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April 2, 2013

To: Honorable Sylvia Luke, Chair
House Committee on Finance

RE: **SB 913 SD1 – Relating to Time Shares – Support**
Agenda #1 – Conference Room 308, 2 p.m.

Aloha Chair Luke and Members of the Committee:

Starwood Vacation Ownership (“Starwood”) appreciates the opportunity to offer testimony in support of SB913 SD1, which amends time share plan disclosures and updates sale practice language under current law.

We support provisions in the bill which eliminate the requirement of a set timeshare interval price list as part of the Hawaii Disclosure Statement, allowing consumer prices to reflect market demand and conditions. Currently, developers are required to file detailed timeshare interval price lists with the DCCA. This filing creates an administrative burden without enhancing consumer protection as the DCCA cannot reject the prices listed – they merely review and accept. Currently, there is only one other state that requires the use of a pre-set price list and such requirement provides for greater flexibility and a faster regulatory process than the Hawaii process.

The price list requirement limits the ability of developers to timely alter their prices to reflect market conditions. In most circumstances, developers have found themselves restricted from lowering prices until they re-file the price list and wait for DCCA “acceptance.” This in turn adds an unnecessary administrative burden on the DCCA by requiring their limited staff to process constant price list amendments.

Finally, SB913 SD1 updates current law to reflect current and industry recognized best sales practices. For the aforementioned reasons, we respectfully request you to pass this bill.

Sincerely,

Robin Suarez
Vice President/Associate General Counsel
Starwood Vacation Ownership

**Testimony of
Gary M. Slovin / Mihoko Ito
on behalf of
Wyndham Vacation Ownership**

DATE: April 1, 2013

TO: Representative Sylvia Luke
Chair, Committee on Finance
Submitted Via FINtestimony@capitol.hawaii.gov

RE: **S.B. 913 S.D.1 – Relating to Time Shares**
Hearing Date: Tuesday, April 2, 2013 at 2:00 pm
Conference Room 308

Dear Chair Luke and Members of the Committee on Finance:

We submit this testimony on behalf of Wyndham Vacation Ownership.

Wyndham Vacation Ownership offers individual consumers and business-to-business customers a broad suite of hospitality products and services through its portfolio of world-renowned brands. Wyndham has a substantial presence in Hawaii through its Wyndham Vacation Resorts and WorldMark by Wyndham brands.

Wyndham **supports** S.B. 913 S.D.1, which requires a time share plan's disclosure of the financial obligation of the purchaser to consist of: (1) A statement that the purchaser is obligated to pay the initial price in the purchase agreement; and (2) A list or description of any additional charges. It also clarifies that a sales or acquisition agent is not required to provide any promotional device or instrument to a prospective purchaser prior to making a sales presentation.

This measure makes technical changes to the law that will not compromise consumer protection. It eliminates the requirement that a timeshare pricelist be filed with the DCCA. This is a cumbersome practice as prices change often, and Hawaii is one of only two states in the nation that require this.

Gary M. Slovin
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The measure also clarifies that promotional items given as an incentive for a potential purchaser to attend a sales presentation are not required to be given before the presentation.

Thank you very much for the opportunity to submit testimony.