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**PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE**

**TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION & COMMERCE**

**TWENTY-FIFTH STATE LEGISLATURE
REGULAR SESSION, 2010**

**MONDAY, JANUARY 25, 2010
2:00 P.M.**

**TESTIMONY ON HOUSE BILL NO. 1927
RELATING TO OWNER-BUILDERS**

**TO THE HONORABLE ROBERT N. HERKES, CHAIR,
AND TO THE HONORABLE GLENN WAKAI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:**

The Department of Commerce and Consumer Affairs Regulated Industries Complaints Office ("RICO") appreciates the opportunity to testify on House Bill No. 1927, Relating To Owner-Builders. My name is Jo Ann Uchida. RICO offers the following comments.

House Bill No. 1927 amends Chapter 444, Hawaii Revised Statutes, as follows: 1) authorizes the sale or lease of a property by an owner-builder prior to the current one-year prohibition on sale or lease due to an eligible unforeseen hardship; 2) adds exemptions to the one-year prohibition on sales for improvements

with an aggregate value of less than \$10,000 and for a lender or mortgagee who acquired title through a non-judicial foreclosure; 3) defines "completion" of the construction or improvement; 4) establishes a rebuttable presumption that an owner or lessee has violated the exemption provision when the owner or lessee obtains the exemption more than once in five years; and 5) increases the handyman exemption from \$1,000 to \$2,000.

With regard to the language relating to the owner-builder exemption, while the language of the bill addresses legitimate concerns about hardship situations, RICO has concerns that the bill's complexity may pose enforcement challenges. In particular, in order to determine whether the section was violated, RICO's investigator will have to make many factual determinations. This will result in more complex, time-consuming, and lengthy investigations.

In addition, RICO suggests that certain subsections be clarified to aid in enforcement, such as:

- a. page 3, lines 10-11, improvements should be limited to those provided for in the permit;
- b. page 3 lines 12-13, this subsection should not be available to mortgage rescue or foreclosure specialists who acquire property in their own name;
- c. page 4 lines 10-11 and lines 15-16, establish criteria to determine actual completion, abandonment, and substantial completion.

Finally, although the current law provides for fines in the event the owner-builder sells or leases the improved property within a year, and the Chapter at

Testimony on House Bill No. 1927
January 25, 2010
Page 3

§444-9.1 requires the county to provide a detailed disclosure to the owner-builder when the permit is obtained, there is no language in the current law that requires the owner builder to comply with the requirements set forth in the disclosure statement, and there is no fine for failing to abide by the disclosure statement. RICO suggests that this bill provide for compliance with the disclosure statement and fines for noncompliance.

Thank you for this opportunity to testify on House Bill No. 1927. I will be happy to answer any questions that the members of the Committee may have.

**PRESENTATION OF THE
CONTRACTORS LICENSE BOARD**

TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Monday, January 25, 2010
2:00 p.m.

TESTIMONY ON HOUSE BILL NO. 1927, RELATING TO OWNER-BUILDERS.

TO THE HONORABLE ROBERT N. HERKES, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Denny Sadowski, Legislative Committee Chair of the Contractors License Board ("Board"). The Board appreciates the opportunity to present testimony on House Bill No. 1927, Relating to Owner-Builders. The Board supports the bill's intent to allow owner-builders to sell their property within one year of completion due to foreclosure or other unforeseen financial difficulties; however, we respectfully oppose certain provisions of the bill, as well as the proposal to raise the "handyman exemption" from \$1,000 to \$2,000.

The Board has not had the opportunity to review this bill at a Board meeting; however, based on past discussions, it is my understanding that the Board supports: (1) allowing the owner-builder to sell the property within a year of completion due to non-judicial foreclosure or unforeseen hardship of the owner-builder; (2) authorizing the Board to determine the eligibility of the hardship; and (3) defining when a project is completed for the purposes of determining the start of the one-year period.

However, the Board opposes defining "completion" of the project as the date specified by the owner on the permit application (see page 4, lines 5 through 7), as it may not accurately reflect the state of the project due to unanticipated delays, which are not uncommon. The

Board may also have concerns about other definitions of "completion," which will be discussed at the next Board meeting on February 19, 2010.

Furthermore, while the Board supports providing relief to owner-builders experiencing difficult circumstances, to prevent abuse of the owner-builder exemption, language to clarify that owner-builders must comply with the conditions of the exemption under section 444-9.1 should also be considered.

Lastly, the Board also opposes raising the "handyman" exemption from \$1,000 to \$2,000, because it would contribute to the problem of unlicensed activity. The Board believes that raising the exemption will increase the likelihood of consumer harm, as unlicensed individuals who have not met the Board's experience, examination, and insurance requirements will legally be able to perform twice as much work as currently allowed. This measure will also negatively impact small contractors, particularly in the specialty contractor classifications, as they will have difficulty competing with unlicensed individuals who do not have to pay license fees and maintain liability insurance. Furthermore, consumers will not be able to file complaints with the Regulated Industries Complaints Office for poor workmanship or other problems.

Thank you for the opportunity to testify on this bill.



The REALTOR® Building
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January 22, 2010

The Honorable Robert N. Herkes, Chair

House Committee on Consumer Protection and Commerce
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: H.B. 1927 Relating to Owner-Builders

HEARING: Monday, January 25, 2010 at 2:00 p.m.

Aloha Chair Herkes, Vice Chair Wakai and Members of the Committee:

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,800 members in Hawai'i. HAR **supports the intent** of H.B. 1927, which amends the contractor licensing law, Hawai'i Revised Statutes, Chapter 444.

HRS §444-2 defines owner-builders as individual homeowners who act as their own contractor for building or improving their residence for personal use or use by their immediate family. To qualify as an owner-builder, one restriction under the present law is that the residence cannot be sold, leased or offered for sale or lease within one-year after completion of the construction.

HAR generally supports the owner-builder exemption because it allows individual homeowners to act as their own contractor in building or improving their residences. However, the current law does not define completion, include a hardship exemption or differentiate between an owner-builder permit for small-scale improvements versus major construction projects.

This measure proposes to amend the current owner-builder law by allowing the sale or lease of a property by an owner builder prior to one-year prohibition period for the following circumstances:

1. Unforeseen hardship as determined by the contractors licensing board;
2. Improvements of less than \$10,000; and
3. Properties acquired by lenders/mortgagees through non-judicial foreclosures.

Other amendments include clearly defining when a construction or improvement is completed, creating a rebuttable presumption that an owner or lessee is in violation when more than one exemption is obtained within five years, and increasing the handyman exemption to \$2,000.

HAR is continuing to review H.B. 1927, but in the meantime, HAR respectfully requests that the bill pass out of this Committee for further discussion. We would also ask that a revised effective date of November 1, 2010 be inserted, so that HAR may review and revise its Seller Real Property Disclosure Form.

Mahalo for the opportunity to testify.

REALTOR® is a registered collective membership mark which may be used only by real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and subscribe to its strict Code of Ethics.



Painting and Decorating Contractors Association of Hawaii

970 N. KALAHEO AVE., SUITE A217 • KAILUA, HAWAII 96734 • TELEPHONE (808) 254-2322 •
FAX (808) 254-2355



January 23, 2010

Representative Robert Herkes, Chair
Committee on Consumer Protection and Commerce
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: HB 1927 – “Relating to Owner-Builders”

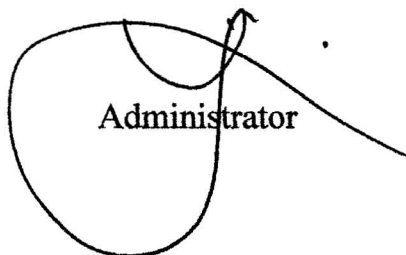
Chair Herkes and members of the House Committee on Consumer Protection and Commerce:

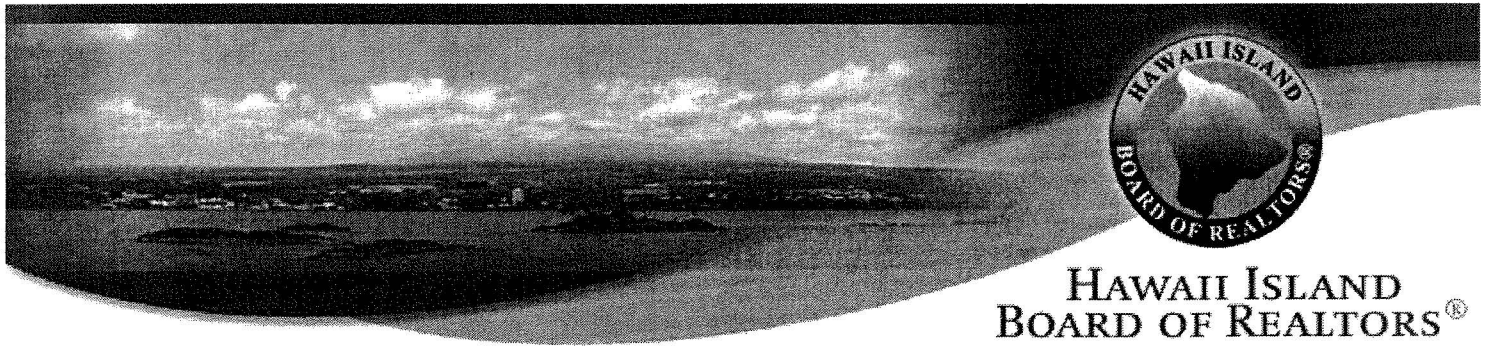
The Painting and Decorating Contractors Association (PDCA) of Hawaii was chartered in 1961 and represents over 30 contractor and supplier firms that employ over 2000 individuals Statewide.

We are strongly opposed to HB 1927 that raises the handyman exemption from \$1000 to \$2000. We believe that the public must be protected from those individuals that pass themselves off as competent and experienced contractors. All of our members are licensed contractors that must meet rigorous requirements to maintain their licenses, as well as provide adequate workers compensation and liability insurances. This protects and provides recourse to the public if a licensed contractor violates the law.

Thank you for the opportunity to submit our testimony.

Raymond H. Fujii


Administrator



HAWAII ISLAND BOARD OF REALTORS®

26 Waiānūenue Avenue, Hilo, HI 96720 (808) 935-0827 Fax: (808) 935-4924 eMail: hibr@hibr.org

January 22, 2010

Representative Robert N. Herkes
Chairman
Committee on Consumer Protection and Commerce
House of Representatives
State of Hawaii

RE: HB1927

Dear Chairman Herkes and fellow members of the Committee on Consumer Protection and Commerce,

I am Karen Gremp, President of the Hawaii Island Board of Realtors®. Our organization represents over 700 Realtors® on the island of Hawaii.

I am writing you today about HB 1927, which amends chapter 444 of the Hawaii Revised Statutes. HB 1927 is of extreme importance to our membership as well as to the many owner builders in the State of Hawaii. Our membership recently completed a survey which showed the number one problem facing Realtors® on Hawaii Island is compliance with HRS 436B, aiding and abetting an unlicensed contractor. The problem Realtors® face in complying with chapter 436B is a direct result of the lack of clarity of Chapter 444 as it relates to the Owner Builder Exemption.

As you all know, the State of Hawaii has been, and for the foreseeable future will be facing extremely difficult economic conditions. Many Owner Builder permits were obtained over the last five years to build homes, additions, and to upgrade owner's residences. Due to the difficult economic times, many of these owner builders have not been able to complete the improvements, and are being forced to sell with incomplete permits.

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Lender on the Rock, Wells Fargo Home Mortgage

The current law states that if you offer to sell or lease within one year from completion, it is prima facie evidence that you intended to violate Chapter 444. However, the current law does not define what is completion, offers no hardship exemption and does not differentiate between an OB permit to build a house or change a garbage disposal or toilet. Under the current law, if a homeowner obtains a OB permit to replace a toilet or garbage disposal (both items that legally require a building permit from the County of Hawaii), you could not offer to sell or lease your home for one year from completion. This is absurd and not the intention of the law!

As Realtors®, we are obligated to become judges every time a homeowner comes to us wanting to sell their home. While it is easy to determine if an OB permit has been used, it is difficult to determine the owner builder's intent. The law does not define completion, so we do not know if that means a final building department approval, a certificate of occupancy, the date when the completion notice is filed or when the person moves into the home. When you get into unfinished improvements, our Board has obtained conflicting explanations from the Contractors Board and the Department of Regulated Industries. When shown these conflicting interpretations, Jo Ann Uchida, head of RICO, stated, "there is no way to reconcile these positions".

Most Realtors® want to comply with the law. However, compliance with the present version of Chapter 444 is not possible when even the head of RICO isn't sure how the law applies. Additionally, I must point out that working with sellers who used owner builder permits is a regular fact of life for Hawaii Island Realtors®.

HB 1927 provides a hardship exemption. It allows small improvements under \$10,000 to be performed with an OB permit without triggering the one year waiting period. However, we believe it would be advisable to change "aggregate value" to "building permit value" so that there is no confusion how that applies.

HB 1927 also provides an exemption for lenders or mortgagees who have foreclosed under a non-judicial foreclosure. Currently, lenders are only exempted with a judicial foreclosure.

HB 1927 also defines completion giving it the earliest of six definitions. Lastly, HB 1927 increases the "handyman exemption" to \$2,000. We would recommend leaving the number of OB permits an individual can obtain to one every two years as currently provided. The Bill has changed this to one every five years which will severely limit the applicability of the provision.

The Hawaii Island Board of Realtors strongly supports HB 1927 and your desire to clarify HRS 444.

Sincerely,

Karen E. Gremp, R, ABR, GRI
President
Hawaii Island Board of Realtors®

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Lender on the Rock, Wells Fargo Home Mortgage

SAH - Subcontractors Association of Hawaii

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January 25, 2010

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

Presented By: Tim Lyons
President

Subject: H.B. 1927 – RELATING TO OWNER-BUILDERS

Chair Herkes and Members of the Committee:

I am Tim Lyons, President of the Subcontractors Association of Hawaii. SAH is composed of nine separate and distinct subcontracting organizations including:

ELECTRICAL CONTRACTORS ASSOCIATION OF HAWAII

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

We oppose the major thrust of this bill.

The problem with this bill is that it makes legal the current illegal activities of individuals who act, in most cases, as licensed contractors and prey on the unknowing. People only rarely deal with contractors and the average consumer does not know that they need to use a licensed contractor and they do not know the benefits and protections that have been established by this legislature to protect consumers that deal with contractors. Contractors often times say that they are overregulated but most of those regulations have been passed by this legislature in order to protect consumers from real life situations where they have just flat out been "ripped off". A good example is the Disclosure of Lien Rights. We have attached a copy of this required form to our testimony and this disclosure must be provided to every consumer in a residential contract in order to forewarn them of the possibilities of problems that they can get in to by signing a contract. Homeowners who deal with handymen do not get this disclosure.

This bill would leave barren those consumers who sign contracts under \$2000 with no more protection than you have when dealing with your friendly shoemaker.

There is a whole list of protections afforded to consumers that deal with contractors. This Committee only need ask RICO about the number of cases that they run into where consumers have been ripped off; where roofs have been painted with only paint that is not about to keep any water out; where masonry walls have been stuffed with newspaper instead of solid grouting as it should be for strength or, money that was paid down to a handyman; never to be seen again.

We understand that the problem has been the lack of licensed contractors that may be available however, we would submit to you that in most cases those complaints are from individuals that are hunting for a cheap job and do not want to pay for the protections you have afforded them.

So how is a consumer protected? In many ways:

- *the attached Disclosure of Lien Rights has to be attached to contracts.
- *there is access to a recovery fund, a pool of money for consumers that have been ripped off but only if by licensed contractors.
- *there is a right to cancel.
- *there are special penalties against contractors who hire illegal immigrants but it does not apply to handymen.
- *in order to renew licenses the contractor has to prove taxes were paid, he has workers' compensation insurance and that he has paid taxes such as, unemployment insurance and temporary disability insurance.
- *there is an extra protection for seniors, but again, only if they use a licensed contractor.
- *there are protections since a written contract is required.
- *there is a protection that the homeowner knows that he has a right to get the job bonded for their own protection.
- *the consumer has to know and be advised that there is a Right to Cure in case there is defective workmanship.
- *the consumer has a right to know who the subcontractors are on a particular job so that they can go after them if they have to.

*consumers have the right to know when the completion date is for their contract.

*and, the address of the contractor must be up to date in order to locate them.

None, I repeat, none of those items are required when a homeowner deals with a "less than \$2000 handyman". Quite frankly, we are not sure how you can draw the line between those who are entitled to protection and those who you are going to allow to be ripped off.

Although contractors have complained about the costs of regulation, most of them readily embrace it and feel it is a relatively fair system as long as they can pass on their costs and compete on a level playing field. When you have unlicensed contractors or when you raise the amount of work handymen can do and don't have to meet the same regulations, you get cries of "foul".

While this bill has certain other features which we think would help clamp down on the owner-builder situation, none of them come close to being a sufficient trade off for increasing the unlevelled playing field that already exists.

Based on the above, we cannot support this bill.

Thank you.

DISCLOSURE OF LIEN RIGHTS

HOMEOWNERS TAKE NOTICE

Any person who furnishes labor (prime or subcontractor) or materials (material supplier) for your home improvement or renovation project and is not paid can file a claim (lien) in court against your property. This is true even if you have paid the contract price in full to the prime contractor and the contractor fails to pay his subcontractors or material suppliers.

In order to obtain a lien against your property, a contractor, subcontractor or material supplier must go to court and show that goods or services for the project have been supplied but not been paid for. You will be notified to appear and defend against these claims in court.

If a lien is obtained, you are entitled to prove in a later court proceeding that you paid your prime contractor in full. The court could then enter judgment in your favor against the prime contractor and direct payment out of the contractor's recovery fund up to the amount allowed by law, if the prime contractor was properly licensed at the time you entered into the contract with the prime contractor.

WHAT YOU CAN DO

Here is what you can do to help prevent problems:

- (1) Make certain that the contractor is licensed. Call 587-3295 to verify licensure.
- (2) On bigger jobs ask the contractor to explain to you about the possibility of providing a PERFORMANCE AND PAYMENT BOND which will guarantee completion of the project and payment of all liens. This Bond is usually provided by surety companies or material supply houses to qualified contractors. It may cost you approximately 5% of the project cost.
- (3) YOU SHOULD NOT MAKE ANY ORAL AGREEMENTS. Make sure everything is put in writing, including the price, what work is to be done, any specific exclusions or restrictions, and the grade and brand of materials to be used. If you later agree to make any changes in the original specifications, THESE CHANGES SHOULD BE IN WRITING AS WELL.
- (4) TAKE TIME TO STUDY THE AGREEMENT. Do not let a contractor or salesman hurry you into signing a contract; especially when you feel pressured by emergencies.
- (5) REMEMBER, A CONTRACT IS A LEGAL, BINDING DOCUMENT. Make certain you understand the contract. If not, spend a few extra dollars to have an attorney explain it to you.
- (6) OBTAIN A LIEN RELEASE FROM SUBCONTRACTORS. A mechanic's lien could be placed on your home by a subcontractor if the general contractor fails to pay his bills-EVEN THOUGH YOU HAVE PAID FOR THE WORK. The same thing holds true FOR SUPPLIERS OF CONSTRUCTION MATERIALS INCORPORATED INTO YOUR JOB...GET A LIEN RELEASE! Contractors could provide you with a lien release form. This form will essentially state that you have paid or have entered into an agreement to pay the subcontractor or supplier for their work, and that the subcontractor or supplier therefore relinquishes their lien rights.
- (7) DO NOT APPROVE PLANS OR BLUEPRINTS unless you understand them.
- (8) PLEASE BE SURE YOUR CHECKS are made out to the CONTRACTOR, NOT TO A SALESMAN.
- (9) Make sure and publish a "NOTICE OF COMPLETION" in the newspaper as soon as the work is done. No lien may be claimed 46 days after the notice is published.

- (10) Discuss with your contractor the possibility of withholding a portion of payment until the 45-day period for filing liens has expired. The amount withheld should be sufficient to cover all claims which might be filed. You and your contractor must agree on the amount.
- (11) If you have any questions about lien rights or other contract matters, DO NOT SIGN this or any contract. Contact your lawyer first.

I (we) have discussed with the contractor the lien rights of those who will be supplying labor or materials to my (our) project as well as steps I (we) can take to reduce our lien liability. I (we) have read and understand this DISCLOSURE OF LIEN RIGHTS.

DATED this _____ day of _____, 20_____.

CONTRACTOR

OWNER

WITNESS

OWNER

PLUMBING & MECHANICAL CONTRACTORS ASSOCIATION OF HAWAII



TELEPHONE: (808) 597-1216
FAX: (808) 597-1409
1314 S. King Street, Suite 901
Honolulu, Hawaii 96814

GREGG S. SERIKAKU
EXECUTIVE DIRECTOR

Via Facsimile: 586-6221

January 22, 2010

Representative Robert N. Herkes, Chair
Committee on Consumer Protection and Commerce
House of Representatives
The Twenty-Fifth Legislature, Regular Session of 2010
State Capitol
Honolulu, HI 96813

Chair Herkes, Vice Chair Wakai, and Members of the Committee:

SUBJECT: H.B. 1927 Relating to Owner Builders

My name is Gregg Serikaku. I am the Executive Director of the Plumbing and Mechanical Contractors Association of Hawaii.

The Association for which I speak is opposed to H.B. 1927.

While this bill contains language that may be beneficial in regard to owner builders, our association must oppose the bill due to the provision that increases the "handyman" exemption from \$1,000 to \$2,000.

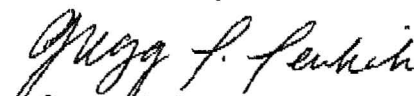
We firmly believe that doubling the exemption amount will cause additional harm to the public by increasing the amount that unscrupulous individuals collect (often times in cash) from unknowing citizens in construction related scams. Currently, licensed contractors are listed on the DCCA website, and the public has the ability to research a contractor's complaint history, licenses, insurance, etc., however, this type of information is not available for the "handyman".

Chapter 444 Contractors was enacted by the legislature to protect the public. The law provides for bonding, recovery from the Contractors Recovery Fund, and other safeguards against unscrupulous individuals. By increasing the exemption from \$1,000 to \$2,000, you are broadening the envelope for these individuals to conduct their "businesses" in the State of Hawaii.

We therefore respectfully urge the committee to hold this bill.

Thank you very much for this opportunity to testify.

Respectfully yours,


Gregg S. Serikaku
Executive Director

HB1927 (Oppose)

I am the owner of Tory's Roofing & Waterproofing Inc. We are a licensed roofing contractor and have been for 37 years in Hawaii. Tory's is bonded and insured according to state requirements. We are one of the oldest roofing contractors in the state of Hawaii and well respected in the industry. In this tough economy times, we are finding it very hard to compete for residential and commercial roofing projects. The Handyman law allows non-licensed roofers to take a big chunk out of your revenue. Residential and Commercial projects account for approx. 60% of our business. How this works for example: A residential house on average would cost approx. \$8,000.00 includes taxes, insurance, dump fees etc. If HB1927 is passed, the unlicensed roofer will be able to tell the homeowner that if he pays for the materials he can do the labor for \$2000.00. This is equivalent to a 3 bedroom house. In most cases the unlicensed roofer requires a cash payment (He does not pay taxes on this income). If the house is bigger he will tell the homeowner that he will charge the \$2,000.00 initially then make a change order (additional cost) to do the rest of the house. This will just snowball into larger houses.

Right now the unlicensed roofers are limited up to \$1,000.00, and at this amount we are finding that some homeowners are choosing to go with the cheaper option. Bottom-line is we are losing jobs to unlicensed roofers.

Please vote "NO" on HB1927.

Aloha,

Michael W. Tory

Vice President

Tory's Roofing & Waterproofing Inc.

808-456-5990

BIA-HAWAII
BUILDING INDUSTRY ASSOCIATION

January 25, 2010

Representative Robert Herkes, Chair
Committee on Consumer Protection & Commerce
State Capitol, Room 325
Honolulu, HI 96813

RE: HB 1927 "Relating to Owner- Builders"

Chairs Herkes and Members of the House Committee on Consumer Protection & Commerce:

I am Karen Nakamura, Executive Vice President and Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii opposes the section 3 of HB 1927 that raises the handyman exemption from the current \$1,000 to \$2,000. BIA-Hawaii has consistently opposed increasing the handyman exemption limit because we believe that the consumer must be protected from those who represent themselves as competent and experienced builders. A licensed contractor must meet rigorous tests of the Contractors License Board, such as having the required training and experience in the trade, financial standing, and knowledge of state laws. The licensed contractor must have workers compensation insurance and liability insurance. Hiring a licensed contractor provides certain remedies to the consumer if a licensed contractor has violated the law. There are no remedies for the consumer if they hired an unlicensed builder.

BIA-Hawaii has seen abuse of the Owner-Builder exemption which is the title of this bill that would seem to deter the frequency with which owner-built homes are sold and permits applied for. Nevertheless, we do not believe that the trade off of raising the handyman exemption is fair. With the inability of the State DCCA to enforcement violations of the owner-builder law, we are not confident that there would be any real improvement in stopping unlicensed activity and the abuse of the OwnerBuilder law.

Thank you for the opportunity to express our views.



Chief Executive Officer
BIA-Hawaii

From: Mitchell Owan [mailto:owanm001@hawaii.rr.com]
Sent: Friday, January 22, 2010 9:33 PM
To: Rep. Robert Herkes
Subject: Bill HB 1927

Aloha Représentative Herkes,

I am asking that you work on Bill HB 1927 you take into considération people like me. I have been in the flooring trade since 1974 while I was in High School. I have worked very hard to support my family and to try and keep my business going. I am a licensed contractor, I pay my taxes, and I make sure I have the required insurances. It is very hard to keep up with all the overhead and cost that is required to stay in business. Even before this bad economy started it was hard for me to make ends meat. This past two years have been a real struggle. If this bill is passed it would allow so many handymen to take work away from a small contractor like me, someone who is trying to do things the right way. Please take this into consideration.

Mahalo,
Mitchell J. Owan
M&D Flooring, LLC