

BILL018(23)
Testimony

MISC. COMM. 117

COUNCIL

COUNCIL Meeting

Meeting Date: Mar 15, 2023 @ 10:00 AM

Support: 22

Oppose: 2

I wish to comment: 1

Name: Liana Fang	Email: lianafang@ymail.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Mar 10, 2023 @ 11:01 PM
Testimony: I support BILL 18		
Name: Mike Dixon	Email: 22pokoli@gmail.com	Zip: 96712
Representing: Self	Position: Support	Submitted: Mar 11, 2023 @ 09:04 AM
Testimony: I have been waiting almost two years for a simple rewording of my condo's agreement to conform to 514A. Can't get a homeowner loan until it is processed. This is crazy.		
Name: Jacky Mak	Email: jackymak18@hotmail.com	Zip: 96818
Representing: Self	Position: Support	Submitted: Mar 11, 2023 @ 11:27 AM
Testimony: Hawaii residents would be able to benefit if this Bill18 passes. Homeowner would be able to apply for ADUs faster and provide more rental units for renters, which can potentially lower the rent for renters, homeowners rent out can recover the cost of labor, supplies, modification of the floor plan in order to apply for the ADU much faster. It is a win-win situation for all Hawaii residents.		
Name: Robin Glass	Email: glassr@hawaiihome.cc	Zip: 96822
Representing: Self	Position: Oppose	Submitted: Mar 12, 2023 @ 02:07 PM
Name: Linda Jenks	Email: Linda.Jenks@gmail.com	Zip: 96734
Representing: Self	Position: Support	Submitted: Mar 12, 2023 @ 08:29 PM
Testimony: I very much support Bill # 18. I am a taxpaying homeowner who is trying to do a remodel that is basically just a replacement in kind. I am incredibly frustrated with the current system. I have been waiting for 10 months for a permit approval. It has been hard to get a contractor lined up, as they can't count on when we are going to be able to start, so they can't make a commitment about being available. Since the start of the project, my loans have changed and the price of borrowing money is more expensive now. The delay in getting a permit is placing a heavy burden on the citizens of the City and County of Honolulu. Something needs to be done to improve the situation. I understand that the department is understaffed, and I hope that this can be addressed, so that the department can return to a reasonably productive part of our local government, that works for the people, not against them.		
Name: Robin Glass	Email: glassr@hawaiihome.cc	Zip: 96822
Representing: Self	Position: I wish to comment	Submitted: Mar 12, 2023 @ 11:02 PM
Name: Robin Glass	Email: glassr@hawaiihome.cc	Zip: 96822
Representing: Self	Position: Oppose	Submitted: Mar 13, 2023 @ 01:07 AM
Name: Kau'i Fitzsimmons	Email: sashf@hotmail.com	Zip: 96791

Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 10:43 AM
<p>Testimony:</p> <p>Aloha Council Members,</p> <p>I fully support Bill 18, we as homeowners who refinance our mortgage are suffering financially while waiting for permits to be approved before we can start home projects.</p> <p>We are already just barely making it financially every month and having to make extra monthly payments in the thousands of dollars, we can't afford to wait 12 to 18 months.</p> <p>We are losing thousands of dollars just waiting for permits to be approved for construction.</p> <p>Please support Bill 18, so we can start our home projects before we go bankrupt and have to sell everything including our home.</p> <p>Mahalo nui loa, Kau'i Fitzsimmons</p>		
Name: Toalua Tuiasosopo	Email: luatuiasosopo@gmail.com	Zip: 96706
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 07:12 PM
<p>Testimony:</p> <p>Aloha-</p> <p>As a homeowner, taking advantage of low interest rates to refinance our home to renovate our home while my Mom was alive to make it ADA accessible was impossible due to the horrible turnaround time to get a permit. My beloved Mom passed away and we were never able to get this done. PLEASE help us citizens of City & County of Honolulu by passing Bill 18.</p> <p>Mahalo-</p> <p>Mrs. Toalua Tuiasosopo</p>		
Name: Tristyn Kalama	Email: tristynkalama@gmail.com	Zip: 96734
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 08:58 PM
<p>Testimony:</p> <p>I am in full support of this bill! Residential owners should have the same rights as commercial. We use our hard earned money and take out loans to make improvements to our homes only to be told we have to wait for our permit to get approved to begin construction. This wait time is completely unreasonable because the DPP cannot implement new systems that are up to date and more efficient, these delays cause financial hardship to home owners! We should be allowed to work on our homes to meet our needs while waiting for an outdated and corrupt system to process our permits. The people who submit permits are trying to do things right way and only get penalized for it, it is not right. Because of the penalizations, people are almost forced in the direction of doing unpermitted work just to stop financial hardship and complete improvements on their homes. Other states get approved permits in a matter of weeks. Sometimes the same day. Hawaii we need change! Department of Planning and Permitting needs to change! My fear is applying for these special assignment inspection will take just as long as the permit because of archaic DPP system and personnel currently in place. But any chnahe is better that what is in place now. Please bring the people of Hawaii change and a small step in the right direction by passing Bill 18.</p>		
Name: Kamohai Kalama	Email: info@tkinvestmentproperties.com	Zip: 96734
Representing: TK PROPERTY SOLUTIONS	Position: Support	Submitted: Mar 14, 2023 @ 09:11 PM
<p>Testimony:</p> <p>I support this bill! Residential renovation exception and rights should be the same as the commercial sector. Businesses who work in the residential sector suffer along with the home owners and general community. As business owners, We employ and stimulate, support the local economy, many mouths are fed through our line of work. And to not be able to do that in a timely manner is detrimental to our business, to owners, to workers, and the over all community. Please pass this bill.</p>		

Name: Christian Davis	Email: c808d1@gmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 09:26 PM
Testimony: Our family is suffering paying for a property we can't live in because of permits taking so long. I think bill 18 is on step closer to helping this ridiculous problem.		
Name: Jadine Pili	Email: nakoa4463@yahoo.com	Zip: 96734
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 09:27 PM
Testimony: We have been waiting for our permits to be reviewed for over a year and a half now. Being able to start the work while the permits are being processed would be tremendously helpful. We have been paying on a loan for our renovation and haven't been able to start any work. It's costing us money with no end date in sight.		
Name: Jonathan Ramento	Email: jonramento@gmail.com	Zip: 96706
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 09:54 PM
Testimony: I recently just had a residential permit approved after 18 months! The homeowners have been waiting all this time to start construction on their new home, but after a year has forced their family to shift plans. This project also sat in pre-screening for 4 months, which to me is unsat. As an owner/Architect for a small business, this also affected me as my fee structure does not allow me to bill the client until a permit has been approved, which affects my monthly cashflow for my business. Having this SAI in-place would help alleviate the carrying costs for both the homeowner AND myself.		
Name: Giovanni Rendon	Email: giovanni.rendon@compass.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 10:24 PM
Testimony: Aloha, I think it's very important to do something about the permitting system in Hawaii. There is a lot of backing up stopping project from being completed, and housing that could be remodeled and help the housing issue in Oahu.		
Name: Shanti Gomes	Email: team@g7realestatesolutions.com	Zip: 96795
Representing: G7 Legacy Group LLC	Position: Support	Submitted: Mar 14, 2023 @ 10:24 PM
Testimony: I support this bill		
Name: Linda Kawakami	Email: emailindak@gmail.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Mar 14, 2023 @ 11:18 PM
Testimony: The backlog is too long. This will allow families to begin work on their home while waiting for approval.		
Name: Ashley Wakuta	Email: ashwakuta@gmail.com	Zip: 96707
Representing:	Position:	Submitted:

Self	Support	Mar 15, 2023 @ 12:16 AM
Testimony: Rent is skyrocketing along with interest rates to buy. We cannot hold people hostage just because we cannot keep up with demand. People's lives are at stake. A roof over a family should be a priority and outsource if need be. I support this bill.		
Name: KONA LYMAN	Email: contact@pomaikaipropertyolutions.com	Zip: 96789
Representing: PMAIKA'I PROPERTY SOLUTIONS	Position: Support	Submitted: Mar 15, 2023 @ 12:24 AM
Testimony: We are in support of bill 18		
Name: Kesia Paparelli	Email: kesia.paparelli@gmail.com	Zip: 96707
Representing: Self	Position: Support	Submitted: Mar 15, 2023 @ 03:12 AM
Testimony: I support this bill		
Name: Trevor Curran	Email: tcurran@tmpca.com	Zip: 92677
Representing: Self	Position: Support	Submitted: Mar 15, 2023 @ 06:20 AM
Testimony: We work with a large amount of developers that constantly run into delays and problems with their projects due to the lack of infrastructure in the permitting process. Getting this fixed would be contribute to more success on top of what has already been achieved by most investors.		
Name: Monica Pangaribuan	Email: pangaribuan.monica@gmail.com	Zip: 96706
Representing: Predio LLC	Position: Support	Submitted: Mar 15, 2023 @ 07:32 AM
Testimony: I support this bill!		
Commercial and residential process should be equally considered.		
Name: Lance Antonio	Email: handylabllc@gmail.com	Zip: 96789
Representing: Self	Position: Support	Submitted: Mar 15, 2023 @ 08:58 AM
Testimony: I support		
Name: Dogeron Meredith	Email: dogeron@grounduppacific.com	Zip: 96717
Representing: Self	Position: Support	Submitted: Mar 15, 2023 @ 09:18 AM
Testimony: I fully endorse BILL018(23), which pertains to special assignment inspections. As an entrepreneur in the industry and a homeowner, I firmly believe that this legislation will not only be advantageous but will also serve the public and your constituents by facilitating resolutions rather than impeding them, with regard to the current permitting predicament. I genuinely maintain that people strive to comply with the regulations and procedures that are in place. However, the existing permitting system is strangling us and leaving us with no alternatives, particularly when we have committed significant financial resources to construct		

our residences and provide essential housing solutions. It perplexes me as to why commercial properties are treated more favorably when, in the end, we are taxpayers ourselves.

Name:
Jennifer Bello

Email:
jmastin@hawaii.edu

Zip:
96744

Representing:
Self

Position:
Support

Submitted:
Mar 15, 2023 @ 09:24 AM

Testimony:

Purchased a home last year. One permit held up the sale of our home and we ended up paying almost \$100,000 more due to that delay. Even after purchasing our home we were harassed by the "permit police" looking for the previous homeowners that pulled the permit. This bill needs to pass to take a step in the right direction! Thank you!

Bill 018(23) Comments

In our opinion procedural improvements addressed by 18(23) are pre-mature. All energy should be focused on building core competencies to a minimal level to avoid turning emergencies into disasters and disasters into torture and mitigate mega million dollar liabilities for no good reason.

Our house was rendered inhabitable 12/6/2021 by C&C negligence, to keep a drainage culvert clear, which is a non-discretionary, ministerial C&C duty according to several Hawaii court rulings based on Hawaii Tort Law. DFM and DDC have effectively written they are unaware or disagree with these court rulings. To make C&C negligence three steps worse, 1) the cost of keeping the culvert clear is minimal to zero 2) It's in the public record that they've had 4 notices from neighbors, of severe flooding issues and culvert blockage since 2004 3) A landslide occurred costing \$220,000 to repair in 2004, a \$30k estimate for driveway undermining has been received and another property has suffered \$1.1M in damage.

The 12/6/2021 "historic storm" and clogged culvert drained 1.3 million gallons of water onto our homelot precipitating a landslide, mudslide, natural gas bomb threat, home infiltrated with flammable gas, restricted ingress-egress from bedroom windows and exterior doors, restricted or eliminated public access including police, fire & healthcare, eliminated gas range cooking and gas hot water heating, damaged water supply system and EV charging system. When Mami needed surgery 3/22 I had to carry her 125.0' laterally and 20.0' vertically up a narrow muddy trail during a rainstorm both ways. Last week I was unable to climb out of our lot to get to my car to go to emergency to treat a blood clot in my leg so I've had to just hope that it gets better somehow and I can climb out later.

1. In spite of:

- a) The Mayor's [12/6/2021 Declaration of Emergency](#)
- b) The Mayor's letter [12/8/2021 "repairs may begin immediately"](#)
- c) [HRS 18-3.3](#) Emergency work may commence without a permit. However, an application for a permit for the work shall be submitted on the working day immediately following the day work is commenced.
- d) HRS 464-13 retaining walls less than 5.0' tall are exempt from "engineer seal",
- e) ROH [§ 18A-2.4A](#) (4) Exception—at the discretion of the director, the owner and developer of the property or person or persons responsible for such grading will not have violated this chapter by grading without a permit in cases of natural or man-made disasters. ... a "natural disaster" includes disasters caused by ... flood ... or other natural causes; and a "man-made disaster" includes disasters caused by ... or disasters to individual homes, or other disasters manufactured, created, or constructed by mankind.
- f) [IBC-ICC > Hawaii > J103.2](#) A grading permit shall not be required for the following: (1) Grading in an isolated, self contained area, provided that the public is not endangered and that such grading shall not adversely affect adjoining properties.
- g) The Governor and Mayor swore an oath to enforce the law

2. DFM, DDC, DPP & DLNR essentially hold the position that:

- a) After 1.25 years, we are still not permitted to make any emergency repairs to our home, that we should not have removed a natural gas tank that fell 4.75 feet during the landslide which was left on the edge of an undermined cliff tilting at a 57 degree angle, that we should not have attempted to restore ingress-egress via bedroom windows and exterior doors, we should not have begun building an HRS 464-13 retaining wall to prevent additional landslides, that we should not have attempted to restore contours damaged by C&C flooding and we should not have supported a 16.0' cliff where our neighbor operates 33 ton concrete trucks.
- b) Neither C&C nor the State of Hawaii are liable for any damage, although they apparently accepted responsibility for landslide damage at 4120 Rountop Drive.
- c) Instead of DFM, DDC performing their non-discretionary, ministerial, Hawaii Tort Law, Court Rulings duty to keep the drainage culvert clear at virtually no cost to them, they are all in lock-step agreement that it's our responsibility to build an engineered solution to facilitate ~ 15 million gallons of road way drainage per year, to flow over our homelot harmlessly, when this furthermore, does nothing to mitigate the water that would continue flowing off our lot 2-D-2 to Lot 2-E and on to Lot 2-A. The Government's suggestion would cost us over \$300,000. Our suggestion would cost C&C nothing and is their lawful duty.
- d) The Major, Governor, DPP & DLNR refuse to enforce 19 laws broken by a structure on abutting property that contributed to flooding and landslide and persists a threat to public health, welfare, life and property. Instead DPP ordered me to "collude" with the law breaking neighbor to shore up his code violating structure, causing me to lift 40 tons of material by hand up 30.0' elevation and 125.0' laterally in an OSHA style hazardous work environment when my doctors' orders were against it.

We can't be the only citizens suffering from DPP's significant competency gap, which results in needless damage to life, health, public welfare, property and creates massive claims exposure for no good reason. The subject Bill 018(23) appears to have excellent design but significantly larger reform should take priority.

Mami and Robin Glass

Bill 018(23) Comments

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Mami and Robin Glass

Bill 018(23)
Comments by: Robin Glass
3/13/2023

The intent of this bill is excellent – to reduce permit application review-approval turnaround time, however I'm of the opinion that adding subsystems is just a band-aid that further burdens the entire unsustainable Department. The most efficient path would be to repurpose management and systems in order to meet or exceed satisfactory standards.

As a first priority DPP needs competent management capable of providing value for tax revenues who:

1. Constantly monitor, optimize work flow and procedures and who are adept leveraging information systems
2. Rebalance staff with competent employees to match the job requirements and quantity of work
3. Are capable of understanding the issues, ROH, providing accurate answers and avoiding liabilities

Currently we have a Department of Planning and Permitting that is

1. Substantially unwilling or unable to enforce ROH which are designed to protect public life, health, welfare and property, at no cost to C&C, which puts taxpayers at risk of paying tens of millions in damages just in a small sample area of 6 homelots.
2. Not supporting the Mayor's sworn oath to enforce the law.
3. Needlessly converting ordinary emergencies into lengthy disasters and torture
4. Unable or unwilling to perform adequate analysis commensurate with task responsibilities
5. In violation of comparable tort law court rulings which hold C&C liable for providing inaccurate information. Courts have ruled providing accurate information is a non-discretionary, ministerial duty. Providing incorrect information with regards to zoning and building codes creates a liability for C&C.

The steps like those above represent a simpler, lower cost, long term solution while solving the problem Bill 018(23) has addressed.

My insight is based on taking over corporations in Canada, Europe and US which were fraught with similar issues. The results exceeded customer and employee expectations, re-ranked the companies to top industry standards, while reducing costs by 30 to 50% and increased sales by up to 400%.