

From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 05, 2015 9:04 AM  
To: CPCtestimony  
Cc: richard@hawaiifirst.com  
Subject: Submitted testimony for HB532 on Feb 9, 2015 14:30PM

**HB532**

Submitted on: 2/5/2015

Testimony for CPC on Feb 9, 2015 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Emery	Associa	Support	No

Comments: As written, the Bill simply brings homeowner associations in line with current condominium law.

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](mailto:webmaster@capitol.hawaii.gov)

**LATE**

**Eric M. Matsumoto**  
**Mililani, HI 96789**

February 8, 2015

VIA WEB TRANSMITTAL

Committee on Consumer Protection and Commerce  
House of Representatives, 28th Legislature, Regular Session of 2015

Re: Hearing on HB 532 (Oppose); February 9, 2015, 2:30PM, Conf Rm 325

Chair McKelvey, Vice-Chair Woodson and Committee Members:

Attempting to have PCAs and AOAOs reflect identical requirements may appear to be a logical and rational endeavor as both are CAs. However, this mindset has the unintended consequences of being a two edged sword, as in this case where a specific 25% of members are needed to call a Special Meeting. The fallacy in the logic is as follows:

1. PCAs are not created equal. PCAs are not created by legislation as AOAOs, but rather by requirements found in the DCCRs, Articles of Incorporation and By-Laws. As such, these founding documents of PCAs have requirements covering the call for Special Meetings that are intended for that specific community. AOAOs, on the other hand, created by legislation are intended to be under the "one size fits all" view.
2. Each PCA provides differing percentages of membership needed to call Special Meetings usually found in the By-Laws to fit, in part, the number of units in the project. For example, one large PCA with over 15,000 units has a 10% minimum signatures needed to call for a Special Meeting. While 1,500 (10%) member signatures may be difficult to garner, to have 3,750 (25%) member signatures is next to impossible, thereby negating the validity of this 25% requirement in this instance. As such, with the range of number of units found in PCAs across the state, this 25% requirement may help the members of smaller PCAs to call for Special Meetings, but it would also preclude or be an impediment to members in larger PCAs to call for Special Meetings.

While the 25% may be logical for AOAOs given the number of units involved, the large variance in PCA membership makes this attempt to "standardize" AOA and PCA requirements questionable at best and therefore not in the best interest of members in all PCAs.

Accordingly, request this bill be held.

Sincerely yours,

Eric M. Matsumoto

From: mailinglist@capitol.hawaii.gov  
Sent: Friday, February 06, 2015 7:22 PM  
To: CPCtestimony  
Cc: czahn@hawaii.rr.com  
Subject: Submitted testimony for HB532 on Feb 9, 2015 14:30PM



**HB532**

Submitted on: 2/6/2015

Testimony for CPC on Feb 9, 2015 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Zahn	Individual	Oppose	No

Comments: I strongly oppose this bill. The governing documents of one of the Planned Communities that I belong to allows for 10% of the members to call for a special meeting. This bill will increase the required number by almost 540 additional members.

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](mailto:webmaster@capitol.hawaii.gov)