

HB 1579

Measure Title: RELATING TO JUDGMENT LIENS.

Report Title: Judgment Liens; Money Judgments

Description: Clarifies that money judgments are considered valid liens against all real property, including registered property, when recorded in the bureau of conveyances.

Companion:

Package: None

Current Referral: CPN, JDL

Introducer(s): RHOADS (Introduced by request of another party)



Collection Law Section

Chair:
Steven Guttman

Vice Chair:
William J. Plum

Secretary:
Thomas J. Wong

Treasurer:
Arlette S. Harada

Directors:
Lynn Araki-Regan
Marvin S.C. Dang
David C. Farmer
Christopher Shea Goodwin
Steven Guttman
Arlette S. Harada
James Hochberg
Elizabeth A. Kane
William J. Plum
David B. Rosen
Andrew Salenger
Mark T. Shklov
Yuriko J. Sugimura
Thomas J. Wong
Reginald K.T. Yee

Reply to: STEVEN GUTTMAN, CHAIR
220 SOUTH KING STREET SUITE 1900
HONOLULU, HAWAII 96813
TELEPHONE: (808) 536-1900
FAX: (808) 529-7177
E-MAIL: sguttman@kdubm.com

February 1, 2014

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice-Chair
House Committee on Water & Land

Re: HB 1579 Relating to Judgement Liens
Hearing: Monday, Feb. 3, 2014, 9:15 a.m.,

Dear Chair Evans, Vice-Chair Lowen and Members of the Committee:

This testimony is being submitted on behalf of the Collection Law Section of the Hawaii Bar Association ("CLS").¹ The CLS supports this bill and urges that it be passed out of this Committee.

HB 1579 is an excellent idea and would simplify the process for the recordation of money judgments, orders or decrees. Currently, any person or business holding a money judgment, order or decree often has to deal with additional steps and complexity to record in Land Court, that would no longer be necessary with a streamlined system. Additionally, there would be savings to the both individuals and businesses in Hawaii, since many individuals and businesses would no longer need the hire an attorney to help them record, or if an attorney was used, there would be potentially less time involved that the attorney would need to spend on the matter.

We therefore encourage you to pass the above legislation.

Thank you.

/S/ William J. Plum

William J. Plum
Vice-Chair

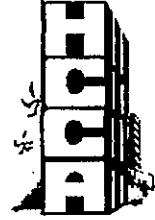
cc: Steven Guttman
Patricia A. Mau-Shimizu

hwb1579-1.cls

¹ The comments and recommendations submitted reflect the position and viewpoint of the Collection Law Section of the HSBA. The position and viewpoint has not been reviewed or approved by the HSBA Board of Directors, and is not necessarily the same of the Hawaii State Bar Association.



**Hawaii Council of Associations
of Apartment Owners**
DBA: Hawaii Council of Community Associations
1050 Bishop Street, #366, Honolulu, Hawaii 96813



March 8, 2014

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

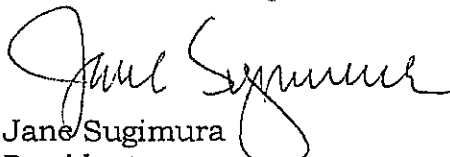
Re: HB1579 RELATING TO JUDGMENT LIENS
Hearing: Tues., March 11, 2014, 9:30 a.m. , Conf. Rm. #229

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 dba HCCA).

HCAAO agrees with position of the Collection Law Section of the Hawaii State Bar Association. A copy of that testimony is attached to this testimony. This bill if enacted would facilitate the recording of Association liens (for unpaid assessments by unit owners) and this would ensure that the Associations would recover on their liens if through inadvertence a lien was not filed with the Land Court. Accordingly, we ask that you pass this bill.

Thank you for the opportunity to testify on this matter.


Jane Sugimura
President

HB1579

Submitted on: 3/10/2014

Testimony for CPN on Mar 11, 2014 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christian Porter	Community Association Institute	Support	No

Comments: This measure will save money for all creditors, including Associations. Community Association Institute supports HB1579. Thank you.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Lorrin Hirano
1212 Nuuanu Avenue #604
Honolulu, Hawaii 96817
Phone: (808) 533-5842

March 10, 2014

[Via Email through www.capitol.hawaii.gov/submittestimony.aspx](http://www.capitol.hawaii.gov/submittestimony.aspx)

The Honorable Rosalyn H. Baker, Chair
The Honorable Brian T. Taniguchi, Vice Chair
Members of the Senate Committee on Commerce and Consumer Protection
Conference Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

Re: House Bill 1579 Relating To Judgment Liens
Hearing Date: Tuesday, March 11, 2014 at 9:30 a.m.

Dear Senator Baker, Senator Taniguchi, and Members of the Senate Committee on
Commerce and Consumer Protection:

I respectfully submit this written testimony in support of House Bill 1579 Relating
To Judgment Liens. This testimony is submitted in my individual capacity and is not the
testimony of my employer or any organization or group to which I may belong.

There have been questions raised about the proper way for a judgment creditor
under a monetary judgment to encumber property of the judgment debtor that has been
registered with the land court. The intent of House Bill 1579 is to provide a clearer way
for judgment creditors to have monetary judgment liens attach to registered property
without having to amend the judgment or attach a flysheet when presenting the
judgment to the assistant registrar of the land court. I support this Bill because, if
enacted, it would reduce confusion in the procedures for recording judgments.

Although the judgment would not be filed in the land court or noted on the
applicable certificate of title, by recording in the Bureau of Conveyances the judgment
would be picked up in a standard title search of the registered lot.

Thank you very much for the opportunity to submit this testimony.

Very truly yours,



Lorrin Hirano

HB1579

Submitted on: 3/10/2014

Testimony for CPN on Mar 11, 2014 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eric M. Matsumoto	Individual	Support	No

Comments: This bill supports the premise that dollar judgments are valid liens along with real property registered w/the bureau of conveyances recording system.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov