

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB369 on Feb 22, 2017 09:15AM
Date: Tuesday, February 21, 2017 8:50:33 AM

SB369

Submitted on: 2/21/2017

Testimony for JDL on Feb 22, 2017 09:15AM in Conference Room 016

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

Comments: Please kill this bill. While the intent of the bill appears to thwart retaliation, the only remedy availed to owners through this measure is costly litigation. Most owners are not able to expend the large amounts of money needed to protect themselves—from retaliatory practices or from claims of retaliation by those who intend to censor them. Instead, what is needed is anti-SLAPP (strategic lawsuit against public participation), legislation against lawsuits that are intended to censor, intimidate, and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition, impeding the freedom of speech. This bill only supports such SLAPPs (strategic lawsuit against public participation).

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

February 21, 2017

Hearing Date: February 22, 2017

Time: 9:15 AM

Place: Conference Room 016

Committee on Consumer Protection & Commerce
House of Representatives, the 29th Legislature
Regular Session of 2017

RE: Testimony AGAINST SB 369

Aloha, Chair Keith-Agaran and Committee Members ,

Consumer protections for the neediest, most unassuming and ill-equipped homeowners was the initial intention of this bill . It was conceived and promoted by those seeking adequate homeowner consumer rights and protections .

Please just look at the original description before it was hijacked and rewritten by the “industry” and their powerful lobbyist :

“ prohibits associations of apartment owners , boards of directors , managing agents , resident managers and condominium owners from retaliating or discriminating against a condominium owner who files a complaint; “

Somehow this bill and it’s companion bill HB177 are now asking for protections from the very people and organizations who currently have the absolute power to fine and regulate without government or judicial oversight but those PEOPLE and ORGANIZATIONS have access to the “PURSE STRINGS OF POWER “ . In Hawaii State Condo Law , **there is no Justice without money to LITIGATE !**

This bill and it’s companion house bill HB 177 deserve to die a quick and absolute death . The management companies and it’s employee’s the property managers do not need another state law to hide behind and protect their self-interest .

John White Sr.

From: [Kate Paine](#)
To: [JDLTestimony](#)
Subject: SB369 SD1 NON-SUPPORT
Date: Tuesday, February 21, 2017 9:15:54 AM

2/21/17

Committee -

The intent of this original bill has morphed into an industry protector, rather than an owner one.
What a disappointing transgression.

Scrap the whole business.

Kate Paine
Condo Owner

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB369 on Feb 22, 2017 09:15AM
Date: Wednesday, February 15, 2017 3:02:02 PM

SB369

Submitted on: 2/15/2017

Testimony for JDL on Feb 22, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth R. Conklin, Ph.D.	Individual	Support	No

Comments: As an owner of a condominium apartment and frequent attendee at meetings of the board of directors, I recognize the need for this legislation and am glad to support it.

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

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB369 on Feb 22, 2017 09:15AM
Date: Tuesday, February 21, 2017 8:56:12 AM

SB369

Submitted on: 2/21/2017

Testimony for JDL on Feb 22, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lourdes Scheibert	Individual	Oppose	Yes

Comments: My name is Lourdes Scheibert, a condominium owner, and oppose the amended form of SB369 SD1 because this bill shows "what is good for the goose is good for the gander." The "board member" and "association employee has the upper hand and power to override the complaint of the owner thru the "Best Business Judgment Rule." This still leaves the owner at a disadvantage because the balance of power is in the hands of poor management that is the cause of the complaints by the owner. An owner is happy when their unit is water tight and no complaints of water leaks. At the CAI "The Fundamentals of Serving On a Board" , 11/3/2016, Sue Savio of Insurance Associates, Inc. said that 99% of complaints received by her office are "Water overflow from a domestic plumbing system". In my experience, an owner will only attend the board meetings because their unit water infiltration problem has not repaired. This bill was intended to give the owner relief from poor management. This bill still gives the owner a disadvantage over the final decision made by the Board who will accept the opinion of the employee and/or property manager as the " Best Business Judgment Rule." This bill as amended does not accomplish anything. Drop the Bill for this year. Lourdes Scheibert Hawaii Condominium Owner

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

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB369 on Feb 22, 2017 09:15AM
Date: Tuesday, February 21, 2017 10:10:48 AM

SB369

Submitted on: 2/21/2017

Testimony for JDL on Feb 22, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Marcia Kimura	Individual	Oppose	No

Comments: When will you "lawmakers" stop collaborating with the legal and condo management industries in their schemes to force condo owners into bankruptcy, debt and loss of their homes?????

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