

Testimony of the Real Estate Commission

Before the
House Committee on Finance
Monday, February 24, 2020
12:00 p.m.
State Capitol, Conference Room 308

On the following measure:
H.B. 2195, H.D. 1, RELATING TO CONDOMINIUMS

Chair Luke and Members of the Committee:

My name is Michael Pang, and I am the Chairperson of the Real Estate Commission (Commission). The Commission supports this bill and suggests an amendment.

The purpose of this bill is to provide that any unit in a development which consists of not more than two units and occupied for one year by the developer, its successor, or assign as the principal place of residence shall be considered sold for purposes of satisfying a developer's annual report requirement.

The Commission recommends amending H.D. 1 on page 2, lines 6 to 7 by replacing "provided that for" with "including" and deleting the language on page 2, lines 14 to 15, so that subsection (b) reads as follows:

"(b) The developer, its successor, or assign shall be relieved from filing subsequent annual reports pursuant to this section [~~when~~] after filing an annual report notifying that the initial sales of all units have been completed [-], including any development:

- (1) That consists of not more than two units;
- (2) In which one of the units is the principal place of residence of the developer, its successor, or assign; and
- (3) For which the initial sale of the other unit has been completed."

Thank you for the opportunity to testify on this bill.

HB-2195-HD-1

Submitted on: 2/22/2020 10:21:17 AM

Testimony for FIN on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Emery	Associa	Support	No

Comments:

I support this Bill. It solves the problem when a developer creates a 2-unit condominium and then decides to live in one unit.

From: [rick.cohen](#)
To: [FINtestimony](#)
Subject: HB2195
Date: Friday, February 21, 2020 3:42:04 PM

Good afternoon

My name is Richard Cohen. I have been a full time resident of North Kohala on Hawaii Island for over 20 years, and I would like to take this opportunity to submit testimony in strong support of HB2195.

As the developer/owner/resident of a unit that satisfies the requirements of this bill for almost 20 years now, and with absolutely no intention of either selling the unit or moving in the foreseeable future, I wish to submit my testimony in strong support of this bill. Though still technically considered to be a developer according HRS 514B passed in 2018 (having transitioned from HRS 514A), I feel it absolutely wrong that I continue to be designated in this manner. The need to file an annual report and pay the associated annual fee simply to continue to live in my home just does not seem right, and therefore should be corrected. Hopefully the passing of this bill will accommodate this unfortunate situation.

Thank you all so much for your valued attention to this matter.

Respectfully submitted
Richard Cohen, 2/21/20
Hawi, Hawaii

HB-2195-HD-1

Submitted on: 2/22/2020 3:02:23 PM

Testimony for FIN on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
R Laree McGuire	Individual	Support	No

Comments: