



**Hawaii Solar Energy Association**  
*Serving Hawaii Since 1977*

Before the House Committee on Consumer Protection and Commerce  
Monday, March 24<sup>th</sup>, 2014 2:10 p.m.  
SB 2657 SD 2: Relating to Renewable Energy

Aloha Chair McKelvey, Vice-Chair Kawakami, and members of the House Committee on Consumer Protection and Commerce,

On behalf of the Hawaii Solar Energy Association (HSEA), I would like to testify in support for SB 2657 SD 2, which assigns responsibility of the roof warranty with regards to penetrations made to install solar on limited common areas. HSEA is a non-profit trade organization that has been advocating for solar energy since 1977, with an emphasis on solar hot water (SHW) and Photovoltaics (PV) on both residential and small commercial installations. We currently represent 81 companies, which employ thousands of local workers in the solar industry. With 37 years of advocacy behind us, HSEA's goal is to work for a sustainable energy future for all of Hawaii.

As HRS 196-7 currently reads, the homeowner who has a solar system installed on his or her roof is mandated to obtain confirmation in writing from the company that issued the warranty that the installation of the solar energy device will not void the roof warranty. This requirement serves as a constant roadblock to homeowners whose properties fall under the control of a homeowner's association as very few roofing contractors are willing—with good reason—to warranty the work of another contractor. This creates a frustrating loop where by the homeowner is unable to obtain confirmation from the roofing contractor, and is thus unable to install a solar device.

SB 2657 SD 2 reaches a compromise by which the solar contractor may warranty his own work, with notice to the HOA under certain conditions. The language in SB 2657 SD 2 provides several options which more closely reflects standard industry practice.

Thank you for the opportunity to testify.

Leslie Cole-Brooks  
Executive Director  
Hawaii Solar Energy Association



# ROOFING CONTRACTORS ASSOCIATION OF HAWAII

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March 24, 2014

Testimony To: House Committee on Consumer Protection & Commerce  
Representative Angus L.K. McKelvey, Chair

Presented By: Tim Lyons  
Executive Director

Subject: S.B. 2657, SD 2 - RELATING TO RENEWABLE ENERGY

Chair McKelvey and Members of the Committee:

I am Tim Lyons, Executive Director of the Roofing Contractors Association of Hawaii and we can support this bill.

S.D. 1 was a product of discussions between the solar industry and the roofing industry. S.D. 2 improves on that. Basically the problem involves the fact that roofs were really not made to walk on or work on yet solar units are being placed on roofs on an everyday basis. The problem is that the contractor who puts on the roof also issues a warranty. There is a warranty for his workmanship and there is also a warranty from the manufacturer.

Like most warranties, any actions taken on the product may alter or void completely the warranty. This includes making penetrations for the attachment of solar panels. While it is helpful that the solar contractor guarantees his penetrations, unfortunately it is very difficult in roof leak situations to tell exactly where the water or leak is coming from. As a result, you are going to have many situations where roofing contractor and solar contractor will point fingers at each other. This bill doesn't totally solve that but it certainly goes the first step in providing some consumer protection which is that the solar contractor must notify the consumer that the installation of the solar may in

fact void the roofing warranty or guarantee. This is a very important consumer protection item because warranties are being voided on a daily basis because the proper procedures are not being followed.

Unfortunately, this bill has only to do with those roofs that belong to a common element. We think it should apply to all roofs including those for single family dwellings. That however, is probably the subject for a different bill.

Based on the above then, we can endorse this bill and have no problem with its passage.

Thank you.

**kawakami3-Benigno**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 21, 2014 12:49 PM  
**To:** CPCtestimony  
**Cc:** mauibrad@hotmail.com  
**Subject:** \*Submitted testimony for SB2657 on Mar 24, 2014 14:10PM\*

**SB2657**

Submitted on: 3/21/2014

Testimony for CPC on Mar 24, 2014 14:10PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brad Parsons	Individual	Oppose	No

Comments:

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## kawakami3-Benigno

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 21, 2014 4:25 PM  
**To:** CPCtestimony  
**Cc:** lynnehi@aol.com  
**Subject:** Submitted testimony for SB2657 on Mar 24, 2014 14:10PM

### **SB2657**

Submitted on: 3/21/2014

Testimony for CPC on Mar 24, 2014 14:10PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Support	No

Comments: This is a very important bill. I live in a high rise condo. We are looking at installing solar on top of our garage. However, one problem is what happens to the roofing warranty if we do so. This bill will help clarify the matter. As we learned about this bill too late to call a board meeting, I am sending in personal testimony instead of board testimony. lynne matusow, 60 n. beretania, #1804, Honolulu 96817

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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