

Testimony in SUPPORT of HB 845, HD2: RELATING TO GROUND
LEASES

Date: March 16, 2011

TO: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Members of the Commerce & Consumer Protection Committee

LATE

FROM: Name: Sandra Tangonan
Address: 600 Queen Street, Apt.3607
Honolulu, HI 96813
Contact: Telephone (808) 391-0687

Hearing: March 17, 2011 Thursday, 10:00am;
Commerce & Consumer Protection Committee

Thank you for the opportunity to testify on this very important bill that can make a crucial difference in the lives of my daughter, son-in-law, and their two children - ages 3 and 5.

They are the owners-occupants of a residential leasehold condominium unit at 1251 Heulu Street, Apt 301 in Honolulu, Hawaii 96822. As the second owners of the unit, they have lived in their unit for almost 10 years.

Like many others, they wished to realize their dream of raising children in their own home. The somewhat affordable home of their dreams (to perhaps start as a "stepping stone") was unfortunately a leasehold property. However, the consequence of their decision will catch up in time with them as they are finding that their full-time wages have not kept pace with the increase of fee-simple property values. Their Condominium Board has not heard back from the owner of the property as to whether the property will be made available in "fee simple".

Selling the condominium unit will result in this young family (couple is in their mid-thirties) to lose so much of the equity in their property. This bill will give another option to my daughter's family and others in similar situation.

Supporting HB 845, HD 2 will add value to property in Hawaii, be it lease or fee simple. I respectfully urge you to support HB 845, HD2.

Sincerely,

Sandra Tangonan

Mrs. Sandra Tangonan

**HELEN T. CARROLL (R)
425 ENA ROAD #PH8A
HONOLULU HI 96830
808 225-1007/CELLULAR**

March 8, 2011

**Senator Brickwood Galuteria
Hawaii State Capital Room 208
415 S. Beretania Street
Honolulu HI 96813**

RE: Request Support of HB 845

The purpose of this communication is to request your very strong support of HB 845, which is vital to avoid the looming potential Housing Crisis with 18,000 Leasehold Property Agreements for condominiums and cooperatives due to expire on the Island of Oahu, and additional properties on the Outer-Islands. Currently there are 427 Leasehold Condominium and Cooperative Complexes on the Island of Oahu, with 39 complexes due to expire between the years 2012 and 2018, and many more to follow.

In the year 1991, Chapter 38 of the City and County of Honolulu was passed, which provided protection, and the ability for leasehold apartment owners to purchase their share of the fee interest in the property. However, Chapter 38 was repealed in 2004 by Mayor Hanneman at the first City Council Meeting after he took office. Prior to the repeal, many condominium owners were able to purchase their interest in the Fee. However, cooperatives had greater restrictions, which required purchase of 100% of the Fee only when a minimum of 60% of the apartments were owner-occupied. Many Cooperatives were reaching this goal, until the repeal of Chapter 38.

The Kalia Inc., a 304 apt complex, located at 425 Ena Road, is now nearing 70% owner-occupancy. However, with the lease expiration scheduled for 5/31/2018 hundreds of family's, and senior citizens will have their homes taken from them. Will this escalate Oahu's homeless population?

I attended, and gave testimony in support of HB 845 at the House Committee Meeting on March 2, 2011. I had with me letters of testimony in support of HB 845 from 100 Kalia apartment owners. We were only advised of the Hearing a few days in advance, and actually were able to have so many owners submit testimony within 1 ½ days in response to a notice posted in the lobby.

I also object to testimony stated by a Lessor at the Committee Meeting who stated the Lessees knew what they were getting into when they purchased the apartment. However, thousands purchased their property between 1991 and 2004, knowing they were protected by way of Chapter 38, and would at some point be able to purchase their share of the Fee. Another Lessor claimed they were paying taxes, however, the Lessee's are paying the State Property Tax on the land in addition to the apartment and building.

Provided with this communication are reports identifying Leasehold Condominiums on each of the Islands, stating the expiration date of each complex. Please review these reports for further information.

Your support will be greatly appreciated. I have been a resident of Honolulu since 1987, and been very involved, and supportive in the community, and have been a Member of the Waikiki Neighborhood Board for approximately 8 years.

Yours truly

Helen T. Carroll

**SANS SOUCI, INC.
2877 KALAKAUA AVENUE
HONOLULU, HAWAII 96815**

March 16, 2011

Re: Testimony in **FAVOR** of H. B. 845, Relating to Ground Leases

Dear Senator Baker, Senator Taniguchi and fellow Senators,

I, Barry Denney, am the President of Sans Souci, Inc., a Hawaii Corporation.

Sans Souci represents an apartment building located at 2877 Kalakaua Ave. We have 88 units with over 100 individuals. The Corporation has a ground lease with Willibrant Partners that expires in 2024. Our unit holders are mostly older retired individuals, many living on fixed incomes.

Over the past several years we have attempted to negotiate a fee purchase from our Lessor to no avail. We have asked for a lease extension, to no avail. Today, we own a 50 year old building that we built in 1960. We maintain that building in a good and orderly manner as required by our ground lease. Frankly, we do much more than is required to maintain our building. Our Lessor has attacked us through an attorney to do even more, or be subject to our being ousted even before our lease expires.

We come to you today in support of H. B. 845 as we have no other alternatives available to us to maintain our home. We paid to have our building built, have maintained our building in good condition, have paid a 6% ground lease to our Lessor for 50 years and when we ask for some indication of how the lessor will respond to our request to meet or even discuss the future, we are met with a NO!

This bill would allow your constituents to meet with and discuss the various options available to the owners. It does not force the Lessor to sell. It does provide the lessee with a forum for discussions, as opposed to NO!

The current law allows a Lessor to displace over 100 people for the Lessor's sole profit. We ask that this bill H.B. 845 be passed by your committee to provide long term security for our Sans Souci unit owners.

Thank you,

V. Barrett Denney
President
Sans Souci, Inc.

Testimony for CPN 3/17/2011 10:00:00 AM HB845

Conference room: 229

Testifier position: support

Testifier will be present: No

Submitted by: Jeffrey Smith

Organization: Individual

Address:

Phone:

E-mail: efhawaii@msn.com

Submitted on: 3/16/2011

Comments:

Please pass it. Some of us who are stuck with leasehold properties and are not being offered a chance to buy in fee are paying outrageous leasehold rent increases.

baker2 - Kelli

LATE

From: Carola Wilson [carolaw@hawaii.rr.com]
Sent: Wednesday, March 16, 2011 10:04 PM
To: CPN Testimony
Subject: HB845, HD2

HB845, HD2 RELATING TO GROUND LEASES Hearing Thursday, March 17, 2011, 10:00 am

Senator Rosalyn H. Baker

We respectfully urge you to support HB845.

We thank you for the opportunity to testify on this very important bill. We strongly support the passage of HB845. We are owner-occupants of a residential leasehold condominium at 965 Prospect Street, Honolulu, Hawaii 96822. We have owned and lived in this condo since 1979.

Despite repeated attempts to purchase the fee the landowners refuse to sell the land. The potential loss of our home and its equity is devastating for us. Please pass this bill.

Hans Loffel and Carola Wilson
965 Prospect Street, apt. 511
Honolulu, Hawaii 96822
808 533-1231
carolaw@hawaii.rr.com

baker2 - Kelli

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 16, 2011 11:57 PM
To: CPN Testimony
Cc: lazysranch@hawaiiantel.net
Subject: Testimony for HB845 on 3/17/2011 10:00:00 AM

Testimony for CPN 3/17/2011 10:00:00 AM HB845

Conference room: 229
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Sam S. Gilbert, III
Organization: Individual
Address:
Phone:
E-mail: lazysranch@hawaiiantel.net
Submitted on: 3/16/2011

Comments:
My name is Sam Gilbert. I am a small landowner, lessor and am opposed to HB 845 H.D.2.

This bill is an underhanded attempt to steal our land and improvements after we have been adhering to our contractual obligations for over 50 years.

As stated in our leases, the lease rents along with the improvements are all compensation to the lessor for the use of our land. However, this legislation is only concerned with forcing the lessor to sell his land without the benefit of the free market.

If a lessee is on a fixed income I doubt purchasing land and improvement is a solution, unless the lessor's interest is somehow diminished, i.e. stolen, for the purpose of transferring wealth from one party to another.

This is unethical and unconstitutional. The state is a larger lessor who will not have to part with it's leased land, yet the small land owner will no longer have that protection under the law if this bill is passed.

Sincerely,

Sam Gilbert

Testimony in SUPPORT of HB 845, HD2: RELATING TO GROUND LEASES

Date: March 15, 2011, 2011

TO: Senator Rosalyn Baker, Chair, Senator Brian Taniguchi, Vice Chair,
and members, Commerce and Consumer Protection

FROM: Yi Chi (Edmund) Wang, owner of residential lease unit
Contact: edmundwang2012@gmail.com; 735-9066

Hearing: Thursday, 3/17/11, 10:00 am; Room 229

Thank you for the opportunity to testify on this very important bill.

I purchased my leasehold apartment 28 years ago. And I was told by the broker that I can also purchase the land in the future. But after that many years I am facing to lose my apartment. My children are losing their home. We urge you to pass the HB 845. So we can still have our home.

I respectfully urge you to support HB 845, HD 2.

Yi Chi Wang
Ling Hsiang Wang
Tiffany Wang
Vincent Wang

HB845

- 1) DORIMEGAN BLACK 808-441-9871
Comments (Support - Feels that
not all landowners are fair -
Wish all would have aloha spirit)
- 2) LAURA HORGAN 808 949 -4797
An support of bill - lived in 2563 Date St.
since 1962.
- 3) Kathryn M. Sullivan 808-942-2525
Support Issue 11 yrs.
425 Ewa Rd 204A



LATE

LATE TESTIMONY

Thursday, March 17, 2011
10:00 a.m.
Conference Room 229

TESTIMONY TO
THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

RE: HB 845, HD 2 – Relating to Ground Leases

Chair Baker, Vice Chair Taniguchi, and Members of the Committee,

My name is Robert Witt, executive director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide.

HAIS is opposed to HB 845 HD2 as it would significantly impact at least two of our member schools' ability to expand to meet the future needs of their educational programs, campuses, and students. Iolani School and Kamehameha Schools are member schools in good standing, both educating multiple generations of students with great distinction. These institutions are of the highest integrity and are guided by trustees who act in good faith on behalf of their students and in line with their missions. Iolani School, Kamehameha Schools, and all independent schools should be allowed to use their land holdings as they see fit to further their educational missions.

Thank you for the opportunity to testify.

**TESTIMONY IN SUPPORT OF HB 845,
HD1; RELATING TO GROUND
LEASES**

**TO: Representative Gilbert Keith-
Agaran, Chair and Members of the
House Judiciary Committee**

FROM: Barbara Dale

2629 Date Street, No. 1

Honolulu, HI 96826

808.947.3321

I am 84 years old and have owned a unit at Laau Gardens since 1993. My only income is my social security pension. I am currently very comfortable knowing that I have an affordable, safe and secure home of my own. However, in the not so distant future, this will change.)

My unit is one of approximately 400 which sits on leased land and the lease is set to expire in December 2012. We have been advised that the lease will not be renewed. (The land owners plan to take possession of our units with no compensation to the owners and have indicated they may rent our units back to us at "market prices".)

Even though I am elderly, I'm not naive and uninformed. When I bought the

unit, I knew there was a chance the land lease would not be renewed at some point. However, there was also a large movement by many of the similarly situated multi-house developments to purchase the land under their homes.

At the time, the City and County of Honolulu had enacted Chapter 38, which established a process that allowed residential lessees of multi-family units to initiate mandatory leasehold conversions to purchase their

leased-fee interest at market prices. I believe that several thousand leasehold multi-family units were voluntarily converted to fee or were able to preserve their units by having their leases extended. (Because of this law, *Ch 38 enacted by City Council* unit owners felt secure enough to make *It was repealed in 2004* improvements and renovations to their homes and overall improvements to the grounds, thereby building up equity.

Suddenly, however, in 2004, for some

reason unknown to me, Chapter 38 was abruptly repealed by the City and County of Honolulu.

Which brings us to the situation today...with no apparent hope of purchasing our units, no apparent hope of extending our land lease and no apparent hope of retaining our equity.

If we are ousted from our homes outright or offered unaffordable rents for the privilege of remaining in what we have called home for years, where can we go? Hawaii has an abundance of high-priced high-rises, but low-income housing is scarce. Hawaii already has one of the highest homeless rates in the country. I fear that allowing these land leases to expire will raise Hawaii's homeless rate even more. There are over 18,000 families in Hawaii that could

eventually be displaced from their homes, many of whom can least afford it (young families and elderly citizens).

Again, where can we go?

I'm not looking for a free handout. The bottom line is that I want to retain the equity in my home. I want to be able to continue living in my home at an affordable price. I don't want to be homeless. I want peace of mind. I want a place to call home.

Please help by supporting HB 845.

Thank you very much for allowing me
the opportunity to submit my testimony
on this very important bill.

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:
Name Goro Ema Shimizu
Address 425 Ema Rd #301A
Contact

HEARING (Date/time/place):

Mon 3/17/2011 12:00AM Conf Rm 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 Ema Rd #301A (street address). I have owned and lived in this unit for 50 years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside.. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely,

Mr + Mrs. Goro Shimizu

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:
Name CECIL ALBRIGHT
Address 425 ENA ROAD, 1007-A, HONOLULU, HI
Contact 946-3000 96815

HEARING (Date/time/place):

THU 3-17-2011 10:AM Conf. Rm 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 ENA ROAD, APT. 1007-A (street address). I have owned and lived in this unit for 21 years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside.. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely,

Cecil Albright

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From: James Weise
Name
Address 425 Ewa Rd., 1202A
Contact 808. 7780436.

HEARING (Date/time/place):

Thurs 9-17-2011 10:AM Conf. Rm 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 Ewa Rd., Apt 1202A (street address). I have owned and lived in this unit for 6 years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside.. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely, James Weise

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases.

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From: Mimi & Floyd Hone
Name

Address 475 ENA Rd. #905 B Hon. Hi. 96815
Contact

HEARING (Date/time/place):

3/17/11 10:00 AM State Capitol, 415 So Beretania St.
Conference Room # 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 475 ENA Rd. #905 B Hon. Hi. 96815 (street address). I have owned and lived in this unit for 20 years.

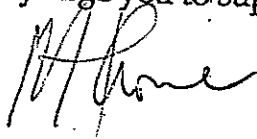
House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely,



Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:
Name JAMES J. WELLS
Address 425 ENA RD, #703C
Contact 955-2710

HEARING (Date/time/place):

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at KALIA-425 ENA RD, #703C (street address). I have owned and lived in this unit for 7 years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside.. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely,



Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases.

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From: THEODORE Homyack
Name: ~~Blended Walden~~ ANN ELLIS AVE ALTA LOMA
Address: ~~6616 Kinlock, Alt City~~ 6616 Kinlock, Alt City
Contact: Ph. 1-909-980-2516

HEARING (Date/time/place): 10:AM
MARCH 17, 2011 STAT Capitol 415 S. Beretina
Conference Rm. 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 ENA RD. #107B Hon. HAWAII 96815 (street address). I have owned and lived in this unit for 10 years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely, THEODORE Homyack / ANN ELLIS

(Personal Representative
for THEODORE Homyack)

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:

Name PHIL ROGERS
Address 425 ENA RD, #305-B, HONOLULU, HI 96815
Contact (808) 955-9870 (PLEASE LEAVE A MESSAGE)

HEARING (Date/time/place):

MARCH 17, 2011, 10:00 AM, STATE CAPITOL 415 SO. BERETANIA ST., CONFERENCE RM. 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 ENA ROAD #305-B, HONOLULU, HAWAII 96815 (street address). I have owned and lived in this unit for 20 years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely, PHIL ROGERS / BEATRICE VANDON
(PERSONAL REPRESENTATIVE FOR
MR. PHIL ROGERS)

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:

Name MS. MEYMO REGO

Address 5243 PAPA STREET, HONOLULU, HI 96821

Contact (808) 295-4974

HEARING (Date/time/place):

MARCH 17, 2011, 10:00AM, STATE CAPITOL 415 SO. BERETANIA ST.,
CONFERENCE RM. 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 ENA ROAD #504-B, HONOLULU HAWAII 96815 (street address). I have owned and lived in this unit for 40+ years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely, MRS. ISABEL KELEA LEMON / MS. MEYMO L. REGO
(PERSONAL REPRESENTATIVE FOR MRS. LEMON)

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases.

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:

Name GARY STROEHLEIN
Address 1215 VISTA GRANDE, EL CAJON, CA 92019
Contact (619) 933-2993

HEARING (Date/time/place):

MARCH 17, 2011, @ 10 AM, STATE CAPITOL, 415 SO. BERETANIA ST., CONFERENCE RM. 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 FNA ROAD #508-B, HONOLULU, HAWAII 96815 (street address). I have owned and lived in this unit for 14+ years.

House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely, GARY STROEHLEIN / BEATRICE VANDON
PERSONAL REPRESENTATIVE FOR GARY STROEHLEIN

Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:

Name Dennis Rady

Address 425 Ena Rd #1205C Honolulu, HI 96815

Contact

(808) 947-1661

HEARING (Date/time/place):

Thurs 3-17-2011 10:00AM Conf. Rm. 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at Kalia 425 Ena Rd #1205C (street address). I have owned and lived in this unit for 7 years.

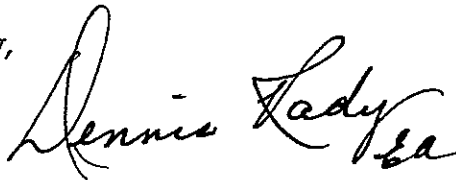
House Bill 845 would provide a way for landowners to get a Fair Market Rent for their land; and, it would provide a way for owners and renters in leasehold properties to have peace of mind because they will know that the lease can be extended and they can remain in their homes.

Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely,



Testimony in SUPPORT OF HB 845, House Draft 2: Relating to Ground Leases

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
And Members
Commerce and Consumer Protection Committee

From:
Name PHILIP N. EMERICK
Address 425 ENA RD #206C
Contact 946-6243

HEARING (Date/time/place):

THU 3-17-2011 10:AM Conference Rm 229

Thank you for the opportunity to testify in support of this very important bill that can make a crucial difference in my life.

I am an Owner-Occupant of a residential leasehold condominium (or cooperative housing unit), at 425 ENA RD. #206C, HONOLULU, HI 96815 (street address). I have owned and lived in this unit for 16 years.

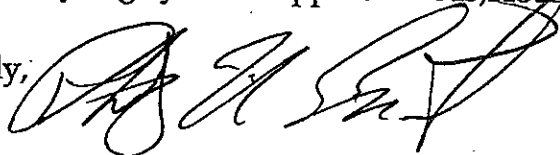
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Residential land leases is an important issue for the State of Hawaii because there are about 18,000 residential leasehold units in the State. We face the loss of both our units and our equity at a crucial time when there is a shortage of affordable housing. How can the State accommodate the possible influx of hundreds and then thousands of potential homeless if affordable housing is not available. Our units are important so we will have an affordable place to stay we can call our home.

I would like to live out my life in the unit and in the neighborhood where I now reside.. I do not want to move to another area and rent since I currently own my unit but not the lease fee interest.

I respectfully urge you to support HB 845, House Draft 2.

Sincerely,



Testimony in SUPPORT of HB 845, House Draft 2: RELATING TO
GROUND LEASES

Date: 3/16/2011

TO: Senator Baker, Chair, Senator Taniguchi, Vice Chair, and
Members, Senate Committee CPN

FROM: Name: Scott & Jessica Shifferly

Address: 624 A 10th Ave

Contact: 292-6126

Hearing (Date/time/place): 3/17/11 @ 10 a.m.

Thank you for the opportunity to testify on this very important bill that can make a crucial difference in my life.

I am an Owner of a residential leasehold condominium (or cooperative housing unit), at Hale Laau II (Laau St # 104) (street address). I have owned my unit for 7 years and paid my Property Tax on time.

House Bill 845 would provide a way for landowners to get a Fair Market Lease Rent for their land. It would provide a way for owners and renters in leasehold properties to have peace of mind, knowing that the lease can be extended and people can remain in their homes.

Residential land leases are a huge issue for Hawaii with about 18,000 units of residential leasehold units throughout the State. We face the loss of our units and our equity. There is a public purpose to promote affordable housing and allowing people to remain in their homes. What will Hawaii do as hundreds and then thousands of us begin to lose our homes? Where is there other affordable housing that we can move to?

I would like to live out my life in the unit and in the neighborhood where I now reside. I don't want to move to some other area and rent a home since currently I own my unit, but not the fee interest.

I respectfully urge you to support HB 845, House Draft 2.

My husband and I were resident owners for 6 yrs but we recently moved out because of our growing family. It's very hard to find affordable rent elsewhere and to raise a family in these islands. We now rent our unit to my brother who has also had a hard time finding affordable...



testimonial letter supporting HB845 can you see it get to right place

Thursday, March 17, 2011 11:24 AM

From: "Susan Marth" <susan.j.marth@gmail.com>

To: wonnacot01@yahoo.ca

Commerce and Consumer Protection Committee
Rosalyn H. Baker, Chairperson

The majority of my life has been spent in the Washington D. C. area teaching valuation science at George Washington University as well as at Indiana University. I was instrumental in the development and teaching of the USPAP courses (Uniform Standards of Professional Appraisal Practice). Now that I am retired I live in Hawaii and have owned a leasehold property for about five years. Before moving to Hawaii I shared a wide spread misconception of land ownership in Hawaii with most other mainlanders. We believed that the leasehold lands were owned by native Hawaiians and leased to others to preserve their Heritage. I was disappointed to learn that is not so. Instead, a hand full of wealthy non-Hawaiians control a large portion of Hawaii's land. The price they paid long ago was very low in comparison to the value of the lands now. The availability of buildable land in Hawaii is scarce. For this reason the landowners stand to make a windfall profit. I am not opposed to the landowners being fairly compensated for their good judgment and fortunate opportunities of the past investment. I would like to see that the profits are not unjust, out of control greed.

Those people, who also made an investment in the form of improvements on these leasehold properties, are also entitled to be compensated fairly. The buildings and homes that exist on the property have value. The people who purchased them and maintained them are asked to walk away with no compensation what-so-ever if the landlord raises the ground rent or sale price beyond a reasonable amount. Under the present law a landlord who will not offer a purchase prior to the sunset of the lease on the property is in control of the value one will have to pay at the sunset of the lease. The value of the dwellings with a short time left on a leasehold property not offering a purchase will continue to decline until it is close to impossible to sell at all. For obvious reasons no one wants to purchase a property they may have to give to the landlord soon with no compensation. This is why so many of the leasehold properties fall into disrepair. Many are middle or low income families. Their dollars need to stretch a long way just to get by. Repairing a property that may not be yours soon is not only distasteful it just is not prudent. Conversely the value of the land will continue to increase due to its pending availability. The dwellings which do fall into disrepair are also an asset to the landlord who has ideas of redevelopment rather than continued use as is.

Two parties share in a co-ownership of a single property, however one gets preferential treatment in the present situation. The owner of the land controls and can manipulate the rent, the sale price, the use, and the future use of the property, The owner of the dwelling has little or no control after the original lease (sometime prior to the present owners birth). The owner of the dwelling is also forced to pay the real estate tax for the land and the property. I feel this action is unlawful, immoral and unconstitutional.

The passage of HB 845 will significantly bring some equity to the leasehold property. The use of binding arbitration utilizing the USPAAP standards will allow landowners a fair profit without displacing thousands of low to mid income families. It will encourage home owners to keep their dwellings in good repair. The state of Hawaii will avoid a major financial catastrophe.

Respectfully submitted

Susan J. Marth, CAPP
2567 Laau St. #37
Honolulu HI 96826