
HOUSE 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

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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

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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

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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

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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

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25 WHEREAS, on Oahu, outside of resort areas like Waikiki, a
26 legal vacation rental must meet certain criteria and receive
27 special permission in the form of nonconforming-use



1 certificates, which the City and County of Honolulu stopped
2 issuing in 1989; and

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

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8 WHEREAS, many owners that operate vacation rentals operate
9 them illegally; and

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

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

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

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

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

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36 WHEREAS, because renters of condominium-based vacation
37 rentals can become nuisances to the surrounding apartment and
38 condominium owners, concerned property owners need to have
39 access to neighbor empowerment tools, such as a listing of, or
40 access to information on properties within their apartment or



1 condominium complex that are leased as transient accommodations;
2 now, therefore,

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

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

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

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

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29 BE IT FURTHER RESOLVED that certified copies of this
30 Resolution be transmitted to the Director of Business, Economic
31 Development, and Tourism; Chair of the Real Estate Commission;
32 and Director of each county planning department.

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