

HB-288-HD-1

Submitted on: 2/20/2019 2:28:39 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
sherri carden	Orchidland Community Association	Support	No

Comments:

This is much needed and long overdue. I strongly support this bill.

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Submitted on: 2/20/2019 12:50:16 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Honda	Individual	Support	No

Comments:

Dear Chair Luke, Vice Chair Cullen, and Committee members,

Thank you very much for considering HB288. Road conditions in the Puna district are so bad that emergency vehicles often have trouble traversing the roads. This bill would also help to avoid disputes amongst the Homeowner Associations. During a recent drive in one of the Puna subdivisions, I had to pull into a driveway and turn around because the road was so bad that I was worried about damage to my car's suspension (and I was told that this road was actually one of the better roads in the area). I humbly thank you for this opportunity to testify.

Respectfully yours,

John

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Submitted on: 2/20/2019 3:26:56 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Morishige	Individual	Support	No

Comments:

Aloha Representatives and Senators,

I was able to read in detail the bill yesterday.

Many subdivisions in the Puna District have roads that are almost impassable. We had another 5-6" of rain yesterday which washed out another level of roads in many "private" subdivisions. There are many miles of roads that an emergency vehicle would have to go very slow so as not to damage the vehicle. That means the ill or injured are in further jeopardy to die before reaching a hospital.

I think residents know taxes must go up to get their roads in better shape. Whatever the state can do to help organize the effort to improve living standards and make the association boards more accountable, the better.

Private subdivision boards for road maintenance are such an inefficient way to improve roads. Each board must buy liability insurance & even insurance to cover board members. When a subdivision is less than 5000 lots, the association doesn't even have money to own equipment to fix the roads. Many boards start to be "run" by a small group of partisans or people who use the association funds to their benefit. The boards are like little governments and often have little accountability to democratic values.

I live in Orchidland Estates, Puna District, and a lot owner is now suing the "rogue" board. That board somehow bought a million dollar insurance policy and are using it to defend against the outstanding citizen/ lot owner who has a legitimate case against "rogue" board and their heavy handed abuse of power and manipulation. I support the lawsuit and the plaintiff. I don't have space or time to go into all the info needed to understand the criminal aspects of all the "rogue" board's activities.

In conclusion, any oversight, education, and accountability over these "private" roads and associations and subdivisions is long overdue. Remember most "private" roads are actually used by the general public and are not gated communities.

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Submitted on: 2/21/2019 8:19:39 AM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherrell Watson	Individual	Support	No

Comments:

I currently live in Hawaiian Paradise Park, where we have a Home Owners Association that doesn't listen to it's home owners, allow any kind of audit, even when it's been legally voted on by the owners. They play games by scheduling meetings in secret with just the board members who are sympathetic to the GM, and will even cancel and move meetings if they find others are going to show up. We pay yearly road maintenance fees, but they do a horrible job of maintaining the roads, and it's been learned that the board has hired various unqualified and unbonded contractors to do work. And yet, there doesn't seem to be any recourse for the home owners, even though the GM and board regularly violate our by-laws.

From what I've been told by friends who live in Orchidland Estates and Hawaiian Acres, it's even worse there with multiple HOA's operating at the same time, and roads in such bad shape that the property owners either have to fix their own roads at their own expense, or buy 4 wheel drive vehicles to navigate the roads. It's truly ridiculous.

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Submitted on: 2/21/2019 10:30:26 AM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ralph Boyea	Individual	Support	No

Comments:

Testimony in Favor of HB 288

Ralph C. Boyea

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February 21, 2019

Honorable Representative Sylvia Luke, Chair;

Representative Ty J.K. Cullen, Vice Chair and members of the House Finance Committee

I am hereby testifying **in favor** of HB 288 relating to infrastructure maintenance in housing subdivisions.

HB 288 requires that all lot owners, in sub-standard subdivisions that do not already have road maintenance requirements, to pay for road maintenance fees. HB 288 requires the Counties to take over the assessment, collection and administration of road maintenance fees if these subdivisions do not have a mandated organization established for road maintenance. And, HB 288 requires the Counties assist and monitor those subdivisions that do have an entity established to assess, collect and administer road maintenance fees.

I believe this Bill is absolutely necessary to insure safe access to homes in subdivisions that still do not have mandatory road maintenance assessments. There are many subdivision roads in Puna where police, fire and ambulance services are virtually available due to the hazardous conditions of the roads.

Even in subdivisions that do have mandatory road maintenance assessments, the lack of State or County oversight results in endless battles between neighbors and absentee lot owners. I live in one of these sub-standard subdivisions, Orchidland Estates [OLE]. I have lived here since 1976. OLE was designated by the courts as the legal entity to collect and administer mandatory road maintenance fees in 1992. Even so, lot owners have been fighting over those fees and the use of those fees year after year from 1976 to the present. Neighbors are set against neighbors; conflicts get hot and heavy; and, progress toward resolving the road problems gets thwarted.

WE NEED an adult in the room to provide training to volunteer association boards on their responsibilities, including conducting effective meetings pursuant to established rules of order;

we need: auditing services on the assessments and use of funds for the repair and maintenance of subdivision roads; and

- we need: arbitration and mediation services to resolve disputes between a lot owner and the entity responsible for the assessment and collection of fees for the repair and maintenance of subdivision roads.

Please pass HB 288.

Respectfully,

Ralph Boyea

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Submitted on: 2/21/2019 12:49:38 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
sheldon lehman	Individual	Support	No

Comments:

Please support and pass this bill. As a long time owner in Hawaiian acres I have seen the effects of voluntary road dues. At this time only about 10 percent of the population pay their dues. The roads have gotten so bad that it is very difficult for emergency vehicles to get in. If mandatory dues are implemented even in a very small amount, say 60 dollars a year these roads could be repaired and kept up, thank you for your consideration.

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Submitted on: 2/21/2019 1:47:20 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Epperson	Individual	Support	No

Comments:

We need your help. Our subdivision has many impassable roads. The only roads that are maintained are the few that are funded by the very few people that willingly contribute time and money. Everyone that uses these private roads should be required to help maintain them. Emergency services have a very difficult time getting out here in when needed. This is a public safety issue.

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Submitted on: 2/21/2019 7:47:08 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Laurence Rodamer	Individual	Support	No

Comments:

As a resident of one of the affected subdivisions, I fully support this bill. We are desparate for training and oversight for our volunteer road maintenance association. Also arbitration or mediation,would be extremely helpful in avoiding costly legal disputes caused by not knowing state laws.Please amend section 3 to take affct this year, not 2050. Thank you for addressing this long standing problem in the Puna district. Aloha, Larry Rodamer.

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Submitted on: 2/21/2019 10:20:03 PM

Testimony for FIN on 2/22/2019 11:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Harold Hill	Individual	Support	No

Comments:

Aloha.I am a long time hawaiiin acres resident.This bill is long past do!..tired of..Thousands and Thousands of dollars spent on fixing vehicles from these rutted,sub standard,roads!I support this bill!Emergencies,be it fires,or just an ambulance to get to you in a reasonable time,need roads that are drivable.Everything in the past,that has been spent on just temp.gravel dumps,has been wasted!Especially after heavy rains,and we in the acres get alot of heavy rain.We need decent roads!Support this bill!.hb288

Mahalo