

TIME RECEIVED
August 16, 2024 at 12:15:38 PM HST

REMOTE CSID
808 755 5242

DURATION
189

PAGES
3

STATUS
Received

08/16/2024 12:12

(808) 254-5242

Bob S. Greiner-Gould

Page 1/3

Robert A. Gould
44-365 Kaneohe Bay Drive
Kaneohe, HI 96744-2664
August 16, 2024

Testimony for Honolulu City Council HOUSING, SUSTAINABILITY AND HEALTH (HSH)
committee meeting August 21, 2024
Bill 046(2024)

OPPOSED

First, I would like to state that I think this meeting is illegal under the sunshine law because notice was not given 6 days in advance. I understand that to mean 6 days as defined by time, and the notice was not published until after 1530 on August 15, 2024. The first time I was able to get to the testimony page was after 1630 on August 15, 2024, and after 1500 on August 15, 2024 the City Clerk's office told me on the telephone that "they are still working on it".

Bill 046(24) is a very bad bill that is although your lawyers have no doubt vetted it, appears to me to be unconstitutional under the The Fourteenth Amendment's Equal Protection Clause and the 1891 decision by the Supreme Court.[7][8] In the case of Caldwell v Texas, the Fourth Amendment's protection against unreasonable search and seizure, and the Fifth Amendment's protection against self incrimination. It also embodies taxation without representation, which was the reason for the Boston Tea Party and the start of the American Revolution. At the very least, you can be sure there will be legal challenges that will go on for years at a great cost to the City even if the City wins, which I doubt. I think the City would lose such a case and have great liability exposure. Remember, lawyers can give opinions about the law, but it is the courts, judges, and juries who interpret and define the law.

Aside from the onerous implementation of a tax rate that is nearly 9 times the residential tax rate just because someone owns a home here and spends less than 6 months of the year occupying the dwelling, the provision for taxing second dwellings on a property at that onerous rate simply because it is not occupied full time is confiscatory and to me amounts to extortion.

By the bill's own example a property with an additional dwelling **"tax assessed value for each dwelling unit that is an empty home on the residential property will be the tax assessed value for the entire residential property, multiplied by the proportionate square footage for each dwelling unit that is an empty home"** In the example given, "if a residential property has a tax assessed value of \$4,000,000, a total of 5,000 square feet for all dwelling units on the residential property, and a dwelling unit of 1,000 square feet that is an empty home, the proportionate square footage of that empty home is 20 percent (1,000 divided by 5,000); the tax assessed value attributable to that empty home would be \$800,000 (\$4,000,000 times 20 percent); and the empty homes tax at a 3 percent tax rate would be \$24,000 (\$800,000 times 3 percent). The entire tax for the whole property if both dwellings are occupied would be \$14,000, so the tax would increase by 250% to \$35,200!

I suppose the next step in this money grab will be to tax unoccupied bedrooms in a residence at the 3% rate based on their number as opposed to the total number of bedrooms!

Dear Council Member:

Please support Bill 46, the Empty Homes Tax. Oahu has the 5th worst "impossibly unaffordable housing" in the world. This hurts all of us. We have 34,253 empty homes on Oahu; each one means a family on Oahu has no place to live. Please pass Bill 46 to prioritize Oahu's housing for Oahu's residents.

This is why I support the Empty Homes Tax:

Mr. Waters,

Please support Empty Homes Tax for O'ahu - Bill 46 (2024). The demand for housing is overwhelming. I was asked to leave my apartment in April of 2024; but haven't found anything suitable for me. I am elderly and can't climb stairs with my laundry and groceries. This bill might make more housing open for me to find suitable housing.

Sincerely,

Emilia Collins

Kapahulu

Mahalolo

My name is

Emilia Collins

My address is

2941 Wipam

Dear Council Member:

Please support Bill 46, the Empty Homes Tax. Oahu has the 5th worst "impossibly unaffordable housing" in the world. This hurts all of us. We have 34,253 empty homes on Oahu; each one means a family on Oahu has no place to live. Please pass Bill 46 to prioritize Oahu's housing for Oahu's residents.

This is why I support the Empty Homes Tax:

Empty homes prevents local residents to
afford housing

Mahalo!

My name is Dominic Chow

My address is 7088 Hawaii Kai Drive Unit 65
Honolulu, HI 96825