

February 3, 2015

The Honorable Mike Gabbard, Chair
Senate Committee on Energy and Environment
State Capitol, Room 225
Honolulu, Hawaii 96813

RE: S.B. 646, Relating to Energy

HEARING: Tuesday, February 3, 2015, at 2:45 p.m.

Aloha Chair Gabbard, Vice Chair Green, 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 8,400 members. HAR **opposes** S.B. 646, which permits the installation of clotheslines in any residential dwelling, including condominiums and apartments. This measure also defines reasonable restrictions on the placement and use of clotheslines as any restriction that is necessary to protect public health and safety, buildings from damage, historic or aesthetic values, and shorelines under certain circumstances.

Many established associations have Covenants, Conditions and Restrictions (“CC&R”) that regulate the use or non-use of clotheslines in its respective building. Any given association board is primarily composed of volunteer homeowners that are elected by the remaining homeowners. The boards hold regular meetings to enforce the CC&R, to establish a budget, authorize expenditures, collect assessments, and oversee the maintenance and use of common property, which includes the permitted use or prohibition of clotheslines.

Homeowners buy into a specific condominium or planned community association for a variety of purposes from aesthetics, house-rules or design that are decided by the owner-residents of the association. As such, HAR believes that should a condominium or planned community association wish to allow clotheslines, it should have the ability to make an informed decision with an opportunity for input from all its residents rather than through legislation.

Mahalo for the opportunity to testify.