

House Committee on CPC

Monday, February 9, 2009 at 2:15 PM CR – 325

In Support of HB 1442 – Relating to Planned Community Associations

Aloha Chair Robert Herkes and Vice Chair Glenn Wakai and members of CPC.

I am Dr. Inam Rahman, a medical doctor.

I support and agree with the intent of HB 1442.

This bill requires the director of commerce and consumer affairs to identify and report on planned community associations in Hawaii.

Although there is a fair amount of consumer protection laws and the oversight of the Real Estate Commission to regulate and protect Condo residents, the same safeguards and oversee is not afforded to residents of planned community associations, cooperatives and other type of multiple-unit residences.

As the number of planned communities continues to rise in areas such as Ewa, Kona, and Kohala and the lack of regulation, the association and management of these communities will be in a chaotic situation. There is very little government help in this area. There is a lack of a reliable and sound regulatory regime such as the Real Estate Branch or the DCCA, or the installation of an alternative dispute resolution program to resolve issues in PCAs.

In addition, with increasing number of Planned Communities in Hawaii, it is important to make sure that they are safe and secured and our citizens are well protected financially and physically. It is also important to make sure that our citizens have the right and easy accessible way to voice their opinions about their community and participate in the community activities.

I would also want to amend reporting on planned community associations governed by chapter 4210, Hawaii Revised Statutes to include (4) election procedure for officials and their limit.

Thank you for allowing me the opportunity to testify.

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Aloha Chair Robert Herkes and Vice Chair Glenn Wakai, and members of CPC.

My name is Netra Halperin. I have owned property in a subdivision and belonged to a Homeowner's association.

I am in strong support of House Bill 1442.

This bill requires the director of commerce and consumer affairs to identify and report on planned community associations in Hawaii.

Although there is a fair amount of consumer protection laws and oversight of the Real Estate Commission to regulate and protect Condo residents, the same safeguards and oversight is not afforded to residents of planned community associations, cooperatives and other type of multiple-unit residences.

As the number of planned communities continues to rise in areas such as Ewa, Kona, and Kohala, the lack of regulation on the association and management of these communities will become chaotic. There is presently very little governance of these associations. There is a lack of a reliable and sound regulatory regime such as the Real Estate Branch or the DCCA, or the installation of an alternative dispute resolution program to resolve issues in PCAs.

Thank you for allowing me the opportunity to testify.

LATE TESTIMONY

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Aloha Chair Robert Herkes and Vice Chair Glenn Wakai, and members of CPC.

I am Ilalo Parayno, I have worked with the DOE as a teacher and Administrator for 40 years. I am here to testify in support of HB 1442

This bill requires the director of commerce and consumer affairs to identify and report on planned community associations in Hawaii.

The regulation, protection and oversight of Real Estate Commission and Consumer Protection Laws to residents of condominiums, does not extend to planned community associations, cooperatives and other multiple residential units.

With the lack of regulatory board and measures to maintain and oversee the increasing amount of planned communities in different areas in Hawaii, the association and management of these communities will be faced with enormous issues. Having little or lack thereof of reliable governmental regulatory entities such as the Real Estate Branch or the DCCA that can resolve disputes or provide resolutions to address issues pertaining to PCAs brings frustrations to the community at large.

Thank you for allowing me the opportunity to testify.