

February 24, 2014

The Honorable David Y. Ige, Chair
Senate Committee on Ways and Means
State Capitol, Room 211
Honolulu, Hawaii 96813

RE: S.B. 3094, S.D.1, Relating to Counties

HEARING: Tuesday, February 25, 2014, at 9:25 a.m.

Aloha Chair Ige, Vice Chair Kidani and Members of the Committee:

I am Myoung Oh, Government Affairs Director, submitting comments on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,300 members. HAR **expresses concerns** with S.B. 3094, SD1, which empowers counties to impose and enforce liens upon premises served for unpaid water or sewer charges after an opportunity to be heard under chapter 91, Hawai'i Revised Statutes. Also, it repeals the authority of each county to take over from the State existing waterworks systems and sewer systems and to enlarge, develop, and improve the same.

HAR raises concerns to permit a county to record a lien on a property in situations where an owner is leasing a property to a tenant, and the tenant fails to pay their water bill. We believe that if a tenant does not pay their water bill, the property owner must be notified prior to a lien being placed and that such notification that is timely to ensure that the owner may cure any non-payment.

HAR believes that property notification should be sent to the owner of the property, in addition to the tenant. Also, an owner/property manager would need to be informed within a reasonable manner, to ensure that the unpaid water bill may be collected.

Mahalo for the opportunity to submit comments.