

INTER-ISLAND SOLAR SUPPLY

Serving Hawaii and the Pacific Islands Since 1975

761 Ahua St., Honolulu, HI 96819
73-5569 Kauhola St., Kailua-Kona, HI 96740
400 Ala Makani St. #103, Kahului, HI 96732

Tel: (808)523-0711 Fax: (808)536-5586
Tel: (808)329-7890 Fax: (808)329-5753
Tel: (808)871-1030 Fax: (808)873-7825

March 30, 2010

COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS
March 30, 2010 2:30 PM, Conference Room 325

In SUPPORT of SB2020 HD1, Re: Real Property

Chair Karamatsu, Vice Chair Ito and Members of the Committee,

My name is Cully Judd and I have owned and operated Inter-Island Solar Supply since 1975. We are a renewable energy wholesale distribution company with three state-wide locations and 45 employees who are contributing to the growing green collar industry in Hawaii. We have been at our Oahu branch location, 761 Ahua Street, for nearly ten years and would like to stay. Although we have a few years till rent renegotiations, the veil of secrecy created by HRPT's non-disclosure agreements and overly aggressive rent increase suggestions have resulted in our decision to join the efforts of Citizens for Fair Valuation to ensure businesses like ourselves continue to have a home in Mapunapuna.

While I applaud last year's passage of Act 189, I ask for your support of Senate Bill 2020 to provide a necessary 5 year extension to ensure "Fair and Reasonable" rent be reached through transparent negotiations for our fellow Mapunapuna, Kalihi Kai and Sand Island tenants who together create the industrial economic backbone of Honolulu. Act 189 is a reasonable mean to a legitimate public purpose of keeping our industrial type of services accessible to the core population of Honolulu. If the typical property valuation procedure of current assessment, and mediation were in place you would not be hearing from us tenants.

Instead we face TIOLI deals or the very real risk and financial burden of expensive arbitration that small businesses such as ours should not have to endure in order to keep our doors open. Neither Act 189 nor Senate Bill 2020 request money from the State or new definitions of our specific contract terms. Although HRPT identifies us SB2020 supporters as a 'small group of Lesees' (Jan Yokota of HRPT, Feb 18 testimony), if we were such a 'small group' I do not think they would be need to be putting so much effort into lobbying for the right to break promises made in last year's Legislative Session.

Please pass this measure.
Mahalo for your consideration,

Lawrence McCully Judd



March 29, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

March 30, 2010, at 2:30 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF SB 2020, HD 1

Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support passage of SB 771, HD1 which will extend the effective life of Act 189, thus setting parameters that will encourage open and transparent negotiation in long-term ground leases. Without your agreement and assistance in this matter Hawaii will suffer the loss of many local small businesses in the Maniapuna area.

Last session this Committee and both Houses approved SB 764 which became law under Act 189. Unfortunately, things have only worsened during this past year. The seven (7) different companies that make up HRPT have continued to bully lessees, forcing us to waive our rights under Act 189.

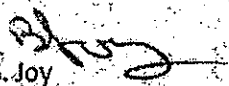
In addition, the rental demands of roughly \$10 per square foot (\$7.00 per annum increases) are unfair and unreasonable given the market. My property is in a flood zone, we suffered losses in excess of \$190,000.00 in 2003 due to extreme flooding of our property, our land is contaminated from leaking tanks buried, which was not disclosed when we signed the lease, and to our knowledge has not yet been given a No Further Action Letter by the State. Our lease expires in 181 days and we have yet to hear from HRPT. How can they possibly justify the increases under these conditions?

Considering not only the negative state of the Hawaiian economy, but also the years of constructive hard work we have put into maintaining our business and improving the property we lease, I do not see that it is proper or appropriate that HRPT should be allowed to continue to force us to either close our doors, or to incur the considerable costs of relocating.

Please, stay your position by passing SB2020 and extend the life of Act 189. You had Hawaii's best interest at heart last year, and now additional fortitude is required to restate your position. Act 189 does not change the terms of the leases. We are only asking for "fair and reasonable rents."

I respectfully and strongly request that you approve SB2020.

Aloha,


Brian S. Joy
President & Owner
Big Rock Manufacturing Inc.



P.O. Box 4319, Honolulu, Hawaii 96812

Te: (808) 833-2502

Fax (808) 834-5530

www.GPRoadwaySolutions.com

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

March 30, 2010, at 2:30 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF SB 2020, HD 1

Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support passage of SB 771, HD1 which will extend the effective life of Act 189. The purpose of the Act is to help stabilize our economy by setting parameters that will encourage open and transparent negotiation in long-term ground leases which support Hawaii's critical commercial and industrial business community.

Last session this Committee and both Houses approved SB 764 which became law under Act 189. Unfortunately, the core issues upon which we sought your redress have only worsened during this past year. The seven (7) different companies that make up HRPT have continued to bully lessees requiring lessees us to waive our rights under Act 189. In addition, the rental demands of roughly \$10 per square foot (\$7.00 plus 3% or 4% per annum increases) are unfair and unreasonable given the market and two recent arbitration awards (one at \$5.26 flat and another at \$5.75 flat).

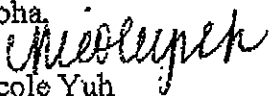
This is simple greed and price gouging especially when HRPT's own appraisers have submitted rates in the \$6.50 range during the recent arbitrations!

Please, stay your position by passing SB2020 and extend the life of Act 189. You had Hawaii's best interest at heart last year, and now additional fortitude is required to restate your position.

Act 189 does not change the terms of the leases. Act 189 merely says that when a long-term ground leases calls for "fair and reasonable rents," that those rates be fair and reasonable to both parties.

I respectfully and strongly request that you approve SB2020.

Aloha,


Nicole Yuh

660 Mapunapuna Street

Honolulu, HI 96819

(808) 833-2502

nyuh@gproadwaysolutions.com

"An Equal Employment Opportunity Employer"

Lic. AC-10998