



Hawai'i Convention Center
1801 Kalākāua Avenue, Honolulu, Hawai'i 96815
kelepona tel 808 973 2255
kelepa'i fax 808 973 2253
kahua pa'a web hawaii-tourism-authority.org

David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
COMMITTEE ON JUDICIARY

March 3, 2022
9:30 a.m.
State Capitol
via videoconference

In consideration of
SENATE BILL NO. 3333 SD1
RELATING TO TRANSIENT VACATION UNITS

Aloha Chair Rhoads, Vice Chair Keohokalole, and members of the Committee on Judiciary.

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to offer comments on **SB3333 SD1**, which authorizes any person to commence a civil action in district court on that person's own behalf against any owner of a dwelling unit if the owner advertises, solicits, offers, or provides the dwelling unit as a transient vacation unit and the owner is not authorized by the applicable county to provide the unit as a transient vacation unit.

Our community-driven Destination Management Action Plans across Hawai'i clearly articulate a desire to manage visitor accommodations – specifically, taking steps to limit and regulate illegal short-term vacation rentals in neighborhoods and other sensitive areas in our communities. We are supportive of state and county efforts to advance that priority.

We appreciate the opportunity to provide these comments on **SB3333 SD1**. Mahalo.

SB-3333-SD-1

Submitted on: 2/25/2022 4:09:08 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kristina Anderson	Individual	Oppose	No

Comments:

Honorable Members of the Senate,

Thank you for accepting my testimony in adamant opposition to SB 3333.

I understand the need to enforce the community for illegally operating vacation rentals, but I adamantly oppose the state creating a citizen enforcement force for this purpose. Such an idea incentivizes neighbors to profit by suing anyone they ‘suspect’ of running an illegal rental, even if there is no proof. If vacation rentals are operating illegally, then the state or counties need to do their own enforcement, not deputize its citizens with financial incentives to do the dirty work for them. Why does this remind me of another measure a state has taken? Oh, yeah, Texas and its famous abortion bill. Come on, Hawaii, we aren’t Texas. Do better. Vote NO on this very bad measure.

SB-3333-SD-1

Submitted on: 2/26/2022 1:13:24 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chuck Prentss	Testifying for Keep It Kailua (KIK)	Support	No

Comments:

Important bill to assist counties in their enforcement programs relating to Short-term rentals.

SB-3333-SD-1

Submitted on: 2/28/2022 2:55:39 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ruth Peterson	Testifying for Oracle Bookkeeping & Finance Inc	Oppose	No

Comments:

I strongly oppose SB3333. Please kill this proposed bill ASAP!

Ruth Peterson

Bookkeeper

March 1, 2022

VIA INTERNET SUBMISSION

Chair Karl Rhoads
Members of the Committee on Judiciary
Hawaii State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Senate Bill No. 3333 – Relating to Transient Vacation Units

Dear Chair Rhoads and Members of the Committee on Judiciary:

This testimony is submitted on behalf of the Association of Apartment Owners of Inn on the Park (the “Association” or “Inn on the Park”). The Association would like to provide its comments in opposition to SB 3333, SD1, as it relates to Transient Vacation Units.

SB 3333, SD1, authorizes any person to commence a civil lawsuit against any owners that: (1) offer their dwelling units as short-term rentals, and (2) are not authorized to do so under county code. If a complaining neighbor is successful in his/her lawsuit, he/she can get damages of up to \$10,000, plus reasonable attorneys’ fees. This incentivizes neighbors, especially vindictive neighbors, to spy on each other. This Bill does not create good neighbors, but rather sets the stage for creating and escalating conflicts between neighbors.

SB 3333, SD 1, expressly allows neighbors to submit photographic and videographic evidence. Neighbors taking videos and photographs of rental owners, their families, guests, and tenants, raises major privacy concerns. Additionally, videos and photos are not enough to prove that an owner is “not authorized by the county to provide the dwelling unit as a transient vacation unit.” It is far more appropriate for the proper governmental agencies and their regulators, who have the proper training, procedures, and tools in place, to enforce the counties’ ordinances as they relate to short-term rentals.

If this Bill passes, owners will be forced to spend valuable time and resources in litigating against spiteful neighbors. While the proposed Bill does include language for a defendant owner to recover reasonable attorneys’ fees in cases where a plaintiff brought a fraudulent claim, it still requires an owner to spend time and money on fighting the frivolous lawsuit, winning the case, and then trying to collect money awarded from their neighbor. This is not a quick feat. On the contrary,

Chair Karl Rhoads
Members of the Committee on Judiciary
March 1, 2022
Page 2

SB 3333, SD 1, will create a flood of new cases and overburden the courts with time-consuming, contentious, and potentially frivolous lawsuits.

The Association **opposes** SB3333, SD1, and urges the Committee to vote against this measure. Thank you for your attention to this important matter. Please direct any questions or concerns regarding this matter to the undersigned.

Very truly yours,

PORTER McGUIRE KIAKONA, LLP

/s/ Cheryl A. K. Fraine

Christian P. Porter
Kapon F.H. Kiakona
Cheryl A. K. Fraine



The Senate
The Thirty-First Legislature
Regular Session of 2022

To: Committee on Judiciary

Date: March 3, 2022

Place: Via Video Conference

RE: **SB 3333** Transient Vacation Units; Rentals; Counties; Private Civil Suits

Senator Karl Rhoads, Chair & Senator Jarrett Keohokalole, Vice Chair and Members of the Committee On Judiciary

Rental By Owners Awareness Association (RBOAA) fully supports compliance with State taxation laws and County zoning regulations.

RBOAA **opposes** SB 3333 for the following reasons.

This Bill creates a new law that will allow any person to commence a civil lawsuit against any owner of a dwelling that advertises, solicits, offers, or provides the dwelling as a transient vacation unit and is not authorized to do so by the county where the unit is located.

The Bill provides that the plaintiff would file a Complaint in civil court seeking that the court issue an Order “to pay to the plaintiff damages not to exceed \$10,000 plus attorneys' fees,” from the owner of the TVR.

Transient Vacation Rentals are regulated by each county pursuant to zone and permit or licensing. If a Transient Vacation Rental is not in compliance with those regulations it is a violation of county ordinance. Each county enforces their own code violations and has their own fining process.

In a civil lawsuit a plaintiff must have been damaged in order to seek, as noted in the proposed Bill, “damages” and be paid “\$10,000.” No such damage takes place by *observing* a TVR operating out of zone or without permit/license. If such civil lawsuits were to be allowed it is likely that it would overburden the courts with plaintiffs showing photos and videos as the Bill identifies as “evidence.” Even still, a photo does not prove that a transaction or activity of STR has taken place.

Further, this Bill proposes to treat Transient Vacation Unit owners differently than any other business who might incur a violation. Transient Vacation Rental owners who are in violation of county regulations should be treated similar to any other business that must comply with zoning and permit/licensing.

Thank you for the opportunity to offer testimony.

Sincerely,

Alicia Humiston, President
Rentals by Owner Awareness Association

LATE



March 2, 2022

Chair Karl Rhoads, Vice Chair Jarrett Keohokalole
and Members of the Senate Judicial Committee
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Date: Thursday, March 3, 2022
Time: 9:30 a.m.
Place: VIA VIDEOCONFERENCE

Testimony of Jerry Gibson Re S.B. No.3333

Aloha Chair Rhoads, Vice Chair Keohokalole and Members of the
Senate Committee on Judiciary:

Thank you for this opportunity to provide testimony.

The Hawaii Hotel Alliance ("HHA") strongly supports S.B. No. 3333. S.B. No. 3333 can be an effective enforcement tool to eliminate the rampant proliferation of illegal short-term rentals.

The City and County of Honolulu adopted on June 25, 2019 Ordinance 19-18 which made the following finding: "Based on on-line advertising, there are an estimated 8,000 to 10,000 short-term rentals available at any given time on Oahu, far exceeding the number of permitted units as currently provided under the Land Use Ordinance." At the time of that finding, there were and continues to be less than 900 permitted units in the City and County of Honolulu.

HAWAII HOTEL
ALLIANCE

Today, the data show that the number of illegal short-term rentals has not been reduced on Oahu despite the adoption of Ordinance 19-18 on June 25, 2019. Enforcement is urgently required to remove the blight which illegal short-term rentals inflict on the quality of life in our neighborhoods. S.B. No. 3333 can be such an enforcement tool.

We underscore our belief that eradicating illegal short-term rentals through sound regulatory enforcement provisions will help our economy and community as shown below:

- **Affordable housing units are critical to the economy.** S.B. No. 3333 serves to address affordable housing which is critical to the economy of the City and County of Honolulu. Mayor Blangiardi has stated: “We have a housing crisis that, more than anything, the short-term vacation rentals have really impacted...and taken a lot of units off the market that could be available to local people”. The illegal short-term rental units on Oahu reduce affordable housing for Hawaii residents, displace locals from their communities, and contribute to the high costs of living in Hawaii. Indeed, San Francisco – another city with high housing costs (and at one time a proliferation of short-term rentals) – estimated that removing a single housing unit from the market has a negative economic impact of \$250,000-\$300,000 per year (more than the estimated economic benefit of visitor spending, host income, and hotel tax associated with the unit).¹ Here, too, the economic harms associated with higher housing costs are likely to be severe and to produce a net negative economic impact on our economy.
- **Visitors to alternative lodging accommodations spend less than hotel visitors.** Visitors staying in illegal short-term rentals spend less than hotel visitors. Pre-COVID data indicate that the number of visitors staying in hotels is going down, while the number of visitors staying in short-term rentals is increasing—despite Honolulu having established a finite, zoning-determined legal short-term rental inventory.² At the same time, Hawaii Tourism Authority data show a state-wide trend in increasing visitor arrivals but decreasing visitor spending. On Oahu, based on pre-COVID data, average visitor daily spending *decreased* by 10.5% in April 2019 compared to April 2018, notwithstanding that visitor arrivals *increased* by 8.7% (with total visitor days increasing by 10.4%). In other words, more visitors and more illegal short-term rentals do not mean more visitor spending.

¹ Office of the Comptroller – Office of Economic Analysis, City and County of San Francisco, “Amending the Regulation of Short-Term Residential Rentals: Economic Impact Report” (May 18, 2015):

https://sfcontroller.org/sites/default/files/FileCenter/Documents/6458-150295_economic_impact_final.pdf?documentid=6457

² <https://www.staradvertiser.com/2019/05/21/hawaii-news/hawaii-hotel-room-rates-increase-but-demand-wanes/>

- **Uncontrolled visitor growth overburdens natural resources and infrastructure.** Public infrastructure – including thoroughfares and roads – in our residential neighborhoods is not designed for the influx of visitors brought by illegal short-term rentals. S.B. No. 3333 underscores the premise, as stated by DPP Director Dean Uchida, that short-term rentals "are not consistent with the land uses that are intended for our residential zoned areas" and that hotel-like uses in a residential zoned district are "disruptive to the character and fabric of our residential neighborhoods". S.B. No. 3333 is consistent with the position stated by The Star Advertiser editorial dated August 27, 2021 which states: "But heavily outweighing those arguments (economic gains of illegal short-term rentals) is the city's responsibility to see to it that neighborhoods remain properly zoned, and that housing units are used for homes".
- **Visitors who stay in illegal rentals would likely still come to Hawaii if the illegal rentals did not exist.** Data indicate that only about 2% of respondents surveyed would have decided not to take a trip, and fewer than 7% of respondents would not have used an alternative paid accommodation (*e.g.*, would have decided not to come or would have stayed with friends or family for free), if online platform services did not exist.³
- **Illegal rentals hurt the legal tourism industry.** The hospitality industry is a major driver of Hawaii's economy. Hotels state-wide are seeing lower occupancy rates, due in part to the influx of illegal short-term rentals. Hotels do not displace long-term renters or destroy the character of our residential communities. Hotels care for and give back to the communities they are in, abide by security and safety rules and laws, and pay appropriate wages, benefits, and taxes. When hotels add supply, they spend tens or even hundreds of millions of dollars creating legal units in hotel resort districts capable of handling the influx of visitors. Creating more hotel supply, upgrading existing stock, and staffing hotels creates memorable visitor experiences and sustainable, living wage jobs for locals. Allowing illegal short-term rentals to compete with hotels on an unfair playing field makes it more difficult for hotels to reinvest, create desirable jobs, and give back to their communities and could have a significant adverse ripple effect across Hawaii's economy.

In sum, illegal short-term rentals have continued to operate unchecked in Hawaii for far too long, by seeking out enforcement loopholes wherever possible. Those located in residential zoned districts have progressively squeezed local people out of areas where

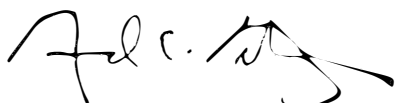
³ Daniel Adams Guttentag, "Why tourists choose Airbnb: A motivation-based segmentation study underpinned by innovation concepts" (2016): https://uwspace.uwaterloo.ca/bitstream/handle/10012/10684/Guttentag_Daniel.pdf

Chair Rhoads, Vice Chair Keohokalole
and Members of the Senate Committee on Judiciary
March 2, 2022
Page 4

they lived before, further away from where they work, and in some cases onto the streets. Allowing illegal short-term rental operators to consume the existing supply of residential units and to run “illegal hotels” in our residential neighborhoods hurts residents and degrades the experience of all visitors to Oahu. In the long term, this will irreparably damage the quality of our tourism product, result in fewer return visitors, and cause significant damage to our economy.

HHA urges adoption of S.B. No. 3333 to strengthen the enforcement of elimination of illegal short-term rentals.

Mahalo nui loa,

A handwritten signature in black ink, appearing to read "Gerard C. Gibson". The signature is stylized and cursive, with a long horizontal stroke at the end.

Gerard C. Gibson
President
Hawaii Hotel Alliance



March 2, 2022

Committee Chair Rhoads
Senate Judiciary Committee
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Chair Rhoads and Members of the Committee:

We are writing in strong opposition to SB3333, which would encourage residents in the State of Hawaii to sue their neighbors for alleged wrongdoing with little to no evidence.

SB3333 creates an unprecedented private right of action, allowing anyone to file a civil lawsuit to enjoin and seek damages in connection with ineligible transient vacation rental units. This is an ill-conceived and fatally flawed law. It runs afoul of basic constitutional standing jurisprudence by allowing anyone to file a suit, even if they have not suffered any conceivable harm or injury-in-fact. Moreover, it would transform Hawaii state courts into local administrators, forcing the judicial system to adjudicate a flood of non-justiciable allegations in contravention of the separation of powers doctrine.

From a practical perspective, the law provides no threshold for evidence required by the plaintiff before taking legal action against their neighbor. This is alarming, as it means that neighbors can sue neighbors, subjecting them to onerous legal fees with no requirement on the aggrieved party to have evidence prior to taking the legal action.

Instead of relying on the legal or regulatory agencies that typically enforce laws, the bill allows civilians to deputize themselves to prove their case against their neighbors. One can easily foresee overzealous neighbors not only scouring social media and other online sources, but peering through binoculars into the homes of their neighbors in efforts to “prove” that their neighbor is engaging in illegal short-term rental activity. Absent clear guidelines, this bill will lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

Of note, meaningful compliance tools are already in place at the local level. Airbnb and Expedia have signed agreements with the counties of Kauai, Maui, and Honolulu to support compliance with their short-term rental regulations. Both the Kauai and Maui systems have been fully

implemented and are running smoothly. It would be most appropriate for government regulators to enforce short-term rental laws themselves, rather than pit neighbor against neighbor with almost no rules, training or other guidelines in place.

We urge you to oppose SB3333.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Patel', written in a cursive style.

Toral Patel
Airbnb Public Policy, Hawaii

SB-3333-SD-1

Submitted on: 2/26/2022 6:20:04 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Martine Aceves-Foster	Individual	Oppose	No

Comments:

Aloha Chair and Committee Members,

My name is Martine Aceves-Foster. Thank you for allowing me to express my views on SB 3333.

I oppose this bill because it encourages vigilantism. It'll poison our neighborhoods by deputizing citizens to sue their neighbors for hosting short term rentals (STRs), whether the claim is true or false. This bill could even tear ohana apart if a family member files a citizen suit against a relative. Theoretically, a person could even stay at a STR and then sue the owner.

SB 3333 even offers a bounty of \$25,000 to individuals who take their neighbors and relatives to court. For someone who could really use an extra \$25,000, that's powerful motive.

Furthermore, this bill is dangerous. it potentially puts citizens in harm's way if the individuals involved are not civil to one another.

In the end, if an individual files a wrongful defamatory lawsuit against a neighbor or relative, **both the plaintiff and the defendant will be stuck with big legal bills.**

This is a terrible way to solve the illegal STR problem, leaving countless undesirable consequences in its wake. Above all, it's simply wrong to promote average citizens to do the policing that our skilled, knowledgeable civil servants are paid to do.

Instead, it makes far more sense for Hawaii's Counties to:

- **Reestablish the MOU w/Expedia & Airbnb**, so the county Departments of Planning & Permitting (DPPs) have access to the information that will allow the DPPs to effectively monitor STRs.

- **Fund the Departments of Planning & Permitting, so they can hire the personnel and acquire the equipment needed to monitor STRs and enforce the laws efficiently.**

Empowering the DPP to fulfill its lawful obligations to the community is a far less adversarial way to monitor STRs.

Please, don't follow Texas' lead. Do not pass this legislation, which will rob our island home of Aloha and create an *uncivil* society.

Please, strengthen our community. Preserve Peace, Privacy & Aloha in our neighborhoods.

Mahalo,

Martine Aceves-Foster

SB-3333-SD-1

Submitted on: 2/28/2022 9:48:30 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Scott Brazwell	Individual	Oppose	No

Comments:

Aloha,

I am asking that you please oppose SB3333

This is a onerous bill that will pit neighbor against neighbor with virtually no evidence of wrong doing . I can see the courts being filled with frivolous lawsuits. Who does this benefit? Is Texas our new role model for how to write reckless and and ill-advised law?

Maybe this isn't your intention, but this bill certainly has the potential to separate and divide us. It will encourage neighbors to spy on neighbors for material rewards; I find this reprehensible. You are proposing not just to change a law, but to change our culture! It is a sad day that a bill like this would even merit consideration in our great state. Again, I urge you to oppose SB3333.

SB-3333-SD-1

Submitted on: 2/28/2022 9:57:18 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kathleen Ochsenbein	Individual	Oppose	No

Comments:

Please oppose SB3333. This could lead to frivolous lawsuits and pit neighbor against neighbor. I currently have my sister and sister-in-law staying with me. Because I live in paradise, just like most folks, I have ohana and friends visit. This does not mean that I am doing a vacation rental, but if i have a neighbor that doesn't like me, it could lead to a lawsuit.

SB-3333-SD-1

Submitted on: 2/28/2022 9:57:46 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mike Jackson	Individual	Oppose	No

Comments:

After passing this bill, will you also press forward with a bill that allows one neighbor to anonymously report another neighbor for loud parties, fireworks rear-round and at all hours, extremely loud radios, barking dogs, and crowing roosters.

These annoyances are much more common and disruptive than having a short-term rental nearby.

SB-3333-SD-1

Submitted on: 2/28/2022 10:15:52 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Stuart Simmons	Individual	Support	No

Comments:

I strongly support SB3333 SD1.

The bill enables neighbors a fair and reasonable judicial process to help remove illegal vacation rentals from their neighborhoods when county government agencies have failed to do so. Illegal vacation rental owners and their managers have been playing a cat and mouse game with County agencies who simply are unable to monitor these properties 7/24. Allowing neighbors to submit evidence to the courts to find relief will allow justice to be served.

Illegal vacation rentals are not only a nuisance to their neighbors, but they negatively impact the wellbeing of our communities by decreasing residential housing stock for local residents and promoting tourism sprawl.

SB-3333-SD-1

Submitted on: 2/28/2022 11:21:23 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ken Johnson	Individual	Oppose	No

Comments:

It is totally acceptable that vacation rental owners who break the rules should suffer the consequences.

There are many ways to combat vacation rentals that violate the rules on short-term renting. This derivative of the dispicable vigilante Texas Abortion law would seem a terrible idea in every which way. Do we want to see Hawaii go down the same path as Texas? Do we want to stopp this low? How does that square with the Aloha Spirit of our islands?

Why not make a law that anyone can sue a drive who exceeds the speed limit? Stupid right? But it is the same idea.

Already the House recognized that this is not the right avenue and I hope the Senate comes to the same conclusion.

Plus there are many logistical problems.

Advertising is largely protected speech, especially when advertising for a perfectly legal activity such as renting to occupants under a 30+ rental agreement (when that is the rule)

How would a plaintiff know that all my guests who are staying less than 30 days at my house are under perfectly legal 30-day contracts? Should I have to come to court and waste the Court's time just to show such a contract and have the case dismissed? Will this bill for the plaintiffs to pay for my unnecessary expenses?

How would the plaintiff know that my occupants are myself or immediate family members who are excluded from 30, 90, or 180-day rules. Likely they will make false assumptions and cause needless litigation against owners.

Platforms like AirBnB and VRBO/Expedia are perfectly willing to provide the counties data to remove operators who violate the law.

SB-3333-SD-1

Submitted on: 2/28/2022 12:18:10 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Louise A Streppa	Individual	Oppose	No

Comments:

I strongly oppose the bill SB3333 SD1, this is in violation of my personal rights and privacy. Mahalo Louise Streppa

SB-3333-SD-1

Submitted on: 2/28/2022 12:18:10 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alejandro	Individual	Oppose	No

Comments:

SB3333 SD1 is a bill that will cause distancing/fighting between neighbors. It reminds me of the Trump era. Divide and make people fight among them, to conquer. Lawmakers are supposed to create thoughtful laws that work for the well-being of the communities they represent, not laws that create fear and uncertainty in the people they serve. This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation. Please, do not consider nor pass such bills. Thank you!

SB-3333-SD-1

Submitted on: 2/28/2022 12:41:58 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Namanu Ka'apana-Suzui	Individual	Oppose	No

Comments:

I oppose this bill as it invades the privacy of the homeowner as well as any guest they may have on their property. I do not agree with this bill and I do not feel it should be passed. I have lived in Hawaii for alk of my life and this is not pono. Mahalo!

SB-3333-SD-1

Submitted on: 2/28/2022 12:52:28 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Soraya Letournel	Individual	Oppose	No

Comments:

This bill is too extreme and does not promote a healthy happy living environment in our communities. It disincentivizes neighborly communities and behavior. The state of Hawaii should employ people to do research and contact online listings who do not follow Hawaii law.

SB-3333-SD-1

Submitted on: 2/28/2022 1:00:29 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kris Adair	Individual	Oppose	No

Comments:

I oppose this bill as it could be used by people to erroneously report any or all vacation rentals. It is not the correct solution to the problem. The average citizen is not privy to the authorizations of the county. Anyone could cause trouble for even licensed establishments.

SB-3333-SD-1

Submitted on: 2/28/2022 1:13:34 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
lillie mcafee	Individual	Oppose	No

Comments:

PLEASE VOTE NO ON SB 3333. NEIGHBOR REPORTING NEIGHBOR IS NOT PONO!

HE/SHE COULD BE MAD AT HIS NEIGHBOR FOR HAVING A LOUD CAR AND REPORTING HIM/HER JUST FOR SPITE..

SB-3333-SD-1

Submitted on: 2/28/2022 1:14:17 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kurt Weigelt	Individual	Comments	No

Comments:

In my opinion, any person or entity operating transient accommodations MUST have appropriate county authorization. Many people operate BnB's without paying transient accommodations tax. This is a fact. Get approval first, or do not operate. If they break the law, they must be punished.

SB-3333-SD-1

Submitted on: 2/28/2022 1:18:01 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Patricia Summers	Individual	Oppose	No

Comments:

NO on SB3333

I strongly oppose the passing of this bill.

Passing of this bill will create conflict and aggression between neighbors.

Frivilous lawsuits will arise.

In Hawaii, people have lots of extended family that come to visit, whether it is short term or longer term. Passing of this bill will create spying on neighbors and conflict and tie up the courts with law suits and counter law suits.

SB-3333-SD-1

Submitted on: 2/28/2022 1:20:02 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Suzanne Sternlicht	Individual	Oppose	No

Comments:

To Whom it may Concern

I wish to voice my opposition to SB 3333. The need for neighbor to spy on neighbor is a gross misuse of government policy. This is reminiscent of the Texas abortion ban that allows individuals to bring suit against a woman seeking an abortion. It basically allows citizens to do the work of government in legally harassing those who are suspected of "wrong doing" The state would be better served with enforcement of their current laws and regulations concerning STVR's.

I believe this will only open a door to a host of frivolous, spiteful lawsuits. Mahalo for your time in reading this,

Suzanne Sternlicht

SB-3333-SD-1

Submitted on: 2/28/2022 1:23:39 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lani Tara	Individual	Oppose	No

Comments:

This bill goes absolutely against our aloha spirit, this is Hawaii, not Cuba or Venezuela. It will create mistrust and hate in our communities.

SB-3333-SD-1

Submitted on: 2/28/2022 1:34:59 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lani Kahawaii	Individual	Oppose	No

Comments:

To date, this may be the worst bill the legislature has introduced to protect the hotel industry in Hawaii. We don't need Big Brother. Really, do we want neighbors to be tattle tailing on each other? This smacks of Nazi Germany. We already have a remedy in place. The state just needs the will to enforce it. The state/county governments need to be in charge of enforcement, not private citizens. This bill could be used as a harassment tactic for legitimate BnB's. This is just not pono, never mind showing aloha; neighbor spying on neighbor. SB 3333 is just another attempt to put a nail in the coffin to outlaw any BnB's in Hawaii.

Are you, the legislature so owned by the hotel industry that you don't see that people using BnB's may not ever have their dreams of coming to Hawaii because of incredibly high hotel room rates? Are you saying we only want the wealthy coming to Hawaii, because like our housing, only the wealthy can afford to purchase a home and stay here?

To encourage citizens of Hawaii to sue each other for \$10,000 over a BnB is ludicrous. What about frivolous law suits? I don't see who is the author of SB 3333 as it is not revealed on this site. Is this by design?

There is room for both hotels and BnB's. It fills a need for people who could not otherwise afford to stay to fulfill their dream to see the Paradise of the Pacific, or prefer a different experience than that of Waikiki and other resorts.

I ask you to NOT pass SB 3333 out of committee.

Respectlully,

Yolanda "Lani" Kahawaii

SB-3333-SD-1

Submitted on: 2/28/2022 1:35:27 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lois Crozer	Individual	Support	No

Comments:

I support this bill to increase access to LOCAL food. (which is actually FOOD)

SB-3333-SD-1

Submitted on: 2/28/2022 1:42:50 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
gary mareigard	Individual	Oppose	No

Comments:

SB3333 SD1 is not good legislation. This law would pit neighbor against neighbor and create incredible amounts of acrimony across neighborhoods. Please do not even consider this poorly conceived law.

Gary Mariegard

SB-3333-SD-1

Submitted on: 2/28/2022 1:43:31 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Hector Euredjian	Individual	Oppose	No

Comments:

I oppose Bill SB3333, I can see that it has good intentions but will pit neighbor against neighbor and will definitely lead to frivolous litigation and those that have the most will be able to create legal problems to innocent property owners that will have to spend loads of money to fend off these demands.

I find it inconceivable that the whole population needs to suffer and be antagonized for the inefficient work of the government agencies (namely DPP) that are supposed to control the proliferation of these illegal STRs

I am sure that lawyers would love it though.

Clean up the corruption, replace their ranks with people that know how to do the job and you will see the problem disappear.

SB-3333-SD-1

Submitted on: 2/28/2022 1:50:56 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
kelly finn	Individual	Oppose	No

Comments:

I and many others are strongly opposed to this bill. I can see there are some issues with unpermitted STVRs operating, however, this is not the solution especially for the entire State. Let each County enact a viable and effective method of eliminating illegal rentals and/or helping them to become legal (if this is possible). What this bill would do is completely unnecessary in Hawaii County. I can see it being used as a weapon pitting neighbors against one another and wasting alot of time and money and further slowing our court system.How about an easier method of allowing neighbors to report suspected violators and the Counties investagate and enforce?

I see the hotel lobby opposes the bill which is to be expected. However, most STVR owners are just trying to keep up with the ever rising taxes and expenses imposed on Hawaii residents. On the east side of the big island, where the County appears to be dead set on eliminating STVRs, despite the fact that we don't even have any hotels except in Hilo and Volcano, there is no real problem thatt needs such draconian measures. The STVRs are often the best looking property in a neighborhood and they provide a service and contribute alot in taxes (now close to 19%). But they are constantly under attack as if these small business owners are responsible for the insane real estate prices, or lack of decent jobs, or most expensive electricity in the nation, etc. They are mostly small business owners who provide a service and enjoy doing it. Why would any decent governemnt encourage residents to sue each other??!! Pitting neighbors against each other rarther than taking on enforcement responsibilities is abhorrent and should be VOTED AGAINST.

SB-3333-SD-1

Submitted on: 2/28/2022 1:51:09 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lois Crozer	Individual	Oppose	No

Comments:

THIS IS NUTS!

First of all, what the heck are you trying to achieve here pitting neighbor against neighbor? This is disgusting and unethical.

If the DPP would enforce building codes, then maybe people wouldn't be so flagrant in ignoring them. Also, why is it that you think short term rentals are so bad when most people who have relatives visit or weddings or funerals or house renovations...use them?? The hypocrisy is stunning. A vast majority of long term rentals in R10 residential neighborhoods are also illegal because they have added a kitchen to accommodate them. You really gotta make it clear what is allowed and not. Why is someone staying for a year ok but someone who wants to rent for a month cannot? It's still illegal.

SB-3333-SD-1

Submitted on: 2/28/2022 2:00:04 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michael Harrigan	Individual	Oppose	No

Comments:

I am opposed to SB3333 because it creates a situation where are encouraged to spy on their neighbors. This type of law is counter to the spirit of aloha that we try to foster in the islands. And it can become the source of frivolous lawsuits only waste the money and resources of property owners and taxpayers. Please do not pass this bill.

Mike Harrigan, Maui property owner

SB-3333-SD-1

Submitted on: 2/28/2022 2:05:21 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Allison Pass	Individual	Oppose	No

Comments:

I oppose SB3333 since this bill would enable residents in the State of Hawaii to sue neighbors for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation. Thank you

SB-3333-SD-1

Submitted on: 2/28/2022 2:06:53 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tom Fuller	Individual	Oppose	No

Comments:

My name is Tom Fuller. My wife Margaret and I own a vacation rental unit on Kauai. We depend on visitors renting our condo for some of our livelihood. Though we are in compliance with all state and county ordinances, we think this bill creates an undue risk for business owners. Why is it so urgent to take this step? Why can't county processes be used? Please do not pass this bill and let existing ordinances stand.

SB-3333-SD-1

Submitted on: 2/28/2022 2:54:45 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Andrew Schulhof	Individual	Oppose	No

Comments:

As a visitor for over 28 years and a property owner for the last 10 years paying higher property taxes, paying a mortgage and personally supporting the local economy for not only guest accomodations but also local entrepreneurs, services, restaurants, car rental services, and retailers I am absolutely opposed to the proposed bill SB3333. As an owners we have already been witness to special interests groups that we actually pay for through our taxes carry one litigation for their self interests without regard for others or proving their case. It is completely unfair to those trying to support the economy of Hawaii to have such a bill proposed.

SB-3333-SD-1

Submitted on: 2/28/2022 3:52:21 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
kendall koetje	Individual	Oppose	No

Comments:

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation. I urge the committee to to work on something more important than this. I am sure all of the "mega" hotels and resorts are for this but not everyone wants this kind of vacation. Especially in this climate.

SB-3333-SD-1

Submitted on: 2/28/2022 3:52:52 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gerard Genesse	Individual	Oppose	No

Comments:

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation

SB-3333-SD-1

Submitted on: 2/28/2022 3:56:25 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cindy Wild	Individual	Oppose	No

Comments:

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation. The public should not be able to bring suits.

SB-3333-SD-1

Submitted on: 2/28/2022 4:07:48 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Claudia Smith	Individual	Oppose	No

Comments:

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

SB-3333-SD-1

Submitted on: 2/28/2022 4:21:20 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Catherine Tang	Individual	Oppose	No

Comments:

I oppose SB3333 SD1. This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

This is a very dangerous bill that would unfairly violate transient vacation operator's right to fair justice.

SB-3333-SD-1

Submitted on: 2/28/2022 4:24:19 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Keolani Keawe	Individual	Oppose	No

Comments:

I oppose this bill. If an owner would like to host short term people in their home they should not need a governments permission to do so. Families often want to leave part oftheir home open for when kids come home from college, relatives visit, etc... Hosting visitors and giving them a educational and cultural experience for being here for a fee to have them in our home should be our perogative. Never has the state had a problem with owners hosting foreignn students and families. This is an invasion of the privacy of owners home, their rights within their property and just another excuse for hotels to fight any competition to their market.

Furthermore, as a long-term tenant landlord, it is quite burdensome to be stuck with long term tenants who use the landlord-tenant code to their advantage, leaving homeowners with a huge financial loss as well as major property damage that cannot be recouped.

I strongle oppose this bill.

SB-3333-SD-1

Submitted on: 2/28/2022 4:47:03 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Laura Colome	Individual	Oppose	No

Comments:

I oppose such law to have the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence. This only leads to gross violations of personal property, invasions of privacy, and frivolous litigation.

Mahalo

SB-3333-SD-1

Submitted on: 2/28/2022 4:54:04 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kirk Camerlingo	Individual	Oppose	No

Comments:

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation. People could weaponize this against neighbors they didn't like or had an axe to grind with. In addition, the bill could damage the tourism industry and prevent locals from being able to make enough income to support themselves without having to get an additional job or two!

SB-3333-SD-1

Submitted on: 2/28/2022 5:41:53 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Graciela	Individual	Oppose	No

Comments:

I oppose bill SB3333.

This bill is outrageous. It will pit neighbors against neighbors.

The only ones winning are the lawyers.

Whoever wrote this bill is not thinking about consequences.

Please Legislators use your time for productive matters.

SB-3333-SD-1

Submitted on: 2/28/2022 6:19:19 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nathaniel West	Individual	Oppose	No

Comments:

Those of us that live here in Hawaii use this income to pay our monthly expenses. Without the income many of us would not be able to afford to stay here. The state is receiving a good amount of tax from those of us who use this as part of our monthly income.

Thank you very much for listening to my concerns.

SB-3333-SD-1

Submitted on: 2/28/2022 6:37:29 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Barbara Segal	Individual	Oppose	No

Comments:

I am opposed to the bill, SB3333 which imposes even more severe limits on short term vacation rentals. This bill is designed and paid for by special interest hotel lobbyists and is targeting small individuals, like myself, a retired person, a citizen of Hawaii on a fixed income, who can provide a MUCH NEEDED service to tourists in Puna. Jonaside ha major hotels and absentee landlords who already profit from the industry. On our side, individuals who are year round residents are not depriving anyone of reasonable rental housing. We are supplementing our income by renting a room or space in our homes to tourists. A much needed service that hurts no one. This bill is NOT necessary or helpful for any one other than the hotel industry. I strongly oppose this bill, as do my neighbors in Puna district

SB-3333-SD-1

Submitted on: 2/28/2022 7:01:50 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kira Monteiro	Individual	Oppose	No

Comments:

We extremely oppose this bill.

SB-3333-SD-1

Submitted on: 2/28/2022 7:10:06 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Blake Wells	Individual	Support	No

Comments:

I don't like all of the short term vacation rentals in my neighborhood. They should be limited to Waikiki. We need more housing stock in the suburbs, not transient homes for tourists. Keep the tourists in one area and let the rest of us live quiet lives.

SB-3333-SD-1

Submitted on: 2/28/2022 7:22:44 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cristina Galam	Individual	Oppose	No

Comments:

We follow all rules regarding our rentals and are absolutely opposed to this bill, which would allow residents of Hawaii to basically spy on neighbors and sue them for alleged wrongdoing with little to no evidence. This would directly impact individuals' privacy as well as invite others to violate one's personal property.

SB-3333-SD-1

Submitted on: 2/28/2022 7:45:56 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mai Lanh	Individual	Oppose	No

Comments:

Dear Sir or Madam,

I would like to testify against bill SB3333 . The bill does not distinguish from approved or illegal STVR operators. It targets all STVR operators who advertise this service, not necessarily the violators. This is not the aloha spirit I fell in love with almost ten year's ago when we purchased our second home in Hawaii. It puts neighbors against each other increasing hostility between neighbors, wiping away any aloha that remains.

Please promote aloha in this beautiful state, not increase with with this bill. Thank you so much for your consideration.

With much aloha,

Mai LanhL

egal STVR operator

SB-3333-SD-1

Submitted on: 2/28/2022 8:10:09 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Karen Hester	Individual	Oppose	No

Comments:

We have many more issues that are much more important than this measure. Where is the Building Dept in terms of looking into folks living in tepees with no septic in Lower Puna, like quite a few places in Kalapana/Seaview subdivision? This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

SB-3333-SD-1

Submitted on: 2/28/2022 9:17:09 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jill Ami Meyers	Individual	Oppose	No

Comments:

Firstly, I am not sure why anyone would be spying on another.

If some one has a right to rent their home as a vacation rental, it should not be anyone's business unless they are disturbing another person. If that is so, maybe they can communicate with the person involved and resolve the situation between themselves.

Turning your neighbor in is not pono!

Mahalo,

SB-3333-SD-1

Submitted on: 2/28/2022 9:18:40 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dawn Smith-Theodore	Individual	Oppose	No

Comments:

I am very much opposed to SB3333 due to the danger of this bill turning neighbors against each other. That is not part of the Aloha Spirit. I have been coming to Hawaii for over 50 years and the islands are a special place for myself and my family. In addition, my family has owned condos in Maalaea Kai on Maui for 34 years. We have enjoyed our condos and have also given the opportunity to visitors to stay in our condos when they may not have been able to afford the more expensive hotels. I was also a flight attendant for 34 years and had the pleasure to fly visitors to Hawaii. Many passengers are excited about their first trip and have maybe saved to enable them to visit the islands. Condos and vacation rentals give options for travelers who may have a more restricted budget as they can cook in the units and have more people travel together. COVID has been difficult as the prices have escalated, especially rental cars. Hawaii depends on tourism, but that will not continue to happen if you price visitors out of the ability to come to Hawaii and afford a car, hotel, condo, gas food, etc. Allow people to have options. Allow owners to have options. Do not restrict our ability to rent our condo after 34 years!

SB-3333-SD-1

Submitted on: 2/28/2022 10:14:58 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Janet Iliahi Curtis	Testifying for Home owner	Oppose	No

Comments:

Dear Chair Wakai and Members of the Committee:

I am writing in strong opposition to SB3333, which would encourage residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence.

SB3333 creates an unprecedented private right of action, allowing anyone to file a civil lawsuit to enjoin and seek damages in connection with ineligible transient vacation rental units. This is an ill-conceived and fatally flawed law. It runs afoul of basic constitutional standing jurisprudence by allowing anyone to file a suit, even if they have not suffered any conceivable harm or injury-in-fact. Moreover, it would transform Hawaii state courts into local administrators, forcing the judicial system to adjudicate a flood of non-justiciable allegations in contravention of the separation of powers doctrine.

From a practical perspective, the law provides no threshold for evidence required by the plaintiff before taking legal action against their neighbor. This is alarming, as it means that neighbors can sue neighbors, subjecting them to potentially onerous legal fees with no requirement on the aggrieved party to have evidence prior to taking the legal action.

Instead of relying on the typical legal or regulatory agencies that typically enforce laws, the bill allows civilians to deputize themselves to prove their case against their neighbors. One can easily foresee overzealous neighbors not only scouring social media and other online sources, but peering through binoculars into the homes of their neighbors, or going through the trash in efforts to “prove” that their neighbor is engaging in illegal short-term rental activity.

Absent clear guidelines, this bill will lead to gross violations of personal property, invasions of privacy, and frivolous litigation. Furthermore, it could lead to unsafe situations if neighbors choose to confront their neighbors with potentially false allegations.

Of note, Airbnb and Expedia have struck agreements with the counties of Kauai, Maui, and Honolulu to support compliance. Both the Kauai and Maui systems are currently up and operating. Seeing as meaningful compliance tools are currently in place, it would be most appropriate for government regulators to enforce short-term rental laws – rather than by pitting neighbor against neighbor with almost no rules, training or other guidelines in place.

At minimum, defendants in civil actions brought pursuant to this reckless and ill-advised law should be allowed to seek attorneys' fees and any other applicable damages from their accusers if the complaints are determined to be meritless and false.

We urge you to oppose SB3333.

Many mahlos,

Janet Iliahi Curtis

SB-3333-SD-1

Submitted on: 3/1/2022 1:01:58 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Theresa Schweitzer	Individual	Oppose	No

Comments:

I oppose this bill.

SB-3333-SD-1

Submitted on: 3/1/2022 8:00:43 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Paul D Crawford	Individual	Oppose	No

Comments:

This Bill is something out of George Orwell's 1984. "Don't suspect your neighbor, REPORT HIM!"

A boon for the lawyers, and the big hotels. (Notice there is easy way to sue a Hotel over problems). The irony of our local government trying to help our district recover after the disastrous volcanic eruptions of 2018, while shutting down the only places possible for visitors to stay in the district is just too dysfunctional to believe.

SB-3333-SD-1

Submitted on: 3/1/2022 8:37:39 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John Casey	Individual	Oppose	No

Comments:

We live in a community of 150 homes & the amount of false accusations is astounding.

Many requiring substantial time and resources to prove innocence. Not in favor of this bill.

Mahalo

SB-3333-SD-1

Submitted on: 3/1/2022 8:43:58 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Magdalene Phillips	Individual	Oppose	No

Comments:

Aloha: I am against this law because I believe we live in a democracy, not a totalitarian state, where people are afraid of their neighbors. This law is like the anti-abortion law in Texas, where people are encouraged to turn others in. The counties have everything they need to check on unpermitted STVRs. All they have to do is check the VRBO and AIRBNB websites, to weed out unpermitted ones. The STVR law says that hosts have to list their STVR numbers in their ads. Anyone not doing that can easily be checked out. Instead of doing their work, the state wants its residents to do it for them, pitting neighbor against neighbor. If the counties had done their job in previous years, the new draconian rules for legal STVRs would not have been necessary. We have way too few STVRs in so-called "non-conforming" areas, where nature-loving visitors would like to stay, but there are few, if any legal accommodations. I found it laughable, when I read in the paper that we should have farm tours for visitors, while at the same time disallowing farm owners to use a cottage on their property as an STVR, because the property is zoned "agricultural". Many visitors have fond memories of places they used to vacation in, which are now closed to them. This law is misplaced in a democratic state!

Thank you for listening, Magdalene Phillips

SB-3333-SD-1

Submitted on: 3/1/2022 8:44:36 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Liz Lees	Individual	Oppose	No

Comments:

I oppose SB 3333

Enforcement of zoning regulations is a county function.

This bill creates a Pandora's box of litigious vigilante neighbors clogging up the court system with potentially frivolous claims.

Since vacation rentals are heavily taxed, use those monies to create a complaint department and enforce existing laws and codes.

SB-3333-SD-1

Submitted on: 3/1/2022 8:51:24 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nicolle P Kusterer	Individual	Oppose	No

Comments:

I oppose SB3333 SD1. We should be focusing resources on making sure that the government agencies that are already in place to regulate transient vacation units are doing their jobs properly rather than passing a bill that promotes pitting neighbors against one another.

SB-3333-SD-1

Submitted on: 3/1/2022 9:14:19 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Priscilla Basque	Individual	Oppose	No

Comments:

Aloha,

I strongly oppose SB3333 SDI.

this bill has the potential to bog down our courts and judicial system and plot neighbor against neighbor. Please pay attention to the number of opposed people on this bill. We do not want this bill to move forward.

thank you for allowing my testimony

mahalo

priscilla Basque

kealakekua Hi

SB-3333-SD-1

Submitted on: 3/1/2022 9:55:12 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
J. Marie	Individual	Oppose	No

Comments:

Aloha lawmakers of Oahu,

I strongly oppose SB333 ... it is putting neighbor against neighbor. This is shockly bad bill. Most vacation rentals are very well kept, quiet, great neighbors that are bringing funds to families in many areas of Oahu that lack employment and have insane cost of living that is drastically increasing.

After many many years this county has opposed or failed responsible regulations for transient rentals. Other islands have figured it out. These units help struggling families survive. All the while collecting huge taxes on vacation rentals for the state. This bill is a terrible plan.

How about just facing the fact that Oahu needs to open up this transient vacation rentals in a responsible way with minimal guests, and strict rules. *Also responsible management could create more affordable housing for resients or immediate neighbors.

Rules for example : Like One stay per month with one car, minimal guests, responsible management on site or very close. Neighbors to have an immediate contact to manager.

This county is now collecting 18 % TAT & GE ! This is a massive amount for visitors. Visitors mostly do not want hotels anymore. The coummunity needs this income. Visitors are very respectful with respectful management.

Please stop threatening transient rentals in Oahu with huge TAT & GE taxes, fines, increased property taxes, and just come up with responsible rules regulations while keeping it affordable to owners and visitors. People are seriously struggling to survive in our island economy.

Sincerelyly

J. Marie

SB-3333-SD-1

Submitted on: 3/1/2022 10:36:17 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Deborah Davis	Individual	Oppose	No

Comments:

Aloha! This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation. I urge you to vote NO on this bill. Mahalo for your time!

SB-3333-SD-1

Submitted on: 3/1/2022 11:05:34 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Monika Swiderski	Individual	Oppose	No

Comments:

Please oppose SB3333 Bill. This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

Thank you for your help and consideration.

SB-3333-SD-1

Submitted on: 3/1/2022 12:12:20 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
CHRISTY ROGERS	Individual	Oppose	No

Comments:

SB3333 makes children, the elderly, those who live alone, and families easy prey for criminals by empowering strangers to photograph and video tape people on their own property without their permission with the full support of the State!

SB3333 allows anyone to openly record household habits. This bill turns everyone into a target in their own home!

SB3333 invites pedaphiles to collect "photographic evidence". Who is going to stop keep them from using these for their perverted purposes? Who is going to delete all the pictures that neighbors take of each other that never end up in court? Who is going to keep photos from going viral?

SB3333 is a gross invasion of privacy that will be used by criminals for the wrong reasons.

SB3333 is an an extremely dangerous bill that must be killed before it kills someone.

SB-3333-SD-1

Submitted on: 3/1/2022 12:43:33 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
David and Elizabeth Livesay	Individual	Oppose	No

Comments:

This bill will not affect me personally, but I am morally opposed to something which, in my opinion, suborns vigilantism. It certainly flies in the face of the spirit of aloha, and it sheds responsibility of the government to permit and monitor vacation rentals and instead places it in the hands of an unimaginable variety of ideologies and subsequent behaviors. The purpose of government is to find the balance between freedom and discipline in order to allow citizens to live side by side peacefully.

I would be tempted to take the government to court if I found myself having to hire a lawyer for a specious action which had no foundation.

You are inviting chaos and division, not to mention potential violence.

SB-3333-SD-1

Submitted on: 3/1/2022 1:04:04 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lourdes Racela	Individual	Oppose	No

Comments:

I oppose Bill SB3333. This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

SB-3333-SD-1

Submitted on: 3/1/2022 1:22:21 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
David R Johnson	Individual	Oppose	No

Comments:

In Hawaii anyone can sue anyone for anything at any time and if the defendant does not show up to court on A particular date, it is an automatic default against them. We do not need more laws To encourage more lawsuits.

SB-3333-SD-1

Submitted on: 3/1/2022 1:25:23 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Katya Arnaoutova	Individual	Oppose	No

Comments:

To whom it may concern,

I oppose new proposed Bill SB3333. This bill would allow anyone to sue transient accomodation hosts with little to no evidence, which would lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

We have always paid our property taxes, our transient accomodation taxes and our GET taxes from the moment we began operating our business in 2017 and conitue to do so till this day. We equally file our Hawaii state and federal taxes annually.

Our accomodation gives numerous visitors the chance to visit an area that has little to no hotels at proximity. In exchange, the arrival of these visitors boosts Hawaii's economy in an area that would otherwise get very little tourist traffic. We are helping local businesses thrive and also use local labor for our property maintenance. We are currently supporting a local family of seven people that count on our transient accomodation rental as their sole source of income.

If Bill SB3333 is passed, our business as well as the livelihood of our local families in our area would be put at risk. Please consider supporting local tax obeiding citizens to coninue bringing income to the Islands. Not not pass Bill SB3333!

Thank you for your time and attention in this matter and hope that you can consider this tesimony in your decision.

SB-3333-SD-1

Submitted on: 3/1/2022 1:41:54 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mark Baker	Individual	Oppose	No

Comments:

I am opposed. There is already a mechanism or suits when there are damages. What is the intent of this? Please read George Orwell's book "1984". If you do not have time to read it note this statement from Wikipedia: Thematically, it centres on the consequences of [totalitarianism](#), [mass surveillance](#) and [repressive regimentation](#) of people...

Mark Baker

SB-3333-SD-1

Submitted on: 3/1/2022 1:43:06 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
martin haas	Individual	Oppose	No

Comments:

I'm VERY against this attack on vacation rentals!!

I make sure my rental causes no problems!

I pay my help & Hawaii benefits financially from guests visits!

SB-3333-SD-1

Submitted on: 3/1/2022 3:32:26 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Garry Russell	Individual	Oppose	No

Comments:

We oppose this bill as we pay all of our proper taxes and fees to the state. This bill would only create unnecessary disputes in our neighborhood that have never been a problem over the many years. Our first consideration is the respect for all the folks in our area. This sounds like something pushed by the large hotels up north. Please keep the little people in mind when passing a bill like this. Mahalo!

SB-3333-SD-1

Submitted on: 3/1/2022 4:08:00 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Paige Wilburn	Individual	Oppose	No

Comments:

I categorically oppose this proposed Bill. It is an extension of the same type of laws that are trying to be passed in Texas for abortions and California for gun control. It will create vigilante behavior between neighbors and strangers. It is NOT what Hawaii is about !!! it is unconstitutional!

Do you really want members of self-appointed groups of citizens who undertake law enforcement in their community without legal authority, typically because the legal agencies are thought to be inadequate? This undermines the judicial system in place!

Have you ever thought of those people who have to rent out part of their home because they can't afford to live in the beautiful place they have grown up in, or perhaps taken over from their parents? Do you want to force them out when they are just trying to assist themselves with an asset they may have!?

Not all short term rentals are people from the mainland just trying to take away from the people here! A lot are just trying to get by!!!

NO NO NO!!!!

SB-3333-SD-1

Submitted on: 3/1/2022 4:12:03 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Zoe Tolworthy	Individual	Support	No

Comments:

As licensed vacation rental owners and Hawaii residents, we are fully in support of this bill

SB-3333-SD-1

Submitted on: 3/1/2022 8:14:31 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kelly E. Duell	Individual	Oppose	No

Comments:

This is a dangerous bill, it's a gross privacy violation that empowers strangers to spy and take pictures and videos of others without their consent and without cause. This is a violation of the People's right to privacy along with many other Constitutional rights. This is a perfect opportunity for robbery, kidnapping, and perversions. This is government overreach and a way for government to control the People. This is a disgusting abuse of the legislative process.

Rgis bill should NOT be passed!

SB-3333-SD-1

Submitted on: 3/1/2022 9:43:14 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cynthia Verschuur	Individual	Oppose	No

Comments:

Dear Chair and Committee Members,

This is a terrible bill that would set a horrible precedent in our state. The counties are set up to enforce laws such as these, it should not be neighbors suing neighbors for not following the laws.

Please oppose this bill.

Sincerely,

Cynthia Lahilahi Verschuur

SB-3333-SD-1

Submitted on: 3/1/2022 10:14:32 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mark R. Hagadone, Ph.D., FACFE	Individual	Oppose	No

Comments:

Honorable Senator Keith-Agaran

This is a poorly written, ill-conceived Bill which, if passed, will do little to extend the warm Aloha of our neighborhoods and neighbors toward each other. It will create anger, chaos and bad sediment among our neighbors, by encouraging neighbors or their attorney representatives, to litigate and testify against one another without proper, forensically defensible, evidence.

This type of situation could easily lead to many circumstances which would promote pitting neighbors against one another, using video surveillance of questionable forensic reliability to attempt to profile strangers in the neighborhoods as transient visitors or worse. It will feed hatred and retribution among neighbors within neighborhoods. It's little more than "drive by" profiling of individuals and residents living in our community fostering xenophobia and cultural bigotry.

We don't want this in our community. This is not Hawaii. This is not Aloha. This is not helping our Kupuna, our neighborhoods or our economy. This is a punitive, self-serving, mob mentality approach to important issues involving property rights of all Hawaiian Citizens.

I encourage you to kill this bill in committee.

Sincerely,

Mark R. Hagadone, Ph.D., FACFE

Past Neighborhood Board Member, Kaimuki Neighborhood Board

Neighborhood Watch Captain Maunalani Heights

Resident of Kaimuki for 50 years, Graduate of Kalani High School and the University of Hawaii

SB-3333-SD-1

Submitted on: 3/1/2022 10:46:10 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Richard and Janina	Individual	Oppose	No

Comments:

You do not need this bill SB3333 because the city and county rules are sufficinetly clear and can be enforced and the culprit can be punished. DPP has an investigation wing even has a tip line sending an investigator that can come "PROPERLY" investigate and punish if necessary. This bill SB3333 is nothing more than a vigilanti instrument that can be badly used and involve innocent homeowners into a legal nightmare.

SB-3333-SD-1

Submitted on: 3/1/2022 10:52:10 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cecila Gomez	Individual	Oppose	No

Comments:

I oppose this bill S3333 because one resident has the right to intimidate a fellow neighbor when we already have lawas in place and an enforcement by the city and counties to know how to investigate such insidents. That is why there are laws and there is enforcement.

SB-3333-SD-1

Submitted on: 3/2/2022 12:01:39 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Raquel Dicenzo	Individual	Oppose	No

Comments:

Dear Sirs,

I strongly oppose this bill; this will enable people to start civil actions without proper evidence.

With benefits for BOTH residents and large corporations, FAIR legislation will put an end to this controversy.

Neighbors against neighbors will not resolve the short-term problem; it will only aggravate it.

SB-3333-SD-1

Submitted on: 3/2/2022 5:38:55 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Peter Clarkson	Individual	Oppose	No

Comments:

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

SB-3333-SD-1

Submitted on: 3/2/2022 8:27:35 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Harmoni Akao	Individual	Oppose	No

Comments:

Oppose

SB-3333-SD-1

Submitted on: 3/2/2022 8:22:11 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Danielle Gall	Individual	Oppose	No

Comments:

I oppose this legislation as it is

This bill would enable residents in the State of Hawaii to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence, which could lead to gross violations of personal property, invasions of privacy, and frivolous litigation.

SB-3333-SD-1

Submitted on: 3/2/2022 8:39:43 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Davis Brad	Individual	Oppose	No

Comments:

Mahalo for the opportunity to voice an opinion on the proposed SB 3333.

i am deeply opposed to the content of this bill.I do not run a vacation rental out of my home, but this bill is a clear attempt to pass the state's enforcement responsibility to individuals. It will cause great harm to the harmony of neighborhoods and creat a venue for neighbors to attack neighbors where there is already legal recourse if there is a true violation. Citizens should never be given enforcement powers over other citizens. It creates a situation ripe for corruption.

mahalo

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 9:30:14 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alisa S	Individual	Oppose	No

Comments:

Please oppose SB3333. Please don't encourage neighbors to go against neighbors!
It's the responsibility of the counties and state to investigate and enforce laws pertaining to illegal transient rentals, not residents. Please do not encourage frivolous suits that waste money, time and are stressful to law abiding residents. I would suggest a hotline for residents to call in anonymous tips. I love sharing aloha with Hawaii visitors and hosting them in my home. Please share some aloha with Hawaii residents. Thank you for your consideration.

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 10:02:11 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Earl Wallace	Individual	Oppose	No

Comments:

I oppose this Bill because it infringes on Americans rights to privacy.

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 10:02:36 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Suzie Wallace	Individual	Oppose	No

Comments:

I oppose this bill as it is very un-American and will clog up the Hawaii court system.

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 11:22:03 AM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michdelle Melendez	Individual	Oppose	No

Comments:

The county can not tell people what to do with their home. Why are many of these Bills treading on the Constitution of Hawaii and the US?

Honor your oath of office and stand up for the people! You represent the people. Government cannot tell us what to do.

Please be Pomo with the people and end these bills that are working to control and take away freedoms!

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 12:22:06 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maata Tukuafu	Individual	Oppose	No

Comments:

I strongly oppose this Bill SB3333! Come on, we have a lot more pressing needs than prosecuting individual homeowners for the need to rent their units because of the skyrocketing cost of living you all keep supporting.

Let people live.

Mahalo,

Ma'ata Tukuafu

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 3:39:58 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ken Kribel	Individual	Oppose	No

Comments:

I am adamantly against SB3333. It virutually is asking neighbors to spy on neighbors. This will add division to neighborhoods. We are already divided and do not need to add addiltonal reasons.

How is this suppose to work, a neighbor sees different people staying in a house, are they suppose to invade their privacy and knock on the door and ask who they are. They would not know if it was a relative, friend, business associate. It is just wrong.

The politicians always seem to side with big money (hotels, elitists) and not with the people who actually voted for them.

Do not pit neighbor against neighbor.

We need more ALOHA not confrontation.

Vote no on SB3333

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 6:05:41 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Caryl Burns	Individual	Oppose	No

Comments:

SB3333 is a really bad bill and should NOT be passed. It will pit neighbor against neighbor, without giving any opportunity to the "defending" neighbor to have knowledge of the objections of neighbors, or any opportunity to discuss issues with neighbors.

I own a Short Term Vacation Rental where I have had NO issues with neighbors at all. My guests have been quiet, respectful, and decent people who enjoy meeting their local host. This gives me an opportunity to direct my guests to exciting experiences and restaurants which they might not find on their own. It brings me needed income as I support local businesses.

Please do NOT pass this bill. It is poorly written and does nothing to control unlawful vacation rentals. There are much better ways to handle any issues arising from problem rental units.

Caryl Burns

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 6:40:47 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
kenneth k Wong	Individual	Support	No

Comments:

I am an attorney. I support the bill but as currently written it is unenforceable from a practical standpoint for the following reasons:

1. the plaintiff is required to prove damages up to \$10,000. I cannot see how a plaintiff will prove damages and therefore no one will bring this type of claim.. I suggest this part of the bill be rewritten to say that the plaintiff "will be entitled to \$10,000 for time and effort in enforcing the statute, bringing the claim and prosecuting the claim." that would eliminate the need to prove damages. I would also suggest an amount like \$20,000 to make it worthwhile for a plaintiff to bring this type of action.
2. The bill should be amended to state that attorneys fees of 33 1/3% of the amount awarded shall be paid by defendant. This is in line with contingency fee cases. Otherwise there will be no incentive for a private attorney to bring this type of case on behalf of a plaintiff.
3. If we want to use this private right of action successfully, it needs to be properly incentivized for a plaintiff and an attorney to bring the case, otherwise it will be not be used.

Mahalo.. .

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 6:17:18 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
jose burity	Individual	Oppose	No

Comments:

I strongly oppose this bill.

This bill would enable anybody to spy on their neighbors and sue them for alleged wrongdoing with little to no evidence.

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 7:01:31 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Len Gambla	Individual	Oppose	No

Comments:

Aloha Chair Wakai, Vice Chair Misalucha, and members of the Committee on Energy, Economic Development, and Tourism,

I oppose this bill for a number of reasons. In short, I encourage you to focus on letting Counties run their Counties and not creating more unnecessary oversight. The affordable housing crisis is not a result of STRs in the counties. That would be akin to saying a motel or hotel is creating less housing for folks and causing the crisis. Let's look for sensible ways of alleviating the housing issue.

I realize one individual voice does not have the same weight as a well funded "Chamber" who will undoubtedly write; however, hotels are also short term rentals in essence and so let's open up the discussion on how refurbishing/revamping those to create affordable housing could alleviate the crisis.

I oppose for other reasons as well and the bill as written is not well drafted. Think this through a bit more and again, leave it to the Counties to sort out.

Mahalo, Len Gambla

LATE

March 2, 2022

I oppose SB3333 because it is an unlawful overreach by our state legislators. You all swore an oath to protect and defend both the Hawaii State constitution, and the United States constitution. The United States constitution was created to protect the god-given rights of all men. We as a nation declared our independence from the British empire and defined our grievances in the Declaration of Independence. In the preamble of that document can be found these words.

"We hold these truths to be [self-evident](#), that [all men are created equal](#), that they are endowed by their [Creator](#) with certain [unalienable Rights](#), that among these are [Life, Liberty and the pursuit of Happiness](#).—That to secure these rights, Governments are instituted among Men, deriving their just powers from the [consent of the governed](#),

Both the Hawaii State Constitution and the United States Constitution are the contract between me and the government. This contract codifies the protection of my rights that the revolutionary war was fought for. Unalienable rights like life and the liberty to work and contract my skill, my life, my labor, my property as a means to make a living, so long as I do not injure another, cannot be infringed upon. To secure these rights, governments, that would include you, the legislature, are instituted among men, not interest groups, or factions, or financial donors.

You our elected representatives are the guardians of this contract and must protect me the individual from encroachments on my constitutional rights. In the *U.S. supreme court case of Byars vs. United States; 273 U.S. 28 1927* “*Constitutional provisions for the security of person and property are to be liberally construed*” and “*It is the duties of the courts (and those that legislate laws) to be watchful for the constitutional rights of citizens, and against any stealthy encroachments thereon*”. In *U.S. Supreme Court ruling, Marbury vs Madison 1903* “*that a law repugnant to the constitution is void; and that courts, as well as other departments, are bound by that instrument.*”

SB3333 goes over the line and infringes on protected rights of the citizens and it is your sworn duty to vote no.

Sincerely,
Kenneth Honma, Kurtistown Hi. 96760

LATE

SB-3333-SD-1

Submitted on: 3/2/2022 11:27:43 PM

Testimony for JDC on 3/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
H Lee	Individual	Oppose	No

Comments:

Aloha,

We rent out a room in our first home as a short term rental to help us pay for our mortgage, a home that we love and are able to raise our kids in. We are a small family, my husband is a boat captain for one of the tour companies here and I work as an English language interventionist at Kealakehe Elementary.

Renting out the room full-time was not the most comfortable because there is always someone residing in our house but being able to short term rent out our room has been great because of the flexibility. There are times when we would prefer to not have guests in the house such as when we have family visiting us. Being able to offer our room to travelers has been a huge help because it has helped us to pay for the extreme high cost of living in Hawaii and also be first time homeowners in this state that has a low median income. SB3333 is worrisome for us because it can be used against us in the future. We have a great relationship with our neighbors and are respectful neighbors as well. We are very good at vetting our guests and ensuring that we do not attract anyone that would disturb our neighbors. However, I cannot say what our future neighbors may be like. Our neighborhood is changing quickly with the effects of COVID and with the crazy housing prices, it feels hard to ensure anything for the future. But it is hard to see how tying up massive sums of taxpayer dollars in the legal system will go to help ease the housing crisis. I just hope that whatever action is taken also considers small families such as us that are just trying to figure out ways to make living in Hawaii more affordable. We feel grateful that we own a small home in Hawaii and are able to use it to help us with our mortgage. However, this bill could make us no longer feel comfortable to do so. It could yet be another way to push out a middle-class family such as us to search for a more affordable place to live. Yes, there is another side to this with homeowners perhaps taking advantage of short-term rentals and causing problems for the community. But there are others such as us who are trying to evolve with the changes and figure out ways to stay in our home and continue to be a part of the community. This bill could push people like us out and force us to sell our house to yet another investor who does not reside here. We do not see how this bill will help create a better community. Couldn't it force neighbors to work against each other instead of with each other? There seems to be no aloha in this bill. Please consider all sides before allowing people to have power to take things too personally and potentially ruining lives.

Thank you for your time.

