

Bill 41 (2021), CD2 Testimony

From: CLK Council Info
Sent: Thursday, March 24, 2022 6:40 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Susan Krueger
Phone
Email guidingyouhometeam@comcast.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 There is a need for short-term rentals for various reasons. Travel nurses, corporate short-term rental needs, people remodeling their homes who need just a few weeks to stay somewhere else, and local revenue from shoppers who are on the island short term which is essential for small businesses on the island.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 7:47 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name MICHAEL HICKS
Phone
Email MPH@HICKSPENSION.COM
Meeting Date 03-24-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 Revised CD2
Your position on the matter Oppose
Representing Self
Organization

Aloha Zoning Committee Members.

My name is Michael Hicks, and I have lived in Hawaii (Hawaii Kai) for over 33 years. I am an owner of a unit in the Ocean Villas at Turtle Bay and I'm writing to express my opposition to Bill 41 in it's current form. I purchased our unit at Ocean Villa as both a vacation home for my family – an opportunity to get my family out of town and enjoy the beautiful North Shore. I also purchased it as an investment, hoping to off-set the costs of purchasing and maintaining the unit. The unit was marketed as a condotel and zoned Hotel/Resort for short term rentals. I made the purchase over 15 years ago with this express use in mind. Since then full taxes have been paid including TAT, GET, and Real Property Tax at the Resort Rate – the highest rate on Oahu - \$30,346 in 2021. The only possible way to pay this tax rate is if we are able to continue to rent on a daily basis – as the resort zoning allows.

I am strongly opposed to the 50% capacity requirements for resort zoned units. How is an association of owners supposed to determine who can rent and who cannot? All Ocean Villas owners are in the same canoe here.

Written
Testimony

I understand the frustration with unregulated rentals in the residential neighborhoods of Oahu. However, resort districts were established specifically for short term use, and Ocean Villas owners should continue to be afforded all the rights and benefits that Hotels and Timeshares enjoy in the resort community. Why am I being singled out and treated differently than Hotels and Timeshares? I pay the same taxes, and made my investment choice based on the same rules as they did.

If we cannot continue to rent short term, we would have to sell the unit, or join a claim for the taking of the economic use of the property. It is unclear whether the Ocean Villas at Turtle Bay will be subject to the proposed bill because they are in a resort district. I am hereby requesting that you revise Bill 41 to clarify that properties in a resort-zoned district are exempt from having to register as a TVU and leave the exemption of resort-zoned property from the definition of unpermitted TVU.

Thank you.

MICHAEL PAU HICKS

From: CLK Council Info
Sent: Thursday, March 24, 2022 7:55 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kay Mukaigawa
Phone
Email kay.mukaigawa@evrealestate.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

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IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 7:56 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Stephanie Nonaka
Phone
Email stephanie.nonaka@evrealestate.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

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

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IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 9:02 AM
Subject: Council Testimony

Written Testimony

Name	Les Haldane
Phone	
Email	Leshaldane@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	Please support our neighborhoods by reducing illegal short term rentals
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 1:30 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
Your position on the matter Oppose
Representing Self
Organization Aloha Council Woman Andria Tupola

This letter is in regards to Bill 41. As you all have a vote on this bill I feel it important to reach out to all of you. Your job is to represent all local residents and so many local residents feel we are not being represented.....if we do not feel represented we will in the long run look to vote for someone in the future who we believe would represent us.

I believe very strongly that you are here to represent all local residents equally and I feel after listening to all the testimony and reading everything that my district is not being represented fairly.....There are other issues but my #1 issue is concerning my district being excluded from applying for and getting the legal B&B permits that so many of the residents in this district fought long and hard to have approved.

Written Testimony There are so many home owners in Kailua and this district who are very angry that Kailua and this district is being excluded - Kahala's district is no different then this district and they are not being excluded this is unfair - unethical and illegal to exclude our district.

It does not make sense - In our district - what I see where I live is we love Kailua we love our neighbors we love our community and local residents first concern will always be neighbors and community first - some home owners need this to survive and I'm writing to you to represent all of the long time residents who might need this. Please represent them - please represent both sides and don't take a side that excludes this district. It truly is split down the middle just the other side is louder.

All residents in this district would and do support legal B&Bs and agree that they want the B&B's to be legal - pay taxes, etc.

For Example - A local Kailua resident (who lives in their home) who rents 2 rooms in their

home to make ends meet is not the issue - they are not hurting the community or their neighbors they trying to make ends meet and to get by in life. Ultimately they are doing a service for this district with no hotels and visiting family and friends of home owners - They would be supplying a service to the residents in this district

Again....That this district is being excluded from applying and getting the legal B&B license is unethical, unimaginable and not legal - What is the difference between Kailua and Kahala - - beside that Kailua is excluded and Kahala is not.

This issue is so one sided it is so wrong to exclude residents of this distract (they were not excluded when this bill for the new B&B permits was passed originally back in 2020).

If Bill 41 goes through - It is not going to lower the prices of homes in Kailua or this district but it might put some local residents in a position that they have to sell their homes if they cannot afford the mortgage and living expenses here in Hawaii.

Prior to me purchasing my home It had been a vacation rental for over 35 years. Every home around my home beach side were vacation homes. I thought that was nice it was Aloha. I wanted to live near that near the people who were on island to visit this amazing town I am lucky enough to get to live in and raise my family in. I am not alone in this community - but the residents who are supporting their neighbors to make ends meet are not nearly as loud as the community members who are against.

There is no community in not caring about the long time residents in this district that need this to make ends meet. If they have to live on the property and follow the rules or loose their license - they will. The local residents in this community who support this love Kailua and love their neighbors and would do anything and everything to protect our wonderful community.

A huge part of the problem is NOT the local residents who are just trying to get by..... The legal TVU home next door to my home was purchased just recently by a Texas investor (sight unseen) to be used as a money making investment.

The owner clearly does not care about our Kailua community or the neighbors They advertise and rent to 30+ people a night. It's become a party house.

This is the issue. This is wrong that an off island person can be in complete disregard of his neighbors and comm and make so much money.

My issue is why are you not representing all of your home owners on the island - why would this district be excluded when a similar district like Kahala is not. Clearly both sides so strongly about this and it is your job to represent everyone - my understanding is that you are for Bill 41 which is not supporting all the people fairly - it is such a small amount of permits that were being given to this district but this district deserves to get them as well as the other districts.

It is not fair or ethical to exclude this districts home owners to apply and have the opportunity to have their legal Bed & Breakfast especially beachside where most of the homes are being vacation rented by off island owners and clearly these multi million dollar homes are not taking housing away from the needy.

Also important there are no hotels in Kailua yet so many local residents have family and

friends come to visit. We need legal local B&Bs for our local residents family and friends to have a place to stay.

At the very least they need to keep it at 30 days and not change it to 90 or 180 days so family and friends who visit can have a place to stay.

Again I live beachside - if I was not able to make ends meet here and I needed to do this to survive - I would way prefer local residents who live on property to have the legal B&B and NOT the "Texas Guy" who owns the property next door. Has never been to Kailua and could care less about his neighbors or community. He is just here to make as much money as he can.

Any local resident renting 2 rooms in in their home to make ends meet - is not hurting anyone. It's true community to care about your neighbors well being and the side that is against this district being awarded the legal B&B licenses that it was allowed in the Bill that passed in 2020 is just wrong and clearly not a community that cares.

Again I care so much. I love Kailua. I love my community and more legal B&Bs would be doing a service to Kailua residents and you would be truly representing Hawaii residents to fight for this right for this distract that was honored back in October 2020.

Not sure why now this district is being excluded when areas like Kahala are not excluded how is that community any different.

I beg you to fight for for our district to be treated fairly to get the new legal B&Bs that this district was promised.

Please represent everyone. That is why we voted for you. Please allow residents in this district to apply and hopefully if they need get.

Thanks you for your time

Vicki

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 1:33 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name HIDEKATSU ASAI
Phone
Email asai.g.main@hop.ocn.ne.jp
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
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 2:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Pahinui Chelle
Phone
Email chelle@cyrilpahinui.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item #2. BILL 41 (2021), CD1
Your position on the matter Support
Representing Self
Organization

Statement of Chelle Pahinui
before the
Honolulu City Council
Zoning and Planning Committee Meeting
Wednesday, March 23, 2022 at 9:00 a.m.

Aloha Zoning and Planning Committee Chair and Members:

Written Testimony I am writing in support of Bill 41 (2021), CD1 submitted by Councilmember Brandon Elefante, because I believe it is important for the County to limit short-term rentals (STR) and ensure that the properties being utilized for short-term vacation rentals are appropriately zoned, registered, paying all accommodation taxes, and regulated. We need to fix the loopholes that often benefit non-resident owners and assess penalties high enough that STR operators couldn't treat them "as the cost of doing business."

In many communities, these 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 have contributed to increases in the price of housing for Oahu's resident population by removing housing stock from the for-sale and long-term rental markets and have contributed to higher prices as revenue generators instead of residential living spaces.

This Bill to eliminate illegal vacation rentals is also directly aligned with the 2025 Strategic Plan, Action A of our O'ahu Destination Management Action Plan (DMAP), and our kuleana to Mālama Ku'u Home (Care For My Beloved Home).

Mahalo for the opportunity to testify on this measure.

Celle Pahinui

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, March 24, 2022 8:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

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

Written Testimony I support tighter regulation of BNB’s. Short term rentals ruin the mutual care and ties of neighborhoods, and make housing less affordable for locals. ST rentals also make noise pollution worse and contribute to petty crime and vandalism. They also erode union hotel workers jobs and hotel tax and reported income taxes too.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, March 25, 2022 1:12 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Keylee Lederer
Phone
Email goingcoastalhomes@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.
- As the owner of a real estate company it is very vital that we have short and mid term rentals to use as benefits for our clients. With the real estate market the way that it is we have worked hard to encourage sellers to utilize the equity in their homes, and renovate the much needed homes on the island. Buying a new property for their family once they sell their current property is a challenge. But allowing them to stay in a midterm Rental gives them access to stay somewhere short term while they find a new property.

This actually also stimulates the economy's moving company resources. Building clients with moving companies that need to store their belongings for 60 to 90 days. The more sellers we have, the more homes we have for the buyers to buy.

- Residents waiting for their home to complete construction or renovations
- Military PCS while looking for a home to buy. These families are allowed to stay in a hotel for up to 60 days. Which is paid for by the military. After that these military families deserve the opportunity to try to buy a home here. They can stay in a mid term rental while finding them a home.
- Traveling nurses.. Due to COVID.. WE HAVE MANY>>>
- Families from out of state who are on island caring for loved ones

I feel like the government is only considering trying to restrict tourists to only staying in the hotels just to stimulate the tourism. This bill is not catering to these valuable needs of the rest of the island. Far more important than the tourism.

Testimony Attachment

Accept Terms and Agreement

1

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 KEIKO KASHITANI

Date 03 / 26 / 2022

Signature Keiko Kashitani

From: CLK Council Info
Sent: Saturday, March 26, 2022 10:19 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name A. S.
Phone
Email steelsmithart@gmail.com
Meeting Date 03-23-2022
Council/PH Committee Zoning and Planning
Agenda Item PROPOSED CD2 TO BILL 41
Your position on the matter Oppose
Representing Self
Organization

Dear Mayor Blangiardi and City Council Members,

As a longtime Oahu resident, I'm writing to urge that you strongly oppose Bill 41. If enacted, this bill would harm our community by unfairly restricting or eliminating many vacation rentals on Oahu. It would unreasonably deprive residents who rely on short-term rentals of much-needed income, put some out of work, and hurt the local community in many ways that are unacceptable.

We need stable, enforceable regulation of vacation rentals, especially short-term rentals by owners who live on the property. The vast majority of people who offer rentals operate responsibly and legally. We need to find the few bad actors without crushing honest people who need to provide rentals to make ends meet. Rather than creating new regulations, I strongly urge that you implement Bill 89 and the enforcement agreements with short-term rentals.

Written
Testimony

The current law, which allows for one rental per 30 days, already places unreasonable and unfair demands on short-term rentals, by ruling out the vast majority of those who need accommodations. Many visitors stay for approximately two weeks, since that is the standard vacation time universally allowed by businesses for employees. In addition, many short-term visitors on Oahu (such as nurses, other workers, and people on medical stays) need to stay for less than 30 days in non-hotel accommodations. To change the requirement from 30 days to a minimum of 180 days, as Bill 41 proposes, would be extremely unreasonable, and Draconian.

Many voters will see Bill 41 as an obvious attempt to put the needs of large hotels and corporate interests over those of hardworking individual taxpayers who run small businesses out of their homes. By designating hotels as a privileged class, and potentially violating property rights, Bill 41 will result in major legal challenges in the local, state, and federal court systems. Restrictions or registration requirements proposed for short-term rentals must

be equally enforced for hotels on a per room basis.

Please vote NO on Bill 41. Thank you for your consideration.

Respectfully,
Alex Steelsmith

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 MIKIKO HATA

Date 03/26/2022

Signature Mikiko Hata

From: CLK Council Info
Sent: Friday, April 8, 2022 11:02 AM
Subject: Council Testimony

Written Testimony

Name Denise Boisvert
Phone
Email infofordenise@yahoo.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

I am in full SUPPORT of Bill 41, CD2. Although 180-minimum days had good intentions, 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.

The ease of using Airbnb-type webhosting platforms turned dozens of residential condo and apartment buildings in Waikiki's Apartment Precinct into illegal hotels.

Written Testimony It has been heartbreaking to see so many hard-working, long-term tenants be kicked out by landlords and condo buyers in order to easily operate illegal vacation rentals despite the buildings being on land clearly zoned for 30-day minimum rentals. Most of these investors who have drastically reduced long-term housing inventory have never lived in Waikiki or even in Hawaii.

I can't imagine being a young adult today trying to buy real estate in Hawaii. Those who have grown up in Hawaii can rarely afford to purchase a house here because of the exorbitant market prices caused by low inventory. Even a fixer-upper is beyond most of their means - - but a less expensive condo can be a good alternative starter home.

Bill 41 would - at the very least - "encourage" illegal vacation rental operators to follow the law which in turn would increase housing to long-term tenants. It could also be an incentive to sell their apartment-zoned investments, thus making more real estate inventory available.

If investor-entrepreneurs adamantly want to operate vacation rentals, then they should purchase them in resort zoned areas!

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, April 8, 2022 1:15 PM
Subject: Council Testimony

Written Testimony

Name Kim Jorgensen
Phone
Email hawaiicondo@yahoo.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

I FULLY SUPPORT Bill 41, CD2. All of the same landlord and property management names now fiercely testifying against Bill 41 also testified against Bill 89 - simply because they were against DPP getting tools to enforce EXISTING zoning and that would cramp their illegal activities.

Airbnb and the other website hosting platforms paid millions to fight the bill, and yet they falsely accuse supporters of Bill 41 who care about the availability of housing for residents to be a "hotel lobby"? Hypocrites - - and ones that willfully aided and abetted illegal activity for years.

Written Testimony Airbnb, etc. knew full well that the local zoning prohibited most of the vacation rentals they showed on the websites for Oahu, but they and their hosts didn't care about local families trying to find long-term rental lodging or homes local residents could afford to buy.

It was a lot easier to operate illegal vacation rentals before Bill 89, and many operators never stopped – even during the pandemic. Bill 89 was a good first try, but it was flawed in its ability to provide enough long-term rental housing because of the creative ways the vacation rental operators could easily manipulate their rental agreements.

The fact is, Bill 41 will provide more housing inventory for local and new residents of Oahu! And it will give peace to residents in all of Oahu's residential neighborhoods, including Waikiki's Apartment Precinct.

From: CLK Council Info
Sent: Friday, April 8, 2022 1:29 PM
Subject: Council Testimony

Written Testimony

Name Richard Hagstrom
Phone
Email rehagstrom@aol.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

Operating short term rentals in residential zoned districts is nothing more than a means to increase income from property originally intended for long term rentals. By passing Bill 41, owners who have been operating illegally will still be able to receive income from long term rentals, but maybe not as much. Therefore, providing much needed rentals to people who really need it.

Written Testimony Short term rentals in residential zoned areas were first made legal in 1989 with the provision this would help the existing STR operators to continue operating, but it was agreed at that time the license could not be transferred. I'm not sure how that got changed, but many properties have been sold with the license, which was not the City & County's intent. Please bring back the limited number of STRs originally intended by passing this bill.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, April 10, 2022 3:54 PM
Subject: Council Testimony

Written Testimony

Name	Derek Esibill
Phone	
Email	derekes@gmail.com
Meeting Date	04-13-2022
Council/PH Committee	Council
Agenda Item	BILL041(21) RELATING TO TRANSIENT ACCOMODATIONS
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 CD2
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, April 10, 2022 6:04 PM
Subject: Council Testimony

Written Testimony

Name Leah
Phone
Email leahretherford@gmail.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Dear Chair Waters and Members of the City Council:

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.

Please pass Bill 41 CD2 in its current form. I oppose the proposed amendment. It undermines the integrity and intent of the bill.

Thank you.

Sincerely,

Leah Retherford
1021 McKinley Ave., #12
Oakland, CA 94610

From: CLK Council Info
Sent: Sunday, April 10, 2022 7:34 PM
Subject: Council Testimony

Written Testimony

Name David Lee Slusher
Phone
Email kailuadave5@hotmail.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

Honolulu City Council
Chair Tommy Waters and Members of the City Council

I stand in support of Bill 41 CD2.
I stand opposed to Amendment FD1

Written Testimony

As I have mentioned in my previous testimony to the Zoning and Planning Committee, 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. 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. FD1 would confuse the law so much as to make Bill 41 CD2 unenforceable. It would be an administrative burden that the Department of Planning and Permitting would not be able to handle and would leave our housing situation worse off than it already is.

This may be the final chance on Oahu to keep some areas residential. Your grandchildren will thank you for voting for Bill 41 CD2 and opposing FD1.

I stand in support of Bill 41 CD2.
I stand opposed to Amendment FD1

Thank you for your service and your consideration.
David Lee Slusher

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, April 10, 2022 9:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	John P Miller Jr
Phone	
Email	dana86@hawaiiintel.net
Meeting Date	04-12-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Bill 41
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support the bill except for lowering the fees
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, April 10, 2022 7:40 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lois Crozer
Phone
Email lbc@hawaiiantel.net
Meeting Date 04-13-2022
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. It was put forth in a rush, and it has been amended so many times that it's totally confusing as to what it is at this point. It seems you all are intent to ban all short term rentals except for the hotel industry and those who were lucky enough to get a permit way back when, and the reasons keep changing, and it's all lies. Allowing owner occupied short term rentals is a win-win for the community. It's totally unfair to change the rules after people spend their hard earned money to rent legally. You say you have had conversations with the community, but all I hear is lies and speculation. Please show us the facts to prove your positions. We aren't the only place that has a housing crises! We are a finite, tourist destination island chain. I fault the DPP for not holding people accountable to building codes. It's the wild west out there, and nobody follows the rules. Don't blame the runaway housing crises on vacation rentals! We have been asking that owner occupied rentals who follow building codes be allowed to rent short term without being taxed to death. Let the resident flourish and stop investment buying and rampant, random overbuilding. There's so much wrong with the DPP at this point that it needs an overhaul, and this Bill needs to be trashed.

Testimony Attachment

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IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, April 10, 2022 5:23 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name joyce Clarin
Phone
Email joyce.clarin@gmail.com
Meeting Date 04-13-2022
Council/PH
Committee Zoning and Planning
Agenda Item Vacation Rentals Bill 41 CD1
Your position on
the matter Support
Representing Self
Organization

Written Testimony On vacation rentals in areas zoned residential, I would like to see no less than 6 mo rentals. 90 days is a good start. I appreciate the no parking on streets. I would like to see the fine for non conforming rentals be as high as possible.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, April 8, 2022 8:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Louis Tory
Phone	
Email	Louis.tory@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: Friday, April 8, 2022 8:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sandy Tory
Phone	
Email	sandy@torysroofing.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: Friday, April 8, 2022 8:50 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Hunter Ward
Phone	
Email	Hunterward1@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: Friday, April 8, 2022 8:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Sandra Ward
Phone	
Email	sandra.tory@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:

Sent:

Subject:

CLK Council Info

Monday, April 11, 2022 8:03 AM

Zoning and Planning Testimony

Written Testimony

Name

Phone

Email

Meeting Date

Council/PH Committee

Agenda Item

Your position on the matter

Representing Organization

Susan Snyder

susan@susansnyder.biz

04-13-2022

Zoning and Planning

Bill 41

Support

Self

Written Testimony

Dear Honolulu City Councilmembers,
Having been illegally evicted on January 23, 2021 during the pandemic from our long time rental in Kailua, 18 years and 11 years respectively, the federal law was broken. We were evicted so that our cottage could be turned in to an illegal short term rental, the second one on the property. We were evicted illegally with no regard for our health and safety as it was prior to vaccines being available to us, all for pure greed, to make money for people who already are wealthy. We are in full support of stopping illegal short terms rentals, to stop abusive practices, to stop exploiting the environment and the community, to keep residential areas residential and resort areas for visitors.
Mahalo,
Susan Snyder and Gregory Thomas

Testimony Attachment

Accept Terms and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, April 11, 2022 10:09 AM
Subject: Council Testimony

Written Testimony

Name Farrah
Phone
Email Northshore198@gmail.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

I'm submitting my written opposition to Bill 41. The bill seeks to punish holders of valid NUC certificates. I specifically sought out a home with an NUC certificate so that I would be in compliance with all the laws and regulations regarding short term rentals for the local jurisdiction. I paid a premium on my unit with the understanding of the fees, property taxes and other costs associated with my unit. The new bill raises fees for NUC holders to be consistent with all new, recently allowed legal short term rentals. The NUC holders should not be put in the same category as the new STRs and punished with new fees and property taxes. They should be grandfathered in and allowed to operate as we have done for many years.

Written
Testimony

In addition, the registration fees for an NUC have always been every two years at \$ 600, now you want to raise our fees to be in line with other newly licensed STRs and this is not appropriate. We carefully budgeted for our second home and made financial decisions on taxes and fees that have been in place for many years. We have ran a short term rental out of our second home and have paid all of our GE and TA taxes on time. If NUCs are required to pay much higher renewal fees, does this mean you are going to charge the hotels registration fees and yearly renewal fees per room? It seems that law abiding and legally operating NUC holders are being punished and the laws put in place when the NUCs were granted are now being pushed aside.

I request that NUC holders are exempt from the new rules, property taxes and renewal fees and that we be allowed to operate in good faith in the manner we have been for many years. Thank you for your consideration.

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

Written Testimony

Name STEPHEN KOFSKY
Phone
Email STEVELOVESMUSIC2@YAHOO.COM
Meeting Date 04-13-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Written
Testimony

The signing into law of the proposed Bill 41 is an important step for the future of our communities. I especially approve the increased Enforcement provisions and hope that they achieve the intended result. I am also a proponent of the upcoming HB 1434 that goes yet a step further in enabling non-judiciary sale of property to collect delinquent civil fines related to properties. I would have preferred to have seen that bundled in with Bill 41 but we in the community understand the selfish resistance that the opposition to Bill 41 as presently written was garnering from that small segment of the population.

Testimony
Attachment

Accept Terms and Agreement ¹

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, April 11, 2022 1:02 PM
Subject: Council Testimony

Written Testimony

Name Tina Gray
Phone
Email Tinagray808@gmail.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill41cd1
Your position on the matter Support
Representing Self
Organization

I support bill41cd2 but do not support fd1

Written
Testimony

Our neighborhoods are zoned residential for a reason. It is your job to protect zoning for the families and workers. Neighborhoods are NOT meant to be commercial areas. The damages caused by allowing tourists to occupy limited, high demand housing meant for residents will have far reaching negative effects on rental and housing prices and availability. This is only going to get worse.

The opposition to this bill are selfish and greedy. It is profitable for them to come out in large numbers to oppose this. We have a dire housing shortage and a water shortage. We also need ways to manage the huge numbers of tourists. Please do what's right for the silent majority of folks that are working hard to survive in these difficult times. Don't give into these selfish greedy multi property owners and turn our neighborhoods into tourist zones.

90 days will help, 180 days would be better.

Testimony
Attachment

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and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, April 11, 2022 2:10 PM
Subject: Council Testimony

Written Testimony

Name Andrea Pfeil
Phone
Email andreap@cbpacific.com
Meeting Date 04-11-2022
Council/PH Committee Council
Agenda Item Bill 41
Your position on the matter Comment
Representing Organization Self

Written Testimony

It is important for everyone to understand that there are legitimate housing needs for our local residents, military, their families and our workforce for short-term rental periods of 30 days or more, as provided for in the Hawaii Landlord Tenant Code. We believe that DPP should focus its efforts on enforcement of the regulations on vacation rentals in local neighborhoods through the use of advertising restrictions, registration, and fines as provided in Bill 41. Bill 41 interferes with property owners' rights to rent their properties under the Landlord Tenant Code. With regard to Floor Draft 2, DPP is way behind on just about everything especially the permitting which is delaying housing being built and simple renovations. We cannot expect them to handle exceptions in a timely manner for legitimate needs.

I also feel strongly that the Waikiki Banyan and Waikiki Sunset should not be the only exceptions for buildings between Kuhio and the Ala Wai. There is a need for additional short term rentals. From a real estate perspective, many smaller investors seek ownership of a short term rentals, both for income and for a place to visit themselves.

PLEASE keep Bill 89 in place or amend Bill 41 (2021) CD2 to remove the 90-day minimum rental period and allow property owners to continue to rent their properties for 30 days or more as provided in the Landlord Tenant Code.

Testimony Attachment

From: CLK Council Info
Sent: Monday, April 11, 2022 2:32 PM
Subject: Council Testimony

Written Testimony

Name Ursula Retherford
Phone
Email robert.retherford@hawaiiantel.net
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Self
Organization

Aloha Council Chair Waters and Councilmembers,

As stated in previous testimonies, I am in full support of Bill 41 CD2. I am, however, very much opposed to the FD1.

I have been involved in the issue of short-term-vacation rentals in residential zoning for a very long time. Going through boxes of old proposed bills, their hearings, and my testimonies, I came across something I wrote in opposition to Resolution 05-187, a bill that was proposing the legalization of more STRs in residential zoning. I think what I said 17 years ago is still pertinent today. I shall quote what I wrote back then:

Written Testimony "In the final analysis, all the wording in these proposed ordinances, all of the arguments for and against B&Bs and TVUs, leave me with one question. It is a moral question. What is morally right and what is morally wrong? What is our social responsibility? To whom does our government owe primary allegiance? Is it to the protection of the health and long-range welfare of our local communities? Or is it to visitors who want a different experience? Or to those whose greed is greater than their hearts and concerns for their neighbors and community? What kind of government do we have, what kind of society are we if we pander to an industry that removes sorely need rental housing to put it at the disposal of people lucky enough to vacation while so many of our hard working people cannot find a place to rent, a place to live? They have to forsake their dreams, they have to double and triple up if that is even possible, or they become homeless. Don't we owe our local people greater concern and dignity

than to continue to take the roofs away from their heads and give them to strangers?

I am leaving you with these questions as you ponder the further decimation of the right of our local people to a place to live, other than the street or the beach. Please stop further licensing of B&Bs and TVUs in residentially zoned neighborhoods." End of quote.

That was written in 2005. With Bill 41 CD2 some progress has been made in accepting moral responsibility. We are at this time no longer considering licensing more vacation rentals in our residential neighborhoods. I thank you very much for that. I am, however, very much opposed to the proposed FD1 which represents a loophole that would undermine the very essence of Bill 41. FD1 would also present a major logistical problem for DPP, a costly one that the City could not easily afford. It would create an enforcement nightmare, leaving our housing situation and our residential neighborhoods in a worse place than we are today.

Please pass Bill 41 CD2 as is. After 33 years of involvement in the issue, I thank all of you who had input in this bill. I feel that its passage would enable me to finally say, AMEN!

Ursula Retherford
42 N.Kainalu Dr.
Kailua, Hi 96734

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, April 11, 2022 7:57 PM
Subject: Council Testimony

Written Testimony

Name Chuck Gray
Phone
Email Chuckla808@yahoo.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD 2
Your position on the matter Support
Representing Organization Self

Written Testimony 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. Please take Responsibility and support Bill 41 CD2. Our people over profits!

Mahalo,

Chuck Gray

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, April 11, 2022 9:33 PM
Subject: Council Testimony

Written Testimony

Name	Mialisa Otis
Phone	
Email	mialisa808@gmail.com
Meeting Date	04-13-2022
Council/PH Committee	Council
Agenda Item	Bill 41 cd2
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	I support Bill 41 cd2. Mahalo
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

RE: Bill 41 CD2 FD1- in opposition with comments

Aloha City Council 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.

Bill 41 CD2 FD1 made some exemption for people listed in page 37. However, this Bill prohibits Advertisements for such people in page 30-31. Also, this Bill prohibits entering a rental agreement with such people in page 33 - 34. No one can find a place to stay without seeing advertisement, and no one can stay without a rental agreement. How those people listed in page 37 can stay less than 90days?

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.

I also strongly recommend; adding Resort district back to the area where TVU is permitted, and make it clear in Bill41 that TVU is allowed in the Resort Area in Waikiki.

In the previous version of Bill41, only the Resort Area (Resort Precinct) had "P/c" in Waikiki (Waikiki Special District) in the Table 21-9.6(A) (in page 35 of the current Bill41). Many of us believed that a condo in the Resort Area in Waikiki can be registered as TVU because there is "P/c" in Resort Area in Waikiki. On the other hand, the Apartment Area in Waikiki didn't have "P/c." We thought that the previous version of Bill41 needed to give a special permit to Waikiki Banyan and Waikiki Sunset in page 17 because those condos are in the Apartment Area which didn't have P/c.

The zoning committee added P/c to the Apartment Area in Waikiki in the Table 21-9.6(A). Now, both of Apartment Area and Resort Area in Waikiki have "P/c." However, Bill41 still gives special permit only to Waikiki Banyan and Waikiki Sunset in page 17. (NUC unit described in page 13 is about a unit in Apartment Area, so NUC is nothing to do with a unit in Resort Area.)

There is an exemption in page 32 which exempts "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.] Section 21-10.1."

The Chapter 21, Article 10 defines "'Hotel' means a building or group of buildings containing lodging and/or dwelling units offering transient accommodations, and a lobby, clerk's desk or counter with 24-hour clerk service, and facilities for registration and keeping of records relating to hotel guests. A hotel may also include accessory uses and services intended primarily for the convenience and benefit of the hotel's guests, such as restaurants, shops, meeting rooms, and/or recreational and entertainment facilities."

This exemption is for only hotel. Hotel management is not TVU.

If the current Bill41 allows only hotel to manage a condo in the Resort Area in Waikiki, it's the same as the 1st version of the Bill41 that had allowed only hotel to do less than 180 days rentals even in the Resort area.

I think city council members and most people here believe that TVU in Resort Area in Waikiki is now allowed with the current Bill 41.

If the Bill41 force property owners in Resort Area to go to a hotel management, it is totally different story. If the Bill41 is taking away property owners right to choose a property manager, it is unlawful.

Please clarify that an owner of a unit of a condo in the Resort Precinct in Waikiki Special District can register his unit as TVU, and such owner can choose a real estate company as a property manager to do transient vacation rental (less than 90 days rental).

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 Megumi Fujioka

Date 4-11-2022 | 17:33 HAST

Signature DocuSigned by:
Megumi Fujioka
2116585453964BA

RE: Bill 41 CD2 FDI- in opposition with comments
Aloha City Council 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.

Bill 41 CD2 FDI made some exemption for people listed in page 37. However, this Bill prohibits Advertisements for such people in page 30-31. Also, this Bill prohibits entering a rental agreement with such people in page 33 - 34. No one can find a place to stay without seeing advertisement, and no one can stay without a rental agreement. How those people listed in page 37 can stay less than 90days?

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.

I also strongly recommend: adding Resort district back to the area where TVU is permitted, and make it clear in Bill41 that TVU is allowed in the Resort Area in Waikiki.

In the previous version of Bill41, only the Resort Area (Resort Precinct) had "P/c" in Waikiki (Waikiki Special District) in the Table 21-9.6(A) (in page 35 of the current Bill41). Many of us believed that a condo in the Resort Area in Waikiki can be registered as TVU because there is "P/c" in Resort Area in Waikiki. On the other hand, the Apartment Area in Waikiki didn't have "P/c." We thought that the previous version of Bill41 needed to give a special permit to Waikiki Banyan and Waikiki Sunset in page 17 because those condos are in the Apartment Area which didn't have P/c.

The zoning committee added P/c to the Apartment Area in Waikiki in the Table 21-9.6(A). Now, both of Apartment Area and Resort Area in Waikiki have "P/c." However, Bill41 still gives special permit only to Waikiki Banyan and Waikiki Sunset in page 17. (NUC unit described in page 13 is about a unit in Apartment Area, so NUC is nothing to do with a unit in Resort Area.)

There is an exemption in page 32 which exempts "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.] Section 21-10.1."

The Chapter 21, Article 10 defines "'Hotel' means a building or group of buildings containing lodging and/or dwelling units offering transient accommodations, and a lobby, clerk's desk or counter with 24-hour clerk service, and facilities for registration and keeping of records relating to hotel guests. A hotel may also include accessory uses and services intended primarily for the convenience and benefit of the hotel's guests, such as restaurants, shops, meeting rooms, and/or recreational and entertainment facilities."

This exemption is for only hotel. Hotel management is not TVU.

If the current Bill41 allows only hotel to manage a condo in the Resort Area in Waikiki, it's the same as the 1st version of the Bill41 that had allowed only hotel to do less than 180 days rentals even in the Resort area.

I think city council members and most people here believe that TVU in Resort Area in Waikiki is now allowed with the current Bill 41.

If the Bill41 force property owners in Resort Area to go to a hotel management, it is totally different story. If the Bill41 is taking away property owners right to choose a property manager, it is unlawful.

Please clarify that an owner of a unit of a condo in the Resort Precinct in Waikiki Special District can register his unit as TVU, and such owner can choose a real estate company as a property manager to do transient vacation rental (less than 90 days rental).

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 KIECHI
Date 4/12/2022
Signature Kie chi

From: Shaping <shaping2000@yahoo.com>
Sent: Tuesday, April 12, 2022 11:23 AM
Subject: Re: Council Testimony

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

Enforcement beefup with non judicial sale to pay fines assessed is very aggressive. I wonder if state can give itself what feds do with collecting taxes...salary garnishment ... short of enforced sale. After all, they have state tax authority.

Aloha☐

> On Apr 11, 2022, at 11:18, Steve Kaye <stevelovesmusic2@yahoo.com> wrote:

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> ----- Forwarded Message -----

>

> From: "clkcouncilinfo@honolulu.gov" <clkcouncilinfo@honolulu.gov>
> To: "jyamane1@honolulu.gov" <jyamane1@honolulu.gov>
> Cc: "stevelovesmusic2@yahoo.com" <stevelovesmusic2@yahoo.com>; "vchung@honolulu.gov" <vchung@honolulu.gov>; "potto1@honolulu.gov" <potto1@honolulu.gov>; "irene.limos@honolulu.gov" <irene.limos@honolulu.gov>
> Sent: Monday, April 11, 2022, 11:15:41 AM HST
> Subject: Council Testimony

>

>

> Written Testimony

>

>

> Name STEPHEN KOFSKY

> Phone

> Email STEVELOVESMUSIC2@YAHOO.COM

> Meeting Date 04-13-2022

> Council/PH Committee Council

> Agenda Item Bill 41

> Your position on the matter Support

> Representing Self

> Organization

> Written Testimony The signing into law of the proposed Bill 41 is an important step for the future of our communities. I especially approve the increased Enforcement provisions and hope that they achieve the intended result. I am also a proponent of the upcoming HB 1434 that goes yet a step further in enabling non-judiciary sale of property to collect delinquent civil fines related to properties. I would have preferred to have seen that bundled in with Bill 41 but we in the community understand the selfish resistance that the opposition to Bill 41 as presently written was garnering from that small segment of the population.

> Testimony Attachment

> Accept Terms and Agreement 1

>

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> IP: 192.168.200.67

Victor Beebe

We support Bill 41 re: vacation rentals

Aloha Council Members

I support Bill 41 CD2, and I do not support the FD1 introduced by CM Fukunaga that would create additional loopholes by requiring the city to provide unnecessary exceptions for transient use. We believe the short-term rental definition of 90-day or less proposed in the CD1 is reasonable and reflects a compromise reached amongst stakeholders.

As a member of Local 5, I appreciate the City Councils 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. Every day, more and more travelers are coming to our State but that doesn't mean that our work hours are back. Our ability to come back stronger is hindered by the rise of vacation rentals that do not provide good jobs and exacerbate Hawaii's existing housing crisis.

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

Mahalo and thank you for your hard work on this important issue.

Jason Tang

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Aloha Council Members

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Ka-ui Rapozo

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Aloha Council Members

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iric Viscarra

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Mahalo and thank you for your hard work on this important issue.

Andrew Grandinetti

We support Bill 41 re: vacation rentals

Aloha Council Members

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Andy Lau

We support Bill 41 re: vacation rentals

Aloha Council Members

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Nely Reinante

We support Bill 41 re: vacation rentals

Aloha Council Members

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Eliza Duco

We support Bill 41 re: vacation rentals

Aloha Council Members

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Mahalo and thank you for your hard work on this important issue.

Timi Joy Bautista

We support Bill 41 re: vacation rentals

Aloha Council Members

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Vu Huynh

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Aloha Council Members

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MARILYN BORRES

We support Bill 41 re: vacation rentals

Aloha Council Members

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Leonilda Hipolito

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Aloha Council Members

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Mahalo and thank you for your hard work on this important issue.

Carol Longley

We support Bill 41 re: vacation rentals

Aloha Council Members

I support Bill 41 CD2, and I do not support the FD1 introduced by CM Fukunaga that would create additional loopholes by requiring the city to provide unnecessary exceptions for transient use. We believe the short-term rental definition of 90-day or less proposed in the CD1 is reasonable and reflects a compromise reached amongst stakeholders.

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Mahalo and thank you for your hard work on this important issue.

Carol Longley

We support Bill 41 re: vacation rentals

Aloha Council Members

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Mahalo and thank you for your hard work on this important issue.

Sharon noy Acasio

We support Bill 41 re: vacation rentals

Aloha Council Members

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Mahalo and thank you for your hard work on this important issue.

Misio Lucas

We support Bill 41 re: vacation rentals

Aloha Council Members

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

Mahalo and thank you for your hard work on this important issue.

John & Lucy Witeck

In support of Bill 41 re: vacation rentals

Aloha Council Members

My wife Lucy and I support Bill 41 CD2. We do not support the FD1 introduced by CM Fukunaga that would create additional loopholes by requiring the city to provide unnecessary exceptions for transient use. We believe the short-term rental definition of 90-day or less proposed in the CD1 is reasonable and reflects a compromise reached amongst stakeholders.

As Local 5 supporters, we urge the City Council to increase its efforts to strengthen existing vacation rental laws, close loopholes and provide the tools necessary for enforcement.

The spread of illegal vacation rentals affects affordable housing and good paying jobs in our community. Every day, more and more travelers are coming to our State but that doesn't mean that hotel workers' work hours are back to pre-Covid. The increased number of vacation rentals do not provide good jobs and tend to worsen Hawaii's existing housing crisis.

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

Mahalo and thank you for considering our opinion and making a decision which helps Hawaii residents and workers.

John & Lucy Witeck

Victor Beebe

We support Bill 41 re: vacation rentals

Aloha Council Members

I support Bill 41 CD2, and I do not support the FD1 introduced by CM Fukunaga that would create additional loopholes by requiring the city to provide unnecessary exceptions for transient use. We believe the short-term rental definition of 90-day or less proposed in the CD1 is reasonable and reflects a compromise reached amongst stakeholders.

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Chrea Evangelista

We support Bill 41 re: vacation rentals

Aloha Council Members

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Mahalo and thank you for your hard work on this important issue.

Desirree Daffron

We support Bill 41 re: vacation rentals

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Atsumi Haga

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Rowela Lipin

We support Bill 41 re: vacation rentals

Aloha Council Members

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Jaimelyn Mamaril

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Tamatoa Silva

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

We support Bill 41.

Mahalo

Vu Huynh

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Harley Castillo

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Faustino Fabro

We support Bill 41 re: vacation rentals

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We support Bill 41.

Mahalo

Rosebelle A Adaoag

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Maria Salantes

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Carol Longley

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Corey Asano

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Raymund Bragado

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Lisa Grandinetti

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Wayne Kaneshiro

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Juan Ramos

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Niorochen Masasinge

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Darren Ho

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Janal Kaina

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Rodney Nakashima

We support Bill 41 re: vacation rentals

Aloha Council Members

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

We support Bill 41.

Mahalo

Brandy Banaay

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Brandy Banaay

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Judith Aquino

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Victor Beebe

We support Bill 41 re: vacation rentals

Aloha Council Members

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We support Bill 41.

Mahalo

Kristin Hamada

We support Bill 41 re: vacation rentals

Aloha Council Members

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

We support Bill 41.

Mahalo

Rosemarie Samoy

We support Bill 41 re: vacation rentals

Aloha Council Members

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

We support Bill 41.

Mahalo

Marsha Bruhn

We support Bill 41 re: vacation rentals

Aloha Council Members

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

We support Bill 41.

Mahalo

From: CLK Council Info
Sent: Tuesday, April 12, 2022 12:30 PM
Subject: Council Testimony

Written Testimony

Name Pauline Mac Neil
Phone
Email dearpauline@hotmail.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

Aloha Honorable Councilmembers,

I support Bill 41 CD2.

However, please do not burden and weaken DPP staff in their effort to keep residential housing available for resident workers and families.

Written Testimony

The proposed FD1 draft, which introduces last minute modifications to a good bill, will breed disrespect for government officials charged with enforcing the law.

We need strong, clear regulations that can be efficiently implemented. Without such regulations, operators of illegal TVUs will continue to enrich themselves by depleting the supply of residential housing available to locals.

Thank you for the work you do on our behalf.

Pauline Mac Neil
Kailua, 96734

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, April 12, 2022 1:53 PM
Subject: Council Testimony

Written Testimony

Name Dale Norman Jensen
Phone
Email dalejensen2@gmail.com
Meeting Date 04-13-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Support
Representing Self
Organization

Dear City Council Members:

I am writing to strongly support passage of Bill 41 and to urge passage of a complementary measure to fund enforcement of this important ordinance.

I am sure there will be a large contingent of very vocal opponents of this bill testifying today. These folks will largely be from the population who have taken advantage of previous poorly framed ordinances and their non-existent enforcement for their personal monetary enrichment. Of course they do not want to give up these monetary gains, but ultimately, their B&Bs and TVU's never been legal, and have imposed a burden on the residential communities in which they are located.

Written
Testimony

The vast majority of local residents have watched as the character of our communities has been changed to a for-profit tourist atmosphere. This has led to:

1. A loss of long term residential rentals;
2. Dramatic increases in monthly rental rates and contingent increases in property values as B&B/TVU potential drives up real property sale prices.
3. Abuse of neighbors due to extra noise, more parked cars on streets, additional traffic and strangers wandering in our neighborhoods at all hours.

4. Loss of long term rental neighbors who send their kids to local schools, attend local churches, participate in local clubs, and whose kids play in soccer, little league, basketball, and other sports leagues. These are the components of a healthy neighborhood that provide the familiarity and motivation to watch out for each other and each other's kids.

TVU's and B&B's have changed that residential character, and without passage and enforcement of Bill 41, the erosion of our neighborhoods would continue.

Please pass this measure and make sure it is enforced.

Dale Jensen
Kailua

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, April 12, 2022 3:11 PM
Subject: Council Testimony

Written Testimony

Name Stephanie LaMonaca
Phone
Email gioiaandcollc@gmail.com
Meeting Date 04-13-2022
Council/PH Council
Committee
Agenda Item Bill 41
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Our family and small business opposes Bill 41 which has no rational basis and infringes on property rights. The fact that there is clear and overwhelming evidence opposing this Bill is enough to end the debate and stop the bill. There is no evidence that current enforcement of "illegal" rentals is not sufficient and that this bill is necessary. Our furnished rental home has a minimum 30 day stay and we support traveling medical, professionals, students, military and families in transition. Restricting who can benefit from our rental home is a violation of our rights and adversely impacts the local community that we employ... Cleaners, handymen, managers, services. If this bill is approved it will be challenged by individuals and groups and enforcement would be stopped immediately. The hotels are recuperating from decreased tourism due to COVID-19 which has nothing to do with the many groups of people who benefit from furnished housing for 30 days or more. Please stop this Bill and support local families and businesses.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, April 12, 2022 3:12 PM
Subject: Council Testimony

Written Testimony

Name Roberta Cestare
Phone
Email cestare@me.com
Meeting Date 04-13-2022
Council/PH Committee Council
Agenda Item Bill 041 (21) Relating to Transient Accommodations
Your position on the matter Support
Representing Self
Organization
BILL 41 CD2

I am writing in support of BILL 41 CD2. It's time for the City Council to support the residents of Oahu by eliminating vacation rentals from residential neighborhoods. [SEP] The odd benefit of the COVID-19 pandemic is that it made us realize what we had lost [SEP] in our neighborhoods. Shutting down vacation rentals due to COVID reminded us of [SEP] how our communities used to be before we were inundated with tourists on our streets, beaches, and trails.

Written
Testimony

Additionally, the impact vacation rentals has had on the housing market makes it impossible for our young people starting a family to find affordable housing. Owners are well aware of how much their profit increases when they provide vacation rentals versus [SEP] a lease rental. We are driving our young people to the mainland by allowing the vacation rental industry to expand unabated.

It is rare that houses in our neighborhood are sold to families who want to become part of our community. I urge you to pass this bill and include funding to enforce it. Please, give us back our neighborhoods!

Testimony
Attachment

Accept Terms
and Agreement 1

From: CLK Council Info
Sent: Tuesday, April 12, 2022 4:04 PM
Subject: Housing and the Economy Testimony

Written Testimony

Name Lynne wood
Phone
Email lynne123hawaii@yahoo.com
Meeting Date 04-12-2022
Council/PH Committee Housing and the Economy
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: Tuesday, April 12, 2022 4:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name B.A. Alexander
Phone
Email babs@ladybuglan.com
Meeting Date 04-13-2022
Council/PH
Committee Zoning and Planning
Agenda Item BILL 41
Your position on
the matter Support
Representing Self
Organization SELF

Dear Members,

It is beyond time for the C&C to take decisive action and eliminate most/all short-term rentals in residential communities. Enough of the talk, talk, talk. We residents want acknowledgement that we live in resident- zoned neighborhoods. Other uses ought to be banned.

I would like to see this bill include a provision that anyone renting 'housing' in be required to register as a landlord ie; change Sec. 13 from 'or' to 'and', then the Inspectors from DPP could merely check the 'register' and if the landlord is not registered, issue the citation, collect the fine, shut down the illegal rental and MOVE ON!

In other words, a rental has a NCU certificate and can operate legally and all others wishing to rent must be registered as a landlord. Re-certification of a NCU certificate holder in a residential neighborhood ought to have the approval of some %, say 80% of its neighbors before the NCU certificate is re-newed.

I agree that S-T rentals ought to be taxed at a commercial property tax rate.

I would also like the list of registered S-T rentals to be posted , at least quarterly, on a most public site. Again, if an owner is renting S-T without being registered, there is NO cause for appeal by the owner of the citation and fine.

Make this law black and white ie; there is no question that if the rules are not followed, a citation MUST be issued and a fine levied and collected.

For each day that a S-T rental operates illegally, a penalty must be levied AND for each day that a citation is not paid, additional penalties accrue. It ought to be state quite explicitly in the law the consequences for operating illegally. The ultimate consequence ought to be the right for the C&C to seize the property.

Enough already. Give residents a place to live.

Written
Testimony

Mahalo.

Aloha,

B.A. Alexander
Kailua Resident

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

April 12, 2022

Dear Chair Waters and Members of the Honolulu City Council,

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 – both related to vacation rentals in my District.

This is a very divisive issue in my community. You have the opportunity to lay it to rest with Bill 41 CD2. No floor draft with a list of loopholes please. 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". The signature is written in a cursive, flowing style.

*Representative Lisa Marten
Vice Chair, Energy & Environmental Protection Committee
District 51 - Waimānalo - Kailua*

Council Chair Tommy Waters
Council Vice Chair Esther Kiaaina
Floor Leader Andria Tupola
Councilmember Heidi Tsuneyoshi
Councilmember Calvin Say

Councilmember Carol Fukunaga
Councilmember Radiant Cordero
Councilmember Brandon Elefante
Councilmember Augie Tulba

Aloha Chair Waters, Vice Chair Kiaaina, and Honorable Councilmembers,

I stand with my community in **strong support** of Bill 41 RELATING TO TRANSIENT ACCOMMODATIONS.

Growing up in Kailua, I remember being about 5 years old when I first heard the words 'bed and breakfast' at the kitchen table where my parents were discussing the politics of the day. The phrase sounded odd to me. I knew the word "bed" and I knew the word "breakfast" but somehow, even at 5 years old, I knew that putting those two words together meant trouble for our quiet windward community. Then when I grew into a teenager, the problem of the unlicensed TVUs grew too, exacerbated by the advent of the internet, making it even easier and more profitable for landowners to rent to visitors instead of our local friends and families.

Now, as an adult, I have personally felt the economic pressures that these unlicensed TVUs inflict on our economy, and I've consistently worked two jobs (60+ hours per week) since I was 16 in order to make ends meet. Due to the extreme housing shortage, I've had to move more times than I can count, and roughly half of my friends have moved away to the mainland because they can no longer afford to live on the land where we were born and raised. My story is not unique, it is the archetype of my generation.

I commend this council for taking bold action to resolve this age-old problem, by moving Bill 41 forward with thoughtful amendments. I know it has come a long way since the original draft. I support both the CD1 and Councilmember Fukunaga's proposed Floor Amendments, which carve out exceptions for traveling workers and others who don't quite fit into the definition of "transient". I know this bill is not perfect, but we have to start with something.

Mahalo for laying the groundwork for us to rebuild our communities.

In solidarity,
Natalia Hussey-Burdick
808-688-3481
nataliaforhawaii@gmail.com

From: CLK Council Info
Sent: Wednesday, April 13, 2022 9:39 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jane Gallagher Felix
Phone
Email jane@liamfelix.com
Meeting Date 04-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Bill 41 CD2
Your position on the matter Support
Representing Organization Self

Written Testimony

Aloha Council Members,
My husband and I are long term residents of Kailua and wish to add our voice in support of Bill 41, CD2. We DO NOT not support FD1.
In brief, we would like to see our residential zoning laws applied and enforced. and short term rentals controlled in order to improve the quality of the environment of our island for both residents and visitors. We fully appreciate that some families and individuals would like to experience our island and enjoy vacationing away from resorts. However, we believe that no one but short terms renters and to some businesses benefit from the congestion and burden on resources that stays outside of resort areas causes.
As a health care provider I would like to address one of the concerns voiced regarding requiring 90 day rental minimums. I am fully aware of the difficulty we have now, and have had for many years, in keeping our healthcare institutions fully staffed. A concern was raised that extending the rental duration to 90 days would reduce our ability to bring in needed health care workers. While we are all concerned with having adequate staffing, the typical contract for a travelling RN, for example, is 13 weeks. Even if a contract is shorter, it is the responsibility of the RN, their agency, and the healthcare organization with which they contract to take care of housing. This should not be an excuse used for shorter stays in rental units.
Mahalo for your time and attention to this issue, which impacts us all so greatly.
Aloha, Jane Gallagher Felix and David Felix

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Wednesday, April 13, 2022 4:51 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jon Yamada
Phone
Email jhauula@aol.com
Meeting Date 04-13-2022
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 help to resolve some of the negative effects of having vacation rentals in a residential neighborhood. I wish the minimum required time for these rentals were longer like 6 months, or a year.

The individuals who oppose bill 41 are opportunist, and self serving. My home is a place to go to relax and seek refuge. The laws are on the books, the short term rentals are illegal in our neighborhood. The rules just weren't enforced. Vote yes unanimously for bill 41 or you will be voted out of office!

Testimony Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67