

---

---

# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND  
TOURISM AND COUNTY PLANNING DEPARTMENTS TO COLLECT  
INFORMATION FROM ASSOCIATIONS OF APARTMENT OWNERS AND  
ASSOCIATIONS OF CONDOMINIUM OWNERS THAT HAVE OWNERS WHO  
RENT THEIR UNITS AS TRANSIENT ACCOMMODATIONS AND MAKE THE  
INFORMATION AVAILABLE TO ASSOCIATION MEMBERS AND UNIT  
OWNERS.

1           WHEREAS, transient accommodations, or vacation rentals, are  
2 often equated to hotel rooms, but residential condominiums are  
3 often used as transient accommodations; and  
4

5           WHEREAS, a transient accommodation is a room, apartment,  
6 house, condominium, beach house, hotel room, suite, or similar  
7 living accommodation rented to a transient person for less than  
8 one hundred eighty days in exchange for payment in cash, goods,  
9 or services; and  
10

11           WHEREAS, transient accommodations have proliferated across  
12 the State in response to tourists who seek out vacation rentals  
13 in search of authentically local experiences or places that are  
14 less expensive than commercial hotel rooms; and  
15

16           WHEREAS, The Hawaii Appleseed Center for Law and Economic  
17 Justice estimates that there are twenty-three thousand vacation  
18 rentals in Hawaii; and  
19

20           WHEREAS, the City and County of Honolulu's Department of  
21 Planning and Permitting estimates that between eight thousand  
22 and ten thousand vacation rentals operate on Oahu at any given  
23 time; and



1           WHEREAS, on Oahu, outside of resort areas like Waikiki, a  
2 legal vacation rental must meet certain criteria and receive  
3 special permission in the form of nonconforming-use  
4 certificates, which the City and County of Honolulu stopped  
5 issuing in 1989; and

6  
7           WHEREAS, only eight hundred sixteen vacation rentals on  
8 Oahu have special permission to operate a vacation rental  
9 outside of a resort area; and

10  
11           WHEREAS, many owners that operate vacation rentals operate  
12 them illegally; and

13  
14           WHEREAS, fifteen to twenty percent of the requests for  
15 investigations at the City and County of Honolulu Department of  
16 Planning's Customer Service Division are for complaints of  
17 suspected illegal vacation rentals; and

18  
19           WHEREAS, between January 2018 and September 2018, the City  
20 and County of Honolulu Department of Planning's Customer Service  
21 Division received one hundred four complaints, made two thousand  
22 forty-two visits to properties, and issued twenty-three notices  
23 of violation; and

24  
25           WHEREAS, major changes, such as the establishment of a  
26 vacation rental registration process, are needed to enhance  
27 regulation of vacation rentals; and

28  
29           WHEREAS, for condominiums used as vacation rentals, owners  
30 and associations may play an important role in rooting out  
31 illegal vacation rentals and enforcing regulations for transient  
32 accommodations; and

33  
34           WHEREAS, because owners of properties in the immediate  
35 proximity of vacation rentals in apartments or condominiums are  
36 directly impacted by vacation rentals, those owners should have  
37 the ability to take action against illegal vacation rentals; and

38  
39           WHEREAS, because renters of condominium-based vacation  
40 rentals can become nuisances to the surrounding apartment and  
41 condominium owners, concerned property owners need to have  
42 access to neighbor empowerment tools, such as a listing of, or



1 access to information on properties within their apartment or  
2 condominium complex that are leased as transient accommodations;  
3 now, therefore,  
4

5 BE IT RESOLVED by the House of Representatives of the  
6 Thirtieth Legislature of the State of Hawaii, Regular Session of  
7 2019, the Senate concurring, that the Department of Business,  
8 Economic Development, and Tourism (DBEDT) and the county  
9 planning departments are requested to collect information from  
10 associations of apartment owners and associations of condominium  
11 owners that have owners who rent their units as transient  
12 accommodations; and  
13

14 BE IT FURTHER RESOLVED that the associations of apartment  
15 owners and associations of condominium owners are requested to  
16 collect information regarding units in their respective  
17 apartment and condominium buildings and projects that are made  
18 available and rented as transient accommodations; and  
19

20 BE IT FURTHER RESOLVED that the associations of apartment  
21 owners and associations of condominium owners are requested to  
22 make reports of the information transmitted to DBEDT and the  
23 county planning departments available to all association members  
24 and unit owners; and  
25

26 BE IT FURTHER RESOLVED that DBEDT is requested to submit  
27 reports to the Legislature regarding the apartments and  
28 condominium units being leased or rented as transient  
29 accommodations; and  
30

31 BE IT FURTHER RESOLVED that certified copies of this  
32 Concurrent Resolution be transmitted to the Director of  
33 Business, Economic Development, and Tourism; Chair of the Real  
34 Estate Commission; and Director of each county planning  
35 department.  
36  
37  
38

OFFERED BY:

*[Handwritten signatures: K. K. K. K., G. G., C. C., T. O. B., J. O., C. O., R. H. T.]*