the DPP think they can do any better enforcement of Bill 41 if it passes.
Mahalo for your time.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:46 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michael Anderson
Phone
Email mapasince1980@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

Testimony
Attachment
Accept Terms
and Agreement

Written
Testimony

Testimony
Attachment
Accept Terms
and Agreement 1

Thank you council members for allowing me to provide my testimony on the subject of illegal short term vacation rentals. Opponents to this bill will say that it is an over reach and that the hotel lobby is driving this bill. The fact of the matter is that these opponents have been the ones that have benefitted over these illegal operations that have negatively affected our way of life on a small island in the Pacific. There really isn't a hotel lobby that is trying to stop small businesses. Hotels are just apart of larger corporations that can handle the capacity and safety of tourists in resort areas with the ability to support their workers with a living wage and benefits. Illegal short term vacations rentals not only hurt local residents by taking away our local housing and long term rental market but also takes away our local resident's ability to earn a living and support their 'ohana here in Hawai'i. I have lived my entire 60 plus years on this earth here in Hawai'i and this really was not an issue until social media took off. The city needs to pass this law and better enforce these illegal operations and cease them from further destroying the fabric of our Hawai'i neighborhoods. Please think about the future generations of home buyers that are at risk also from the water crisis caused by the military. We should not be stopping local housing construction while simultaneously allowing outside investors to utilize residential zoned units illegally for profits off shore. This bill should be passed sooner rather than later. Mahalo.

IP: 192.168.200.67



March 23, 2022

9 a.m.

Honolulu City Council Chamber and Videoconference

To: Committee on Zoning and Planning

Brandon J.C. Elefante, Chair

Esther Kia'aina, Vice Chair

From: Grassroot Institute of Hawaii

Joe Kent, Executive Vice President

RE: BILL 41 (2021), CD1 — LAND USE ORDINANCE AMENDMENT RELATING TO TRANSIENT ACCOMMODATIONS

Comments Only

Dear Chair and Committee Members:

The Grassroot Institute would like to offer comments on [Bill 41 \(2021\), CD1](#), which would significantly throttle and in most cases outright ban transient accommodations.

According to the bill, it would do this by “by providing a more comprehensive approach to the regulation of transient accommodations within the City.” Translated into practical language, that means increasing the minimum length of stay to 90 days, up from 30 days, a prohibition of short-term rentals in all zoning districts except for resort zones and low-density and medium-density apartment zones, an extensive new structure of fees and steep fines for the many types of transient accommodations that might exist, and many new regulations controlling how those transient accommodations may be operated.

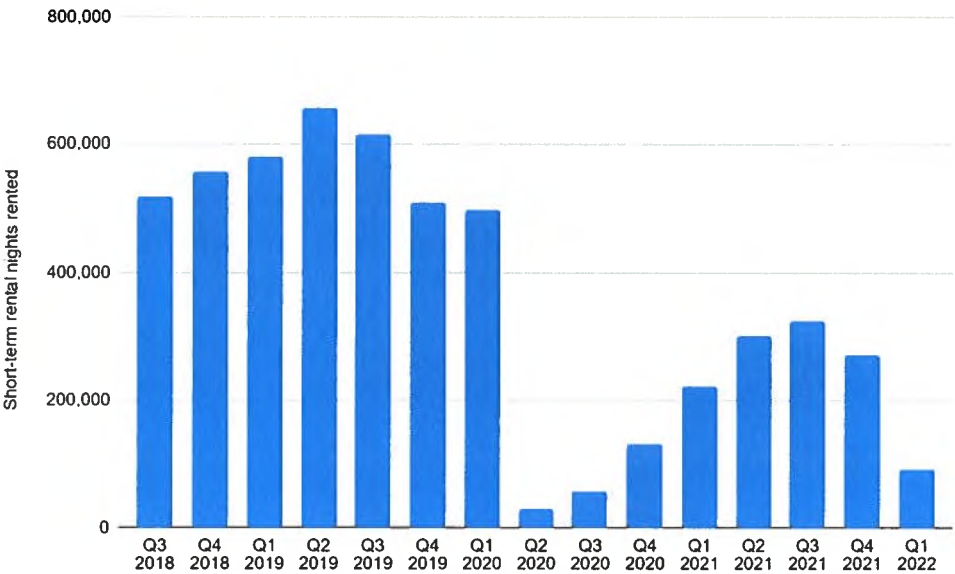
This bill and its proposed CD2 version would infringe on private property rights and trample on a well-established market that benefits both residents and visitors alike.

Housing impacts are overblown

As stated in the bill’s introduction, this would supposedly be done to ease the housing shortage. However, there is no clear evidence that short-term rentals have any significant impact on Hawaii’s housing shortage.

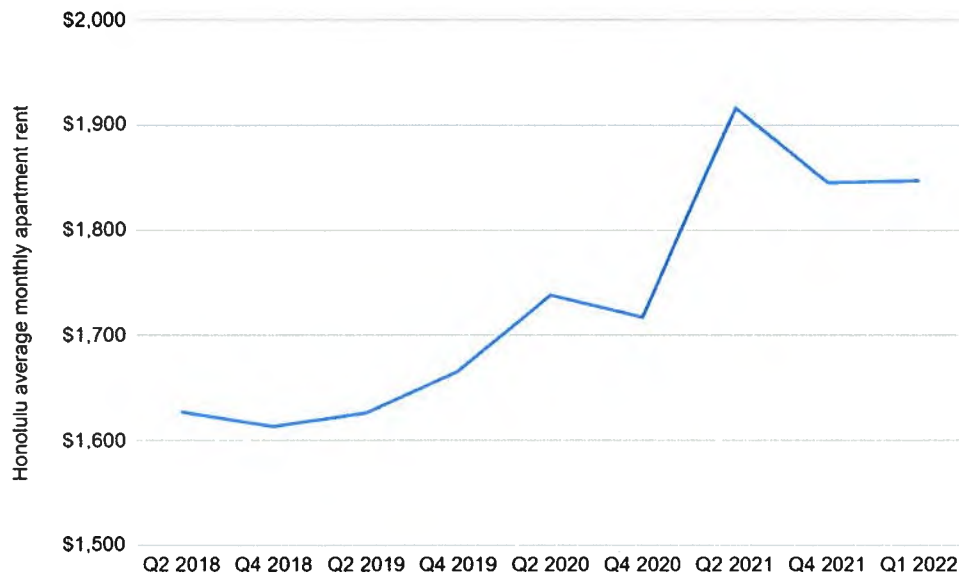
Honolulu rents since 2018 have continued to increase, despite a downturn in short-term rental stays during that time frame, as shown in figures 1 and 2.

Figure 1: Oahu short-term rental nights rented Q3 2018-Q1 2022



Source: “[Oahu Lodging Summary](#),” Hawaii Tourism Authority, January 2022.

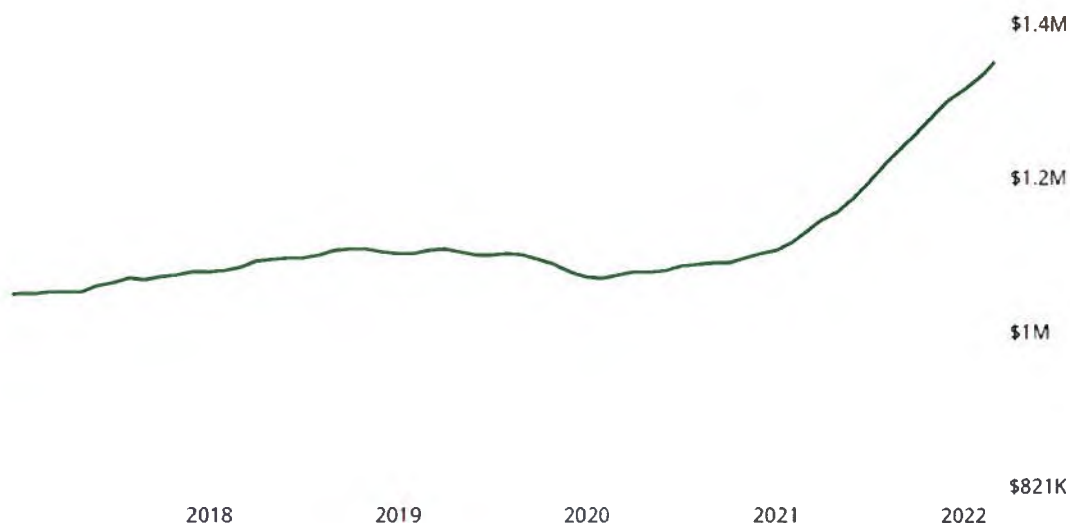
Figure 2: Honolulu average monthly apartment rent Q2 2018-Q1 2022



Source: "[Honolulu, HI Rental Market Trends](#)," RentCafe.com, accessed March 21, 2022.

Median home values have also risen substantially during that time frame. As shown in Figure 3, housing prices have increased significantly as short-term rental usage has gone down. Thus, it is simply not the case that reducing short-term rentals would have much impact on the price of housing on Oahu.

Figure 3: Honolulu median single-family home price 2018-2022



Source: "[Honolulu Market Overview](#)," Zillow.com, Feb. 28, 2022.

Excessive fines

We would also like to focus on an even more serious issue: the potentially unconstitutional fine scheme contained in this bill.

Bill 41 proposes extremely steep penalties for any ordinance violations: \$10,000 per day for as long as violations persist. For a recurring violation, it would go up to \$25,000 a day.

In February 2019, the U.S. Supreme Court ruled that the Eighth Amendment's prohibition on excessive fines applies to state and local governments. The case, *Timbs v. Indiana*, dealt with civil asset forfeiture. In the unanimous decision, Justice Ruth Bader Ginsburg wrote, "Even absent a political motive, fines may be employed in a measure out of accord with the penal goals of retribution and deterrence."

The Hawaii Constitution also has a clause that protects citizens from excessive fines, making it even more likely that someone would challenge the enormous fines associated with this proposal.

Under the fine structure proposed in Bill 41, an owner could quickly find himself owing hundreds of thousands of dollars. Violators on a recurring violation could owe \$1 million in fines

in a month. Even first-time violators could end up owing more than the property is worth in a matter of months.

By nearly any measure, that is an excessive fine. It's certainly far in excess of the forfeiture at the root of the *Timbs* case.

Managing the competing interests involved in transient vacation rentals is a difficult challenge. It requires the Council to balance concerns about vacation rentals with the economic benefits they bring. For example, the HTA's research on vacation rentals suggests that there is little overlap between the hotel and TVR markets and that rentals have helped the state reach a new and different market for visitors.¹ Unfortunately, attaching a confiscatory penalty scheme to the bill threatens to shut down all rentals — at least until a lawsuit is brought against it.

Instead of pursuing a plan for rentals based around regulation and punishment, the Council should go back to the drawing board, eliminate the excessive fines proposed in this bill, and look for ways to create a practical, enforceable and equitable way to let rentals operate legally.

Sincerely,

Joe Kent
Executive vice president
Grassroot Institute of Hawaii

¹ ["Hawaii's Home and Vacation Rental Market: Impact and Outlook,"](#) Hawaii Tourism Authority, Dec. 29, 2016, p. 8.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 8:57 PM
Subject: Council Testimony

Written Testimony

Name John Sausedo
Phone
Email Jbsausedo@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony I live in Kaneohe. People who stay at the illegal bnb create parking problems on our street. I believe one of the reasons we have a housing shortage is too many homes are used for short term rentals.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:03 PM
Subject: Council Testimony

Written Testimony

Name	Rowena L Batungbacal
Phone	
Email	leilanirowena@yahoo.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 9:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kateryna Nezhura
Phone
Email knezhura@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:28 PM
Subject: Council Testimony

Written Testimony

Name Lauren Tulba
Phone
Email laurentulba@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Aloha, my name is Lauren and I currently reside in Kaneohe. As a native Hawaiian it's important to save our communities from decisions that take away from the people of Hawaii.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:31 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mary Farkash
Phone
Email mary.farkash@corcoranpacific.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony As a professional Realtor who does both Brokerage and Property Management for many years on Oahu practicing adherence to the current guidelines, I strongly oppose Bill 41 on the grounds that in my experience there are many legitimate reasons for rentals of less than 90 days that are not for other than vacationing tourists.
Please enforce Bill 81 but remove new B&B's from the original bill. I am in support of strict regulations but not in support of the 90 day minimum. Please keep it at 30 days.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 9:38 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kurt & Nancy Zachmann
Phone
Email ziggster808@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Support
Representing Self
Organization

Written
Testimony

We support some areas of this bill even though it is a weaker version of the original. Why is that? Political? Who's making money from these decisions? If you truly care about local housing, 180 days would definitely be a stronger deterrent to stop illegal TVU'S in this state. Airbnb, VRBO etc. are major contributors in ruining our local housing market. As residents of Makaha Valley Towers we are inundated with mostly out of state and some local owners operating illegal TVU'S at our condominium. Our condominium is not a HOTEL, is not RESORT ZONED. THIS IS OUR HOME!!! These TOURISTS ask our security to take their bags to the unit they are renting. They ask for more towels & tp from the managing office. We have constant noise from rolling suitcases morning & evening. Then the constant noise from the cleaning people rolling their cleaning carts at all hours. Our maintenance fees keep going up because additional people had to be hired to address registering these tourists & cleaning up the messes they make. They clog our condo washing machines & dryers with sand, block our trash chutes. Don't care how much water or electricity they use because hey "they are on vacation". Residents can't even go for a swim because pool is packed with tourists. Rental cars have taken over our parking areas. We do not support giving these illegal TVU owners another 180 days before they need to comply, This should be enforced immediately. Mahalo

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; **deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days. I believe that we need to implement different rules for Waikiki Special District and other residential area.**

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name HIROFUMI YOKOKAWA

Date 3/23/2022

Signature Hirofumi Yokokawa

TO: Members of the Council Committee on Zoning & Planning

FROM: Natalie Iwasa
808-395-3233

DATE: Wednesday, March 23, 2022

SUBJECT: **Revised Testimony** Bill 41 (2021) – Proposed CD2s from Councilmembers
Tupola and Kia‘āina Posted Less than 24 Hours Prior to Meeting
Defer Action in Committee

Aloha Chair Elefante and Councilmembers,

The agenda for your meeting has been amended to include two additional proposed committee drafts. The notice for this amended agenda arrived in my email box approximately 8:07 p.m. on March 22. Many others are likely finding these proposed amendments tonight or will find out about them in the morning.

In order to allow the public enough time to provide you and committee members with informed input on Bill 41, please defer action today. Deadline for a council decision is May 13. Since the full council has two additional meetings prior to that date, there is time to allow the public to carefully read each draft and submit updated testimony. Please do not hold a vote on this bill today.

Thank you for allowing testimony on Bill 41, CD1 and the proposed CD2 regarding transient accommodations.

Testimony Submitted 24 Hours Prior to Meeting

The Honolulu Planning Commission took testimony from hundreds of people over several days of hearings. They came up with a compromise in their proposed bill that included exceptions to the B&B and TVU definitions. Those exceptions are not included in any version of Bill 41. I therefore oppose Bill 41, the CD1 and the proposed CD2.

I also oppose the change in definitions of “bed and breakfast home” and “transient vacation unit” from 30 days to 90 consecutive days.

There are legitimate reasons a resident may need housing in their own neighborhoods for less than 90 days.

Please vote “no” on Bill 41, CD1 and the proposed CD2.

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:25 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Bryan Vukelich
Phone
Email bjvuke777@outlook.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha,

Although the intent of the bill is to improve the quality of live for the residents of O'ahu, for several reasons, I encourage you to either vote no on this current bill or to drastically revise it.

First, if passed, this bill's impact on reducing the cost of housing for locals, will be minimal (if any) in the short term, and long term it will have zero effect.

Written
Testimony

Rather, this bill will increase the financial hardship for some residents of O'ahu. The reason is that you are eliminating the opportunity for homeowner's to rent out their property, or even a bedroom, on a short term basis. With the cost of living in Hawaii ever increasing, why not revise the bill to allow locals the opportunity to make money from people visiting the island? Where is the harm in this? All of us residents of Oahu, on a daily basis, have to deal with inconveniences from people visiting the island - whether it is congested traffic, crowded beaches, long lines for a restaurant or visitors using the islands limited resources. Residents should have the right to earn money from these visitors by offering them short term housing. And the result would be additional tax revenue for the City and State.

And I completely understand the concern that noise levels might increase in a neighborhood. I love quietness and I also do not want people disturbing the peace. But we do not need new laws or regulations to address this concern as the laws are already on the books. If people are causing a disturbance, dispatch law enforcement and charge the person(s) with "disturbing the peace" or "disorderly conduct."

Lastly, this is an evasion of an individual's property rights. There have been cases on the mainland where similar legislation has been struck down by the court.

Thank you for your consideration. The residents of O'ahu elected you to protect their interests
- please do what is best for us.

Testimony

Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:38 PM
Subject: Council Testimony

Written Testimony

Name	Debra Laeha
Phone	
Email	momlaeha@gmail.com
Meeting Date	03-23-202y
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please pass this bill to protect the quality of life in residential communities by maintaining vacation rentals in zoned resort areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:39 PM
Subject: Council Testimony

Written Testimony

Name	David Laeha
Phone	
Email	dlaeha@cfohawaii.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Please pass this bill to protect the quality of life in residential communities by maintaining vacation rentals in zoned resort areas.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Antya Lynne Miller
Phone
Email antyamiller@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item BILL 41 CD2
Your position on the
matter Support
Representing
Organization Self

Aloha Council Members,
It's time to return our neighborhoods back to the residents. Illegal TVU's are inflating housing prices and fueling out-migration and homelessness of our residents.

Written Testimony Thank you for your consideration.
Mahalo,
Antya Miller
808-342-8557

Testimony
Attachment

Accept Terms and
Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, March 22, 2022 10:40 PM
Subject: Council Testimony

Written Testimony

Name	Adam Laeha
Phone	
Email	adamklaeha@gmail.com
Meeting Date	03-23-2022
Council/PH Committee	Council
Agenda Item	Bill 41
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, March 22, 2022 10:43 PM
Subject: Council Testimony

Written Testimony

Name Kaylin Laeha
Phone
Email Kaylinslaeha@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

Honolulu City Council
City and County of Honolulu Department of Planning and Permitting

September 1st 2021

Dear Council Members and Department Directors,

The Administration-initiated land use ordinance amendment related to short-term rentals, specifically as it applies to owner-occupied bed and breakfast homes (B&Bs) is harmful to residents, and is an inefficient and ineffective way to address crowding, noise and parking violations throughout the Islands.

As a healthcare provider, I find it particularly difficult that we are focused on eliminating what might be a sole-source of income for many local residents during a worsening pandemic.

I would like to address the following line items of the staff report submitted for the administration initiated amendment to Ordinance 19-18 (Bill No. 89, 2018, CD2) Relating to Short-Term Rentals(STR). The staff report excerpts below are italicized and in quotes.

"ADMINISTRATION INITIATED LAND USE ORDINANCE AMENDMENTS RELATING TO SHORT-TERM RENTALS AND TRANSIENT ACCOMMODATIONS, POST COVID-19

Staff Report August 13, 2021

1.BACKGROUND

On June 25, 2019, Mayor Kirk Caldwell signed into law Ordinance 19-18 (Bill No. 89, 2018, CD2) Relating to Short-Term Rentals(STR), which would in part allow more bed and breakfast homes (B&Bs) throughout the Island, including residential neighborhoods."

Bill 89 would have established a small number of legal, registered, and well-regulated bed and breakfast homes, while setting up the framework for enforcement and elimination of existing unregulated bed and breakfast homes.

"Prior to full implementation of Ordinance 19-18, the City along with the rest of the world was disrupted by the shut-down of normal day-to-day activities due to the worldwide Covid-19 pandemic. Neighborhoods began to see what life was like before the proliferation of STRs throughout their neighborhoods. Traffic, crowding, tourists invading residential neighborhoods, and noise at all hours of the day that were typical issues created in part by STRs, disappeared during the pandemic lock down."

Actually, residents had a glimpse into life in the absence of any tourism, the absence of 10 million visitors a year, and the absence of a thriving economy. The memo presumes that the elimination of short term rentals would prevent visitors from traveling to the neighborhoods of Kailua and the North Shore to visit the beaches, or to Portlock and Kahala to hike the craters and cliffs of Diamondhead and Hanauma Bay, from the hotels and condominiums in Waikiki and Ko Olina.

A perfect example of the pre-pandemic invasion of local neighborhoods were tour buses dropping off hundreds of Japanese visitors at the local farmers' market at KCC, and the tourist rental car-packed parking lots at the Kaka'ako farmers' market. Each market required HPD traffic control every Saturday.

"In addition, residents across the state realized what life was like before millions of visitors started coming to Hawaii. No or very little traffic, wide open beaches and trails, and less people in general were "benefits" of the shut-down."

Again, the "benefits of a shutdown" are a dystopian product of an epidemic and are not germane to determining the appropriateness of strict property regulations. The report attributes traffic and crowded beaches to short term rentals, when approximately 90% of visitors to Hawaii stayed in hotels, time-shares, and condominiums or with friends or family in pre-pandemic 2019. (HTA 2019 Annual Visitor Research Report)

According to the Hawaii Tourism Authority, 52,253 visitors stay in bed and breakfast homes each year, which is one half of one percent of total visitors to Hawaii (0.5%) each year. The staff memo and its targeted amendment attributes the disruption of the character and fabric of our residential neighborhoods to less than one half of one percent of all visitors. (HTA 2019 Annual Visitor Research Report).

The memo also implies and never provides any supporting data that the visitors who choose accommodations in hotels and resort condominiums never shop, dine or seek activities outside of their immediate surroundings.

"While the visitor industry is a main driver of Hawaii's economy, discussions have begun on how we might limit the number of visitors to Hawaii. Ten million (10,000,000) visitors annually has become too much. The pandemic caused us to take a closer look at Ordinance 19-18, which would allow a limited number of new B&Bs and require compliance with registration requirements, development standards, and other regulations. However, some of the provisions in Ordinance 19-18 would be impractical to implement and have resulted in enforcement problems. To address these issues, we believe it is necessary to improve upon Ordinance 19-18 by simplifying the City's approach to regulating STRs and other transient accommodations."

The memo and its targeted amendment fail to answer the following questions:

- Other than through increased funding, how does this new ordinance improve enforcement of short term rentals?
- Which specific provisions of Bill 89 were impractical to implement and difficult to enforce and why?
- How will redefining the duration of a short-term rental to 180 days from 30 days make enforcement easier?
- What about the difficulty in issuing and enforcing the sheer volume of exceptions that will be required for military, new movers, and temporary healthcare workers?

"They are inconsistent with the land uses that are intended for our residential zoned areas, they decrease the supply of long-term housing for local residents throughout the City, and increase the prices and rents of housing, making living on Oahu less affordable for its resident

population. Any economic benefits of opening-up our residential areas to tourism are far outweighed by the negative impacts on our neighborhoods and local residents."

First, the report purports, but fails to substantiate how renting a room in one's house to a visitor for the purposes of sleeping and bathing is somehow not consistent with the definition of residential use. The exchange of money for the use of a residence does not equate to non-residential use. For example, adult children who pay rent to their parents does not equate to non-residential use. Likewise, unrelated roommates sharing a home does not equate to non-residential use. Arbitrary time frames (two weeks versus ninety days or six months) do not establish residential use.

Second, the report does not cite any study supporting the claim that bed and breakfast homes increase the prices and rents of housing or make living on Oahu any less affordable.

Furthermore, if it were true that establishing bed and breakfast homes increased the surrounding property values, then it would follow that any homeowner in any state could simply establish a BnB and raise the property values in their neighborhood, which is clearly not true. The property values are high because there is high demand for property in appealing cities. The property is not appealing because there are BnBs.

Something which does improve real estate, the working rail system, will most likely increase the demand for those properties on the rail line. Do we now outlaw the rail line because those property values might rise? Wouldn't the same logic apply to improved schools, roads, walkability to shopping, and parks?

And, despite COVID restrictions banning the operation of all STRs for approximately six months of 2020, and the passage of Bill 89 imposing fines for advertising unregistered short term rentals, housing prices still skyrocketed during that time.

Home prices across the country are at an all-time high, and are the result of low mortgage rates, low-inventory, and increasing materials prices, not owner-occupied bed and breakfast homes. ("The housing market stands at a tipping point after a stunningly successful year during the pandemic," Diana Olick, CNBC, March 12, 2021)

According to the Hawaii Tourism Authority, Hawaii hotels have experienced consistent year-over-year increases in revenue per available room (RevPAR), average daily rate (ADR) and occupancy. Statewide, RevPAR reached \$229 in 2019, the highest in The United States, beating New York City and San Francisco. Hawaii also led the country with an average daily rate of \$283. Hawaii's hotel occupancy reached 81.2 percent, following only New York City at 86.2 percent and San Francisco at 82.0 percent.

Cities in high demand have high property values. Why should corporate-owned, non-local hotels and foreign investors be the sole beneficiaries of this demand?

Additionally, according to the Hawaii Tourism Authority, the average length-of-stay for hotels in Hawaii is 7.13 days, and for bed and breakfasts it is 8.78 days (HTA 2019 Annual Visitor Research Report). With respect to environmental concerns, longer stays equate to a reduction in environmental impact. ("Global trends in length of stay:

implications for destination management and climate change” Stefan Gossling, Daniel Scott & C. Michael Hall (2018) Journal of Sustainable Tourism

“2 The purpose of this Ordinance is to better protect the City’s residential neighborhoods and housing stock from the negative impacts of STRs by providing a more comprehensive and controlled approach to the regulation of STRs within the City and creating additional sources of funding for the administration and enforcement of the City’s B&B and transient vacation unit (TVU) laws”

What protects residential neighborhoods is home ownership, not renters, not investors. Impeding on a homeowners right to privacy and supplemental income is not the solution. Enforcement of existing noise regulations and parking restrictions is a start to protecting residential neighborhoods.

Despite having the most popular beaches on the island, the North Shore and Kailua have been planned poorly for the daily influx of visitors, who are forced to park on residential streets. Many cities solve the problem of visitor parking with a convenient trolley systems, rail or revenue-generating underground parking facilities. With transient accommodation taxes and GET, how have these issues of infrastructure not been previously addressed?

Hypothetical scenario of eliminating one bed and breakfast home from Kailua:

A family rents out a bed and breakfast unit to two visitors with a rental car and they park in the driveway (a provision of Bill 89). With the new provision, the family is no longer allowed to have short term renters and now they rent the same unit to a couple. Each member of the couple has a car, one parks in the driveway and the other on the street. The hypothetical two visitors now stay in Waikiki and order room service from the hotel, instead of a meal for two at Konos’ in Kailua (\$50). They also park their car on the residential street so they can go to the beach. This amendment as applied to one bed and breakfast home would now be responsible for two additional cars in Kailua and a loss of \$18,250 per year of revenue supporting a local business.

The city has a population of one million, and visitors of ten million per year. The strategy of relocating of 0.5% of tourist accommodations to solve the problem of parking and noise is unrealistic. Eliminating owner-occupied bed and breakfasts in an attempt to reduce noise, traffic and parking congestion is the equivalent of brining a knife to a gun fight. It punishes homeowners and may constitute an infringement on property and privacy rights. It protects a hotel industry which is capitalizing on (perhaps exploiting) the natural resources of the island to profit non-residents, foreign investors and major corporations.

A wide-sweeping ban of owner occupied bed and breakfast units also creates a distraction from the enforcement of other major long-standing issues across the islands: vacant homes, abandoned property, homelessness, major illegal dumping, housing code violations, and other forms of substantial noise pollution (moped mufflers).

Perhaps most importantly, a ban of owner-occupied B&Bs is short-sighted and fails to look at other viable alternatives like tourist eco taxes for visitors, higher property taxes for foreign

investors, and fines for owners of neglected and abandoned properties, all of which could increase City & County tax revenues, protect the environment and improve infrastructure for visitors and residents alike.

The issues of homelessness and affordable housing are not best-addressed by eliminating owner-occupied B&Bs, but by asking the corporations doing big business on these tiny islands (big box retailers, hotels, real estate investors, and cruise lines) to do their part to help produce affordable housing.

Registration and regulation of owner-occupied bed and breakfast homes are a path to home ownership for many. Complaint-driven enforcement is a low-cost and efficient means of addressing the concerns of neighbors. Bill 89 as originally passed was an excellent compromise in the best interest of all Hawaii residents.

Thank you for your time and consideration.

Kirsten Krause
Resident, Honolulu, Hawaii

From: CLK Council Info
Sent: Tuesday, March 22, 2022 11:32 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sandra Ragley
Phone
Email naasandy808@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I oppose Bill 41, CD2. The minimum rental period should remain at 30 days because there are many non-tourist activities/persons that require the use of non-hotel accommodations. For example: grandparents visiting, or family taking care of elderly parents that need to be nearby families who may not be able to accommodate them in their own home. Relocating Military to/from the island with large families who don't want to stay in multiple hotel rooms (Red Hill water crises has shown this is a strain on families), visiting nurses, doctors and short contract employees who require a safe, quiet place that is not at a hotel. Many persons have been successful in housing these persons and paid GE & TAT. We all want to be able to maintain the ability to exercise our right to assist others and offer local families the ability to be close to their family during visits/times if need- Opposing Bill 41 CD2 means saying no to family/friends commuting to/from a hotel for local gatherings!! Thank you- SR

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 1:45 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jeff Riley
Phone
Email jeffariley@hotmail.com
Meeting Date 03-23-2023
Council/PH Committee Zoning and Planning
Agenda Item HNL Zoning and Planning Committee Hearing on STRs (Bill 41)
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!

Written Testimony 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: Wednesday, March 23, 2022 2:06 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wailani Ho
Phone
Email leftsidepromo@aol.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Walking around my Kaimuki neighborhood, I see a vibrant community, with new shops and restaurants dusting off the funk of 2 years of covid restrictions and shut downs. I see people walking and driving again, traffic is back to its pre-pandemic norm, locals are trying to make a living to keep up with inflation and supply chain shortages.

Private property rights are being threatened by government and for all the wrong reasons. Bill 41 is just another example of government over reach, infringing on these rights. Locals rent parts of their homes to earn extra money to pay bills, simple as that. This has been going on for centuries, yet the fact is government wants to limit that right and put a clock on it. Why?

I've heard all the arguments against Vrbo and other platforms that allow people to rent to locals and tourists and I will be very honest is saying they are all un-truths. Short term renters don't throw parties every night, nor do they overcrowd neighborhoods, particularly with cars and people. They are not even loud compared with us local folk. The opposite is clearly evident if you take the time to walk your neighborhood like I do, daily.

Written
Testimony

What you bear witness to is the continual building of monster homes, which are apartment buildings in single family home, residential areas. Houses so big there is no yard and parking is usually on street. Dozens of people living under one roof, labeled as "extended" family. You will see cars littered on the grass and there is no street parking. Of the many residents there are parties and outside BBQ's because there is no free space inside. These types of homes are what the complaints of noise and overcrowding are about. Not know who lives next to you and what property crime has risen in the area. These are all descriptions of monster homes and the multiple non related tenants, friends and guests.

I can't tell a short term renter (what ever that term defines), from a long term. Aside from the fact that a visitor family of 4, will only have 1 car parked on the street so that they can get around. Think of that one instead of 3, or 4 vehicle blight. Logically, when you are a visitor,

you rarely have friends on island to invite over and throw a party, plus your family hosts on property know your ever move and won't put up with any monkey business. That's the picture that I get and what I witness on my daily walks. It's the truth as well, not something contrived to move politicians from creating laws restricting property rights and the rights of citizens.

What is tearing at the "fabric" of our neighborhoods is apartment buildings put up as homes right next door to us. Where tutu's old home gets torn down and now twelve different people live under one roof, where 1 car is replaced with 10, and where we don't know who lives next door, who comes and goes at all hours of the day and night and all of a sudden we are living in high density Makiki, or Waikiki. That is the horror that we face in Kaimuki. Please focus on the real problem here and drop Bill 41.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 2:31 AM
Subject: Council Testimony

Written Testimony

Name Robin Lloyd
Phone
Email robinlloyd233@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Council
Agenda Item Bill 41
Your position on
the matter Oppose
Representing
Organization Self

Written
Testimony STRONGLY OPPOSED to limiting of short term house rentals to 90 days. Violation of property rights! Please just enforce the current 30 day stay law. Extremely short sighted on the loss of TAT/OTAT/GET income from legal 30 day rentals.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 3:07 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Roger Lukas
Phone
Email rlukas@hawaii.rr.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Aloha Chair Elefante and all members of the Committee on Zoning and Planning:

Written
Testimony

I strongly urge you to support amendment G. 1. (a), as set forth in BILL 41(2021), CD1, PROPOSED CD2 - BE1, to delete the permitting of B&Bs and TVUs in the designated A-2 District situated in the Gold Coast area of the Diamond Head Special District.

I appreciate the many challenges that you face in crafting Bill 41, and that you've given the citizens of Honolulu this and previous opportunities to communicate their perspectives.

Thank you,
Roger Lukas

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 3:22 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Richard Catalan
Phone
Email richcatalan@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Oppose
Representing Self
Organization

Re: Opposition to Bill 41 (CD 1) Dear Honolulu City Council Members:

I am an owner of a property that has been lawfully renting for 30-day periods or longer, and I write to express my strong opposition to the passage of Bill 41 in its current form, because of the adverse effect Bill 41 will have on my investment backed expectations and the use of my property for transient vacation rental use.

Since the late 1980s, when the land use ordinances changed, it has been permissible to use the property for any rental period of 30-days or longer. The members of the public, and perhaps the City Council too, seems to be conflating illegal short-term rentals and legal short-term rentals. Generally, illegal short-term rentals enter into more than one rental contract in a 30-day period. Whereas legal short-term rentals: enter into only one rental contract in a 30-day period, provide the property for the renter's exclusive use regardless of occupancy, and the rent charged is determined by 30-day rental period(s) and not occupancy. This has been the standard since the late 1980s when the land use ordinances limited transient vacation use to a 30-day minimum. For years this understanding of the LUO was accepted by the director of Department of Planning and Permitting ("DPP") as a valid defense to a NOV, and it was part of two settlement agreements that were reached with the City in two lawsuits.

Lengthening the minimum stay to anything longer than 30-days creates a vested right for these types of properties, and I, along with thousands of other Oahu property owners, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations. Both the Hawaii and Federal constitutions protect a preexisting lawful use as vested property right, which means it cannot be abrogated without due process of law.

Additionally, HRS 46-4, prohibits the counties from creating ordinances that eliminate a lawful use without providing a mechanism for that lawful use to continue. The failure to protect existing lawful uses is a regulatory taking entitled to just compensation.

While section 13 of Bill 41, CD2 recognizes the lawful 30-day rentals it fails to provide a mechanism for all lawful 30-day rentals to register as a transient vacation unit, regardless of the zone or district.

For properties, like mine, that have been lawfully renting for 30-day periods or longer they

Written
Testimony

should be able to continue that lawful use without restriction. We request that you revise Bill 41 to either keep the definition of TVU to a 30-day minimum, allow all 30-day rentals (regardless of zone or district) to register as a transient vacation unit, or create a non-conforming use category for the 30-day rentals. As your constituent, we expect that the bills presented and passed are written to protect our constitutional rights, not drafted to eliminate our rights and gamble that no one will seek judicial review. Should Bill 41 pass with this obvious constitutional infringement I, along with the thousands of other property owners, will file a lawsuit to protect our constitutionally protected rights.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 3:32 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Lori Rodenbeck
Phone	
Email	lori@rodenbeck.com
Meeting Date	03-23-2022
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: Wednesday, March 23, 2022 3:38 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Karyn Sue Shaunnessy
Phone
Email KarynS@bhhshawaii.com
Meeting Date 03-23-2020
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs.
The minimum rental period should remain at 30 days because there are many non-tourist-
related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 4:51 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lisa Noelani Robbins
Phone
Email lisarobbins@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item 41 CD2
Your position on
the matter Support
Representing Self
Organization

IP: 192.168.200.67
Written
Testimony I am kanaka maoli, I own a home in Ewa Beach, and I am a landlord and investor. I am also a HUD-approved housing counselor and a Mortgage Loan Originator. I support Bill 41 CD2 to preserve the quality of life and housing costs and availability for the kanaka maoli and kama'aina. Residential zoning is critical with limits on short term rentals because housing is important for locals to remain sustainable.

Mahalo for the consideration.

Regards,
Lisa Noelani Robbins

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 5:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Les moy
Phone	
Email	Les3611@gmail.com
Meeting Date	03-23-2022
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 that the committee is trying to push through. The concentration should be on Bill 89.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

RE: Bill 41 CD2- in opposition with comments

Aloha COMMITTEE ON ZONING AND PLANNING Voting Members,

I strongly oppose this bill for the following reason.

I strongly recommend; deleting the amendment of the definitions of "Transient vacation unit" to mean dwelling units that are rented for periods of less than 90 days.

I believe that we need to implement different rules for Waikiki Special District and other residential area.

There are Apartment Precinct in Waikiki Special District. The minimum 30 days rentals have been 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. There should be an option for them to stay at condos less than 90 days with affordable rates. This also benefits Hawaii's economy.

If 30 days rental is banned (especially in Apartment Precinct in Waikiki), where those people who needs to stay 30 days or 60 days will stay? Bill41 cannot change the demand of those one or two month stay. It will result in illegal 30 days or 60 days rentals in residential areas all over the island.

Some buildings in Apartment Precincts in Waikiki ban 30-day vacation rentals and set 180 days minimum rent rule in their own Building Bylaws, while there are some buildings that allow 30-day vacation rentals. **Condo owners can protect themselves from a vacation rental with its bylaw. I do not believe anyone should override those owners' rights.**

While it is understandable banning 30 days vacation rentals in more quiet "residential" neighborhoods such as Kahala, Kailua or Hawaii Kai. Houses in Kahala, Kailua or Hawaii Kai, they are houses and they don't have such AOA like organization to implement such rules to protect themselves. 90 days rule by Bill41 may be needed for such "house" area.

However, it makes no sense for Waikiki. **Condos currently doing 30 days rental in Apartment Precinct in Waikiki Special district are in only a few minutes' walk distance from the Resort Precinct of Waikiki Special district where people can stay less than 30 days.** 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.

We may need 90 days rule to protect neighbors in residential area such as Kahala, Kailua or Hawaii Kai from illegal vacation rentals, however, I strongly recommend that **Waikiki Special District should be completely excluded from the 90 days minimum rule.**

If Apartment precinct in Waikiki Special district is continued to be allowed 30 days rental, people staying less than 30 days can stay in Resort area in Waikiki, and people who are staying less than 90 days can stay in Apartment area in Waikiki. **All short term visitors will stay in Waikiki, then, other residential area such as Kahala, Kailua or Hawaii Kai will be protected from vacation rentals.**

Also, implementing 90 days minimum rental rule in the Apartment Precinct in Waikiki Special District won't help solving Housing Stock issue. Such owners of condos in Apartment precinct in Waikiki Special district have enough money just to keep such condo empty when they are not here. The 90 days minimum rent rule will result in such condos to be empty in the Paradise of Waikiki for 10 month or more making no tax and benefit to local economy.

The owners of such condos in Apartment Precincts in Waikiki lives in the mainland US comes only one week to two month randomly in needed basis for their life, school, or business, then do vacation rentals with 30 days minimum when they don't use. Vacation rentals is a part of great trend of sharing economy.

In addition, from a viewpoint of investment, it's totally different in nature between investment in Condo in Waikiki (even in the Apartment Precinct) and Houses in Kahala, Hawaii Kai, or Kailua. Many of owners of condos in Apartment Precincts in Waikiki invested to their condos because they have an option to rent minimum 30days. **This is a reason why more than thousand owners of condos in the Apartment precinct in Waikiki Special district are preparing legal actions against this Bill.**

What issue do we have now with 30 days rentals in Apartment precinct in Waikiki Special district?

Why aren't we implement different rules for Waikiki Special District and other places?

The effort to impose the same rules and regulations on residential neighborhoods and Waikiki Special District is misguided. They are of a different character. Waikiki are not the same as Kahala, Lanikai, Kailua and Hawaii kai.

Lastly, until the CD1, Bill41 was permitting TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District, however, in CD2, it seems to be restricted to 90 days minimum. I am concerned and confused why this community must take such a blunt blow. There are 30 days vacation rental buildings such as Colony Surf. For example, the Colony Surf has been a unique accommodation attracting very valuable cultured people from faraway places. These part time resident created the basis of this wonderful community. What issue do we have in 30 days vacation rentals in Gold Coast? I believe **TVUs in a designated A-2 District in the Gold Coast area of the Diamond Head Special District should be permitted.**

Thank you for your consideration on this critical measure.

Name Mamabu Katagiri.

Date 3/23/2022.

Signature Mamabu Katagiri.

From: CLK Council Info
Sent: Wednesday, March 23, 2022 6:08 AM
Subject: Zoning and Planning Testimony
Attachments: 20220323060732_Bill_41_CD_2_Table.pdf

Written Testimony

Name Jomel A Duldulao
Phone
Email jomeld12@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Aloha Esteemed members of the Zoning and Planning Commission,

My name is Jomel Duldulao and I oppose Bill 41 CD 2.

My wife Meylysa and myself bought a condo in the resort zone of Waikiki to employ my mother-in-law in work as manager and cleaner.

My biggest concerns are that we follow the laws, and we bought a unit that is in the proper zone for an AirBnB business. Why are you punishing legal small business owners?

My second biggest concern is the length of time it takes for inspections. I am the Long Term Care Ombudsman of Oahu, and as part of my role I visit long term care facilities on Oahu. I have heard from one Nursing Home Facility that it took them 3 years to get an inspection.

Written
Testimony

We are worried that our business will have to shut down while we are waiting for an inspection.

I don't understand why we don't just enforce the current law that we have.

My wife Meylysa has been spent many hours with other Resort Owners to prepare the attached table. She wanted me to resubmit it with a correction on page 2. It shows how Resort Zone owners are being mistreated in Bill 41 CD 2.

Thank you for taking the time to consider this written testimony. I appreciate all the time and effort you take to listen to all sides and create good legislation.

I believe this is not the time for more legislation.
This is the time to enforce the current law.

Testimony
Attachment 20220323060732_Bill_41_CD_2_Table.pdf

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IP: 192.168.200.67

LOPSIDED EFFECTS OF BILL 41 CD 2 BETWEEN RESIDENTIAL AND RESORT ZONES

RECOMMEND ADDING RESORT ZONE TVUs TO EXEMPTIONS P. 36 (3) OF BILL 41 CD 2

RESIDENTIAL ZONE							RESORT ZONE		
Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Ko Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units	
LEGAL BY LUO	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	ILLEGAL	LEGAL	LEGAL	LEGAL	
LEGAL BY AMENDMENT	LEGAL WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL, AND WITH BILL 41 CD 2	LEGAL (GRANDFATHE RED)	LEGAL				
PROPERTY TAX CLASSIFICATION	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	HOTEL AND RESORT	
ZONING	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL A1/A2	RESIDENTIAL - VARIOUS	RESIDENTIAL	RESORT	RESORT	RESORT	
REGISTRATION REQUIREMENTS									
REGISTRATION REQUIRED	YES	YES	YES	NO (using NUC)	NO	YES	NO	NO	
Registration Fee	\$2000 1st Year	\$2000 1st Year	\$2000 1st Year	NO	NO	\$2000 1st Year	NO	NO	
Title Certificate Required	YES	YES	YES	NO	NO	YES	NO	NO	
Valid GE, TAT, City TAT License	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence of Home Exemption and 50% ownership (B&Bs only)	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence of \$1M Commercial General Liability Insurance	YES	YES	YES	NO	NO	YES	NO	NO	
Confirmation of permission from HOA, Bylaws, Condo Rules	YES	YES	YES	NO	NO	YES	NO	NO	
Information Binder	YES	YES	YES	NO	NO	YES	NO	NO	
Evidence no Housing subsidies, rental assistance or evictions	YES	YES	YES	NO	NO	YES	NO	NO	
RESIDENTIAL ZONE							RESORT ZONE		

Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units
				RENEWAL REQUIREMENTS				
RENEWAL REQUIRED				YES (NUC renewal required only - requires proof of State GE and State TAT license (not City TAT), proof of transient occupancies of 30 days or less for at least 35 days)				
Renewal Fee	YES \$1000/year	YES \$1000/year	YES \$1000/year	\$1000/year	NO	YES	NO	NO
Property tax clearance from Dep of Budget and Fiscal Services	YES	YES	YES	NO	NO	YES	NO	NO
State GET Tax Clearance	YES	YES	YES	NO	NO	YES	NO	NO
State TAT TAX clearance	YES	YES	YES	NO	NO	YES	NO	NO
TAT Tax Clearance from Budget and Fiscal Services	YES	YES	YES	NO	NO	YES	NO	NO
Updated Title Report if Any Changes	YES	YES	YES	NO	NO	YES	NO	NO
Evidence of Insurance Coverage	YES	YES	YES	NO	NO	YES	NO	NO
Confirmation of permission from HOA, Bylaws, Condo Rules	YES	YES	YES	NO	NO	YES	NO	NO
RESIDENTIAL ZONE					RESORT ZONE			

Restrictions and Requirements for Short Term Rentals	TVU A1-A2 Apartment Zone in Waikiki - Banyan and Sunset	TVU in A1-A2 Apartment zone near Turtle Bay	TVU in A1-A2 Apartment zone near Olina	NUC in apartment zone and all residential zones	Time share units in Residential Zones	TVU in Resort zones	Time share units in Resort Zones	Hotel units
				RESTRICTIONS AND STANDARDS				
Restriction and standards required	YES	YES	YES	YES	NO	YES	NO	NO
smoke and carbon monoxide detector	YES	YES	YES	YES	NO	YES	NO	NO
Maximum 2 adults per room	YES	YES	YES	YES	NO	YES	NO	NO
\$1M in Commercial liability insurance	YES	YES	YES	YES	NO	YES	NO	NO
Gathering restrictions	YES	YES	YES	YES	NO	YES	NO	NO
Information binder required	YES	YES	YES	YES	NO	YES	NO	NO
Physical Inspection of Unit Allowed with Reasonable Notice	YES	YES	YES	YES	NO	YES	NO	NO
Subject to Revocation of Registration if Violating These Restrictions	YES	YES	YES	YES???	NO	YES	NO	NO
Registration Cannot Run With The Land	YES	YES	YES	YES???	NO	YES	NO	NO

From: CLK Council Info
Sent: Wednesday, March 23, 2022 6:20 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Theresa Tseng
Phone
Email mthersty@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Oppose
Representing Self
Organization

Hello members of the Zoning and Planning Commission,

My name is Theresa Tseng and oppose Bill 41 CD 2.

I live in 1911 Kalakaua, and I clean and help manage my daughter and son-in-law's unit 608 as an AirBnB business. It is convenient for me and our guests as I live just 1 floor down in the same building.

My daughter Meylysa has been testifying against Bill 41 CD 2 for some time now.

Written Testimony She has told me about it, and talked to me about possibly selling her AirBnB business and if I would be ok.

I told her to keep fighting, because that's how government works. You need to show them if something needs to be fixed.

I'm grateful for the work, and I like helping guests.

Thank you for reading my statement. Have a nice day!

Theresa Tseng

Testimony
Attachment
Accept Terms and Agreement 1

From: CLK Council Info
Sent: Wednesday, March 23, 2022 6:43 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Roberta Morgan
Phone
Email robertamorgan@mac.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony Until resort areas such as Ko Olina are completely carved out / exempted from this bill, I will continue to oppose it. I respectfully request that we continue to be able to operate as we are currently allowed.
Thank you.
Roberta Morgan
Beach Villas at Ko Olina owner

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 6:53 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Michelle Valera
Phone
Email MichellesHawaii1@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

I opposes Agenda Item: Bill 41, CD2. My experience with short term rental as I had to care for my parents who were infected with covid lasted less than 3 months. I cared for my elderly covid infected parents for 1 month December 25 to January 23, 2022 and needed a short term stay rental during that time. Both of my parents were admitted into the hospital. My mom survived, but my stepdad passed away from covid on 1/22/2022 and the hotels were fully booked. Short term rentals were all we could find for our family members and friends who flew into Hawaii so they could attend the funeral on 2/12/2022. Some people who came to Hawaii ended up sleeping in someone's backyard because there weren't any hotels or short term rentals available. We already have a shortage of short term rentals, so extending the minimal 90 short term rental isn't short. It's too long. What are people going to do and where will they stay?

I'm also a realtor with eXp Realty. I have lots of clients who are in between homes and need a short term rental for less than 30 days. 95% of my buyers are military and I don't want to see our servicemen and women and their children sleeping in their cars or on the streets because they couldn't get a short term rental. I just see it as a bill that forces good and honorable people to live homeless on the streets!

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 7:09 AM
Subject: Council Testimony

Written Testimony

Name Stephen Hinck
Phone
Email stephen.hinck@royallahaina.com
Meeting Date 03-23-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony Aloha my name is Stephen Hinck and I have lived and worked on Oahu since 1985 and work for Highgate Hotels. Saving our community from the illegal short term rentals is very important. I live near Waikiki and already am starting to see more and more of this as COVID weakens.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 7:28 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Brandon Kim
Phone
Email brandon@honolulurepro.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on
the matter Oppose
Representing Organization
Organization Honolulu Board of Realtors

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

Written
Testimony

Testimony
Attachment
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IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 7:42 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Randall Roth
Phone
Email Randy.Roth.hawaii@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD 2
Your position on the matter Support
Representing Self
Organization
Written Testimony I support passage of Bill 41 CD 2.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 7:45 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marilyn Katzman
Phone
Email penthouseparadise@aol.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony
Short term rentals are an important part of successful tourism in Waikiki. Allowing the Waikiki Banyan to offer families a safe and happy short vacation stay allows them to experience our magical island, shop at the local farmers markets and experience the most famous beach in the world. Privately owned condos at the Waikiki Banyan owners should be allowed to offer their aloha to travelers. Thank you .

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 7:52 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Matthew Yamamoto
Phone
Email m jyama1@hotmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony In the middle of all the political scandals this is a perfect example of big businesses making the rules because they bought a politician. It's not good for the people but it is good for the big hotels that AREN'T local. Stop saying this is to help the local people it's here to help the hotels get richer.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:01 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Daniela Gibson
Phone	
Email	danielakusserow@hotmail.com
Meeting Date	03-23-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41, CD2
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	This bill is just another example of government supporting big businesses and making it even harder for small and local businesses to thrive.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:03 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Shamblin
Phone
Email dashamblin@yahoo.com
Meeting Date 03-23-2022
Council/PH Zoning and Planning
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written Testimony There needs to be thoughtful balanced laws that guide, restrict, and enforce rules for the unlicensed rampant proliferation of vacation rentals in Kailua. Overcrowding of roads, parks, beaches and become an increasing problem in neighborhoods.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:07 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Tyson Lauulu
Phone
Email ty.laulu@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD1
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony This bill is only in the interest of hotels. Major corporate companies not only have overrun Hawai'i but now want to cripple local property owners who need multiple streams of income to survive in Hawaii. I strongly oppose this bill.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:12 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name David Lewis
Phone
Email dgl808@yahoo.com
Meeting Date 03-23-2020
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Support
Representing Self
Organization

Written Testimony

As a 63 year old who grew up on the Windward side, I have seen how the proliferation of (mostly ILLEGAL!) vacation rentals has negatively affected the character of many of our neighborhoods by turning our beloved RESIDENTIAL town of Kailua into a mini-Waikiki. So many have turned their homes or parts of their homes into short-term vacation rentals that our Keiki can no longer find affordable rentals in those transitional working years before they are able to buy a place of their own. Please pass Bill 41!

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:15 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Debra Pfaltzgraff
Phone
Email dpfaltzgraff@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD1
Your position on the matter Support
Representing Organization Self

Written Testimony As a resident of Kailua for over 70 years, I am concerned about the lack of housing for permanent residents and the increase of accommodation for short term visitors. Businesses that cater to residents are being squeezed out by business that cater solely to tourists. Where will my grandchildren live?

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:16 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Elyse Lewin
Phone
Email elyselewin@mac.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill #2
Your position on
the matter Oppose
Representing Self
Organization

Written Testimony

I am a frequent visitor to Oahu as I love your island and I come several times a year with my family and sometimes friends. We always stay in short term rentals and while here we spend a lot of money going to restaurants, buying things at the small shops of Haleiwa, hiring workers, and in many ways contributing to your economy. If you disallow short term rentals we would not be able to come any more. I suggest you raise the taxes on the fees for the rentals and use the money to lower the homeowner taxes in your island.
Thank you

Testimony Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:17 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Valarie Leal
Phone
Email lfrancesca050@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

We oppose Bill 41 CD-2 as written. This Bill in its current form contains provisions that would have a catastrophic effect on Oahu's tourism economy, hurting the thousands of people in industries supported by this activity. The state's tourism agency reported that all Short-term rentals inject capital into state and local governments through taxes and fees, adding up approximately \$3 billion in 2018. A study conducted in 2017 found that the alternative accommodations industry helped generate \$2 billion in economic activity and supported 12,000 jobs.

In addition, visitor numbers continue to be high, and airlift remains stronger than ever. It is important to recognize that short-term rentals provide the additional and diverse accommodations needed by these visitors when the hotels are near capacity or can't provide the accommodations that big groups or families are looking for with this new type of tourism.

Written Testimony Back when bill 89 was enacted, The University of Hawaii's Economic Research Organization (UHERO) realized a report, warning that Hawaii's economy is at a standstill and faces serious headwinds due in part to the uncertainty created by Oahu's overly punitive short-term rental regulations.

The UHERO report echoed the findings of other reports, including Oahu-based Kloninger and Sims, which predicted Oahu's short-term regulations would cost the Oahu economy more than \$1 billion in economic activity and up to 7,000 jobs, and another report by the Oahu Alternative Lodging Association which warned the new laws would lead to 50,000-80,000 fewer visitors per month.

In the nearly three months since the law went into effect, UHERO estimates were correct "greater-than-8% drop in Oahu's overall visitor plant inventory." However, after months of seeing this drop people realized the importance of vacation rentals to the wellbeing of our economy and started offering them again perhaps in a more regulated and responsible environment.

But despite the visitor industry proven to be the biggest economic generator for the state year after year, and ongoing efforts by the Hawaii Tourism Authority and others to increase tourism to the islands. Today Oahu lawmakers want to enact hotel-backed short-term rental regulations that will run counter to their efforts by threatening the livelihoods of residents and small businesses owners who rely on the income from visitors staying at alternative accommodations.

In a report posted by Civil Beat, on October 19, 2019 Executives from Hawaiian Airlines and Alaska Airlines expressed their concerns about Bill 89. Peter Ingram, President and CEO of Hawaiian Airlines explained that the crackdown on short-term rentals, "...will either make it potentially more expensive or more difficult for people who want to have those sort of accommodation experiences and that may manifest itself in some pressure on demand from North America."

While our local economy struggled back in 2019 with the impacts, many of the predictions espoused by proponents of the law — including a claim that a reduction in short-term rentals would have alleviated housing affordability — never came to fruition. In an interview with KITV, local market researcher Rick Cassidy explained, that people really claimed [short-term rentals] were taking units out of the market, but I he didn't notice that. As most of the units stayed close or vacant since many were second homes and were rented portions of the year hence would never become available to residents to rent instead they would sit vacant.

Just like Mayor Kirk Caldwell with bill 89, Mayor Rick Blangiardi, and Oahu lawmakers have an important decision before them - allow the full negative impacts of Bill 41CD2 to unfold at the expense of our local economy and jobs, especially during these harsh times, facing the pandemic aftermath, high inflation, and gas priced that don't seem to stop increasing. This is not the time to make drastic changes to our economy, this is not the time to force our citizens into more despair!

Please be reasonable and don't destroy an industry that allows Oahu's economy to keep stable and driven, amend regulations in a way that addresses community concerns like the closure of a specific TVU or bed and breakfast after 2 consecutive disruptions to the neighborhood. This way it may balance that role short-term rentals play in supporting our visitor economy.

Mahalo nui loa,

Valarie Leal.

Testimony
Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:19 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Nancy Holbrook
Phone	
Email	nancy@lovehawaiiilife.com
Meeting Date	03-27-2022
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: Wednesday, March 23, 2022 8:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Hokulani Gunderson
Phone
Email hdgunder@gmail.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Accept Terms
and Agreement
IP: 192.168.200.67
Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

I also worry for landlords. How would they deal with an unruly tenant? They must keep them for 90 days? Month-to-month tenancy protects both the landlord and tenant from staying in a lease they may not want to continue.

You should worry about fully enforcing the 30 day rule before adding new measures.

Testimony
Attachment
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and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:29 AM
Subject: Council Testimony

Written Testimony

Name	Jan M Davis
Phone	
Email	Jandavis@me.com
Meeting Date	03-23-2092
Council/PH Committee	Council
Agenda Item	Bill 41
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Stop corporate takeover—support local. Some People come for local experience.
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:34 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Morgan
Phone
Email mnmurray23@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

IP: 192.168.200.67
Written Testimony
I am a current young resident on the island of Oahu. I oppose this bill for numerous reasons. To start, STR's provide me and many friends with steady income. We rely on the tourists that come to Oahu for board rentals, visiting restaurants, surf lessons, bike rentals, the list goes on and on. I understand the need for more regulations but I think there is a better way. Maybe it can be a case by case situation where someone goes to approve each listing. Or maybe there can only be so many per neighborhood/part of the island. Banning on STR's IS NOT THE ANSWER. This is restricting the residents from their income. It is already hard to make money here as it is, please do not take away one of the main things that keep the island afloat. This will not make the problem go away. People will still do it illegally. Please please please think of a different solution. This is not it.

Testimony Attachment
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IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:40 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name kamala Belyeu
Phone
Email billnkamala@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item #2 Bill 41
Your position on the matter Oppose
Representing Self
Organization

Testimony
Attachment
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Written Testimony

This is the first testimony I've submitted. I agreed with bill 89. The industry needed regulating but Bill 41 is ridiculous. The North Shore is a place where people come to from around the world to train for surfing and legitimately need a place to stay for 30 days or longer. Bill 41 would leave nowhere for surfers to stay on the North Shore and Turtle Bay is now \$800 a night, not affordable to anyone. The North Shore should be recognized differently then other parts of the island like Kailua, Lani kai or Waimanalo. Surfers don't train there. They go to Waimea, Sunset Beach or Pipeline where the contests are held. If people stay for 30 days and are staying in a home with the owners on island/site then there should be no problem. The C&C should regulate those who are still doing weekly rentals illegally and make off Island owners do 180 day rental. That would help with housing issues. Or maybe make some of those low occupancy hotels in Waikiki into low income housing or housing projects. You can go around the world and stay with local families but not here sadly. Travelers are forced to stay in overpriced hotels. The reality is most people don't want to stay in hotels anymore those were built for the rich. People today want to stay in a home with a local family, cook their own food and live a healthy lifestyle while training in these waters. Surfing is now an Olympic sport and we should have a place for our athletes (or anyone for 30 days) to train and feel comfortable about where they can stay. I strongly disagree with bill 41

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IP: 192.168.200.67

To the zoning and planning committee,

This is in regards to rental bill #2, section 12 and 14. Restricting rentals to 3 months or more hurts local citizens more than any illegal vacation rentals. No one takes a vacation for 2 months. The only people who rent for that long are traveling nurses and working citizens who cannot qualify for year-long or 6-month leases for one reason or another. The only thing this bill will do is hurt low-income citizens on Oahu. I urge everyone on this committee to think about why you would want to hurt local citizens under the guise of restricting the travel industry. Please consider what percentage of vacationers (not transient workers!!) that travel to Oahu stay for 31-89 day periods. Is restricting this microscopic demographic worth leaving thousands of local residents of Oahu without housing?

Taylor Murray

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:46 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lisa Cates
Phone
Email Lisa.k.cates@gmail.com
Meeting Date 03-22-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41
Your position on
the matter Comment
Representing Self
Organization

Written Testimony Bills passed through this council are only effective if the laws are enforced. Time, money, and resources should focus on improving shortfalls of city departments that are currently failing at their duties.

Testimony
Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 8:52 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Alia Chochol
Phone
Email achochol@privatehomeshawaii.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Agenda Item: Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha,

Written
Testimony

I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:

- Home sellers/buyers renting until they close on a new property
- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy
- Traveling nurses
- Families from out of state who are on island caring for loved ones

I am a property manager here on Oahu and this bill will directly affect my income and my ability to provide for my family. I ask that you keep the rental period at 30 days.

Mahalo,
Alia Chochol

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

Honolulu City Council
Committee on Zoning and Planning
March 23, 2022, 9:00am
Conference Room 205, Honolulu Hale

TO: The Honorable Brandon J.C. Elefante, Chair
Council Committee on Zoning and Planning

RE: TESTIMONY IN SUPPORT OF BILL 41 (2021), CD 2
RELATING TO TRANSIENT ACCOMODATIONS

Aloha Chair Elefante, Vice Chair Kia'āina and Members of the Zoning and Planning Committee:

The Association of Apartment Owners of the Waikiki Sunset is testifying in SUPPORT of Bill 41 (2021), CD2, Relating to Transient Accommodations.

Bill 41 will strengthen the enforcement tools the City can utilize to eliminate illegal short-term rentals, particularly in the residential areas, to help give the residents back their neighborhoods as well as provide long-term rentals for those in need.

As residents and homeowners living in the Apartment Precinct, we appreciate our inclusion in the Bed and Breakfast Homes and Transient Vacation Units Permitted Areas in the Waikiki Special District Mauka of Kuhio Avenue and stand ready to provide our units to serve Oahu's visitor population.

The Association of Apartment Owners of the Waikiki Sunset SUPPORTS Bill 41 (2021), CD2 and respectfully requests the measure be passed out of the Zoning and Planning Committee to go before the full Council for consideration. Thank you for the opportunity to testify.

Sincerely,

Association of Apartment Owners of Waikiki Sunset

From: CLK Council Info
Sent: Wednesday, March 23, 2022 9:10 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name I Hsiang Tsai
Phone
Email hawaiihomepro@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Oppose
Representing Self
Organization

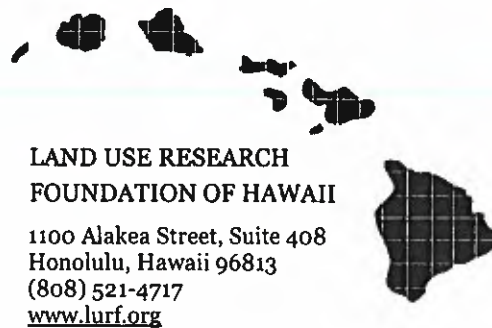
Written Testimony

Bill 41 is putting the owner's investment at risk and also limiting the people's choice of renting for less than 90 days in Hawaii. While I agree that for most of the single-family homes we should limit the less than 30 days rental activity but for most of the Waikiki condo, it should be the condo's residents to vote to see if they want to allow the 30 days rental or not. Many investors purchased their properties because they are allowed to do the minimum 30 days rental since by doing that the owners are able to come and visit whenever they want for a few months out of the year. Now by limiting the minimum rental to 90 days, it is taking away people's right to book a month of stay and that really limits quite a bit for both the landlord and the renters. Booking 90 days or more to be legal is not making too much sense at all, especially in Waikiki and the condo residents voted to allow the 1 month minimum rental to continue. If it is the residents that are bothered by such, wouldn't they vote no during the board meeting and make it a 3-month minimum rental instead as seen in the Seaside Suites condo? Let the residents at each condo at Waikiki to decide which path to take is the correct way. Dictating which area can do and which area can't do 1-month minimum rental is just not right and unfair. Let the residents decide especially in the condo situation.

Testimony Attachment

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IP: 192.168.200.67



March 23, 2022

Honorable Brandon J.C. Elefante, Chair
Honorable Esther Kia'aina, Vice Chair
Members of the Committee on Zoning and Planning
City Council, City and County of Honolulu
Honolulu, Hawaii 96813

**Support of Proposed CD2 Amendment to Bill 41, CD2
Relating to Transient Accommodations**

Regular Meeting, Thursday, March 23, 2022, 2021, 9:00 a.m., at City Council Chamber

The Land Use Research Foundation of Hawaii (LURF) is a statewide private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to research, educate, and advocate for reasonable, rational, and equitable land use planning, policy, legislation, and regulations that encourage well-planned economic growth and development, while safeguarding and stewarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF members include landowners and developers of successful resorts and residential areas, including affordable housing, and **supports the proposed CD2 amendments to Bill 41, CD1**, because it will establish a reasonable and rational ordinance and regulatory framework that will improve enforcement of the laws to eliminate illegal short term vacation rentals; preserve the intended uses and character of our neighborhoods; facilitate the availability of more affordable housing and housing at all income levels; and will assure that all legal transient accommodation units contribute their fair share of applicable state and local taxes.

We thank the Department of Planning and Permitting, the Administration, Chair Elefante, and members of the City Council, for incorporating many of the significant issues and concerns raised by the visitor and home-building industries and LURF. Our members remain willing to further collaborate and work with the City Council, Administration, DPP, and other stakeholders to address any additional issues that may arise.

For the reasons stated above, LURF **supports the proposed CD2 amendments to Bill 41**, and respectfully urges your favorable consideration of this measure.

Thank you for the opportunity to provide this testimony in support of this important matter.

From: CLK Council Info
Sent: Wednesday, March 23, 2022 9:51 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jeffrey Chern
Phone
Email chern8809@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUS. The minimum rental period should remain at 30 days because there are many non-tourist related needs for renting more than 30 days but less than 90 days, including: Home sellers/ buyers renting until they close on a new property. Residents waiting for their home to complete construction or renovations. Military PCS while looking for a home to buy. Traveling nurse. Families from out of state who are on island caring for loved ones

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 9:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Anne Warren
Phone
Email Anneafw@gotmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Re: Opposition to Bill 41 (CD 1)

Dear Honolulu City Council Members:

I am an owner of a property that has been lawfully renting for 30-day periods or longer,

and I write to express my strong opposition to the passage of Bill 41 in its current form, because

of the adverse effect Bill 41 will have on my investment backed expectations and the use of my

property for transient vacation rental use.

Since the late 1980s, when the land use ordinances changed, it has been permissible to

use the property for any rental period of 30-days or longer. The members of the public, and

perhaps the City Council too, seems to be conflating illegal short-term rentals and legal

short-term rentals. Generally, illegal short-term rentals enter into more than one rental contract in

a 30-day period. Whereas legal short-term rentals: enter into only one rental contract in a

30-day period, provide the property for the renter's exclusive use regardless of occupancy, and

the rent charged is determined by 30-day rental period(s) and not occupancy. This has been the

standard since the late 1980s when the land use ordinances limited transient vacation use to a

30-day minimum. For years this understanding of the LUO was accepted by the director of

Department of Planning and Permitting ("DPP") as a valid defense to a NOV, and it was part of

Written Testimony

two settlement agreements that were reached with the City in two lawsuits. Lengthening the minimum stay to anything longer than 30-days creates a vested right for these types of properties, and I, along with thousands of other Oahu property owners, would have a valid claim for a regulatory taking for loss of economic use and investment backed expectations. Both the Hawaii and Federal constitutions protect a preexisting lawful use as vested property right, which means it cannot be abrogated without due process of law. Additionally, HRS 46-4, prohibits the counties from creating ordinances that eliminate a lawful use without providing a mechanism for that lawful use to continue. The failure to protect existing lawful uses is a regulatory taking entitled to just compensation. While section 13 of Bill 41, CD2 recognizes the lawful 30-day rentals it fails to provide a mechanism for all lawful 30-day rentals to register as a transient vacation unit, regardless of the zone or district. For properties, like mine, that have been lawfully renting for 30-day periods or longer they should be able to continue that lawful use without restriction. We request that you revise Bill 41 to either keep the definition of TVU to a 30-day minimum, allow all 30-day rentals (regardless of zone or district) to register as a transient vacation unit, or create a non-conforming use category for the 30-day rentals. As your constituent, we expect that the bills presented and passed are written to protect our constitutional rights, not drafted to eliminate our rights and gamble that no one will seek judicial review. Should Bill 41 pass with this obvious constitutional infringement I, along with the thousands of other property owners, will file a lawsuit to protect our constitutionally protected rights.

1415 Aalapapa
Kailua,
3/23/22

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1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, March 23, 2022 10:01 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Yul Song
Phone
Email yuls@betterhawaii.com
Meeting Date 03-23-2022
Council/PH
Committee Zoning and Planning
Agenda Item Bill 41, CD2
Your position on
the matter Oppose
Representing Self
Organization

Written
Testimony I oppose Bill 41, CD2, specifically the 90-day minimum rental period for B&Bs and TVUs. The minimum rental period should remain at 30 days because there are many non-tourist-related needs for renting more than 30 days but less than 90 days, including:
-Home sellers/buyers renting until they close on a new property
-Residents waiting for their home to complete construction or renovations
-Military PCS while looking for a home to buy
-Traveling nurses
-Families from out of state who are on island caring for loved ones

Testimony
Attachment

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IP: 192.168.200.67