

**PRESENTATION OF THE
CONTRACTORS LICENSE BOARD**

**TO THE HOUSE COMMITTEE ON
ECONOMIC REVITALIZATION & BUSINESS**

**TWENTY-SIXTH LEGISLATURE
Regular Session of 2011**

**Thursday, February 3, 2011
8:00 a.m.**

TESTIMONY ON HOUSE BILL NO. 1136, RELATING TO CONTRACTORS.

**TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,
AND MEMBERS OF THE COMMITTEE:**

My name is Denny Sadowski, Legislative Committee Chair of the Contractors License Board ("Board"). Thank you for the opportunity to testify in opposition to House Bill No. 1136, which proposes to exclude the cost of materials in determining whether a project qualifies for the contractor license "handyman" exemption. Currently, the exemption does not apply to projects over \$1,000, including labor, materials, taxes, and all other items.

The Board believes that allowing individuals to exclude materials from their contracts for the purpose of qualifying for this exemption would open the door to abuses of the licensing statute, contribute to the problem of unlicensed activity, and 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, excluding the cost of materials will provide a loophole for material suppliers, who would be allowed to perform projects of any size without a contractor's license if they provide "free installation" or charge

installation costs of up to \$1,000. Also, consumers will not be able to file complaints with the Regulated Industries Complaints Office for poor workmanship or other problems.

For these reasons, the Board is opposed to House Bill No. 1136.



**International Union of Painters and Allied Trades
District Council 50**

TO THE HOUSE COMMITTEE ON ECONOMIC REVITALIZATION &
BUSINESS

TWENTY-SIXTH STATE LEGISLATURE
REGULAR SESSION, 2011

TIME/DATE: 8:00 A.M., THURSDAY, FEBRUARY 3, 2011

TESTIMONY ON HOUSE BILL NO. 1136 – “RELATING TO CONTRACTORS.”

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR
AND MEMBERS OF THE HOUSE COMMITTEE ON ECONOMIC
REVITALIZATION & BUSINESS:

The International Union of Painters and Allied Trades, District Council 50, appreciates the opportunity to testify in **strong opposition** to House Bill No. 1136. My name is Lynn Kinney, Business Managers/Secretary Treasurer of the International Union of Painters and Allied Trades, District Council 50 (IUPAT, DC50), an organization comprised of four (4) local unions - the Painters, Local Union 1791; the Glaziers Architectural and Glass Metal Workers, Local Union 1889; the Carpet Linoleum and Soft Tile, Local Union 1926; and the Drywall, Tapers Finishers, Local Union 1944, representing approximately 2000 members throughout the State of Hawaii.

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AND GLASS METAL
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CARPET LINOLEUM
AND SOFT TILE

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DRYWALL TAPERS
FINISHERS

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BIA-HAWAII
BUILDING INDUSTRY ASSOCIATION

February 3, 2011

Representative Angus McKelvey, Chair
Committee on Economic Revitalization and Business
State Capitol, Room 312
Honolulu, HI 96813

RE: HB1136 Relating to Contractors

Dear Chair McKelvey and Members of the Committee on Economic Revitalization and Business:

I am Karen Nakamura, 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 is strongly opposed to HB1136 Relating to Contractors.

BIA-Hawaii believes that there is no substitute for protection of workers and consumers. The raising of the handyman's exemption by the excluding the cost of materials from the threshold of \$1,000 would be totally detrimental to the protection of workers and consumers. Increasing the handyman's exemption will subject consumers to more liability rather than protect them from fraud and injury.

Licensing of contractors is a consumer protection issue. The legislature established the Contractors License Board for the protection of the public health, safety, and general welfare in dealing with persons engaged in the construction industry. The Contractors License Board affords to the public effective and practical protection against the incompetent, inexperienced, unlawful and unfair practices of unlicensed builders with whom the public contracts. The purpose of the law was to provide remedies to the consumer when a licensed contractor has violated the law. There is no such oversight of the unlicensed builder and no remedy for the consumer against the unlicensed builder. The consumer is not aware that they are responsible for the medical costs of a worker who is injured on the job but who works for an unlicensed builder. This should not be case. This bill is one way of raising the handyman's exemption and encourage more unlicensed activity by legitimizing it.

We ask that this bill be filed. Thank you for the opportunity to share our views with you.


Chief Executive Officer, BIA-Hawaii

SAH - Subcontractors Association of Hawaii

1188 Bishop St., Ste. 1003**Honolulu, Hawaii 96813-2938

Phone: (808) 537-5619 ✦ Fax: (808) 533-2739

February 3, 2010

Testimony To: House Committee on Economic Revitalization & Business
Representative Angus L.K. McKelvey, Chair

Presented By: Tim Lyons
President

Subject: H.B. 1136 – RELATING TO CONTRACTORS

Chair McKelvey 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 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 \$1000 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 \$1000 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".

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

SMCA *Sheet Metal Contractors Association*

905 Umi Street, Suite 305, Honolulu, HI 96819-2377, Ph (808) 845-9393, Fax (808) 845-9395 email: smcasmif@hawaiiantel.biz
NEAL ARITA
Executive Director

February 1, 2011

Honorable Angus McKelvey, Chairman
House of Representative
House Committee on Economic Revitalization and Business
Hawaii State Legislature

Mr. Chairman and Members of the Committee

SUBJECT: HB 1136 – Relating to Contractors

The Sheet Metal Contractors Association is comprised of 25 sheet metal contracting firms who collectively perform the vast majority of the sheet metal, ventilating and air conditioning work on commercial and public projects in the State of Hawaii. We thank you for this opportunity to voice our opposition to HB 1136.

Members of this Association are adamantly opposed to the proposed amendment as noted in this bill. This bill will allow so call **"handyman contractors"** who are **unlicensed** and not subject to the statutes covering licensed contractors, to do any work up to \$1,000.00, **excluding materials**. Currently handyman contractors are limited to do any contracting work up to \$1,000.00, which includes all item and even materials. The purpose of the current statutes which covers **licensed contractors** was created specifically for the protection of the public. The \$1,000.00 exclusion from these statutes was seen as a minor amount which did not need the scrutiny of government. Currently, many of our contractors do many projects that is less than \$1,000.00 **if materials are excluded**. The exclusion of materials from the contract amount will afford the handyman to perform work in the covered area of the statutes without really being subjected to the statutes. Not only is the protection of the public excluded, it is unfair for the licensed contractors who are subject to the statutes. If the handyman contractor wish to work over the current limit of \$1,000.00, they should, for the protection of the public, be licensed as licensed contractors.

Even with the current limit of \$1,000.00, there are many instances of unlicensed contractors doing work over the \$1,000.00 and not in a professional manner. Refer to the archives of the Regulated Industries Complaint Office (RICO) and you will find numerous complaints filed against unlicensed contractors and many for work over the \$1,000.00 limit. Excluding the materials from the current limit would allow handyman contractors to do work in the thousands of dollar, much higher than the current limit. As stated previously, for the protection of the public, any contractor wishing to do work over \$1,000.00 should be licensed by the State of Hawaii.

We strongly urge that this bill **not be passed**.

Sincerely,

/s/Neal Arita
Neal Arita
Executive Director



February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Sir or Madam:

A bill to exclude material costs from the \$1,000 Handyman limit (**HB 1136**) **deserves your support.**

I am the 2011 President of NARPM (National Association of Residential Property Managers)-Oahu Chapter, which is the largest in the United States with 180 members. Together we manage over 20,000 rental units. If this bill were enacted into law, many of the problems we encounter as property managers could be avoided. Many contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair.

Supporting this bill will:

1. Increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State.
2. Give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances.
3. Generate more sales of materials, resulting in more tax revenue for the State.
4. Hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136.

Thank you for your time and consideration.

Sincerely,

Laurene H. Young
2011 NARPM-Oahu Chapter President
(808) 754-4005

Painting and Decorating Contractors Association of Hawaii

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

February 1, 2011

Representative Angus McKelvey, Chair
Representative Isaac Choy, Vice Chair
Committee on Economic Retitalization & Business
State Capitol, Room 312
Honolulu, Hawaii 96813

RE: HB 1136 – “Relating to Contractors”

Chair McKelvey. Vice Chair Choy and members of the House Committee on Economic Revitalization & Business:

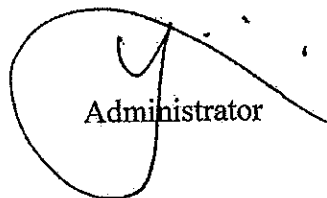
The Painting and Decorating Contractors Association (PDCA) of Hawaii was chartered in 1961 and represents over 30 contractor and supplier firms that employ over 2000 individuals Statewide.

We are strongly opposed to HB 1136 that excludes materials from the handyman exemption of \$1000. We believe that this will allow unscrupulous contractors to manipulate their price. The actual value and cost of a project includes labor, materials, and equipment; therefore, material is indeed an integral part of every project.

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



MAUI CONTRACTORS ASSOCIATION

February 1, 2011

Honorable Angus McKelvey, Chair
Committee on Economic Revitalization & Business
415 South Beretania Street
State Capitol, Room 312
Honolulu, HI 96813

Re: House Bill No. 1136, Relating to Contractors
Excludes cost of materials in determining whether cost of project is less
than \$1,000 purposes of "handyman" exemption from contractor licensing law.

Dear Chair McKelvey and Committee,

I am Jacqueline Haraguchi, Executive Director of the Maui Contractors Association. Maui Contractors Association has over 200 members and has been the voice of the Building Industry in Maui County for over 40 years.

MCA strongly opposes HB1136. Maui Contractors Association feels that allowing unlicensed contractors (handymen) to exclude materials from their contracts would be extremely hard to enforce and would only make the abuse of unlicensed activity worse. It is my experience that unlicensed activity in Maui County is uncontrollable as it is.

Many unlicensed contractors mislead consumers by saying their licensed by having a GET license. I have received many, many phone calls from consumers who have lost thousands of dollars to unlicensed contractors. This bill is a detriment to our industry and community.

Thank you for the opportunity to provide testimony in opposition of this bill.

Sincerely,

Jacqueline Haraguchi
Executive Director

February 1, 2011

Honorable Angus McKelvey, Chair
Committee on Economic Revitalization & Business
415 South Beretania Street
State Capitol, Room 312
Honolulu, HI 96813

Re: House Bill No. 1136, Relating to Contractors
Excludes cost of materials in determining whether cost of project is less
than \$1,000 purposes of "handyman" exemption from contractor licensing law.

Dear Chair McKelvey and Committee,

I am Ray Skelton, Board Member of the Maui Contractors Association. I strongly oppose HB1136. By allowing unlicensed contractors (handymen) to exclude materials from their contracts would be extremely hard to enforce and would only make the abuse of unlicensed activity worse.

Thank you for the opportunity to provide testimony in opposition of this bill.

Sincerely,

A handwritten signature in black ink that reads "Ray Skelton". The signature is written in a cursive style with a prominent "R" and "S".

Ray Skelton

From: Gerry Peters [gerry@hpsconstructionservices.com]
Sent: Monday, January 31, 2011 8:26 PM
To: ERBtestimony
Subject: HB 1136 THURS FEB 4 RM 312 8 AM RELATING TO CONTRACTORS

Testimony of Gerald Peters
and The Hawaii Lumber Products Association

(ERB) House Committee on Economic Revitalization & Business

Thurs February 4, 2011. Room 312. 8:00 am

RE: HOUSE BILL 1136 – RELATING TO CONTRACTORS

Chair McKelvey, Vice Chair Choy, and Members;

My name is Gerald Peters. I am testifying on behalf of The Hawaii Lumber Products Association, as well as myself as an individual, my State Licensed General Engineering and General Contracting Corporation, as a member of the Building Industry of Hawaii Government Relations Committee, and as seven years producer and on air co-host of statewide Fixitfridays Home Improvement hour on Clear Channel News/Talk Radio KHVH on The Mike Buck Show.

I and we are unanimously in strong opposition to this legislation which in our and my opinion will undermine the intent of the contractor licensing law, cause free range misuse of so called labor versus materials computations, and thus put an even larger number of home and condo owners and renters at risk of poor and harmful lack of quality, and financial deception by opportunistic so-called handymen. Moreover, I can assure you this legislation would cause hundreds of thousands of dollars or more of increased black market, underground economy evasion of State G.E. and Income taxes.

In today's poor economy, more and more licensed contractors are advertising and providing handyman type services on all islands. This legislation would punish the legitimate contractors and licensed handymen, such as my own company and individuals on Oahu and Maui, and The Big Island and put them/us in a huge disadvantage due to added costs of fulfilling the requirements of the contractor licensing law. The presumptions that licensed contracting services are not available or that free range partial deregulation will save consumers money are not substantiated other than by hearsay, in our opinion.

I believe the starting point for dealing with so called handymen, is to at least have them possess General Excise Tax Licenses and pay something towards participating in our state business community legitimately, and find a way to get them out of the underground economy.

Not only do these people often deal in cash inducements to get home and condo owner and renter business, but furthermore they more often than not misrepresent their experience and abilities to do work, and wade into electrical and plumbing issues which can cause fires and flooding long after they have grabbed the consumers' money.

Either we have a regulated, consumer protection environment or we completely deregulate. This is a foolish, not well considered out initiative, period. We and I urge you

Lui & Young Realty, Inc.

2131 South Beretania Street, Suite 204 • Honolulu, Hawaii 96826-1405

Office: (808) 941-4016 • Fax: 942-7146 • Cell: 754-3635 • E-mail: luyoung@pixi.com

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Sir or Madam:

A bill to exclude material costs from the \$1,000 Handyman limit (**HB 1136**) deserves your support.

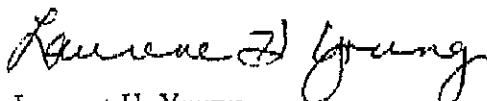
I am a member of NARPM (National Association of Residential Property Managers) and the Oahu Chapter is the largest in the United States, with 180 members. If this bill were enacted into law, many of the problems encountered by us property managers could be avoided. Some of the problems property managers encounter are that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair.

Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,



Laurene H. Young
Property Manager



B.Y. Realty
Management
and Sales

From: Steven S. Saito
Principal Broker of B.Y. Realty Management & Sales
1314 S. King St. #750
Honolulu, HI 96814
808-591-2941

February 1, 2011

To: Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 03, 2011 @ 8 am in Conference room 312
HB 1136

Gentlemen,

I ask you and this committee to support the exclusion of material costs from the \$1,000.00 Handyman Limit (HB1136) because:

1. it would give the Handyman the ability to make a fairer living which has been eroded over the years by the rising material costs but no changes in the Handyman exemption limit (which includes material as well as labor);
2. it would increase the number of people doing Handyman work thus decreasing unemployment and the related cost of unemployment and potentially welfare;
3. it would afford home owners access to more affordable repairs thus increasing quality of housing for tenants.

Additionally this will reduce the problems encountered by property managers trying to get repairs done such as:

1. finding contractors interested in smaller jobs;
2. getting contractors to respond quickly;
3. the cost being charged being much more than a Handyman.

As a member of NARPM (National Association of Residential Property Managers) Hawaii chapter, I know this desire is shared by all of our 180 property managers.

Once again, I ask you to support HB 1136 .

Thank you for your time and consideration.

Sincerely,


Steven S. Saito



85-761 Farrington Highway, Suite 208, Waianae, Hawaii 96792
 Phone: (808) 696-0774 Fax: (808) 696-8706 www.foster-realty.com

February 1, 2011

Angus L.K. McKelvey, Chairman
 Isaac W. Choy, Vice Chair
 Members of the Committee on Economic Revitalization and Business
 Hearing on February 3, 2011 at 8:00 am in Conference Room 312
 FAX: 586-8479
 Email: ERBtestimony@Capitol.hawaii.gov

To Whom It May Concern:

A bill to exclude material costs from the \$1,000 Handyman limit (**HB 1136**) **deserves your support.**

I am a member of NARPM (National Association of Residential Property Managers) and the President of Foster Realty, Inc. (the #1 Property Management Company in Waianae). If this bill were enacted into law, many of the problems encountered by all of us could be avoided.


For those of us on the Leeward Coast, we are constantly struggling to find any contractors who are willing to do any of the smaller jobs at a reasonable cost.

Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

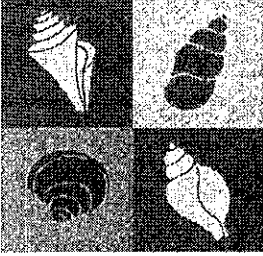
Thank you for your time and consideration.

Sincerely,



Sylvia E. Foster
 REALTOR, ORB, CRS, GRI

"Your Home Is Where Our Heart Is"



Shellz Ohana Realty, LLC

85-827 B Farrington Hwy.
Waianae, Hawaii 96792
808-696-0028 (office)
808-697-8202 (fax)
shelly.freitas@hawaiiantel.net
www.shellzohanarealtyllc.com

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Sir or Madam:

A bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

I am a member of NARPM (National Association of Residential Property Managers) and the Oahu Chapter is the largest in the United States, with 180 members. If this bill were enacted into law, many of the problems encountered by us property managers could be avoided. Some of the problems property managers encounter are that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair.

Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Mahalo,

Shelly M. Freitas ®
Principal Broker, Owner
Property Manager
NARPM Member



February 1, 2011

Angus L.K. McKelvey, Chairman
 Isaac W. Choy, Vice Chair
 Members of the Committee on Economic Revitalization and Business
 Hearing on February 3, 2011 at 8:00 am in Conference Room 312
 FAX: 586-8479
 Email: ERBtestimony@Capitol.hawaii.gov

Aloha,

House Bill 1136, which will exclude material costs from the \$1,000 Handyman limit deserves your full support.

If this bill were enacted into law, many of the problems encountered by local property managers could be avoided. Some of the problems property managers encounter is that contractors:

- 1) Are not interested in smaller jobs or they charge unreasonable rates to do them based on unrealistic "minimum service charges";
- 2) They do not respond quickly to repair requests - they only take the "small jobs" if they have nothing else to do;
- 3) When they quote a job, their fees are usually more than double what a Handyman would charge.

Supporting this bill will increase the number of Handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give landlords a greater opportunity to do affordable repairs resulting in better housing and faster conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

I am a member of NARPM (National Association of Residential Property Managers) and the Oahu Chapter is the largest in the United States with over 180 members. As a full-time property manager, I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Becky D. Gustafson, GRI, CRS
 Realtor/Property Manager
 NARPM Member

500 Ala Moana Blvd., Suite 400
Seven Waterfront Plaza, Honolulu, HI 96813-4920
OFFICE - (808) 538-RENT FAX - (808) 623-9496
Email: GREHawaii@gmail.com



Hawaii Reserves, Inc.
A LAND MANAGEMENT COMPANY

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

SENT VIA
FAX TO:
586-8479

RE HB 1136

Dear Sir or Madam:

The above Bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

I am the Pacific Regional Vice President of The National Association of Residential Property Managers, and also a member of its Oahu Chapter, which is the largest in the country, with 180 members. If this bill were enacted into law, many of the problems encountered by Hawaii property managers could be avoided. For example, one of the problems we encounter is that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair.

Supporting this Bill would increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable and needed repairs resulting in better housing and more conformance with building codes and ordinances. Supporting this Bill would also generate more sales of materials, resulting in more tax revenue for the State, as well as minimize the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136. Thank you for your time and consideration.

Sincerely,

Richard Vierra,
Principal Broker &
Director of Property Management

ISLAND
ESTATES,
I N C.



February 1, 2011

Angus L.K. McKeelvey, Chairman
Isaac W. Choy, Vice Chair

Members of the Committee on Economic Revitalization and Business
Hearing on Feb. 3, 2011 at 8:00 am in Conference Room 312
Fax: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Sirs:

A bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

I am a member of NARPM (National Association of Residential Property Managers) and the Oahu Chapter is the largest in the United States, with 180 members. If this bill were enacted into law, many of the problems encountered by us property managers could be avoided. Some of the problems property managers encounter are that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge more for the same repair.

Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the state. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable. Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter. Thank you for your time and consideration.

Sincerely,

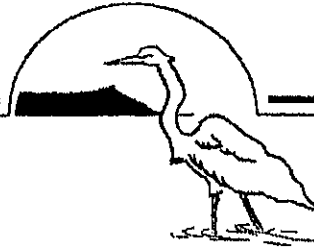
Stan Tanaka

Stan Tanaka (R)

Property Manager
Island Estates, Inc.

1600 Kapiolani Boulevard • Suite 210 • Honolulu, Hawaii 96814
Telephone: (808) 943-2888 • Facsimile: (808) 957-0119

WOODSTOCK
PROPERTIES, INC.



Jason H. Bostick RA
Woodstock Properties Inc.
Property Manager
Director of Maintenance & Repairs
487-8300

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

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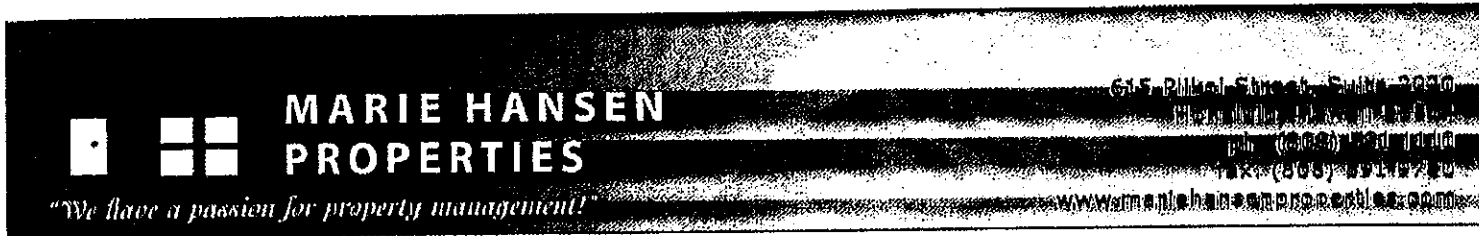
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Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,



February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

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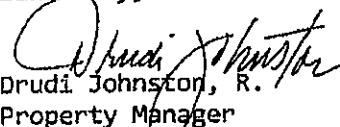
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Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,


Drudi Johnston, R.
Property Manager

Elaine H. Saigusa - Principal Broker & Owner
Ainalani Realty, LLC
94-229 Waipahu Depot Road, Suite 407
Waipahu, Hawaii 96797
Cell: 348-8007 Bus. 678-8558

February 2, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Chairman McKelvey, Vice Chair Choy & Committee Members:

I am respectfully and humbly asking that you and your committee support the exclusion of material costs from the \$1,000 Handyman Limit (HB 1136) because:

1. It would give the Handyman the ability to make a fairer living which has decreased over the years by rising material costs but no changes in the Handyman exemption limit. The current law includes material as well as labor costs.
2. It would increase the number of unemployed (construction) people doing Handyman work thereby decreasing the number of unemployment and welfare claims.
3. Homeowners would be more receptive to affordable repairs resulting in increased quality of housing for tenants.

Please note that our Handymen are asked to sign W-9's and they are sent 1099's at the end of the year, if work performed at a property is in excess of \$600. Also note that a many of my Owners use their rental property to pay for college tuition loans, for nursing home expenses for their elderly parents, for their retirement, etc. (Social Security will not be available to a vast majority of us, the baby boomer generation.) Thus keeping repair costs affordable is very important to them.


Furthermore, support of the exclusion of material costs from the \$1,000 Handyman Limit (HB 1136) will reduce the problems encountered by Property Managers trying to get repairs done such as:

1. Finding contractors interested in doing smaller jobs;
2. Getting contractors to respond quickly; and
3. The contractor's cost is much more than a Handyman.

As a member of NARPM (National Association of Residential Property Managers) and the NARPM Oahu Chapter which is the largest in the United States, all 180-members of us are respectfully and humbly asking that you please support HB 1136.

Thank you for your time and consideration.

Sincerely,



Elaine H. Saigusa
Ainalani Realty, LLC
Principal Broker/Owner

IUPAT, DC50, strongly opposes H.B. No. 1136. This proposal to exclude the cost of materials when determining whether the project cost will be less than \$1,000 for the use of the “handyman” exemption from obtaining a contractors’ license is unacceptable. We believe by excluding the cost of materials from the aggregate amount to \$1,000 would allow “handymen” who are unlicensed contractors to perform work on larger projects within the scope of the statute. It would jeopardize public health and safety by creating additional opportunity for more unlicensed activity with less protection and enforcement. Many consumers in the past have been misled and deceived by these unlicensed contractors and have lost large amounts of money and time which have resulted in poor work quality and craftsmanship on their projects. Furthermore, because of the added cost of complying with the licensing laws, this measure negatively impacts contractors who obtain licenses.

For the reasons stated above, I urge the committee to reject the proposals in H.B. No. 1136. Thank you for the opportunity to testify in **opposition** to this measure.

From: Cynthia Manabe [cmanabe@gmail.com]
Sent: Tuesday, February 01, 2011 6:41 PM
To: ERBtestimony
Subject: HB 1136
Attachments: Letter to Leg 2-1-11.doc

Gentlemen:

Please consider my support of this house bill when you vote on the 3rd. This will help keep costs down, employment up and rentals less in light of all the increases in taxes which already burdens homeowners & investors. Contractors will include their overhead, licensing, work comp unemployment, union and advertising cost to their bill. I personally will seek out a handyman to do my less skilled tasks. Many are highly skilled but prefer to work on their own & for themselves due to various reasons. Now with sending them 1099's, you should be enjoying more taxed income in the coffers. Spreading work and income helps keep a healthier economy for all of us.

Aloha ke Akua,
Cynthia Manabe
R, ABR, GRI
Realty Laua LLC
1505 Dillingham Blvd., Suite 215
Honolulu, HI 96817
Phone: 808 851-7155
Fax 808 851-71-56
Cell: 808 783-2755
E-mail: cmanabe@gmail.com

Disclaimer: This e-mail is confidential and may be privileged. It may be read, copied and used only by the intended recipient. If you received it in error, please contact the sender immediately by return e-mail or by telephone at (808) 871-1755, and delete the e-mail and do not disclose its contents to anyone. Although we have taken reasonable precautions to ensure no viruses are present in this e-mail, we cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments. If you prefer not to receive promotional email messages from us, please reply to this message with "remove" in the subject line. Your name will be removed from our email list.



REALTY LAUA LLC

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Sir or Madam:

A bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

I am a member of NARPM (National Association of Residential Property Managers) and the Oahu Chapter is the largest in the United States, with 180 members. If this bill were enacted into law, many of the problems encountered by us property managers could be avoided. Some of the problems property managers encounter are that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair.

Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Cynthia Manabe, R, ABR, GRI
Realty Laua LLC
1505 Dillingham Blvd., Ste# 215
Honolulu, HI*96817
Phone: 841-2755
Fax: 851-7156
Email: cmanabe@gmail.com

1515 DILLINGHAM BLVD., STE. 215
HONOLULU, HAWAII 96817
PHONE: (808) 851-7155 FAX: (808) 851-7156

Joan Kashimoto
Property Profiles, Inc.
98-030 Hekaha Street, #26
Aiea, HI 96701
808-487-9500 x 208

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Chairman McKelvey and Vice Chair Choy,

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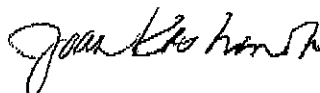
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Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,



Joan Kashimoto RA, ABR, SRES

Lurline R. Johnson
Property Profiles, Inc.
98-030 Hekaha Street, #26
Aiea, HI 96701
808-487-9500 x 203

February 1, 2011

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Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
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Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,



Lurline R. Johnson @ABR, CRB, CRS, GRI, RMP

From: PATTI.ARAKAKI [PATTI.ARAKAKI@pruhawaii.com]
Sent: Tuesday, February 01, 2011 4:55 PM
To: ERBtestimony
Subject: Support HB 1136

Patti Arakaki
Prudential Locations LLC
614 Kapahulu Ave., #102
Honolulu, HI 96815
808-738-3103

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business Hearing on February 3, 2011 at 8:00 am
in Conference Room 312
FAX: 586-8479
Email: ERBtestimony@Capitol.hawaii.gov

Dear Sir or Madam:

A bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

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Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Patti Arakaki

From: Marge Callahan [margeacallahan@gmail.com]
Sent: Tuesday, February 01, 2011 5:53 PM
To: ERBtestimony
Subject: HB 1136

Margaret A. Callahan
Callahan Realty, Ltd.
98-211 Pali Momi Street, Suite 822
808-487-0788

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
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Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Margaret A. Callahan (R) GRI
Principal Broker

From: Sue Punohu [spunohu@hawaii.rr.com]
Sent: Tuesday, February 01, 2011 4:10 PM
To: ERBtestimony
Subject: NARPM Call to Action!

Susan Punohu
Moore & Moore Properties
46-063 Emepela Pl W-100
Kaneohe, HI 96744

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business Hearing on February 3, 2011 at 8:00 am
in Conference Room 312
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Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Susan Punohu

From: Dawn Moore [mooreproperties@hawaii.rr.com]
Sent: Tuesday, February 01, 2011 4:10 PM
To: ERBtestimony
Subject: HB 1136

Dawn Moore
Moore & Moore Properties
46-063 Emepela Pl. W100
Kaneohe, HI 96744
808-235-8091

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business Hearing on February 3, 2011 at 8:00 am
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Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Dawn Moore
Principal Broker

From: Kim Maruyama [Kim@MaruyamaRealty.com]
Sent: Wednesday, February 02, 2011 5:25 AM
To: ERBtestimony
Subject: PLEASE SUPPORT HB 1136

Kim Maruyama, Realtor, PB
Maruyama Realty, LLC
1710 Punahou St. #404
Honolulu, HI 96822

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business
Hearing on February 3, 2011 at 8:00 am in Conference Room 312
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Sincerely,

Kim Maruyama

Realtor, Principal Broker
MARUYAMAREALTY, LLC
Hawaii Residential Sales and
Property Management

From: Brett Schenk [BrettSchenk@hawaii.rr.com]
Sent: Tuesday, February 01, 2011 11:03 PM
To: ERBtestimony
Subject: PLEASE SUPPORT HB 1136

FROM:
Brett Schenk, Realtor, BIC, CRS, GRI, GREEN Woodstock Properties, Inc
(808) 222-3366 cell
BrettSchenk@hawaii.rr.com
WoodstockPropertiesInc.com
(808) 488-1588 office

TO:
Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
Members of the Committee on Economic Revitalization and Business Hearing on February 3, 2011 at 8:00 am
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Sincerely,

Brett Schenk, Realtor, Broker-In-Charge

From: Nani Wisenberg [nwoodstock@hawaii.rr.com]
Sent: Tuesday, February 01, 2011 5:56 PM
To: ERBtestimony
Subject: HB 1136

Woodstock Properties, Inc.
98-211 Pali Momi St #430
Aiea, Hi 96701

February 1, 2011

Angus L.K. McKelvey, Chairman
Isaac W. Choy, Vice Chair
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A bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

I am a member of NARPM (National Association of Residential Property Managers) and the Oahu Chapter is the largest in the United States, with 180 members. If this bill were enacted into law, many of the problems encountered by us property managers could be avoided. Some of the problems property managers encounter are that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair.

Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Mahalo,

Nani Wisenberg - RA
Woodstock Properties, Inc.

Dear Sir or Madam:

A bill to exclude material costs from the \$1,000 Handyman limit (HB 1136) deserves your support.

I am not a member of NARPM (National Association of Residential Property Managers) but I am a property owner who use member of the NARPM to manage my property and the Oahu Chapter is the largest in the United States, with 180 members. If this bill were enacted into law, many of the problems encountered by our property managers could be avoided. Some of the problems property manager's encounters are that contractors are not interested in smaller jobs, they do not respond as quickly to repair requests, and they charge much more for the same repair. Supporting this bill will increase the number of handymen doing work and possibly reduce the number of unemployment claims, resulting in lower unemployment benefits paid by the State. It would give homeowners a greater opportunity to do affordable repairs resulting in better housing and conformance with building codes and ordinances. It can generate more sales of materials, resulting in more tax revenue for the State. It would hold down the costs of repairs and therefore help to keep rental rates more affordable.

Once again I urge you to support HB 1136 and would appreciate it if you could write back to me with your position on this matter.

Thank you for your time and consideration.

Sincerely,

Richard Concepcion