


SB 2270


RELATING TO COUNTY ZONING


Confers upon a property owner a private right of action and allows the property owner to file suit directly in circuit court to enforce zoning violations on neighboring properties that directly affect them.

PSM, JDL



 | 808-733-7060

 | 1259 A'ala Street, Suite 300
Honolulu, HI 96817

 | 808-737-4977

February 6, 2014

The Honorable Will Espero, Chair

Senate Committee on Public Safety, Intergovernmental and Military Affairs
State Capitol, Room 224
Honolulu, Hawaii 96813

RE: S.B. 2270, Relating to County Zoning

HEARING: Thursday, February 6, 2014, at 3:00 p.m.

Aloha Chair Espero, Vice-Chair Baker, and Members of the Committee:

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,300 members. HAR **opposes** S.B. 2270 that confers upon a property owner a private right of action and allows the property owner to file suit directly in circuit court to enforce zoning violations on neighboring properties that directly affect them.

This measure provides for one property owner to file suit directly against another property owner for county zoning violations. This has the potential to create situations that may pit neighbor against neighbor, and could lead to abuse by neighbors. Additionally, the cost and time associated with dealing with a legal suit could be extremely expensive to all parties involved.

HAR believes that the government should be the appropriate authority to enforce zoning disputes. County zoning and enforcement should be left with the respective counties, and such disputes should be filed with the appropriate county departments.

Mahalo for the opportunity to testify.



SB2270

Submitted on: 2/4/2014

Testimony for PSM on Feb 6, 2014 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Prentiss	Individual	Support	No

Comments: This bill will give people with standing the opportunity for the swift justice that is not now provided for.

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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