

SAH - Subcontractors Association of Hawaii

820 Mililani Street, Suite 810, Honolulu, Hawaii 96813-2938

Phone: (808) 537-5619 ✦ Fax: (808) 533-2739

February 13, 2008

LATE TESTIMONY

Testimony To: House Committee on Consumer Protection & Commerce
Representative Robert N. Herkes, Chair

Presented By: Tim Lyons, President

Subject: H.B. 3107, HD 1 – RELATING TO OWNER-BUILDER PERMITS

Chair Herkes and Members of the Committee:

I am Tim Lyons, President of the Subcontractors Association of Hawaii. The Subcontractors Association represents the following nine separate and distinct contracting associations:

HAWAII FLOORING ASSOCIATION

ROOFING CONTRACTORS ASSOCIATION OF HAWAII

HAWAII WALL AND CEILING INDUSTRIES ASSOCIATION

TILE CONTRACTORS PROMOTIONAL PROGRAM

PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION OF HAWAII

SHEETMETAL CONTRACTORS ASSOCIATION OF HAWAII

PAINTING AND DECORATING CONTRACTORS ASSOCIATION

PACIFIC INSULATION CONTRACTORS ASSOCIATION

PACIFIC ELECTRICAL CONTRACTORS ASSOCIATION

We support the passage of H.B 3107. When the Contractors License Law was first passed, the Legislature debated whether it should require an owner who wanted to act as their own builder, to hire a licensed contractor. Ultimately, an exemption was provided for those individuals who wanted to build their own homes as long as they did so for their own family.

Unfortunately, this area has provided for a loophole in the enforcement of the contractors license law. We support the idea that an owner should still be allowed to be their own builder. Where we have a problem, is when the owner-builder then hires other individuals and it is quite typical that they do not hire licensed subcontractors.

There are also many instances in which an owner-builder makes many mistakes, some of which are superficial but, others which are structural but they are hidden by encased walls or other items and the unsuspecting buyer is unaware of this situation. The purpose of this bill is to require the seller to disclose that fact and we think that is proper.

Thank you.
