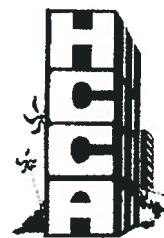




**Hawaii Council of Associations
of Apartment Owners**
DBA: Hawaii Council of Community Associations

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March 21, 2011

Sen. Rosalyn H. Baker, Chair
Sen. Brian Taniguchi, Vice-Chair
Senate Committee on Commerce & Consumer Protection

Re: HB879, HD1 Relating to Mortgage Foreclosures (Task Force)
Hearing: Tuesday, March 22, 2011, 9 a.m., Conf. Rm. #229

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

I am Jane Sugimura, President of the Hawaii Council of Associations of Apartment Owners (HCAAO) and I am a member of the mortgage foreclosure task force.

HCAAO supports this bill with the exception of two changes:

At page 10 line 22 and at page 17 line 16, the word "residential" should be deleted. These provisions relate to the waiver by the lender to pursue a deficiency judgment against owner occupants of residential property in a nonjudicial foreclosure. The lender group on the task force agreed to waive their right to pursue a deficiency judgment against an owner-occupant who had no other property but would insist on their right to obtain a deficiency judgment against an owner-occupant who had other real property, i.e., investment, commercial or industrial property. Accordingly, the word "residential" was not consensus language and should be deleted.

Thank you for the opportunity to testify.


Jane Sugimura
President

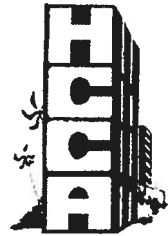
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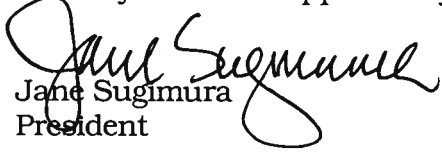
Re: Supplemental Testimony in Re HB879, HD1 Relating to
Mortgage Foreclosures (Task Force/SB1454 SD1)
Hearing: Tuesday, March 22, 2011, 9 a.m., Conf. Rm. #229

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

I am Jane Sugimura, President of the Hawaii Council of Associations of Apartment Owners (HCAAO) and I am a member of the mortgage foreclosure task force.

In addition to our previous testimony in general support of this bill, HCAAO respectfully asks that the Committee insert into this bill language from SB1454 SD1, which clarifies non-judicial foreclosure procedures applicable to condominium and community associations so that those respective homeowners associations could avail themselves of those remedies to recover unpaid maintenance fee delinquencies.

Thank you for the opportunity to testify on this matter.


Jane Sugimura
President