

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON
HOUSE BILL 23 HD1, RELATING TO CONDOMINIUMS

Before the House Committee on
CONSUMER PROTECTION & COMMERCE

by

Thomas L. Travis
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Chair Takayama, Vice-Chair Gates, and Members of the Committee:

The Hawaii Emergency Management Agency (HI-EMA) **supports** House Bill 23 HD1.

HB 23 HD1 requires a disaster preparedness plan to accompany each declaration for a new condominium property regime submitted for recordation after December 31, 2019. It requires each managing agent for each condominium property regime created before January 1, 2020 to prepare a disaster preparedness plan.

While HI-EMA supports HB 23 HD1 and recognizes and heartily encourages preparedness plans for all residents statewide, the bill currently does not identify the regulatory framework for disaster preparedness plans.

Note: My comments represent HI-EMA concerns at the state emergency management level only. I would defer to the separate comment/testimonies of the county emergency management agencies, as they would be the jurisdictions impacted by this legislation at the local level.

Thank you for the opportunity to provide this testimony in **SUPPORT** of House Bill 23 HD1.

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HB-23-HD-1

Submitted on: 2/10/2019 9:51:29 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Emery	Community Associations Institute	Oppose	No

Comments:

We oppose HB23. This Bill puts responsibility and liability on the Managing Agent. Not all condominiums have a Managing Agent. In any case the Managing Agent is not trained nor qualified to prepare disaster preparedness plans. Today many agencies inform the public on what to do in an emergency. This Bill is unnecessary and adds unnecessary costs to condominiums. In any case, the Managing Agent has no skills in this area.

HB-23-HD-1

Submitted on: 2/12/2019 11:26:08 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

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

Comments:

The Bill ignores several key points as follows:

- All associations do not have a managing agent.
- The scope of work under a contract with a managing agent varies widely as some agents provide only limited services such as accounting.
- Managing Agents are NOT trained or qualified to provide these plans. It imposes potential unfair liability on the agent.
- There are many sizes and types of condominiums from only 2 units to non residential condos (i.e.. storage condo) or specialized condos (i.e.. assisted living).
- Many public agencies and nonprofit organizations already provide free disaster guidelines.

We request this Bill be deferred for the above reasons.

HB-23-HD-1

Submitted on: 2/12/2019 12:30:53 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: