

**SCR-220**

Submitted on: 4/2/2022 11:22:50 AM

Testimony for CPN on 4/5/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Richard Emery	Testifying for Community Associations Institute	Support	Written Testimony Only

Comments:

This is very important. These pre-statehood associations need governance to protect its members from potential abuse. There is a lot of money at stake for misuse, and the requirement of safe maintenance of the property.

**LATE**

**SCR-220**

Submitted on: 4/4/2022 6:18:25 PM

Testimony for CPN on 4/5/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tiffany Edwards Hunt	Individual	Support	Written Testimony Only

Comments:

Dear Legislators,

First of all, *thank you so much* for taking up this resolution and for trying to deal with this hornet's nest that is private subdivisions. I truly think that this resolution is a start and I appreciate you (and Senator Joy Sanbuenaventura) for being committed to looking for solutions.

I just cannot convey to you how desperately needed a solution is, particularly here in Puna where we have a plethora of private subdivisions and MOST of them are truly and awfully, even horribly, dysfunctional.

I want to make sure you know how truly horrible my subdivision board is, okay? So, let me start with this. I'm actually a teacher, but I am also a one-time newspaper reporter. I've been to a lot of public meetings as a reporter, and then I spent some time working as a legislative assistant for a council member. As a legislative assistant, I also went to a lot of public meetings. and I've served on neighborhood boards, including my very own subdivision, which was inundated by lava, the Kapoho Kai Homeowners Association. In all the public meetings that I have attended in the last couple of decades of living and working in Hawai'i, I've never been in meetings more dysfunctional, more uncomfortable, and more chaotic than the Hawaiian Paradise Park Owners Association meetings.

When we lost our Kapoho neighborhood in 2018, my family looked to other communities to rebuild. We settled on Hawaiian Paradise Park, particularly the lower portion, because the climate down here reminds us of Kapoho. I'm truly grateful that we had the means to rebuild, believe me, but I have to tell you that sometimes I wish I would have considered the dysfunctional homeowners association before choosing to build *here*.

I have tried to go to some of the board meetings, but they are generally so negative and so chaotic, with people yelling and screaming at each other, and board members calling the police on attendees. Every single time that I have gone to a board meeting, there is drama on a scale that is truly just made for reality television. I've seen recording secretaries quit, after enduring chaotic and toxic board discussions in which board members talk over each other and yell at each other and the meetings extend late into the night, several hours long.

I'll never forget the one recording secretary yelling out, "F — you, guys!" before storming out of the meeting that wasn't over until after 11 p.m. I've seen board members walk *around the room* having side conversations with attendees while the meeting is underway! I have seen board members SCREAM at our council member when she came to a membership meeting and relayed to the membership that the board was not cooperating in the US Postal Service's attempts to try and establish more mailboxes in our subdivision.

Suffice it to say, there has been some truly terrible behavior on board members' part. There has been blatant disregard for the bylaws and board members keeping themselves in power after their term limits end! There has also been disregard and disrespect of the membership and the membership meetings that the bylaws call to be held quarterly. Board members refuse to accept the actions of the membership. In one recent membership meeting, held on Oct. 31, a holiday, there were board members who deliberately did not sign up to be officially counted at that meeting and the vice chairman who took the lead due to the president's absence came up to the front of the room and declared that a quorum had not been established. Would you believe we were one person shy of the minimum number required to be there, and at least two of the board members present had refused to sign in? Also, the vice chairman's wife showed up, then had me watch her chair, while she went to town and did errands. It was as if they had planned this whole charade prior to the meeting, and I had left a Halloween Party at my house to participate in that nonsense. It just infuriated me and made me see that these people are truly out of control.

I've seen the general manager of the association give his report to the board members MUMBLING to the ire of attendees crying out "WE CANNOT HEAR YOU!" I've seen board members yelling back at attendees for trying to hear and observe the meetings and be able to participate, through testimony. I've seen board members calling the police on attendees, and the police responding to the call for service, only just to mitigate a communication breakdown. What a waste of taxpayers' resources, don't you think?

These people are collecting millions of dollars in road maintenance fees and they behave as if they are, gosh, how to say it with some sort of class?, trash. They are just plain trashy the way they conduct themselves. You wouldn't even believe, until you start running the numbers in your head, how much money they are collecting from landowners and how many fees they collect from real estate transactions.

Puna is one of the fast-growing subdivisions in the island chain, and Hawaiian Paradise Park is huge, with so many buildable lots. It scares me that this board is so dysfunctional and they collect so much money. I have so little faith in them that I would be inclined to not pay my annual \$400 road dues. But they threaten to put a lien on our properties if we do not pay the dues!

If you go on ecourt Kokua, you will find that many board members, some of them currently "serving", are suing each other! It's crazy. Their meetings are without decorum, they're speaking out of turn and saying and doing things that are not in their purview, and then they end up offending each other to the point of suing each other! It's just a vicious cycle of trashy behavior.

This is just my subdivision alone. In my brother's subdivision of Leilani Estates, that board is actually suing a previous board. There is this awful back-and-forth between them and, if you whittle the issues down to the core, it's about people not being properly trained to govern and to work with people of different walks of life. They take things personally and they say things that they shouldn't say, and then they find a lawyer and spend association dues on all this nonsense.

In Fern Forest, there was a whole Civil Beat article about their lack of parliamentary procedure and hostility toward the membership and any inkling of dissent. You can read Alan McNarie's coverage and actually get a sense of the kind of ridiculousness that goes down at these association meetings: <https://www.civilbeat.org/2018/12/big-island/>

I could just go on and on, because there are so many different stories, either current or in the past, recent or distant, in which board members of these various private subdivisions have been up to shenanigans or behaved badly and landed themselves on the front page of the newspaper or in court.

It's ridiculous and it's begging your intervention. SCR 220 is something that can help us get a handle of this situation.

We have so many needs in Puna, in these private subdivisions. We need people who are properly trained and who understand how to work WITH various aspects of the community in a reasonable and rational way. People are continually moving to these areas, either from other islands or from the continent, and the problem is only going to get more critical if we don't start to take steps to address the lack of training and regard for Robert's Rule of Order in this meetings. We also need these people to be held accountable for the amount of money they are entrusted with, and we need that money to go toward infrastructure rather than attorneys fees!

I truly appreciate your vote in favor of SCR 220.

Please feel free to reach out to me at anytime. I'm happy to take you around Puna and show you around all these subdivisions. My number is (808) 938-8592. Aloha

**LATE**

**SCR-220**

Submitted on: 4/4/2022 9:00:44 PM

Testimony for CPN on 4/5/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lawrence Oberman	Individual	Oppose	Written Testimony Only

Comments:

Dana Ireland was on a state owned road that was gifted to the county.

Maybe start with improving those roads !

**LATE**

**SCR-220**

Submitted on: 4/5/2022 6:05:26 AM

Testimony for CPN on 4/5/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elizabeth Sharrock	Individual	Support	Written Testimony Only

Comments:

Dear Legislators,

I reach out to you in support of SCR220 today. I am a resident in the Hawaiian Paradise Park subdivision and see an enormous need for more order when it comes to organizing and maintaining subdivisions such as ours. This bill would benefit the nearly 10,000 residents that are here in seeing that our 400 dollars each year is put to good use. The Board that currently exists is disfunctional let alone professional. It is irresponsible to let it continue as is. Nearly every time there is a meeting to try and organize positive change for our community, it ends with police having to come and intervene because people in leadership here are unable to conduct themselves as adults. The scheming and flat out chaos that ensues renders the process useless. I implore you to take into account today, the numerous abhorrent stories that have surfaced as a result of the disfunctional management of our subdivisions. The place is growing at a rapid rate and without someone stepping in, such as yourselves, to reign it all in, there will be huge consequences to pay in the future. Please support this bill and give some order to the infrastructure so that our communities can be guided in a prosperous direction. Mahalo.

Elizabeth Sharrock