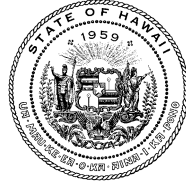


SB201

Amends the definition of "transient accommodations" to include single family dwellings. Requires the department of taxation to manage a public database of all registered transient accommodation and resort time share vacation plan businesses (takes effect on 1/1/2016). Makes failure to register as a business of furnishing transient accommodations a class C felony rather than a misdemeanor. Requires filers of transient accommodations tax to include the amount of transient accommodations tax revenues collected by zip code on tax return form. Requires filers of transient accommodations tax to include certificate of registration number on annual tax return. Applies to taxable years beginning after 12/31/14.

DAVID Y. IGE
GOVERNOR

SHAN TSUTSUI
LT. GOVERNOR



MARIA E. ZIELINSKI
DIRECTOR OF TAXATION

STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809
PHONE NO: (808) 587-1540
FAX NO: (808) 587-1560

To: The Honorable Gilbert Kahele, Chair
and Members of the Senate Committee on Tourism and International Affairs

The Honorable Rosalyn H. Baker, Chair
and Members of the Senate Committee on Commerce and Consumer Protection

The Honorable Gilbert S.C. Keith-Agaran, Chair
and Members of the Senate Committee on Judiciary and Labor

Date: Tuesday, February 17, 2015
Time: 9:30 A.M.
Place: Conference Room 229, State Capitol

From: Maria E. Zielinski, Director
Department of Taxation

Re: S.B. 201, Relating to Transient Accommodations

The Department of Taxation (Department) has concerns regarding S.B. 201 and provides the following information and comments for your consideration.

S.B. 201 amends Transient Accommodations Tax (TAT) law to specify that single family dwellings can be transient accommodations. This measure also requires the Department to maintain a database of all operators and plan managers that receive a TAT registration number, and specifies that the database have certain search functionality. This measure also requires that operators report gross rental income by zip code and that operators report their TAT registration number on their TAT returns.

The Department does not object to the inclusion of single family dwellings in the definition of "transient accommodations," but notes that this amendment is unnecessary because they are already clearly subject to TAT if furnished in exchange for gross rental income.

The Department also notes that it already has a searchable database of all registered operators and plan managers, searchable on the Department's website by name and registration number. The Department, however, does not have useable electronic data that matches the license numbers with the unit addresses. Adding the functionality to search by address would

require a significant enhancement of the Department's current computer system and would require additional resources for the collection of data that the Department currently does not have.

It is important to note that the issuance of a tax license, such as a TAT license, does not mean that the transient accommodation is in compliance with other applicable laws, such as zoning regulations, land use ordinances or consumer protection laws. In the area of transient accommodations, a taxpayer is subject to the TAT if engaging in the furnishing of transient accommodations, whether or not that accommodation is being rented out in a completely lawful manner. The issuance of a tax license merely indicates the person applied for a business license with the Department.

Lastly, the Department notes that if the intent of this bill is to regulate illegal transient rentals in the State, the Department prefers the language in S.B. 1237, which addresses the broader issues associated with illegal rentals.

Thank you for the opportunity to provide comments.



Hawai'i Convention Center
1801 Kalākaua Avenue, Honolulu, Hawai'i 96815
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kahua pa'a web hawaii tourism authority.org

David Y. Ige
Governor

Ronald Williams
Chief Executive Officer

Testimony of
Ronald Williams
President and Chief Executive Officer
Hawai'i Tourism Authority
on
S.B. No. 201
Relating to Transient Accommodations
Senate Committee on Tourism and International Affairs
Senate Committee on Commerce and Consumer Protection
Senate Committee on Judiciary and Labor
Tuesday, February 17, 2015
9:30 a.m.
Conference Room 229

The Hawaii Tourism Authority opposes S.B. 201, which amends the definition of "transient accommodations," requires the Department of Taxation to establish and maintain a public database of transient accommodations and time shares, and makes failure to register a business furnishing transient accommodations a class C felony.

We prefer, instead, S.B. 1237, which takes a more comprehensive approach to regulate transient vacation rentals.

Mahalo for the opportunity to offer these comments.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Eighth Legislature, State of Hawaii
The Senate
Committee on Tourism and International Affairs
Committee on Commerce and Consumer Protection
Committee on Judiciary and Labor

Testimony by
Hawaii Government Employees Association
February 17, 2015

S.B. 201 – RELATING TO TRANSIENT ACCOMMODATIONS

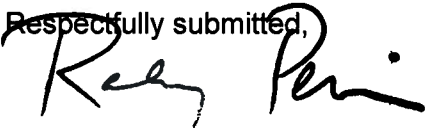
The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 201. This important legislation closes a loophole in our state's transient accommodations tax (TAT) by amending the definition of transient accommodations to include single family dwellings.

This loophole needs to be closed because illegal bed and breakfasts and transient vacation units are not paying their fair share of the TAT. The Hawaii Tourism Authority (HTA) recently commissioned a study which revealed that home-based rentals account for 25% of all visitor-lodging units statewide. The same survey found that there are more than 22,000 in-home vacation units statewide – more than three times the estimate of 6,943 in 2013. While the counties decide how to deal with the rapid growth of illegal vacation rentals, the State of Hawaii should collect TAT revenue from these properties to pay for the additional community services that are directly related to their use and lower the tax burden on local residents.

S.B. 201 also directs the Department of Taxation to manage a public database of all registered transient accommodation and resort timeshare vacation plan businesses. Filers of the transient accommodations tax will be required to include the amount of transient accommodations tax revenues collected by zip code and certificate of registration number on their annual tax return.

Until this particular market is better regulated, it is difficult to know how many millions of dollars to the state are lost from homeowners who are operating home-based vacation rentals not paying the TAT. On a statewide level, there must be enforcement of the TAT so that the playing field is level. It is only fair that anyone doing business as a lodging entity pay some form of the TAT through proper permitting and taxation.

The HTA study highlighted the scope of this problem. Now, state and county officials must respond with strict regulations for it. Thank you for the opportunity to testify in support of S.B. 201.

Respectfully submitted,


Randy Perreira
Executive Director

TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TRANSIENT ACCOMMODATION, Tax on single family dwelling; public database

BILL NUMBER: SB 201

INTRODUCED BY: Riviere and 2 Democrats

BRIEF SUMMARY: Amends HRS section 237D-1 to amend the definition of “transient accommodation” to include single family dwellings which are used as vacation rentals.

Amends HRS section 237D-4 to require the department of taxation to create and manage a public, online database of all registered transient accommodation operators and plan managers. The database shall enable a user to: (1) search by property address to determine whether that property is managed by an operator or a plan manager who has received a certificate of registration; (2) enter the name of an operator or plan manager to determine whether the operator or plan manager has received a certificate of registration; (3) enter the name of an operator to determine the address of every transient accommodation managed by that operator; and (4) enter the name of a plan manager to determine the address of every resort time share vacation unit subject to a resort time share vacation plan managed by the plan manager. Also changes the penalty of misdemeanor to a class C felony. This section shall be applicable to tax years beginning after December 31, 2014.

Amends HRS section 237D-6 and D-7 to require an operator or plan manager of a transient accommodation to include the amount of the transient tax revenues collected by zip code and also the registration number of the filer’s certificate of registration when an annual return is filed.

EFFECTIVE DATE: January 1, 2016; applicable to tax years beginning after December 31, 2014

STAFF COMMENTS: This measure is aimed at reducing the number of illegal vacation rentals by including single family dwellings in the definition of “transient accommodation,” but it is questionable why multiple family dwellings are not included. The measure would also require the creation of a database of all transient accommodations which would allow a user to determine whether a property address is properly registered as a transient accommodation, but who would benefit from the database? How about a neighbor of the subject property who would then be able to verify whether the property is a transient accommodation? If it is not registered, what is the next course of action - to report the neighbor?

The measure would require the department of taxation to create and maintain the database, but there is no appropriation for staff or funds to carry out this task. Since the beneficiaries of the transient accommodations tax are the counties, they too should share in the cost of this endeavor.

Digested 2/13/15



The Senate
The Twenty-Eighth Legislature
Regular Session of 2015

To: Senators Gilbert Kahele, Chair & Kalani English, Vice Chair of TSI
Senators Rosalyn Baker, Chair & Brian Taniguchi, Vice Chair of CPN
Senators Gilbert Keith-Agaran, Chair & Maile Shimabukuro, Vice Chair of JDL

Date: February 17, 2015

Time: 9:30 a.m.

Place: Conference Room 229
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Senate Bill 201, Relating to Transient Accommodations

Chairs Kahele, Baker & Keith-Agaran, Vice Chairs English, Taniguchi & Shimabukuro
and Members of the Committees:

Rental By Owner Awareness Association (RBOAA) is a non-profit entity incorporated in Hawaii that speaks for hundreds of very small business that consists of law-abiding Hawaiians and non-Hawaiians who rent their homes out to visitors.

RBOAA would like to voice our **opposition** to S.B. No. 201.

We understand the intent of the bill is to address a number of issues facing the Cities and Counties of Hawaii, specifically noncompliance of tax payments and illegal short-term rentals.

We believe that the laws already exist for compliance and punishment of these acts. To burden the taxpayers with more agency control would not be beneficial to enforcing non compliance and will take years to get a system in place to license and monitor the owners of transient accommodations (TA).

We would be better served to allow the counties needed funds to hire a staff to investigate and regulate their current laws.

*3550 L· HONOAPIILANI RD, #215, PMB 453, LAHAINA, HI 96761 PHONE:
(808) 359-4318*

2 | SB 201 RELATING TO TRANSIENT ACCOMODATIONS

We believe there are other requirements that would better assist the communities. No. 1 is education of the current laws. No. 2, Transient Accommodation Numbers could be property specific.

In reference to a client trust account with a financial institution located in Hawaii. It is not a requirement of all business in Hawaii to have a Hawaiian bank account so why should someone offering a TA be required. Nor should it be a requirement for an owner of a property to place his or her own money in a trust account.

The operator of a transient operation is conducting business and the tax department already has audit rights for the books and records of such business therefore we see no need for someone else to audit our financial records.

In reference to enforcement and inspection, it is the counties responsibility to determine who is legally zoned for a TA.

Quoting Mr. Alueta, Maui County Administrative Planning Officer "illegal vacation rentals, they tend to be paying their state taxes because they seem to be more afraid of the tax man then they are of the county enforcement, but we're working -- we do have a proactive enforcement that's going on and so we are trying to enforce on the illegal side." (Molokai Planning Commission Minutes, dated 6/12/14, page 4)

RBOAA opposes the \$10,000 civil penalty for each separate offense and the revocation of any license for any cause. These are harsh punishments for any small infraction.

Thank you for the opportunity to testify on this measure.

Sincerely,

Alicia Humiston
President

*3550 L. HONOAPIILANI RD, #215, PMB 453, LAHAINA, HI 96761 PHONE:
(808) 359-4318*



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Testimony of Hawai'i Appleseed Center for Law and Economic Justice
Supporting SB 201 Relating to Transient Accommodations
Senate Committee on Tourism and International Affairs
Senate Committee on Commerce and Consumer Protection
Senate Committee on Judiciary and Labor
Scheduled for Hearing Tuesday, February 17, 2015, 9:30 am, Room 229

Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit law firm created to advocate on behalf of low-income individuals and families in Hawai'i on legal and policy issues of statewide importance. Our core mission is to help our clients access to the resources and fair treatment they need to realize their opportunities for self-achievement and economic security.

Thank you for the opportunity to testify in **support** of Senate Bill 201, which would help to ensure that all transient accommodations are registered and facilitate enforcement of laws and ordinances regarding transient accommodations. As advocates for affordable housing, Hawai'i Appleseed believes that all transient accommodations should be properly authorized and regulated so that we can maintain the state's housing inventory.

Hawai'i is in the midst of a severe housing shortfall, with rental inventory being the greatest needs. Illegal vacation rentals reduce the amount of housing inventory available for residents. For example, there are only 828 authorized vacation rentals on Oahu, according to the City & County of Honolulu Department of Planning and Permitting. Yet the Hawai'i Tourism Authority's December 2014 report on vacation rentals found a total of 4,411 units advertised online (Honolulu Civil Beat, "Report Indicates Oahu's Illegal Vacation Rentals Outnumber Permitted Ones," Dec. 24, 2014). In a state that needs well over 25,000 housing units by 2016 to meet demand, we must take a serious look at how unauthorized vacation rentals may be contributing to Hawai'i's housing inventory shortfall and aggressively control their proliferation.

SB 201 would facilitate enforcement of laws regarding registration and taxation of transient accommodations, thereby deterring illegal vacation rentals and hopefully encouraging their usage as long-term rentals instead.

Again, thank you for an opportunity to testify in support of SB 201. We appreciate the Legislature's consideration of how best to regulate transient accommodations to ensure that we do not lose housing inventory to illegal vacation rentals.

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: pahinuik001@hawaii.rr.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Monday, February 16, 2015 6:41:57 PM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen M Pahinui	North Shore Neighbors	Support	No

Comments: This bill will provide a tool for the City and County of Honolulu to go after illegal TVUs. This database is urgently needed to get this done. Also will ensure that the State is collecting all taxes owed and the City is taxing these entities at the proper tax rate for properties.

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Maui Hotel & Lodging
ASSOCIATION

Testimony of
Lisa H. Paulson
Executive Director
Maui Hotel & Lodging Association
on
SB 201
Relating To Transient Accommodations

COMMITTEE ON TOURISM AND INTERNATIONAL AFFAIRS
COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION
Tuesday, February 17, 2015, 9:30am
Conference Room 229

Dear Chairs Kahele, Espero, Baker; Vice Chairs English, Taniguchi and Members of the Committees,

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry. Our membership includes over 150 property and allied business members in Maui County – all of whom have an interest in the visitor industry. Collectively, MHLA’s membership employs over 20,000 local residents and represents over 19,000 rooms. The visitor industry is the economic driver for Maui County. We are the largest employer of residents on the Island - directly employing approximately 40% of all residents (indirectly, the percentage increases to 75%).

MHLA **supports** SB 201 that amends the definition of "transient accommodations" to include single family dwellings. Requires the department of taxation to manage a public database of all registered transient accommodation and resort time share vacation plan businesses (takes effect on 1/1/2016). Makes failure to register as a business of furnishing transient accommodations a class C felony rather than a misdemeanor. Requires filers of transient accommodations tax to include the amount of transient accommodations tax revenues collected by zip code on tax return form. Requires filers of transient accommodations tax to include certificate of registration number on annual tax return.

MHLA **supports** this measure, because it amends the definition of “transient accommodations” to include single family dwellings and because it will help the State and counties better manage the overall enforcement of transient accommodations tax on transient vacation rentals, which will help reduce the tax burden on local residents. With advances in technology and the popularization of the “sharing community” Hawai’i has witnessed a growing number of vacation rentals by owners (VRBO’s), most of which are not operating within a legal capacity. By allowing the Department of Taxation to create a comprehensive database of transient accommodations through a registration process and enforcement of penalties for noncompliance, this measure is an important step in regulating and bringing fair equity to all accommodation options within the State of Hawaii.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: adaeschen@yahoo.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Monday, February 16, 2015 5:47:44 AM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ada Eschen	Individual	Oppose	No

Comments: I oppose this bill and support RBOAA's position on this matter.

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From: [Adam Leamy](#)
To: [TSI Testimony](#); [CPN Testimony](#); [JDLTestimony](#)
Cc: [Adam Leamy Desktop](#)
Subject: Oppose SB201
Date: Monday, February 16, 2015 7:53:48 AM

Dear Members of the Committees considering SB201:

I am opposed to this bill, and I would urge you to oppose it as well.

Some weeks ago, this was one of the first bills to emerge regarding vacation rentals or transient accommodation in Hawaii. At the time, on its own, it seemed to offer some measure or common sense in its approach; indeed, its introducer was quick to provide clarification on a query. Since then, however, myriad bills have been provided to Hawaii legislators on the issue of transient accommodations, and are now progressing through the legislature. It is, in this company, that SB201 must also be judged.

As the Hawaii Tourism Authority notes in its *2013 Annual Visitor Research Report*, visitors to Hawaii are choosing hotel accommodation in smaller numbers each year. This is true certainly of the US West and East markets, and of the Canadian market. Not surprisingly, many of the bills advanced to Hawaii legislators are aimed at eliminating transient accommodation, i.e., the condo rental accommodation option, in order to create a hotel-room monopoly in Hawaii.

In the same vein, Hawaii has been unsuccessful in identifying and countering illegal vacation rentals.

Consumers' declining choice for hotels accommodation on Hawaii is surely problematic for hotels unable to compete with this global tourism consumer preference, and the state's inability to deal with its assertion of illegal vacation rentals may well be an issue for the state. The solutions to both challenges matter not a whit to Canadians who have invested in the state and operate legal vacation rental properties, *unless these solutions violate the protections and commitments that Hawaii is required to uphold for Canadian cross-border investors under the North American Free Trade Agreement (NAFTA)*.

Many of the Canadians who have invested in Hawaii have done so through the opportunities and protections for cross-border investment created by the North American Free Trade Agreement (NAFTA). As legislators will be aware, NAFTA began on January 1, 1994, and from its start, removed most barriers to trade and investment among the United States, Canada, and Mexico.

As NAFTA makes clear, "*No Party may impose or enforce . . . in connection with the establishment, acquisition, expansion, management, conduct or operation of an investment of an investor of a Party or of a non-Party in its territory . . . [a requirement] to purchase, use or accord a preference to goods produced or services provided in its territory, or to purchase goods or services from persons in its territory. . . .*"

That so many of the Hawaii bills achieve this violation of NAFTA requires that one include in their array, SB201. And it's the *cumulative* intent of these bills that also violates Hawaii's commitments and obligations under NAFTA. There are a great many bills this session that relate to transient accommodation, either forcing requirements on operators, and in some bills,

removing them from other operators.

NAFTA anticipated such “fingers on the scale” and “lack of clean hands” in advancing singular and particularly multiple laws or regulations which, individually or *collectively* undermined its commitment and purpose to end barriers to trade and investment, i.e., laws or regulations or other policy structures that were disguised efforts to limit or restrict investment and trade. To be clear, NAFTA notes at *Chapter 11 “Performance Requirements,”* no party to NAFTA, i.e., Hawaii, may offer “[A] disguised restriction on international trade or investment.” The blizzard of bills in the Hawaii legislature on transient accommodation comprise just such a restriction when examined as a *collective* of measures. They are, quite simply, a disguised restriction on Canadians’ trade with and investment in Hawaii.

Regrettably, then, whatever merit SB201 may have had at its emergence, it became caught up in the juggernaut of bills introduced this session related to transient accommodation. Some aim to create a hotel-room monopoly in the state. Others aim to nationalize owners’ property and award its operation and management to those selected by the state. Others, still, so condition and burden investors’ operation and management of their investments in the state that they will abandon the marketplace.

All of them, together, comprise a disguised restriction on Canadians’ trade with and investment in Hawaii, and in so doing, violate NAFTA and Canadians opportunities and protections under it. Sadly, whatever merit SB201 may have had on its own, in running with these other hounds, it’s picked up fleas.

I don’t doubt that there are issues that trouble Hawaii. Many jurisdictions these days face challenges across a range of policy areas. Nor am I unsympathetic to efforts to address such challenges. But the solutions available to Hawaii must stand the test of NAFTA compliance. Bill SB201, standing as it does with these other Hawaii bills is part of an approach that offers disguised restriction on Canadians’ trade or investment with the US. Put simply, per NAFTA, Hawaii may not “impose or enforce” such approaches.

I urge you and your colleagues to oppose SB201 and all bills like it that cumulatively offer such an affront to such a significant trade agreement. I hope that in considering SB201 and other bills like it, you, your committee colleagues, and all Hawaii legislators will fight to ensure balance, clarity, and NAFTA conformity are the hallmarks of all matters legislative, and that you will work to reject or amend such legislative proposals until they embrace and uphold these important standards.

With kind regards,

Adam

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: ahuntemer@aol.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Monday, February 16, 2015 4:12:32 PM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Angela Huntemer	Individual	Support	No

Comments: Aloha Chair, Vice Chair and Committee Members, I am SO delighted to see this bill and wholeheartedly support SB201. There are SO many people collecting this tax with their illegal vacation rentals it is infuriating. We must get the illegal VRs under control and they need to pay the taxes they collect to the State. My family use vacation rentals when they come to visit from Ireland. They always pay the tax but I suspect all of these VR are illegal. Not only are they illegal, they drive up the costs of local rents. Mahalo, Angela Huntemer, North Shore O'ahu.

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: annettelohman@earthlink.net
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Friday, February 13, 2015 9:09:29 PM

SB201

Submitted on: 2/13/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Annette Lohman	Individual	Oppose	No

Comments: Honourable Gilbert Kahele, Chair, and Members of the Senate Committee on Tourism and International Affairs. I am testifying to oppose this bill in its current format. However, I respectfully make suggestions for amendments which, if made, would gain my support as well as the support of many who are similarly opposed to the bill because of the potential for dangerous unintended consequences. I am the owner of a legally registered and tax paying transient vacation rental (TVR) on the island of Maui. I purchased my condo in a resort zone in Maui in 2001 for two purposes – the make it possible to spend more time in this very beautiful state, and to earn income for my retirement which will start in June of this year. I support bills that will assist the counties and the State in enforcing the current laws for transient vacation rentals. Because of this, I support the provision in the bill that establishes a database which would aid the State and counties to track TVRs under their jurisdiction. Making all the information available to ANYONE in any format makes it possible for criminal elements to easily connect owners, addresses, and calendars to use for criminal and potentially violent activities. The act makes the following searches possible for anyone, not just authorities who may use the database to track down unregistered and non-taxpaying TVRs. The danger in the bill comes from the use, by most owners of TVRs like me, of an online calendar of their TVR's availability. This simplifies the process of finding an appropriate vacation rental for our guests. Currently the website on which I advertise lists my Hawaiian taxpayer ID (in compliance with Act 326) and my name and phone number in addition to my updated calendar. Although I advertise the condo complex in which my TVR is located, I do not reveal, in my advertisement, the exact unit #. If a potential guest requests that information from me through an email or telephone communication and I determine that they are a legitimate potential guest, I supply it to him/her individually and it is included in the contract they sign. Therefore, once a guest is determined to have a legitimate reason for knowing the address they receive the information. The bill makes the following searches available to ANYONE: (1) Search the database by property address to determine whether that property is managed by an operator or a plan manager who has received a certificate of registration; (2) Enter the name of an operator or plan manager to determine whether the operator or plan manager has received a certificate of registration; (3) Enter the name of an operator to determine the address of every transient accommodation managed by that operator; and (4)

Enter the name of a plan manager to determine the address of every resort time share vacation unit subject to a resort time share vacation plan managed by the plan manager. The first search is reasonable because it allows local residents who are negatively impacted by illegal TVRs to research and determine whether residences in their neighborhoods are, indeed, illegal and report them if not. It also allows guests, once they have received address information from the owner/operator of a TVR to research its registration. Since it does not identify the property by owner and since most web listings do not include the address of the TVR, this provides assurance to guests who have been given the address that they are renting a registered TVR without providing the information that would allow criminals to easily connect an address with an owner/operator and advertisement and, thus, their availability calendar. Search # 2 is reasonable as it allows tourists to determine whether the operator of the TVR they are considering renting is a registered owner/operator. Again this provides assurances to tourists without giving information to criminals that will allow them to discover the address of the TVR and connect that information to an online calendar. However searches #3 and #4, if made available to the public, would, by making all these connections possible, expose my guests and me to those who 1) would engage in criminal activity at the expense of guests who are expected to be traveling with jewelry, purchases they have made while on vacation, cameras, computers, and other electronic devices and/or 2) use information about vacant periods to unlawfully gain access and squat in my property. Removing someone who is "squatting illegally" is a difficult and expensive process. May I respectfully offer an amendment would keep searches #1 and #2 for anyone and, I believe, satisfy the intent of the bill and would make searches #3 and #4 only available for government authorities using the information to enforce TVR laws. In addition, I would amend the bill to require that the address of the TVR be included in the contract along with the Tax ID registration number (currently required). Guests would then be able to utilize the searches in #1 and #2 above to assure themselves that the TVR and owner/operator are registered appropriately. Mahalo for your consideration and the opportunity to provide testimony. Annette Lohman

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Dear Legislators,

My name is Bonnie Aitken and I own a TVR on Kauai. I am a law abiding self- manager of my condo and presently oppose SB201 as written and offer the following suggestions for your consideration. I support any efforts which assist the counties and state to enforce the current laws for TVRs while minimizing the burdens of owners of legal rentals who dutifully pay all taxes .This bill proposes a database which would aid the State and counties to track TVRs under their jurisdiction. I support these objectives.

However, I respectfully request that the bill be amended in such a way that the databases not reveal specific addresses and owner's names when searched by the general public. Such information should be restricted to those in authority.

Many TVR owners do not advertise their property addresses in order to prevent the properties from being targets of criminal activity, both physical and cyber. For example, there have been numerous Craig's List scams which use such knowledge to harm both the consumer and the TVR owner. As our calendars are published on line with VRBO and Home Away, a thief will know when a property is vacant, making it an easy target for vandalism and theft.

I thank you for the opportunity to provide testimony and hope it will be of use to you while considering SB201.

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: boydready@hawaii.rr.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Tuesday, February 17, 2015 2:13:00 AM

SB201

Submitted on: 2/17/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Boyd Ready	Individual	Support	No

Comments: I support this measure. If you want to operate a business out of a home it should be transparent and licensed and accountable.

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: carabirk@gmail.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Sunday, February 15, 2015 4:09:49 PM

SB201

Submitted on: 2/15/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cara Birkholz	Individual	Oppose	No

Comments: I am a Hawaii resident, living in Kihei where I self-manage my four vacation rentals. I am a member of the Hawaii RBOAA (Rental by Owner Awareness Association) and ask you to please consider their recommendations on this bill. Mahalo for the opportunity to testify. Cara Birkholz 808-281-7934

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To: [TSI Testimony](#)
Cc: geilfussc@hawaii.rr.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Saturday, February 14, 2015 9:45:54 AM

SB201

Submitted on: 2/14/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christine	Individual	Comments Only	No

Comments: Please help our communities by passing this bill! This bill will help address the illegal activities that are negatively changing our neighborhood from residential to "commercial chaos". Greedy rule-breakers who advertise their properties for rent on vrbo, flipkey, craigslist, etc. do so at the expense of the rest of us. Illegal vacation rentals must be discouraged and this bill will help. To ignore illegal activity is to condone it, that's not right! We rely on our elected officials to ensure that existing laws are enforceable. Please help.

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: Palekaiko@hawaiiantel.net
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Sunday, February 15, 2015 9:57:05 PM

SB201

Submitted on: 2/15/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Della Halvorson	Individual	Oppose	No

Comments: I am writing to OPPOSE SB 201 in its present form. I am an owner of a transient vacation rental in a condominium complex in an approved TVR-zone in Maui and operate in compliance with all relevant requirements. I understand the intent behind the bill is to protect consumers, however, I am concerned that portions of this bill are dangerous to the privacy of owners in this age of cyber-crime and scams. May I respectfully request an amendment that would allow searches #1 and #2 to be open to the public, and I believe, satisfy the intent of the bill, however, make searches #3 and #4 only available for government authorities using the information to enforce TVR laws. I OPPOSE SB201 as currently written. Respectfully submitted, Della Halvorson

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From: [Douglas Mitchell](#)
To: [CPN Testimony](#); [TSL Testimony](#); JKLtestimony@capitol.hawaii.gov
Subject: SB201
Date: Sunday, February 15, 2015 7:55:19 PM

I am Doug Mitchell, an owner of two transient rental condos on Maui. I oppose SB201. I am in agreement with RBOAA about this bill. I do not want to have to list my properties' addresses as a matter of public record.
Thank you. Doug Mitchell

From: [Elen Stoops](#)
To: [CPN Testimony](#); [TSL Testimony](#); [JDL Testimony](#)
Subject: Hearing 2/17, SB201. OPPOSE
Date: Saturday, February 14, 2015 10:49:29 AM

Dear Legislators,

I am an owner of a licensed vacation rental condo on Maui which is in a hotel-zone. I support and meet the all requirements of Act 326.

While I agree with the intent of this bill I must OPPOSE it as currently written and respectfully request your consideration of some amendments.

I agree that in HRS 237D-1, the definition of "Transient Accomodations" should be updated to include the term "single-family dwelling".

I disagree that each four of the fields proposed for a new Public Data Base should be made available for ANYONE to have UNRESTRICTED access to. I believe that all of this information is useful for Law Enforcement Officials with Agencies that have "a need to know", that the fields in the Public Data Base that provide access to the individual's physical address location can and will be used for the wrong purposes by persons who intend to commit crimes of Burglary, Vandalization or unauthorized entry into a vacant property.

I STRONGLY disagree that Class C Felony should be applied to a first instance of violation. I believe it is appropriate ONLY to be reserved for the second instance of a person's proven lack of compliance in accordance of the provisions of the measure.

Each County has the responsibility to create and maintain relevant local laws that find a county-specific correct balance between allowing legal and permitted single family dwelling vacation rentals (VRs) to support the state's lifeblood tourism industry as well as providing reasonable protection and quality of life for the permanent residents.

I share the concerns expressed by the bill's authors for the problems caused to the state, its residents and visitors relative to the unabated proliferation of unpermitted and illegal vacation rentals. The adverse consequences are far reaching and only growing worse where the problem is not being managed.

I believe one of the first steps is to create tools that support the efforts of the enforcement agencies. To the extent that such a database shall actually be utilized by the enforcement agencies to achieve this goal, yet doesn't have offsetting serious consequence, I support SB201.

However, I ask the Legislation to reconsider those provisions of the bill that provide this information to ANYONE for ANY purpose.

Helping residents who are affected as well as visitors who are arranging lodging is also an important yet secondary consideration. Unfortunately some of this information can be used by persons to do harm to visitors and the owners of the properties that are listed in the data base.

As an owner of a vacation rental, I am required to keep an updated calendar that is viewable to

anyone on the internet which shows when my unit is occupied and when it is vacant.

I am always concerned and feel responsible for the welfare, safety and protection of my guests and their property. This is not a pleasing message to leave for a guest because we want them to just relax and enjoy their stay, but after we write the part that says "Aloha, Welcome to Maui!", we inform each of our guests in writing to not leave their valuables in view and to lock the doors and lanais and windows whenever they leave the unit.

Burglaries of vacation rentals is a real problem in the islands and one we must all constantly be aware of. Our resident managers are always watching out, we have methods to help manage that only the appropriate persons are on the property but they are imperfect. Contractors are nearly always coming and going. We have found we need to continually adapt and change our methods to keep unwanted visitors off the premises. Criminals' methods change given the opportunities and the circumstances. For a while we had a problem with security cameras and we stopped using them after they were repeatedly stolen!

In the case of single family dwellings, perhaps a different situation, an unoccupied unit may look great to someone to break into. I don't have experience with the types of problems associated with this type of dwelling.

However, making it too easy for persons with the wrong intentions to identify whether a property is vacant or occupied is a consequence of the bill as currently written. It may burden not only owners and visitors but also be objectionable to local police agencies potentially faced with a new levels and types of crime to deal with.

Therefore I propose the following for your consideration:

Amend the language to have a public database which has access ONLY to

- (1) Search the database by property address to determine whether that property is managed by an operator or a plan manager who has received a certificate of registration;
- (2) Enter the name of an operator or plan manager to determine whether the operator or plan manager has received a certificate of registration;

Please Delete from the bill:

- (3) Enter the name of an operator to determine the address of every transient accommodation managed by that operator; and
- (4) Enter the name of a plan manager to determine the address of every resort time share vacation unit subject to a resort time share vacation plan managed by the plan manager.

Items 3 and 4 are useful and reasonable to make available by enforcement agencies but have the potential for misuse to create more hazard to public safety, and welfare than benefit.

If Oahu County would be strongly benefitted by retaining items 3 and 4 above, to the extent that the detrimental effects to it's citizens and visitors are offset by the benefits, I propose that this be a county specific measure.

It can be adoptable by each county on an as-desired basis, but likely this bill should not a statewide requirement as currently written.

Thank you for the opportunity to provide comments.

As a resident of the North shore I feel deeply hurt that no one is regulating vacation rentals. Transient vacationers come here and take up all of our parking spaces. I have to park 2 blocks away just to go home. It is so dangerous at night when I have to walk in the dark so far away from home. I fear getting raped, or mugged. There are so many cars to one vacation rental. The police comes down our streets giving us local tax paying residents parking tickets when I am off loading my groceries but pays no attention to all the illegal vacation rentals I have no parking because there are so many people staying in each house that are transients. A few of my friends that have good jobs are on the verge of becoming homeless or have become homeless because the land lord wants to vacation rent now. OUR COMMUNITY IS SUFFERING BECAUSE NO ONE EVER ENFORCES THIS MASSIVE PROBLEM. IF I GET SICK AND CANT WORK I WILL BE HOMELESS BECAUSE OF THE LACK OF PERMANENT RENTAL SPACE. THIS IS WITHOUT A DOUBT DUE TO THE INFESTATION OF VACATION RENTALS.

All my friends pay minimum of \$1000 a month to rent a room the size of a closet. With minimum wage at \$7.25 an hour you are creating a future homeless problem that will be harder to fix. Why has this issue not been addressed way sooner. Mahalo for listening and with your help we can restore a viable community once again.

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: jill_oudil@telus.net
Subject: *Submitted testimony for SB201 on Feb 17, 2015 09:30AM*
Date: Monday, February 16, 2015 10:06:11 AM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Oudil	Individual	Oppose	No

Comments:

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Joe Slabe
C312, 2531 S Kihei Road
Kihei, HI
96753
joeslabe@hotmail.com

Aloha,

I am writing to OPPOSE SB 201 and suggest amendments.

As an owner of a transient vacation rental (TVR) in Hawai'i, I support any efforts that assist the counties and State enforce the current laws for TVRs while minimizing the burdens of owners of legal rentals who have faithfully paid their General Excise (GET) and Transient Accommodations Taxes (TAT).

This Bill proposes a database will be established, which would aid the State and counties to track TVRs under their jurisdiction. I support both objectives for internal departmental purposes; however, for privacy and guest safety, I respectfully request that the Bill be amended in such a way that the database not reveal specific addresses and owner's names when searched by the general public. Such information should be restricted to those in authority.

Many TVR owners do not advertise their property addresses in order to prevent their properties from being targets of criminal activity, be it physical or cyber (i.e. Craigslist scams or other forms of identity theft). Security of our guests is paramount.

Mahalo for your time and service to the people of Hawaii,

Joe Slabe

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: crumps5@sbcglobal.net
Subject: *Submitted testimony for SB201 on Feb 17, 2015 09:30AM*
Date: Saturday, February 14, 2015 2:01:47 PM

SB201

Submitted on: 2/14/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Crump	Individual	Oppose	No

Comments:

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From: [Linda Mitchell](#)
To: [CPN Testimony](#); [TSL Testimony](#); [JDL Testimony](#)
Subject: Opposing SB201
Date: Sunday, February 15, 2015 7:53:14 PM

I am Linda Mitchell, an owner of two transient rental condos on Maui. **I oppose SB201.** I am in agreement with RBOAA about this bill.

I do not want to have to list my properties' addresses as a matter of public record.

Thank you.

Linda Mitchell

408-472-6506

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: lisamarten@hawaii.rr.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Sunday, February 15, 2015 3:01:35 PM

SB201

Submitted on: 2/15/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Marten	Individual	Support	Yes

Comments: Aloha Chair and Senators. Transient accommodations are common where I live in Lanikai, most of them illegal. Many owners do not fear the DPP and run their illegal businesses in plain view. However, many of those same individuals are concerned about the Department of Taxation and pay taxes. Currently the Department of Taxation does not shared data with the DPP. A public database would be a tool and a source of evidence for the DPP to enforce existing residential zoning laws. This problem reduces our housing stock and pushes up prices for real residents, be they people who wish to but a home or rent one. Please support this Bill. Mahalo, Lisa Marten

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To: [TSI Testimony](#)
Cc: mhesketts@mac.com
Subject: *Submitted testimony for SB201 on Feb 17, 2015 09:30AM*
Date: Monday, February 16, 2015 9:31:43 PM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Heskett	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: marshavaughn3@att.net
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Saturday, February 14, 2015 2:29:49 PM

SB201

Submitted on: 2/14/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Marsha Vaughn	Individual	Oppose	No

Comments: I am writing to OPPOSE SB 201 as it is written and to suggest amendments. As an owner of a single vacation rental condo in Maui, I have been compliant with all laws for vacation rentals and support the counties and State in their effort to enforce the current laws for TVRs. This Bill proposes a database will be established which would aid the State and counties to track TVRs under their jurisdiction. I support what is being proposed but for the very real safety of owners and vacation renters, I respectfully request that this Bill be amended so that specific addresses and owner's names will not be revealed when the database is searched by the general public. This information should be restricted to those in authority within the State and/or County. Many vacation rental owners have been the victims of criminal activities and fraud as a result of their property addresses being in the public domain. Even without the actual address of my unit, various scammers have attempted to defraud unsuspecting tourists by renting them my unit and securing their funds. Likewise, others have attempted to rent from me fraudulently in order to obtain the address to use in this way. We are required, as owners to be continually vigilant in order to secure our own and our guests safety. I thank you for your consideration and the opportunity to provide testimony. Mahalo.

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: mhubner@halehubner.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Sunday, February 15, 2015 8:32:32 AM

SB201

Submitted on: 2/15/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Hubner	Individual	Oppose	No

Comments: To the honorable Chair and Members of the Committee, I am writing in opposition of HB 1288 with suggested amendments. As an owner of a transient vacation rental (TVR) in the County of Hawai'i, I support any efforts that aid the counties and State to enforce the current laws for TVRs while minimizing the burdens of owners of legal rentals who have faithfully paid their General Excise (GET) and Transient Accommodations Taxes (TAT). This Bill proposes to establish a certification of registration for legal TVR owners. Further, a database will be established which would aid the State and counties to track TVRs under their jurisdiction. I support both objectives for internal departmental purposes; however, for privacy and guest safety, I respectfully request that the Bill be amended in such a way that the public portion of the database not reveal a property address when an owner's name is searched. Many TVR owners on the Big Island (especially in rural areas not immediately close to a police station) do not advertise their property addresses in order to prevent their homes from being the target of criminal activity, be it physical (theft, vandalism, etc) or cyber (i.e. Craigslist scams or other forms of identity theft). As the public database is currently proposed, any bad actor could search online TVR listings for any number of owners' names in a specific area. Those names could then be inputted into the database, and the result would be a list of target homes. This scenario reduces security for TVR owners and their guests as well as potentially creates an undue burden on local police should there be a rise in crime. A suggested alternative for the public database would be if the search for an owners' name would result in the affirmation (or lack) of certificate(s) of registration in a more general location than that the exact street address (i.e. zip code, town, condo, or even street name only). This would allow members of the public to search an owner in order to verify that they are legally renting in the vicinity of the property they are curious about but may not have the address for. I have no issues with the database being searchable by property address, which would allow neighbors of a TVR to search and see if a property is being rented legally (something which apparently is a problem for Oahu residents). If the Bill were amended to incorporate stronger security measures for property owners and guests, I would surely support the remaining measures. I thank you for your consideration and the opportunity to provide testimony. Mahalo. Matt Hubner

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To: [TSI Testimony](#)
Cc: MMCGARRY@REMAX.NET
Subject: *Submitted testimony for SB201 on Feb 17, 2015 09:30AM*
Date: Monday, February 16, 2015 9:29:57 AM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
MICHELLE MCGARRY	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: milomcgarry@gmail.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Monday, February 16, 2015 9:49:31 AM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Milo McGarry	Individual	Oppose	No

Comments: This bill is unfair and intrusive.

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TO: Members of the Committees on Tourism & International Affairs, Commerce & Consumer Protection and Judiciary & Labor

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 9:30 a.m. Tuesday, February 17, 2015

SUBJECT: SB 201 Transient Accommodations - **COMMENTS**

Aloha Chairs and Committee Members,

Thank you for allowing me the opportunity to provide testimony on SB 201, which makes various changes related to transient accommodations. Any time policy changes related to transient vacation rentals or bed and breakfasts comes before the Honolulu City Council, concerns are brought up about illegal units and nonpayment of taxes. I therefore appreciate that this matter is coming before the legislature.

A **public database** will allow potential customers, neighbors and county administrators to check registration records. This should allow for greater enforcement capabilities at the county level.

The bill changes the **penalty for noncompliance** from a misdemeanor to a class C felony. Our courts are already overburdened with consistent backlogs. Therefore, please consider whether increased monetary fines might be a better consequence for noncompliance.

The bill also requires that that transient accommodations tax (TAT) be **reported by zip code**. Our tax department still takes weeks to clear checks and months to process certain returns. Adding this requirement will increase the workload of tax staff. Priority should be on getting tax collections processed on a timelier basis and then collecting tax that is due but not being paid. This provision in the bill is a “nice-to-have” change that should be considered after other priorities.

The **effective date** of part II of the bill, reporting by zip code, is tax years after December 31, 2014. Some TAT returns are required to be filed monthly. Therefore, if this requirement is put into place for this year, those returns would presumably have to be amended. In addition, it will take time for the state to revise its TAT returns. Therefore, please change the effective date to December 31, 2015.

Neal Halstead
C312, 2531 S. Kihei Road
Kihei, HI
96753
nealhalstead@yahoo.ca

I am writing to OPPOSE SB 201 and suggest amendments.

As an owner of a transient vacation rental (TVR) in Hawai'i, I support any efforts that assist the counties and State enforce the current laws for TVRs while minimizing the burdens of owners of legal rentals who have faithfully paid their General Excise (GET) and Transient Accommodations Taxes (TAT).

This Bill proposes a database will be established which would aid the State and counties to track TVRs under their jurisdiction.

I support both objectives for internal departmental purposes; however, for privacy and guest safety, I respectfully request that the Bill be amended in such a way that the database not reveal specific addresses and owner's names when searched by the general public. Such information should be restricted to those in authority.

Many TVR owners do not advertise their property addresses in order to prevent their properties from being targets of criminal activity, be it physical or cyber (i.e. Craigslist scams or other forms of identity theft). Security of our guests is paramount.

I thank you for your consideration and the opportunity to provide testimony.

Mahalo

Neal Halstead

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: robstewart49@gmail.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Sunday, February 15, 2015 8:29:50 PM

SB201

Submitted on: 2/15/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
R Stewart	Individual	Oppose	No

Comments: Please defer this bill The state's goals for TA operators are: Tax compliance Landlord tenant compliance Local zoning compliance A database of information on TA operators from information that the tax department maintains does not in any way assist the tax department with its task of tax compliance, nor does it assist the counties. The tax department and counties already share their information. A public database serves no State goals. What would be the purpose of a public database? What would the public do with the information? Are they expected to then go look for non-registered TA operators? Isn't this the function of the local authorities, not individuals? A list of TA operators who are compliant does not help to find those that are not. A public database of addresses also compromises safety to the tourist who may be occupying the TA accommodation. The trend seems to be to impose layer upon layer of regulation upon TA operators with ever increasing fines and penalties. While it is currently a misdemeanor to not register a business, this bill would make it a felony for TA to not register. All businesses requiring registration to operate, should receive the same penalty for not doing same. Thank you for the opportunity to submit testimony.

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: svilliger@aol.com
Subject: *Submitted testimony for SB201 on Feb 17, 2015 09:30AM*
Date: Monday, February 16, 2015 8:18:10 PM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
steve villiger	Individual	Support	No

Comments:

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As a resident of the North shore I feel deeply hurt that no one is regulating vacation rentals. Transient vacationers come here and take up all of our parking spaces. I have to park 2 blocks away just to go home. It is so dangerous at night when I have to walk in the dark so far away from home. I fear getting raped, or mugged. There are so many cars to one vacation rental. The police comes down our streets giving us local tax paying residents parking tickets when I am off loading my groceries but pays no attention to all the illegal vacation rentals I have no parking because there are so many people staying in each house that are transients. A few of my friends that have good jobs are on the verge of becoming homeless or have become homeless because the land lord wants to vacation rent now. OUR COMMUNITY IS SUFFERING BECAUSE NO ONE EVER ENFORCES THIS MASSIVE PROBLEM. IF I GET SICK AND CANT WORK I WILL BE HOMELESS BECAUSE OF THE LACK OF PERMANENT RENTAL SPACE. THIS IS WITHOUT A DOUBT DUE TO THE INFESTATION OF VACATION RENTALS.

All my friends pay minimum of \$1000 a month to rent a room the size of a closet. With minimum wage at \$7.25 an hour you are creating a future homeless problem that will be harder to fix. Why has this issue not been addressed way sooner. Mahalo for listening and with your help we can restore a viable community once again.

From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: tgardiner@intergate.ca
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Monday, February 16, 2015 9:29:41 AM

SB201

Submitted on: 2/16/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Gardiner	Individual	Oppose	No

Comments: This Bill does more harm than good and opens up the resulting database to criminals to use and abuse the data.

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From: mailinglist@capitol.hawaii.gov
To: [TSI Testimony](#)
Cc: vgeminiani@gmail.com
Subject: Submitted testimony for SB201 on Feb 17, 2015 09:30AM
Date: Sunday, February 15, 2015 11:29:45 AM

SB201

Submitted on: 2/15/2015

Testimony for TSI/CPN/JDL on Feb 17, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
victor geminiani	Individual	Comments Only	No

Comments: I am writing in strong support of SB 201. I am a long term resident of Kailua having lived here for over 20 years. The proliferation of illegal vacation rentals has created many problems for our community. Their negative impact, especially over the past 5 years, has helped to dramatically affect the cost and availability of long term housing for our local residents and workforce. The impact of homeless in our community is but one of many consequences. Our current crisis in affordable rental housing is documented in the report attached to this testimony. This negative impact continues to escalate as Kailua becomes an international and mainland destination for vacationers and the profits that are available for those who illegally convert their homes escalate. These accommodations are illegal and should continue to be so until those interested in conducting such business in residential communities are able to politically change the laws governing their conduct. SB 201 helps in reversing this illegal and damaging trend of converting homes to vacation rentals by making prosecution of offenders more viable and increasing the fines for such illegal behavior and providing a serious deterrent to continuing this illegal activity. I urge you to pass SB 201 and reverse the damaging impact of owners using their property illegally. Aloha, Victor Geminiani

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