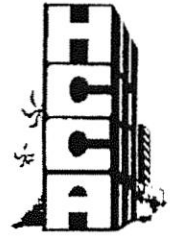




**Hawaii Council of Associations  
of Apartment Owners**  
**DBA: Hawaii Council of Community Associations**  
1050 Bishop Street, #366, Honolulu, Hawaii 96813



February 22, 2014

Rep. Karl Rhoads, Chair  
Rep. Sharon E. Har, Vice-Chair  
House Committee on Judiciary

Re: HB1579 RELATING TO JUDGMENT LIENS  
Hearing: Tues., Feb. 25, 2014, 2 p.m., Conf. Rm. #325

Chair Rhoads, Vice-Chair Har 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



## 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").<sup>1</sup> 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

hnb1579-1.cls

<sup>1</sup> *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.*

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

February 24, 2014

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

The Honorable Karl Rhoads, Chair  
The Honorable Sharon E. Har, Vice Chair  
Members of the House Committee on Judiciary  
Conference Room 325  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: House Bill 1579 Relating To Judgment Liens  
Hearing Date: Tuesday, February 25, 2014 at 2:00 p.m.

Dear Representatives Rhoads, Har, and Members of the House Committee on Judiciary:

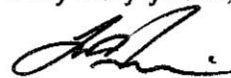
I respectfully submit this written testimony in support of House Bill 1579 Relating To Judgment Liens. This testimony is submitted in my individual capacity and is not the testimony of my employer or any organization or group to which I may belong.

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

**LATE**

This testimony is being submitted on behalf of the A R Recovery Solutions of Hawaii. A R Recovery Solutions of Hawaii supports this bill and you would only need to experience the plethora of hurdles in the current process to understand as to why.

Under current procedures, it is not enough to have a parcel number to file a lien. You must have a property's elusive "tax certificate" number. To obtain that piece of information, it entails looking through books, computer files, and receive training to navigate the maze to do so. The training is contingent on someone from the staff on site being available to do so.

Currently, two separate counter sessions need to be done and two separate redundant processes need to take place to reach one objective.

Inevitably, this will also save consumers money as, often times, the redundant time spent in our current dual process will be billed to them in the end.

Thank you,

David Ketzenberger

A R Recovery Solutions of Hawaii.



**Araki-Regan & Associates, LLC**

1823 Wells Street, Suite 2A, Wailuku, HI 96793  
Ph: (808) 244-6042 Fax: (808) 249-2872

Lynn A.S. Araki-Regan  
Stephen E. Pike  
Attorneys

Christopher R. Dang  
Garrick L.H. Goo  
Of Counsel

FEBRUARY 24, 2014

Representative Karl Rhoads, Chair  
Representative Sharon E. Har, Vice-Chair  
House Judiciary Committee

Re: **HB 1579 Relating to Judgment Liens**  
**Hearing: Feb. 25, 2014 @ 2:00 p.m.**

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

I am writing to humbly ask for your support for the above-referenced bill and urge that it be passed out of this Committee.

I am in full support of HB 1579 as it would most definitely simplify the process for the recordation of money judgments, orders or decrees. Currently, any person or business holding a money judgment, order or decree oftentimes has to deal with additional steps and complexity to record in Land Court. The passage of HB 1579 would streamline the system. Additionally, there would be savings to both individuals and businesses in Hawaii, as 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.

I encourage you to pass the above legislation.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'L.A.R.', written in a cursive style.

Lynn A.S. Araki-Regan

**LATE**

**HSBA**  
Hawaii State Bar Association

## Collection Law Section

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

February 24, 2014

Rep. Karl Rhoads, Chair  
Rep. Sharon E. Har, Vice-Chair  
House Judiciary Committee

Re: HB 1579 Relating to Judgement Liens  
Hearing: February 25, 2014 @ 2:00 p.m.

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

This testimony is being submitted on behalf of the Collection Law Section of the Hawaii Bar Association ("CLS").<sup>1</sup> 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.

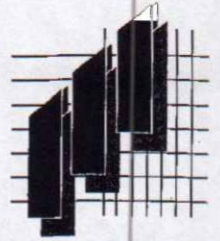
/S/ William J. Plum

William J. Plum  
Vice-Chair

cc: Steven Guttman  
Patricia A. Mau-Shimizu

\hb1579-2.cls

<sup>1</sup> *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.*



**MEDCAH**  
incorporated

320 Uluniu Street, Suite 5  
Mailing Address:  
P.O. Box 1187  
Kailua, Hawaii 96734  
Telephone: (808) 266-2020  
Fax: (808) 266-2049

February 24, 2014

# LATE TESTIMONY

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

## Testimony in of SUPPORT OF HB 1579

Dear Chair, Vice-Chair and Committee Members,

I am pleased to present testimony on behalf of MEDCAH, Inc. , a Hawaii-based debt collection company.

The current procedures are time consuming, complex, redundant and costly. This bill would provide for a streamlined system and therefore provide savings to all parties involved (consumers, businesses, and the State.)

The provisions of this legislation provide for an improved process and I strongly encourage you to pass this legislation.

Respectfully,

Genevieve Freeman  
President

*Collecting Debts in Hawaii for 40 years!!!!*

