

HB1498 HD1

Measure Title: RELATING TO CONDOMINIUMS.

Report Title: Condominium Associations; Documents; Unit Owners

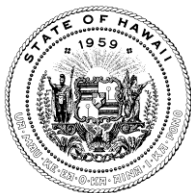
Description: Requires contracts between the association and the resident manager or general manager to be made available to any unit owner, and allows certain personal information to be redacted from the contracts. (HB1498 HD1)

Companion:

Package: None

Current Referral: CPH

Introducer(s): ICHIYAMA, MCKELVEY, OHNO



DAVID Y. IGE
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**PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE**

**TO THE SENATE COMMITTEE
ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH**

**TWENTY-NINTH STATE LEGISLATURE
REGULAR SESSION, 2017**

**TUESDAY, MARCH 14, 2017
9:00 A.M.**

**TESTIMONY ON HOUSE BILL NO. 1498 H.D.1
RELATING TO CONDOMINIUMS**

**TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND TO THE HONORABLE CLARENCE K. NISHIHARA, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:**

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on House Bill No. 1498 H.D.1, Relating to Condominiums. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers the following enforcement-related comments on the bill.

House Bill No. 1498 H.D.1 requires the disclosure of contracts between an association and its resident or general manager to a unit owner and allows for any

Testimony on House Bill No. 1498 H.D.1
March 14, 2017
Page 2

personal information to be redacted. The bill also has a defective effective date of July 1, 2112.

House Bill No. 1498 H.D.1 identifies, at page 6, lines 10-21, the types of personal information that may be redacted when a contract between an association and its manager is disclosed. The listed information, though not meant to be exhaustive, is consistent with Chapter 487N, Hawaii Revised Statutes ("HRS"), the Security Breach of Personal Information Chapter, and Chapter 92F, HRS, Hawaii's Uniform Information Practices Act.

RICO believes that enumerating specific types of personal information that may be redacted in a contract will assist condominium associations in their disclosure efforts and welcomes clarification in this area.

Thank you for the opportunity to testify on House Bill No. 1498 H.D.1. I will be happy to answer any questions the Committee may have.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 7:53 AM
To: CPH Testimony
Cc: lila.mower@gmail.com
Subject: *Submitted testimony for HB1498 on Mar 14, 2017 09:00AM*

HB1498

Submitted on: 3/13/2017

Testimony for CPH on Mar 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lila Mower	Hui `Oia`i`o	Support	No

Comments:

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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From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 10, 2017 3:07 PM
To: CPH Testimony
Cc: richard.emery@associa.us
Subject: Submitted testimony for HB1498 on Mar 14, 2017 09:00AM

HB1498

Submitted on: 3/10/2017

Testimony for CPH on Mar 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Emery	Associa	Support	Yes

Comments: This Bill will resolve many complaints and make important information available to owners.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 12, 2017 10:55 PM
To: CPH Testimony
Cc: jsugimura@bendetfidell.com
Subject: Submitted testimony for HB1498 on Mar 14, 2017 09:00AM

HB1498

Submitted on: 3/12/2017

Testimony for CPH on Mar 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jane Sugimura	HI Council of Assoc. of Apt. Owners a	Support	No

Comments: HCCA supports HB 1498 HD1 and respectfully asks that you pass out this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 12, 2017 9:41 PM
To: CPH Testimony
Cc: steveghi@gmail.com
Subject: Submitted testimony for HB1498 on Mar 14, 2017 09:00AM

HB1498

Submitted on: 3/12/2017

Testimony for CPH on Mar 14, 2017 09:00AM in Conference Room 229

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

Comments: Consider expanding to other key managers in the association such as the operations manager, site manager, etc.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 12, 2017 7:16 PM
To: CPH Testimony
Cc: mkhan@hawaiiantel.net
Subject: Submitted testimony for HB1498 on Mar 14, 2017 09:00AM

HB1498

Submitted on: 3/12/2017

Testimony for CPH on Mar 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Marilyn Khan	Individual	Support	Yes

Comments: Fully support this bill. Recently, I found the need to review not only the Resident Manager's contract, but also the property manager's contract to seek clarity on their responsibilities. The information was helpful to understand the differences in their roles and responsibilities and for accountability for handling the work for our condominium. Respectfully, Marilyn L. Khan, Condominium Homeowner

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Measure: HB 1498 HD 1 Relating to Condominiums
Date and Time of Hearing: 9:00 a.m. Tuesday, March 14, 2017
Committee: Committee on Commerce, Consumer Protection & Health

Aloha Senator Baker and members of your Committee.

Thank you for the opportunity to testify in support of HB 1498 HD1 with the possibility of amending the bill to include two or three items that should be disclosed to owners

HB 1498 HD 1 indicates what items should not be disclosed to Owners, and I agree with ALL those items, but I believe that since the bill leaves open the possibility that ADDITIONAL items can be redacted, this Bill should probably state that Owners should be provided the duties and salary of their General Manager or Resident Manager and the hours that person is normally on duty, which was the original purpose of this bill.

Please consider these possible amendments to HB 1498 HD 1

Sincerely,

Richard Port