



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

S.B. NO. 2904, S.D. 1, RELATING TO EMERGENCY MANAGEMENT.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, February 29, 2024 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 016 and Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Christopher T. Han or Bryan C. Yee,
Deputy Attorney General, at (808) 586-1180)

Chair Rhoads and Members of the Committee:

The Department of the Attorney General provides the following comments on this bill.

This bill amends chapter 127A, Hawaii Revised Statutes, by adding new sections that permit the Governor or a mayor to impose various restrictions whenever the Governor or a mayor issues an emergency proclamation. The restrictions include suspension of rent collection and summary possession for residential and small business commercial tenants, foreclosures, mortgage and loan payments, credit reporting, and insurance for homeowners' associations. The bill also makes clarifying amendments to section 127A-14(d).

The three-year mortgage deferment imposed by the proposed section 127A-D(a)(1), HRS, and the subsequent deferment for undetermined years imposed by the proposed section 127A-D(a)(2), raise concerns due to their rigidity. Page 5, line 19, through page 6, line 13 (section 1). The imposition of a substantial deferment could invite challenges to executive action under the Contract or Takings Clauses of the U.S. Constitution.

To address this issue, we recommend that the section be amended to permit the governor or a mayor to determine the appropriate deferment period by adding the phrase "up to" before the number of years. This way, the provision can be invoked and

implemented on a case-by-case basis, which should help the restriction better withstand legal scrutiny.

We recommend amending the proposed section 127A-D(a)(1) and (2) on page 6, lines 6-13 as follows:

- (1) Upon receipt of a request from a mortgagor of the property, defer the collection of mortgage payments for up to three years; and
- (2) Upon receipt of a subsequent request from a mortgagor of the property, defer the collection of mortgage payments for up to _____ years for good cause, as determined by rules adopted pursuant to section 127A-25.

The proposed section 127A-G, HRS, raises potential federal preemption issues. Page 12, line 3, through page 13, line 4 (section 1). The Fair Credit Reporting Act (FCRA) expressly preempts certain categories of state laws, such as the time by which a consumer reporting must take any action in any procedure related to the disputed accuracy of the information in a consumer's file. See 15 U.S.C. § 1681t(b). Thus, page 12, line 14, should be amended to provide: "(1) Respond to the requestor within [~~five days;~~] the time period prescribed by 15 U.S.C. § 1681i; and"

The FCRA also preempts state laws relating to certain topics contained in consumer reports, such as how long certain information (e.g., bankruptcies) may continue to appear on a consumer report and information relating to a veteran's medical debt. See 15 U.S.C. § 1681c(a). However, according to the Bureau of Consumer Financial Protection's interpretive rule from June 28, 2022, a state law prohibiting a consumer reporting agency from including information (or certain types of information) about a consumer's eviction, rental arrears, or arrests on a consumer report would generally not be preempted under the FCRA.

To address this preemption concern, we recommend amending page 12, line 15, to provide an exception: "(2) Honor the person's request[-], or in the alternative, should federal law bar the consumer reporting agency or user of a consumer report from honoring the request, provide a written explanation identifying the basis for the refusal."

Thank you for the opportunity to offer comments.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KENNETH S. HARA
DIRECTOR OF EMERGENCY
MANAGEMENT

JAMES DS. BARROS
ADMINISTRATOR OF
EMERGENCY MANAGEMENT

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF DEFENSE
KA 'OIHANA PILI KAUA
HAWAI'I EMERGENCY MANAGEMENT AGENCY
4204 DIAMOND HEAD ROAD
HONOLULU, HAWAI'I 96816-4420

STATE OF HAWAI'I
DEPARTMENT OF DEFENSE
HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON SENATE BILL 2904 SD1,
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE SENATE COMMITTEE ON
JUDICIARY

BY

JAMES DS. BARROS
ADMINISTRATOR
HAWAI'I EMERGENCY MANAGEMENT AGENCY

FEBRUARY 29, 2024

Aloha Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to submit testimony to **SUPPORT SB2904 SD1**.

The unprecedented events of the August 8, 2023 wildfires on Maui have pointed out the need to offer emergency economic assistance to those directly impacted by devastating emergency situations.

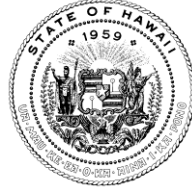
I am writing to convey my endorsement of Senate Bill 2904 SD1, which seeks to establish that the emergency management powers held by the Governor and mayors align with the provisions delineated in the state's statutes.

Under this legislation, state or local emergency proclamations shall grant residential tenants, business and home owners, as well as other affected individuals – the right to manage their personal and business affairs in response to the event, allowing them to put their lives back in order amidst the emergency.

The provisions outlined in this Senate Bill aim to provide all parties with a comprehensive understanding of their rights and options before, during, and after an emergency. This includes ensuring that individuals are fully informed about their rights and available courses of action throughout the duration of a proclamation, as well as any extensions to that proclamation.

Thank you for the opportunity to provide testimony on Senate Bill 2904 SD1.

James Barros: james.barros@hawaii.gov; 808-733-4300



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA
SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

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Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Judiciary
Thursday, February 29, 2024
10:00 a.m.
Decision Making Only**

**On the following measure:
S.B. 2904, S.D. 1, RELATING TO RELATING TO EMERGENCY MANAGEMENT.**

Chair Rhoads and Members of the Committee:

My name is Iris Ikeda, and I am the Commissioner of the Department of Commerce and Consumer Affairs (Department), Division of Financial Institutions (DFI). The Department offers comments on this bill.

The purpose of this bill is to amend the emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.

The Department appreciates the economic hardship a disaster brings to residents and offers the following comments.

The three-year moratorium and deferment of mortgage payments may place the banks and mortgage servicers into an unsafe and unsound financial situation and federal and state regulators may impose restrictions that may limit the number of mortgages banks can originate.

The Department has been working with the federal housing agencies since the Maui disaster to find a solution for homeowners who either have destroyed homes or who suffered economic losses due to destroyed businesses and has participated in several outreach sessions specifically for homeowners to talk with their banks and servicers. Another planned in-person event will be held on June 28 and June 29 in Lahaina, Maui and will provide an opportunity for homeowners to talk with their banks and servicers about possible loss mitigation options such as modifications, workout repayment plans, short sales and other options available.

Thank you for the opportunity to testify and offer comments on this bill.

SB-2904-SD-1

Submitted on: 2/25/2024 3:38:26 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shane Sinenci	Testifying for Maui County Councilmember	Support	Written Testimony Only

Comments:

Supportive.

February 29, 2024

The Honorable Karl Rhoads, Chair

Senate Committee on Judiciary

State Capitol, Conference Room 016 & Videoconference

RE: Senate Bill 2904 SD1, Relating to Emergency Management

HEARING: Thursday, February 29, 2024, at 10:00 a.m.

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 11,000 members. HAR **opposes** Senate Bill 2904 SD1, which amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.

Suspension of Rent Collection

In times of natural disasters or emergencies, the challenges faced by impacted residents and businesses, including housing providers and tenants, can be significant. This proposal suggests allowing tenants, upon written request, to suspend rent collection for a three-month period without proof of hardship. Both housing providers and tenants can be adversely affected by natural disasters, with housing providers facing financial burdens themselves. Prohibiting rent collection during such times could add to these hardships and could lead to a decrease in rental housing supply at a time when we need it the most.

In the short term, rental assistance programs would be a more effective solution. These programs not only assist renters who require support with covering their rents, but also provide relief to housing providers who may have lost their jobs or rely on rental property income. In the long term however, we need more rental housing supply and to encourage and assist property owners to offer homes for long term rent.

The University of Hawaii's Economic Research Organization ("UHERO") Hawaii Housing Fact Book highlights the stark reality that "Hawaii is the most expensive state in the nation for housing. Median housing costs are 2.7 times the national level."¹ Moreover, Hawaii's total housing supply has not seen significant growth, primarily due to "the most restrictive housing regulations in the nation. Long permit delays, limits on land use, legislative and judicial hurdles, and affordable housing requirements all constrain new construction making it more difficult for new housing to be supplied."²

¹ UHERO. (June 28, 2023). *The Hawai'i Housing Factbook*. uhero.hawaii.edu/wp-content/uploads/2023/06/TheHawaiiHousingFactbook.pdf

² Ibid.

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These barriers must be addressed if we are to have a healthy housing market, including a healthy rental market, in Hawaii.

Summary Possession Moratorium

We do not believe this provision is necessary as the Governor's Emergency Proclamations Relating to the Maui Wildfires address this issue by prohibiting increases in rental housing prices and restricting the termination of an existing tenancy with a few exceptions. The Governor has gone further to state that certain essential commodities, including rentals of residential dwellings, "may not exceed the regular prices as of August 9, 2023."³ We support the need for enforcement of these current provisions to address housing concerns.

Mortgage Foreclosure Moratorium

We also have concerns with the foreclosure moratorium in this measure as we believe it could have unintended negative consequences that would ultimately be harmful for Hawaii's consumers.

Lenders are heavily regulated and are evaluated on factors such as how much risk they carry within their lending portfolio. If mortgage foreclosures are suspended for up to three years, it could increase the risk a bank carries in their lending portfolios and impact the bank's overall stability. This may lead to credit markets tightening which means less money available for loans and making it harder for people, including homeowners, to get the funds or receive loans they may need after an emergency.

Mahalo for the opportunity to testify.

³ Office of Hawaii State Governor Josh Green. (January 5, 2024). *Ninth Proclamation Relating to Wildfires*. governor.hawaii.gov/wp-content/uploads/2024/01/2401019.pdf



Testimony of **Lahaina Strong**
Before the Senate Committee on
Judiciary

In Consideration of Senate Bill No. 2904, SD1
RELATING TO EMERGENCY MANAGEMENT

To Chair Rhoads, Vice Chair Gabbard, and the honorable members of the committee,

We are writing on behalf of Lahaina Strong, an organization that was initially formed in 2018 following the Hurricane Lane fire in Lahaina and re-energized last year after the devastating Lahaina fires on August 8. Our organization is the largest grassroots, Lahaina-based community organization, with over 20,000 supporters, engaged in emphasizing the importance of local voices and community-driven solutions.

Lahaina Strong stands in strong support of SB2904, SD1 which amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods after the issuance of a gubernatorial or mayoral emergency proclamation and classifies violations as unfair methods of competition and unfair and deceptive acts or practices.

Lahaina Strong has been at the forefront of relief and advocacy efforts, including the initiation of the "Fishing for Housing" camp, which has been in operation for over fifteen weeks along Kaanapali Beach, championing dignified housing for Lahaina fire victims. We commend the legislature for considering measures that address the pressing issues faced by our community, and we believe that the proposed bill encompasses crucial provisions that align with our organization's goals and demands.

One of our primary demands, as outlined in our ongoing efforts and collaboration with the affected community, is housing for the people of Maui. While our primary focus is on the displaced fire victims of Lahaina, we firmly believe that stronger protections are

needed for all tenants on Maui, as we have borne witness to the secondary wave of evictions and instability the recent disasters have caused island-wide.

We appreciate the bill's provisions that focus on extending protections for both residential and commercial renters against evictions. This is a critical step in providing stability and security to those who have already endured so much. Lahaina Strong stands firmly in support of such tenant protections, recognizing the immediate relief they would bring to the many affected individuals, families, and small businesses.

Furthermore, we are pleased to see the inclusion of a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment. This aligns with Lahaina Strong's advocacy for comprehensive and immediate financial relief for homeowners who have experienced devastating losses.

In summary, we believe that SB2094 SD1 presents a crucial step forward in addressing the multifaceted challenges faced by our community in the aftermath of natural disasters. The proposed measures resonate with Lahaina Strong's mission, and we urge the legislature to pass this bill to provide much-needed relief and support to the Lahaina community and beyond.

Mahalo for your attention and commitment to the well-being of our community.

Sincerely,

Jordan Ruidas, Courtney Lazo & Pa'ele Kiakona

Lahaina Strong

SB-2904-SD-1

Submitted on: 2/26/2024 11:26:47 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Craig Kinoshita	Testifying for Wailuku Federal Credit Union	Oppose	Written Testimony Only

Comments:

The majority of Hawaii’s credit unions currently offer loans to their members. Credit unions are not-for-profit organizations whose members ultimately bear any losses. If there is a default in payment of their obligations, a credit union may have to take legal action to collect the debt. If the credit union cannot collect the debt, its members suffer the loss, and this may also have the unintended consequence of making it more difficult for credit union members to qualify for loans, as the risk incurred by financial institutions would be inherently higher. This bill is extremely broad, and would essentially stop lending in the state. For example, if there is declared an emergency in the State of Hawaii, all loans in the entire state would potentially be affected. This would essentially mean that all financial institutions would be unable to collect on loans for at least three years. This would potentially decimate financial institutions.

We’ve always worked with our members during difficult times as long as there is a hardship. An emergency or pandemic does not have to be declared for us to act appropriately and compassionately. This is an ongoing practice whether there is a pandemic or crisis. Many members face their own personal crisis like loss of job, death in the family, divorce, medical emergency, etc and we’ve always been willing to modify loans as long as it makes sense for the member and our credit union. We did over 150 loan modifications during COVID which were primarily deferrals.

SB-2904-SD-1

Submitted on: 2/26/2024 9:10:24 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	Written Testimony Only

Comments:

Support SB2904 SD1



February 26, 2024

To: The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Brandon Elefante, Vice Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Committees

Re: Testimony in Opposition of SB2904

Aloha, my name is Scott Kaulukukui and I am the President and CEO of Hickam Federal Credit Union. I am submitting written testimony in opposition to SB2904 which relates to amending emergency management law to protect tenants, mortgagors, consumers and residents after a declared emergency proclamation by the Governor or County Mayor.

While we understand the intent to assist our residents during and after an emergency, SB2904 if passed in its current form would adversely affect credit unions and how we conduct business moving forward. For example, if a statewide emergency is declared, we would not be able to collect on the loan for at least three years severely impacting our credit union's financials and our ability to serve our over 48,000 members.

During previous government shutdowns including COVID, our credit union activated our Member Accommodation Plan which provided our members who showed hardship during these types of events the following:

- Budget counseling
- Short-term and long-term extensions
- Refinance and new loans
- Waiver of penalties on time certificates
- Re-payment arrangements

Credit Unions have been about "People Helping People" and we will continue to assist our members whether an emergency is declared or not. SB2904 in its current form would have a negative impact on our ability to do so.

Thank you for the opportunity to provide comments on this bill.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Kaulukukui', is written over a light blue horizontal line.

Scott Kaulukukui
President & CEO



**HAWAII STATE SENATE
COMMITTEE ON JUDICIARY
Conference Room 016 & Videoconference
10:00 AM**

February 29, 2024

RE: SB 2904, SD1 - RELATING TO EMERGENCY MANAGEMENT

Honorable Senators Chair Rhoads, Vice-Chair Gabbard, and members of the Committee:

My name is Max Lindsey, Government Relations Committee Chair of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

SB 2904, SD 1 proposes to amend Chapter 127 HRS dealing with emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.

BIA Hawaii provides the following comments on SB 2904, SD1. The bill would add the following sections to Chapter 127 HRS:

- §127A-A Residential tenants; suspension of rent collection.
- §127A-B Residential dwelling units; summary possession moratorium.
- §127A-C Residential property; foreclosure moratorium.
- §127A-D Mortgage payments; deferment.
- §127A-E Small business commercial tenants; suspension of rent collection and summary possession.
- §127A-F Loan deferment.

The bill essentially would suspend or prevent a lender or landlord from acting on certain terms and/or conditions of an existing mortgage or rental/lease agreement. The proposed amendments would expand the Emergency Management Agencies' authority beyond the authority granted in Chapter 127A-30 (2) which is limited to landlords of residential dwelling units.

The Federal Emergency Management Agency (FEMA) financial assistance is limited to home repair, personal property repair and rental assistance for temporary housing. FEMA does not provide any assistance with mortgage or rent payments. Their website suggests that those impacted by a disaster contact their mortgage lender or landlord to explain their circumstances and situation to see if special arrangements can be made.

We strongly suggest that the legislature consider the impact this type of proposed legislation may have on mortgage lenders and landlords in considering investments in Hawaii.

We appreciate the opportunity to provide our comments on this matter.



Testimony to the Senate Committee on Judiciary
Thursday, February 29, 2024, 10:00 am
Conference Room 016

Testimony in Opposition to SB 2904 - Relating to Emergency Management

To: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice-Chair
Members of the Committee

My name is Stefanie Sakamoto, and I am testifying on behalf of the Hawaii Credit Union League, the local trade association for 47 Hawaii credit unions, representing over 864,000 credit union members across the state.

HCUL offers the following comments in strong opposition to SB 2904, Relating to Emergency Management. This bill amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation, and classifies violations as unfair methods of competition and unfair and deceptive acts or practices.

The majority of Hawaii's credit unions currently offer loans to their members. Credit unions are not-for-profit organizations whose members ultimately bear any losses. If there is a default in payment of their obligations, a credit union may have to take legal action to collect the debt. If the credit union cannot collect the debt, its members suffer the loss, and this may also have the unintended consequence of making it more difficult for credit union members to qualify for loans, as the risk incurred by financial institutions would be inherently higher.

This bill is extremely broad, and would essentially stop lending in the state. For example, if there is declared an emergency in the State of Hawaii, all loans in the entire state would potentially be affected. This would essentially mean that all financial institutions would be unable to collect on loans for an unspecified period of time. This would severely impact financial institutions.

Thank you for the opportunity to provide comments on this issue.



February 27, 2024

Testimony to the Senate Committees on Judiciary, Public Safety, Intergovernmental & Military Affairs
and Commerce & Consumer Protection

Testimony in Opposition to SB2904 – Relating to Emergency Management

To: The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Mike Gabbard, Vice Chair
The Honorable Brandon Elefante, Vice Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Committees

My name is Clayton Fuchigami and I am the President/CEO of Maui Federal Credit Union. We currently serve members on the island of Maui. Our credit union proactively worked with members who requested deferrals or needed emergency loans as a result of COVID or the August 2023 wildfire disaster.

We subscribe to the credit union philosophy of “people helping people” and do this on a daily basis voluntarily especially when difficult life events arise. The broad nature of the bill will impose a financial hardship on our credit union if we are subject to deferments of up to 3 years and the bill will adversely affect our members in ways not contemplated including curtailing lending to them.

We are opposed to SB2904 for these and other reasons.

Thank you for allowing us this opportunity to submit testimony.



HAWAII STATE
FEDERAL CREDIT UNION

Date: February 27, 2024

TO: Senator Karl Rhoads Chair Judiciary Committee
Senator Mike Gabbard
Senator Brandon J.C. Elefante
Senator Joy A. San Buenaventura
Senator Brenton Awa

RE: S.B. 2904 – Relating to Foreclosure Moratorium

Dear Chair Rhoads, and Members of the Judiciary Committee:

I am submitting this testimony on behalf of Hawaii State Federal Credit Union and our 130,254 members in Hawaii. HSFCU submits the following comments in opposition to S.B. 2904, Relating to Emergency Management.

SB 2904 as currently drafted would dramatically disrupt lending across the state, causing many lenders to cease lending, significantly reduce the number of lenders and increase the costs to all borrowers.

SB 2904 would make it difficult for any of Hawaii's 48 credit unions or 8 banks to safely lend in the State. In addition, I believe this would limit borrowing options in our state to only the most predatory lenders. This Bill, as currently written, would prevent any new residential lending and put at risk all existing residential loans. It would also impact our ability to safely make consumer loans and would dramatically increase loan rates to cover the increased risk.

As a not-for-profit financial co-operative, we are committed to working with our members through good times and bad, to support their financial needs and to improve their lives. During COVID Hawaii State FCU offered loan deferrals for up to 2 years to 2,215 members. We also provided 76 emergency loans. After the wildfires in Lahaina we provided 37 emergency loans and 27 loan deferrals.

During Covid and following the Maui wildfires we worked closely with each member individually to ensure we provided whatever assistance and relief they needed. Despite the cost of those measures, our mission is to empower financial wellness for our members and our community.

Thank you very much for the opportunity to submit comments on this measure.

Andrew Rosen
President & CEO

SB-2904-SD-1

Submitted on: 2/27/2024 7:55:17 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Salazar Hyman	Testifying for Tagnawa	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferral included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Michelle Hyman



Senate Committee on Judiciary

Hawai'i Alliance for Progressive Action (HAPA) SUPPORTS: SB2904 SD1

Thursday, February 29th, 2024 10:00 a.m. Conference Room 016

Aloha Chair Rhoads, Vice Chair Gabbard, and Committee Members,

HAPA is testifying in strong support of SB2904 SD1, which establishes the Lele Community District and Board to facilitate rebuilding in Lāhainā. Establishes the Lele Community Special Fund. Declares that the general fund expenditure ceiling is exceeded.

I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we are primarily concerned about those affected by the Lāhainā fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. HAPA fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges that the Lāhainā community faces after this natural disaster. We urge the legislature to pass this bill to provide relief and support to the Lāhainā community and beyond.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick
Executive Director



February 27, 2024

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Committee on Judiciary

Comments in Opposition to SB 2904, S.D.1 Relating to Emergency Management (Amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.)

Thursday, February 29, 2024 at 10:00 a.m.; State Capitol, Conference Room 016 & Videoconference.

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express comments in **opposition to SB 2904, S.D.1.**

SB 2904, S.D.1. This bill does not expressly include a contain a specific purpose clause, however, the measure is intended to create protections that offer immediate relief to individuals, families, and small businesses that may suffer hardship over rental payments and mortgages due to declared disasters. To do so, this measure proposes to amend Hawaii Revised Statutes, Chapter 127A to add sections that would automatically impose various restrictions whenever an emergency proclamation is issued by the Governor or a county mayor. These restrictions include suspension of rent and collection and summary possession for residential and small business commercial tenants, foreclosures, mortgage and loan payments, credit reporting, and insurance for homeowners' associations.

LURF's Position. In the aftermath of recently declared emergencies and disasters including the COVID-19 pandemic and Maui wildfires, LURF and its members are well

aware of the many challenges and hardships faced by individuals, families, and the small business community. And while legislative protection for renters, mortgagors, and tenants relating to housing and small business during these emergency periods may be intended for the economic benefit of the local community, there is a definite need for policy makers to first understand both sides of the problem – from the perspectives of tenants/mortgagors and landlords/mortgagees, and then to judiciously consider the impact on all parties as well as the overall economy based on facts and data.

LURF must therefore oppose SB 2904, S.D.1, as it believes the measure as drafted is arguably unconstitutional, is one-sided and fails to take into consideration the unintended consequences of, and burdens placed upon landlords (residential and commercial), as well as mortgagees, which will likely hinder, rather than facilitate Hawaii's economic recovery and resiliency during such periods of hardship. LURF's position is based on the following:

- There is no indication or finding that Bill 2904, S.D.1 is supported by facts and/or law to ensure the constitutional rights of landlords/property owners which would be forced to surrender possession of their property for below market, or more realistically zero rents.¹ Such a measure, without justification, may constitute an unconstitutional taking without just compensation.

The State Department of the Attorney General has in fact submitted comments on this bill expressing concerns regarding constitutionality, particularly given the measure's broad scope and the mandatory nature of the emergency provisions, which may constitute violations under the Contract and Takings Clauses of the United States Constitution.

- The provisions of this bill are excessively broad so that application to banking and mortgage institutions could potentially impact all loans in the State due to the inability to collect on loans for the duration of the declared emergency or disaster, causing devastating consequences to those financial industries.
- It appears unknown to, or at least unconfirmed by the introducers of SB 2904, S.D.1, whether the effects and unintended consequences (practical and legal) of the proposed protections proposed to be afforded to tenants pursuant to this bill will cause interference with the local real property rental market. Facts, data, experts, survey results and/or studies have not been referenced or cited to support this bill which will undoubtedly affect and potentially further disrupt the State's real estate, rental, and lending industries, as well as the overall economy. While it is clear that rent relief may be necessary for most businesses to survive through declared emergencies and disasters, it is also a critical fact that landlords have their own expenses that need to be paid, and that financial aid for landlords

¹ Mandating landlords to temporarily defer or suspend rents creates higher future rent obligations for tenants who will unlikely be able to pay off deferred/suspended rent or afford higher rental costs.

would therefore not only help landlords but incentivize them to help their tenants.

- During past declared emergencies and disasters such as the Covid-19 pandemic, commercial landlords continued to collaborate with commercial tenants to provide rent relief based on their individual economic situations. An eviction moratorium and/or a prohibition on proceedings to collect past due rent would disincentivize cooperation between tenants and landlords and prevent the parties from working together to resolve issues and concerns.
- With respect to commercial businesses, each tenant's operation is unique. Landlords customarily assist commercial tenants with a rent relief structure that would best address the tenant's specific circumstance in an effort to help sustain their business operations, which would be beneficial to both parties.
- Despite the decrease in, or cessation of rents, many commercial landlords will continue to be burdened with the obligation to maintain their properties, provide services to tenants, and service debt.
- SB 2904, S.D.1 fails to include any "just cause" exceptions for situations in which landlords have just cause to terminate tenants who are unlawful; commit nuisance or criminal activity on the property; criminally threaten the landlord; improperly assign or sublet the leased space; or otherwise cause issues that breach terms of their lease. As a result of these types of measures, it would appear unlikely that any tenant, especially any tenant in breach of the lease, would voluntarily vacate, leaving landlords with few, if no options to protect their property.
- This measure also fails to expressly include or afford any remedies or protections for landlords which may be negatively impacted by lease termination and/or breaches by tenants (e.g., tenants' failure to vacate), which may result from this legislation. Without the income derived from their properties, landlords/property owners may be forced to default on their own obligations such as mortgages, master leases, property taxes, utilities, as well as contracted services including security, repairs and maintenance, and insurance; or perhaps even contemplate selling their interest in those properties.
- Despite landlords/property owners having to continue paying property taxes and other operating expenses for their commercial tenants, in the past, no form of government relief had been extended directly to them to incentivize them to likewise provide relief to their tenants. Sadly, commercial landlords, many of which had forgone months of rent without relief during the Covid-19 pandemic nevertheless continued to endeavor to work with commercial tenants, and yet were snubbed by policymakers, rather than being seriously considered and included in relief and other legislative measures proposed to help initiate, stimulate, support, and provide relief for Hawaii's business community.

- Moving forward, this type of legislation may also prompt landlords to require much stronger qualifying criteria as it pertains to tenant credit, revenue, and verification of past experience/professionalism, to avoid leasing to unqualified tenants, thereby deterring the expansion of business operations and start-up of new ventures which are beneficial to, if not essential for economy recovery and revitalization.

For all of the above reasons, LURF supports initiatives that foster mutually beneficial, collaborative solutions amongst all parties rather than broad, restrictive, one-sided, and potentially unconstitutional regulation of property and financing, especially during economically challenging and sensitive time periods.

LURF thus recommends that SB 2904, S.D.1 be held in Committee to allow for further review and confirmation of the propriety and legality of the proposed regulation; to instead explore the initiation and introduction of measures which, based on verified facts and data, would incentivize and benefit all sectors of Hawaii's economy including financial institutions, the real estate industry, and members of the business community; and to enable tenants and landlords of commercial and residential property to continue to collaboratively discuss, structure/restructure, and implement rent relief initiatives that optimally befit the circumstances and needs of all parties.

Thank you for the opportunity to present testimony regarding this important matter.



Testimony to the Senate Committees on Public Safety, Intergovernmental & Military Affairs and Commerce & Consumer Protection

Testimony in Opposition to SB 2904 – Relating to Emergency Management

To: The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Brandon Elefante, Vice Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Committees

Subject: Strong Opposition to SB2904

My name is Trevor Tokishi and I am the President/CEO of the Valley Isle Community Federal Credit Union on Maui.

I write to you today with grave concern regarding SB2904 and its potential impact on our small credit union and the communities we serve. As a representative of the Valley Isle Community Federal Credit Union, I urge you to consider the detrimental effects this bill would have on our ability to fulfill our mission of providing accessible financial services to our members.

SB2904 proposes to impose limitations on accrued interest for prolonged periods, a measure that would severely hinder our ability to lend effectively. Such restrictions would not only impact our earnings but also jeopardize our capital, ultimately diminishing our capacity to serve our members and the broader community.

Furthermore, this legislation would impede our ability to sell loans to the secondary market, thereby exacerbating our credit risk, interest rate risk, and liquidity risk. As a small credit union, access to secondary markets is crucial for maintaining a balanced portfolio and ensuring financial stability.

Moreover, SB2904 may render many of our loans as unacceptable collateral for lines of credit provided by Federal Home Loan Bank and corporate credit unions. This restriction would significantly increase our liquidity risk, further constraining our ability to respond to the evolving needs of our members and the community, particularly in times of crisis.

I must emphasize the pivotal role our credit union played in response to the disastrous 2023 Maui wildfires. Without any government mandate, we took immediate action to

support our members and community. We provided countless emergency loans, extended over \$1.5 million in consumer and mortgage loan extensions, and continued to offer draws on home equity lines of credit, even for those who lost collateral.


Furthermore, we waived loan and operational fees and granted auto loans without question to those impacted by the wildfires. Through extensive outreach efforts, including providing meals, care packages, and other aid, we demonstrated our unwavering commitment to assisting those in need.

While SB2904 may appear to benefit some consumers in the short term, its long-term consequences would disproportionately harm individuals in the long run, in particular those of lesser means, limiting their options and hindering their ability to access loans and build credit. As advocates for financial inclusion and community welfare, we cannot support legislation that undermines these fundamental principles.

In conclusion, I urge you to reconsider SB2904 and its implications for small credit unions like ours and the communities we serve. Instead, I implore you to engage in dialogue with stakeholders to develop solutions that promote financial stability, accessibility, and resilience for all members of society.

Thank you for considering our testimony and for your dedication to serving the best interests of our state.

Sincerely,



Trevor N. Tokishi

President/CEO



94-449 Ukee Street • Waipahu, HI 96797 • 73-PHFCU • www.pearlhawaii.com

February 28, 2024

To: The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Brandon Elefante, Vice-Chair
The Honorable Carol Fukunaga, Vice-Chair
Member of the Committees

My name is Tony Mau. I am testifying on behalf of Pearl Hawaii Federal Credit Union. Pearl Hawaii Federal Credit Union believes in the intent of S.B. N0 2904 with providing relief during times of hardship. However, we firmly believe that S.B. N0 2904 will negatively impact your constituents, financial institutions in the State of Hawaii, and the local economy. As such, Pearl Hawaii Federal Credit union is in **STRONG OPPOSITION** to S.B. N0 2904.

As written, S.B. N0 2904 will stop vital cash flows needed to sustain our financial institution and all financial institutions statewide. S.B. N0 2904 fails to address the basic operational needs of local financial institutions and the impact of this bill during an emergency proclamation. Allowing any emergency proclamation to dictate hardship that would allow for long term consumer deferrals or suspension of foreclosures, directly penalizes the industry as a whole. Opportunity for fraud and the potential for a collapse in the lending industry in Hawaii as a result of such potential law is of concern.

Within a matter of months, a single declaration could quickly disrupt the entire financial system in Hawaii. Hiring freezes and layoffs will be the starting point, followed by larger disruptions in this financial environment as income and cash flow comes to a halt. Well capitalized institutions could quickly fall into conservatorship, and other financial institutions would be forced to consolidate; reducing competition and adversely affecting pricing. Such consolidation will result in fewer financial institutions in business which could potentially affect the market and pricing. Lack of competition due to a smaller number of financial institutions could lead to higher rates for consumers which would affect spending and the overall economy.



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Should a bill such as this pass, one would wonder what measures local financial institutions would be required to take to prepare for an impending emergency proclamation. Potential for increased lending rates, restrictive underwriting, lower lending limits and the abolishment of many lending programs that today help and support our community will be seen. Programs geared towards first time home buyers, the credit challenged and the thought of “affordable housing” could likely be a thing of the past in our great state.

Pearl Hawaii Federal Credit Union and financial institutions throughout the state of Hawaii have demonstrated their resolve time after time in supporting our community in times of need. Through various policies and programs already in place, we take care of our members when they need us. We provide subsidized loans, loan deferrals, loan adjustments, and lowered interest rates at times of need. The local financial industry is ready and willing to support our community; however, Pearl Hawaii believes that S.B. NO 2904 will do more harm to our local financial industry, their members, and customers. We urge the legislature to not let this bill pass.

Mahalo for the opportunity to testify.

Sincerely,

Tony Mau



The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
The Honorable Brandon Elefante
The Honorable Joy San Buenaventura
The Honorable Brenton Awa
Senate Judiciary Committee

RE: Senate Bill 2904, Relating to Emergency Management

I am Mark Munemitsu, President, and Chief Executive Officer of the Honolulu Federal Credit Union ("HOCU"). Currently, we serve over 19,000 members, primarily consisting of Federal government employees headquartered in Honolulu, Hawaii, and their families. I am offering my perspective on Senate Bill 2904, which proposes amendments to emergency management law to suspend rent, mortgage, and other consumer loan payments.

HOCU, like many financial institutions, relies significantly on interest from real estate loans (including mortgages and home equity lines of credit) and consumer loans for our gross revenue. In 2023, loan interest accounted for more than 70% of our total income. These revenues fund various aspects of our operations, including interest paid on members' deposits, fee subsidies, and covering operational costs such as staff salaries, benefits, and lease rent. A substantial reduction in this revenue due to repayment moratoriums would negatively impact our credit union, its staff, and members.

We acknowledge the hardships endured by citizens in the aftermath of natural disasters or emergencies. While the intention to offer relief through suspending rent, mortgage, and consumer loan payments after the declaration of a state or county emergency is commendable, it's essential to consider the broader implications. Such measures can negatively affect landlords who rely on rental income for personal expenses. For financial institutions, this could lead to the reallocation of resources, potential service reductions, fee increases, decreased interest rates on depository accounts, and staff reductions, ultimately burdening individuals with additional costs and impacting entire communities.

Therefore, based on the reasons outlined above, I oppose Senate Bill 2904. Thank you for providing me with the opportunity to express my views.

Mark Munemitsu
President/CEO



Date: February 28, 2024

To: The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keahokalole, Chair
The Honorable Mike Gabbard, Vice Chair
The Honorable Brandon Elefante, Vice Chair
The Honorable Carl Fukunaga, Vice Chair
Members of the Committees

From: Vince Otsuka, Aloha Pacific Federal Credit Union, President & CEO

RE: Testimony in Opposition to SB2904 – Relating to Emergency Management

I am writing in opposition to SB2904. Our headquarters is located on Oahu and have locations in Oahu, Maui, Kauai, and Las Vegas. We currently serve over 60,000 members. The wildfires in Lahaina have had a devastating effect on the members, families, and friends. It will take years to rebuild Lahaina.

The current bill as written will cause significant hardship to all financial institutions, especially credit unions. Deferring loan payments for up to 3 years without clear written criteria will cause unintended consequences. The results of this bill could limit access to credit for residents and make it harder to obtain credit.

We are opposed to SB2904 and appreciate your consideration.

Sincerely,
Vince Otsuka



February 28, 2024

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary

RE: **SB 2904 SD1 - Relating to Emergency Management**
Hearing date – February 29, 2024 at 10:00 AM

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the committee,

Thank you for allowing NAIOP Hawaii to submit testimony in **OPPOSITION to SB 2904 SD1 – RELATING TO EMERGENCY MANAGEMENT**. NAIOP Hawaii is the Hawaii chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders, and other professionals.

SB 2904 SD1 amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation. Specifically, the measure amends Hawaii Revised Statutes (HRS) Section 127A to provide additional restrictions immediately following an emergency proclamation including:

1. A suspension of residential rent collection;
2. A moratorium on summary possession for residential dwelling units;
3. A moratorium on residential property foreclosures; and
4. A suspension of rent collection and summary possession for small commercial tenants.

NAIOP Hawaii recognizes the critical situation residents and small businesses face during an emergency proclamation, however, this bill may have unintended consequences for affordable housing projects and commercial tenants across the State.

Primarily, the entire infrastructure of the commercial real estate industry is predicated on the enforceability of the contractual relationships between tenants, landlords and lenders. If SB 2904 SD1 is passed this will allow tenants to stop paying rent or walk from their leases without recourse and landlords would need to cut costs which means they may have to stop

paying vendors and banks. Imposition of a suspension of rent collection and summary possession for small commercial tenants will handcuff landlords and their lenders potentially leading to more defaults, foreclosures, and bankruptcies.

Further, suspension on summary possession may incentivize the tenant to not pay rent to the landlord, even if they could pay some or all of it, while still leaving their landlords with the obligation to maintain the property without being compensated. Market forces, and not legislation, should determine negotiations between landlords and tenants. In addition, many commercial properties collaborate with tenants to provide rent relief immediately following emergency proclamations that may impact small businesses.

Moreover, NAIOP Hawaii is concerned that SB 2904 SD1 may impact affordable housing projects. We understand the need to protect residents during an emergency proclamation, however, affordable housing projects, including rental projects, are already subject to a rigid regulatory framework guaranteeing affordable rents well below market and consequently will be severely negatively impacted by the prohibition against rent increases and the inability to terminate a tenancy for the failure to pay rent.

The suspension of residential rent collection and summary possession impact viability of affordable housing projects. The inability to terminate a tenancy for the failure to pay rent has the potential to have a tremendous impact on project income streams. While we recognize the need to keep individuals and families housed, without the appropriate mechanisms in place to ensure a project's income stream, the entire project could be in jeopardy. The existing regulatory framework ensures that tenants are not "priced" out of their units through unregulated rent increases and there are many programs in place to provide rental assistance to those tenants in need. The inability to terminate a tenancy for the failure to pay rent leaves the projects vulnerable to insolvency and will dissuade investors from participating in projects while the EP is in place and in the future.

We do not oppose the intent behind the prohibition against opportunistic rent increases and the inability to terminate a tenancy for the failure to pay rent, however applying them to affordable housing projects will affect the financial viability of the projects which are already fragile.

Accordingly, NAIOP Hawaii respectfully recommends that SB 2904 SD1 be deferred.

Mahalo for your consideration,



Reyn Tanaka, President
NAIOP Hawaii



Hawaiian Financial Federal Credit Union

Testimony to the Senate Committees on Public Safety, Intergovernmental & Military
Affairs; and Commerce & Consumer Protection

Testimony in Opposition to SB 2904 - Relating to Emergency Management

To: The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Brandon Elefante, Vice-Chair
The Honorable Carol Fukunaga, Vice-Chair
Members of the Committees

My name is Anabel Lindsey and I am the Vice President of Loans testifying on behalf of Hawaiian Financial Federal Credit Union (HIFICU). We are a member owned not-for-profit credit union who serve members who live, work, worship and its family members on the island of Oahu and Maui.

HIFICU offers the following comments in opposition to SB 2904 which amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation, and classifies violations as unfair methods of competition and unfair and deceptive acts or practices. This bill is extremely broad and would have the unintended impact of halting lending in the state.

We are a local organization with roots in Hawaii since 1936 and have served our members in their financial needs with our products and services. During the recent crisis of the 2023 Maui Wildfires and COVID, we offered various assistance programs including loan payment relief. We want to continue to help our local residents however, in order to do so we must be able to conduct business with regulatory safety and soundness. In the event there is a declared emergency in the State of Hawaii, loans in the entire state would potentially be affected. This would essentially mean that all financial institutions would be unable to collect on loans for at least three years and bear any losses. This would potentially devastate the financial industry and ultimately affect our members/owners who are mostly Hawaii residents.

Thank you for the opportunity to submit comments on this issue.

for life

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www.hificu.com



Advancing the Commercial Real Estate Industry through Education, Networking and Advocacy

Committee: Senate Judiciary
Date: Thursday, February 29, 2024
Time: 10:00 AM
Place: Via Conference Room 016 & Videoconference
RE: SB2904 SD1 – Relating to Emergency Management

Aloha Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

Thank you for the opportunity to submit testimony.

We are the Building Owners and Managers Association of Hawai'i (BOMA Hawai'i), and we **oppose** SB2904 SD1, which would require landlords to suspend the collection of rent for six months upon written request from the tenant during a state or county emergency proclamation. It would also not require tenants to prove economic hardship during this time. We understand the need to protect small businesses—many of our members represent local, small businesses—but we also ask you respectfully to consider the impact to commercial property owners and managers, who we also represent. We believe this measure will hinder, rather than help Hawai'i's economic resiliency.

BOMA Hawai'i is a non-profit trade association dedicated to advancing the commercial real estate industry through education, networking and advocacy. We are aware of the many challenges that our business community faces. During the Covid-19 pandemic, many of our members continued to operate properties that lease to businesses providing needed goods and services. We experienced firsthand the effects the pandemic had on our commercial tenants, who this bill aims to protect. Without government mandates, many of our members actively worked with their commercial tenants to find tailored rent relief solutions that sustained their tenants' businesses. Our members supported their efforts to obtain financial assistance through government programs. Many of these tenants have told us that these proactive and community-minded efforts from their landlords are what kept their businesses alive. Imposing rent collection prohibitions and eviction moratoriums will disincentivize tenants and commercial property owners from working together to resolve issues. It would hamper progress more than provide protections.

We support the intent of SB2904 SD1. We believe small businesses are the heart of Hawai'i's economy, and in times when they are fragile, we do what we can to prop them up. We support



Advancing the Commercial Real Estate Industry through Education, Networking and Advocacy

measures that foster collaborative solutions between commercial property owners and tenants rather than broad restrictive regulation on landlords. The pandemic showed us that each tenant's operation requires an individual solution that addresses their circumstance and need. The pandemic also showed us that many commercial property owners do not have the ability to pause their own obligations for mortgages, property taxes, utilities and contract services like security, repairs, maintenance and insurance. These obligations continue on the property in spite of decreased revenue.

We strongly believe fostering a healthy tenant-landlord relationship in the long run is what will sustain Hawai'i's resiliency during turbulent times.

Thank you for the opportunity to testify on this measure.

Sincerely,

Jamie Barboza
BOMA Hawai'i Government Affairs Committee Co-Chair



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 29, 2024

TO: Senator Karl Rhoads
Chair, Committee on Judiciary

FROM: Mihoko Ito / Matt Tsujimura

RE: **S.B. 2904, S.D. 1 – Relating to Foreclosure Moratorium**
Hearing Date: Thursday, February 29, 2024 at 10:00 a.m.
Conference Room: 016

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee on Judiciary:

We offer this testimony on behalf of the Consumer Data Industry Association (CDIA). The Consumer Data Industry Association (CDIA) is the voice of the consumer reporting industry, representing consumer reporting agencies including the nationwide credit bureaus, regional and specialized credit bureaus, background check companies, and others.

CDIA **opposes** S.B. 2904, S.D.1 which amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernational or mayoral emergency proclamation.

CDIA has concerns regarding the inclusion of Section 123A-G on pages 12 and 13 of the bill because this provision is preempted by federal law. This section requires a consumer reporting agency to exclude adverse information in a consumer report within 5 days during an emergency proclamation.

This measure requires that consumer reporting agencies remove any adverse information upon request of a resident of the area subject to an emergency proclamation. However, the Fair Credit Reporting Act expressly preempts state law in certain areas. The FCRA prohibits state law from directing consumer reporting agencies to remove certain categories of information from a consumer report. In addition, the FCRA preempts imposing a time limit on requests made to consumer reporting agencies to remove certain information in a consumer's file. Even if these issues could somehow be resolved, consumer reporting agencies would have no way to verify that an individual lives in an area subject to an emergency proclamation.

Due to the above preemption concerns we would respectfully request that this section be removed from the bill.

Thank you for the opportunity to submit this testimony.



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 29, 2024

TO: Senator Karl Rhoads
Chair, Committee on Judiciary

FROM: Mihoko Ito / Tiffany Yajima

RE: **S.B. 2904, S.D.1 – Relating to Foreclosure Moratorium**
Hearing Date: Thursday, February 29, 2024 at 10:00 a.m.
Conference Room: 016

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee on Judiciary:

We submit this testimony on behalf of the Hawaii Bankers Association (HBA). HBA represents seven Hawai'i banks and one bank from the continent with branches in Hawai'i.

HBA **strongly opposes** S.B. 2904, S.D.1 which amends the emergency management law to allow for a moratorium on foreclosures, commercial and residential rent payments, mortgage payments, rent increases, evictions for certain periods of time after the issuance of an emergency proclamation.

HBA has concerns regarding the broad nature of this bill and the unintended impact it could have on the financial institutions market, and in turn on consumers. Lenders are heavily regulated institutions that are regularly reviewed for their safety and soundness, and evaluated based on the level of risk they carry within their lending portfolios, among other things.

The proposal in this bill to impose an automatic moratorium on foreclosures, commercial and residential rent payments, mortgage payments, rent increases and evictions would be triggered any time a mayor or governor declares an emergency, no matter what type of emergency occurs and for how long. In recent years, emergency proclamations have been used for very broad various types of emergencies, some of which have lasted for years. The uncertainty caused by the bill could ultimately drive up the cost of capital and hurt consumer lending because it so increases uncertainty and overall risk.

While we appreciate that the previous committee tried to amend the bill based upon concerns raised by the Attorney General's office, the S.D.1 version of the bill still raises significant legal concerns. Under the Contracts Clause, the U.S.

Supreme Court has overturned state laws pursuant to the Contracts Clause if the state law operates as a substantial impairment of a contractual relationship. See Allied Structural Steel Co. v. Spannaus, 438 U.S. 234, 245 (1978). S.B. 2904 S.D.1 substantially impairs the ability for landlords, lenders and other creditors to collect on rental and mortgage contracts as well as commercial and consumer loans, in some cases for an indefinite amount of time. This would unjustly harm landlords, lenders and other creditors rights to collect and receive timely scheduled payments, and violates the Contracts Clause because it is unreasonably broad.

This bill also may be found to be a regulatory taking under the federal Takings Clause, since it deprives landowners of the right to pursue all economically beneficial use of their property. The Federal Takings Clause of the Fifth Amendment, as applicable to states under the Fourteenth Amendment, prohibits the permanent occupation or taking of private property without just compensation. See Palazzolo v. Rhode Island, 533 U.S. 606, 617-18 (2001).

Finally, HBA would note that there is already a process in the law under HRS 127A-30 which prohibits rent increases and evictions during an emergency proclamation. The proposal under this bill appears to conflict with the proposed moratorium on rent increases and evictions in the existing law.

We appreciate that this measure is trying to address very real impacts felt by consumers in times of emergency in the State, but are very concerned that this measure is unconstitutional as drafted and would significantly impact lending in the State.

Thank you very much for the opportunity to testimony on this measure.



**Testimony to the Senate Committees on Public Safety, Intergovernmental & Military Affairs and
Commerce & Consumer Protection**

Testimony in Opposition to SB 2904 – Relating to Emergency Management

To: The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Brandon Elefante, Vice Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Committees

Subject: Strong Opposition to SB2904

My name is Nicole Aguinaldo, President/ CEO of Big Island Federal Credit Union. Our Credit Union was established in 1936 and is the First Chartered Credit Union in the State of Hawaii. We have approximately 10,000 members and three branches on the Big Island of Hawaii.

I am submitting written testimony in opposition to SB2904, Relating to Emergency Management. This bill amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of gubernatorial or mayoral emergency proclamation and classifies violations as unfair methods of competition and unfair and deceptive acts or practices.

Big Island Federal Credit Union offers a variety of loan products to our members with affordable interest rates and terms. We believe in the philosophy of “People helping people” and listen to the needs of our members in a time of need.

The Big Island has seen many unfortunate times including natural disasters, and during those times our credit union has assisted members with short-term and long-term loan payment extensions, refinancing of new loans, waiver of penalties, waiver of fees and payment arrangements.

While we understand the intent of the bill is to assist residents after an emergency, SB2904 if passed would adversely affect credit unions and how we do business. A small credit union like ours would not be able to serve our membership and fulfill our mission which is to provide quality financial services to our member-owners while ensuring financial stability.

Thank you for allowing me to submit my testimony, I appreciate your time.

Sincerely,

Nicole Aguinaldo
President & CEO

Testimony in Opposition to SB 2904 – Relating to Emergency Management

To: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice-Chair
Members of the Senate Committee on Judiciary

Aloha,

My name is Alexander Kay-Wong, and I am testifying on behalf of the Hawaii Credit Union League, Big Island Chapter Young Professional Committee in opposition of SB 2904.

During past declared emergencies (Example: Puna Lava Flow, Government shutdowns, Covid-19), with no government mandate, our Big Island Credit Unions in addition to Credit Unions across the state have provided important services and relief to members in their time of need including:

- Payment relief in the form of
 - o Loan deferrals
 - o Temporary payment arrangements
- Low-rate emergency assistance loans
- Loan underwriting and approval exceptions
- Assisted local government with administration and processing of grant applications
- Fundraising programs and financial donations to individuals and community organizations

We believe bill SB 2904 as proposed is too broad and will have a substantial negative impact on our member owned credit union's lending practices and ability to continue providing much needed financial services for our community.

Thank you for the opportunity to provide our feedback on this issue.

HAWAII FINANCIAL SERVICES ASSOCIATION

c/o Marvin S.C. Dang, Attorney-at-Law

P.O. Box 4109

Honolulu, Hawaii 96812-4109

Telephone No.: (808) 521-8521

February 29, 2024

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
and members of the Senate Committee on Judiciary
Hawaii State Capitol
Honolulu, Hawaii 96813

Re: **S.B. 2904, S.D. 1 (Emergency Management)**
Decision-making Date/Time: Thursday, February 29, 2024, 10:00 a.m.

I am Marvin Dang, the attorney for the **Hawaii Financial Services Association** (“HFSA”). The HFSA is a trade association for Hawaii’s consumer credit industry. Its members include Hawaii financial services loan companies (which make mortgage loans and other loans, and which are regulated by the Hawaii Commissioner of Financial Institutions), mortgage lenders, and financial institutions.

The HFSA **offers comments** about this Bill.

This Bill amends the emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.

Our comments are directed primarily to the problematic portions of this Bill relating to: (a) residential property and foreclosure moratorium; (b) mortgage payments and deferment; and (c) loan deferment.

If this Bill becomes law as drafted, it could lead to lenders tightening up the availability of certain types of loans to homeowners and other consumers.

Additionally, we believe that the problematic provisions in this Bill are not necessary. That’s because a foreclosure action is already the last resort for financial institutions, lenders, and mortgagors. They have programs in place to assist borrowers and mortgagors who have hardships. They will consider many pre-foreclosure options such as forbearance (e.g., temporarily stopping collections/foreclosures, or suspending/reducing payments), loan modification, and other alternatives. Similarly for non-mortgage loans, financial institutions have programs for borrowers who have hardships including suspending/reducing payments, temporarily stopping collections, loan modifications, and other options. Those programs are more flexible and beneficial for borrowers and mortgagors than what this Bill provides.

Thank you for considering our testimony.



MARVIN S.C. DANG

Attorney for Hawaii Financial Services Association

(MSCD/hfsa)

February 28, 2024

Hawaii State Legislature:

RE: SB2904 Opposition – Relating to Emergency Management

Ladies and Gentlemen:

I am writing in OPPOSITION to SB 2904, Hawaii 32nd Legislature, 2024, Relating to Emergency Management.

The bill may include fatal flaws that result in violation of federal law, including, for example:

- The mandates that no interest shall accrue during any period of loan deferment, and that the maturity date of loans be extended, may constitute an undue taking without just compensation and may impair the obligation of contracts in violation of the Fifth Amendment and Article I, Section 10 of the U.S. Constitution.
- The consumer reporting agency reporting requirement revisions may impair the obligation of contracts under the U.S. Constitution and may create different criteria than those under the federal Fair Credit Reporting Act and regulations thereto.
- The bill imposes duties on lenders without regard to requirements under the federal Truth In Lending Act, regulations thereto and other federal requirements, and may impose duties upon lenders that they are unable to comply with because of federal requirements and system limitations.
- The bill may be preempted by federal law as to federal or national financial institutions, such as federal credit unions. (All credit unions in Hawaii are federal credit unions.)
- Similar concerns also affect other parts of the bill, including leasing provisions.

Very truly yours,

Mary Wong

SB-2904-SD-1

Submitted on: 2/23/2024 6:33:51 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

I support this measure

SB-2904-SD-1

Submitted on: 2/25/2024 9:44:40 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Rhoads and Vice Chair Gabbard,

Mahalo for the opportunity to offer testimony on this legislation. I am in support of providing residents with a period of stability following any emergency proclaimed disaster. I also recognize the need for legality and thus am in support of the amendments recommended by the Attorney General.

Mahalo for your service and commitment to our communities,

Tamara Paltin

SB-2904-SD-1

Submitted on: 2/25/2024 12:41:17 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica dos Santos	Individual	Support	Written Testimony Only

Comments:

Dear Committee Members,

I am writing to express my strong support for SB2904 SD1. This bill is crucial for protecting tenants, mortgagors, consumers, and residents during emergencies. By offering relief from eviction, foreclosure, and other adverse actions after gubernatorial or mayoral emergency proclamations, SB2904 SD1 ensures that vulnerable populations are not unduly burdened during crises.

I urge you all to support SB2904 SD1 and take decisive action to ensure its passage into law. By doing so, we can strengthen our state's emergency management framework and uphold the rights and dignity of all Hawai`i residents.

Thank you for your consideration.

Sincerely,

Jessica dos Santos

Subject: Testimony in Support of Bill SB2904 SD1
To Chair Rhoads, Vice Chair Gabbard, and the members of the Senate Committees on
Judiciary

I am writing as a concerned community member to express my **support for SB2094 SD1**, which addresses the urgent need for housing and tenant protection in the aftermath of recent natural disasters, particularly the Lahaina fires on August 8.

We have seen on Maui, owners are evicting tenants so they can raise the rent on their property. There has been a fall out from these fires that are happening every day on all parts of the island. Community members are getting evicted in areas not near the fires, so the owners can charge higher rent.

The bill's provisions extending protections for both residential and commercial renters against evictions are crucial in providing stability and security to tenants who have endured the secondary wave of evictions and instability caused by recent disasters across Maui. These protections offer immediate relief to individuals, families, and small businesses struggling with the aftermath.

Additionally, I appreciate the bill's inclusion of a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment. This aligns with the collective advocacy for comprehensive and immediate financial relief for homeowners who have suffered devastating losses.

Community members are paying mortgages on top of having to find a place to rent. Most homeowners are not getting qualified for FEMA rental assistance due to the insurance they had and are unable to get into the direct housing program. This leaves them with a mortgage payment as well as trying to pay rent.

In summary, SB2094 represents a crucial step forward in addressing the multifaceted challenges faced by our community. I urge the legislature to **pass bill SB2094 SD1** to provide much-needed relief and support not only to Lahaina but to communities across Maui affected by natural disasters.

Mahalo for your attention and commitment to the well-being of our community.

Sincerely,
Katie Austin

SB-2904-SD-1

Submitted on: 2/25/2024 7:42:27 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lo Martinez	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2904 SD1.

Mahalo,

Lorena Martinez
Resident of West Maui

SB-2904-SD-1

Submitted on: 2/26/2024 6:05:04 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tarsis Rich	Individual	Support	Written Testimony Only

Comments:

SUPPORT

SB-2904-SD-1

Submitted on: 2/26/2024 6:52:03 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Athena Roebuck	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of bill SB2904 which amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of an emergency proclamation.

Please vote to pass this bill!!!

Mahalo,

Athena Roebuck and Family

SB-2904-SD-1

Submitted on: 2/26/2024 9:29:55 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicki Tedesco	Individual	Support	Written Testimony Only

Comments:

Please approve this bill as it will help the housing crisis and displaced residence long term.

SB-2904-SD-1

Submitted on: 2/26/2024 12:12:03 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Barry	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Mahalo,

SB-2904-SD-1

Submitted on: 2/26/2024 12:16:38 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Balinbin	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Eric Balinbin

SB-2904-SD-1

Submitted on: 2/26/2024 12:19:43 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tia Lee Klug-Wessell	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,
Tia Lee Klug-Wessell

SB-2904-SD-1

Submitted on: 2/26/2024 12:25:10 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Winternitz	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While I'm primarily concerned about those affected by the Lahaina fires, i recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

I'm grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Elizabeth Winternitz

SB-2904-SD-1

Submitted on: 2/26/2024 12:33:09 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Velasquez	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Catherine Velasquez

SB-2904-SD-1

Submitted on: 2/26/2024 12:34:03 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marissa Godinez	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,
Marissa Godinez

SB-2904-SD-1

Submitted on: 2/26/2024 12:37:34 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shalom Costa	Individual	Support	Written Testimony Only

Comments:

We need this protection now please!

SB-2904-SD-1

Submitted on: 2/26/2024 12:39:49 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Keala Fung

SB-2904-SD-1

Submitted on: 2/26/2024 12:55:26 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kazuo Flores	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm a born and raised kanaka of Napili Hau in strong support of Bill SB2904, SD1

SB-2904-SD-1

Submitted on: 2/26/2024 12:56:04 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Patton	Individual	Support	Written Testimony Only

Comments:

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While I'm primarily concerned about those affected by the Lahaina fires, I recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

I'm grateful for the focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

I'm also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. I urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

SB-2904-SD-1

Submitted on: 2/26/2024 1:06:12 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Hollis Lazo	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

With warmest aloha,

Hollis Lazo

SB-2904-SD-1

Submitted on: 2/26/2024 1:18:00 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Marrack	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely, Julia Marrack

SB-2904-SD-1

Submitted on: 2/26/2024 1:18:33 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sierra Dew	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. As someone who is born and raised on Maui and engaged in fire relief efforts, I am primarily concerned about those affected by the Lahaina fires. We recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Sierra Dew

SB-2904-SD-1

Submitted on: 2/26/2024 2:04:20 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Micaela Hogger	Individual	Support	Written Testimony Only

Comments:

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Micaela Hogger

SB-2904-SD-1

Submitted on: 2/26/2024 2:20:45 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikki Kiakona	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Nikki Kiakona

SB-2904-SD-1

Submitted on: 2/26/2024 3:06:09 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia McGrath	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,
Julia McGrath Lahaina

SB-2904-SD-1

Submitted on: 2/26/2024 3:14:51 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
mary drayer	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Mary Drayer

557 Imi Dr

Wailuku, Hi 96793

SB-2904-SD-1

Submitted on: 2/26/2024 3:23:03 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
louise drayer	Individual	Support	Written Testimony Only

Comments:

i stand with Lahaina in support of this bill. Let Lahaina Lead.

SB-2904-SD-1

Submitted on: 2/26/2024 3:37:13 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Shay Chan Hodges

Haiku, Maui

SB-2904-SD-1

Submitted on: 2/26/2024 3:40:30 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nani Dapitan-Haake	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I am writing to express my unwavering support for Senate Bill 2904, SD1, and to underscore the critical need for enhanced housing protections for residents of Maui, in the wake of recent disasters.

The fires that have impacted our community highlight the necessity for robust measures to shield tenants from evictions and housing instability. All our residents must have access to safe and stable housing during such challenging times.

I am grateful for SB 2904, SD1, and its comprehensive approach to safeguarding residential and commercial renters. These protections are timely and instrumental in stabilizing those grappling with current hardships. I support these measures and feel confident they will provide immediate and tangible relief to individuals, families, and small businesses.

Additionally, including a residential property foreclosure moratorium and the provision for a three-year mortgage payment deferment within the bill are commendable. Such provisions are essential for providing homeowners with the financial respite necessary to recover from their losses and rebuild their lives.

In conclusion, SB 2904, SD1 represents a significant stride towards addressing our community's adversity following natural disasters. I respectfully urge the legislature to pass this bill promptly to deliver much-needed relief and support to the people of Lahaina and the broader Maui community.

Thank you for considering my viewpoints and for your dedication to the welfare of our communities.

Mahalo,

Nani Dapitan-Haake

SB-2904-SD-1

Submitted on: 2/26/2024 5:09:32 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

SB-2904-SD-1

Submitted on: 2/26/2024 6:22:50 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Jelley	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Sara Jelley

SB-2904-SD-1

Submitted on: 2/26/2024 6:26:13 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice Herrick	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and your commitment to our community's well-being.

Sincerely,

Janice Herrick

SB-2904-SD-1

Submitted on: 2/26/2024 7:41:41 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra M Javar	Individual	Support	Written Testimony Only

Comments:

I fully SUPPORT this bill and humbly ask that you support this SB2904.

MAHALO for your time and support.

SB-2904-SD-1

Submitted on: 2/26/2024 7:53:53 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Annie Franzenburg	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

Thank you for your consideration of SB2904 as the West Maui community, as well as the entire State of Hawaii faces an unforeseen housing crisis. Please suport this bill and other efforts to protect residents' effort to stay here in West Maui. We need regulation of the rental prices so the people of Lahaina can survive, and so our supply chain can be rebuilt with new commercial enterprises. With all the expenses, local buisnesses need reasonable rents and leases.

Along with protecting the renters, we need further measures to save homeowners as well. A Residetnail Property Foreclosure Moratorium and a three year Mortgage Payment Deferral should also be included in the bill.

These steps would provide some sense of a future life in West Maui. We could serve as an example of great hope if we understand that the residents must be cared for in order for them to share the aloha spirit. Please protect our people and our culture from outside greed and investors.

Sincerely,

Annie Franzenburg

SB-2904-SD-1

Submitted on: 2/26/2024 8:21:33 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lindsay Ranieri	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Lindsay Ranieri

SB-2904-SD-1

Submitted on: 2/26/2024 8:38:24 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lana Bilbo	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui and Hawaii need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses. As a concerned community member born and raised on Kauai, I support Lahaina Steong as a vital voice in the Lahaina recovery project.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Lana Bilbo

SB-2904-SD-1

Submitted on: 2/26/2024 8:51:20 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Ho	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferral included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Richard Ho

SB-2904-SD-1

Submitted on: 2/26/2024 9:13:36 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mariko Higashi	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Mariko Higashi

SB-2904-SD-1

Submitted on: 2/26/2024 9:17:17 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ravi Bugga	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely

Ravi Bugga

Lahaina

SB-2904-SD-1

Submitted on: 2/26/2024 9:19:39 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nathan Abril	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Nathan Abril

SB-2904-SD-1

Submitted on: 2/26/2024 9:23:25 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Angelique Pokipala-Kahula	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Angelique Pokipala-Kahula

SB-2904-SD-1

Submitted on: 2/26/2024 10:42:40 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
brandi corpuz	Individual	Support	Written Testimony Only

Comments:

Aloha, I strongly support SB2904 as a community member of Kula Kai Maui I have seen so many of our community be displaced, kicked out, homeless, forced to sell or move because they had no protections. Please amend emergency management laws to protect our tenants, morgagors, consumers and residents by passing this bill.

Thank you, Brandi Corpuz

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.
Me ke Aloha pumehana,
Tristen Daniel

SB-2904-SD-1

Submitted on: 2/27/2024 7:06:04 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cody Roberts	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Cody Roberts

SB-2904-SD-1

Submitted on: 2/27/2024 7:15:37 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cory Nojima	Individual	Support	Written Testimony Only

Comments:

I am in **strong support**.

Mahalo,

Cory Nojima

SB-2904-SD-1

Submitted on: 2/27/2024 7:51:29 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Balgooyen	Individual	Support	Written Testimony Only

Comments:

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely, Jeffrey Balgooyen

SB-2904-SD-1

Submitted on: 2/27/2024 8:03:35 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mahealani Medeiros-Criste	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Mahealani Medeiros Criste

SB-2904-SD-1

Submitted on: 2/27/2024 8:21:46 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili, O'ahu

SB-2904-SD-1

Submitted on: 2/27/2024 8:31:00 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
rose elovitz	Individual	Support	Written Testimony Only

Comments:

i support SB2904

**Testimony to the Senate Committees on Public Safety, Intergovernmental & Military Affairs
and Commerce & Consumer Protection**

Testimony in Opposition to SB 2904 – Relating to Emergency Management

To: The Honorable Glenn Wakai, Chair
The Honorable Jarrett Keohokalole, Chair
The Honorable Brandon Elefante, Vice Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Committees

My name is Gary Fukuroku, President/ CEO of Maui County Federal Credit Union. We represent approximately 20,000 members majority of which reside on the island of Maui. We also have 5,000 members who reside in West Maui and many were directly affected by the wildfire. 27 out of the 101 who have passed from the wildfire were members of our credit union and many others have lost their homes and other belongings.

Because of the broad language of the bill, and to allow a deferment of 3 years would severely impact the ability of credit unions to continue lending. We have assisted our members in loan deferments and have worked with them to come up with the best resolution for them as well as the credit union.

We would be opposed to SB 2904 for the above reasons. Thank you for the opportunity to provide comments on this issue.

Gary Fukuroku
President/ CEO

SB-2904-SD-1

Submitted on: 2/27/2024 9:25:52 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Gretchen Losano	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please support SB2904 to support our Lahaina community after the fire.

Mahalo,

Gretchen Losano

Lahaina, Maui

SB-2904-SD-1

Submitted on: 2/27/2024 9:54:54 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ku'umomimakamae Nahooikaika	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2904 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payment Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2904 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Ku'umomimakamae Naho'oikaika

SB-2904-SD-1

Submitted on: 2/27/2024 2:57:24 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kuikeokalani Kamakea-Ohelo	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of Senate Bill 2904

As a native Hawaiian, I am writing to express my strong support for Senate Bill 2904. This bill, which relates to emergency management, contains provisions that are crucial for the well-being and protection of residential tenants, small business commercial tenants, and borrowers in the State of Hawaii.

One of the key provisions of this bill is the suspension of rent collection for residential tenants during a state of emergency. This is a vital measure that recognizes the economic challenges faced by tenants during times of crisis. By suspending rent collection for a three-month period, with the possibility of an additional three-month suspension upon request, this bill provides much-needed relief to tenants who may be struggling to make ends meet due to unforeseen circumstances. The bill also ensures that tenants are not required to prove economic hardship or pay any fees, including late fees, during the rent collection suspension period. This provision demonstrates a compassionate and understanding approach towards tenants, prioritizing their well-being and financial stability.

Furthermore, Senate Bill 2904 includes provisions for the suspension of rent collection and summary possession for small business commercial tenants. This recognizes the challenges faced by small businesses during emergencies and provides them with the necessary support to weather the storm. By suspending rent collection for up to six months upon request, this bill allows small business commercial tenants to focus on recovery and rebuilding rather than worrying about immediate financial obligations. This provision, combined with the prohibition of eviction actions during the emergency period, ensures that small businesses have a fighting chance to survive and thrive in the long run.

In addition to addressing the needs of tenants, Senate Bill 2904 also addresses the concerns of borrowers. The bill allows for the deferment of loan payments, including student loans, commercial loans, and consumer loans, during a state of emergency. This deferment provides borrowers with much-needed financial relief, allowing them to prioritize their basic needs and recovery efforts. The bill also ensures that the terms and conditions of the original loan remain unchanged during the deferment period, providing borrowers with certainty and stability.

Lastly, Senate Bill 2904 includes provisions to protect individuals' credit reports during a state of emergency. This recognizes the potential adverse impacts of emergencies on individuals'

creditworthiness and ensures that any adverse information obtained during the emergency period is excluded from consideration by consumer reporting agencies and users of consumer reports. This provision safeguards individuals from long-term negative consequences resulting from circumstances beyond their control.

In conclusion, Senate Bill 2904 is a comprehensive and compassionate piece of legislation that addresses the needs of residential tenants, small business commercial tenants, and borrowers during emergencies. By providing rent suspensions, loan deferments, and credit reporting protections, this bill offers essential support to individuals and businesses facing economic hardships. As a native Hawaiian, I urge the legislature to pass this bill and prioritize the well-being and resilience of our community.

Mahalo,

Kū'ike Kamakea-Ohelo

SB-2904-SD-1

Submitted on: 2/28/2024 8:20:52 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Aulani Dusenberry	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,

Aulani Dusenberry

SB-2904-SD-1

Submitted on: 2/28/2024 9:51:58 AM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashlie McGuire	Individual	Support	Written Testimony Only

Comments:

To Chair Rhoads, Vice Chair Gabbard, and Honorable Committee Members,

I stand in strong support of SB2904, SD1. I'm reaching out to emphasize the urgent need for housing protections for Maui residents, especially after the recent disasters. While we're primarily concerned about those affected by the Lahaina fires, we recognize that all tenants on Maui need stronger protections to avoid evictions and instability.

We're grateful for SB2094 SD1's focus on extending protections for both residential and commercial renters, as it would offer much-needed stability to those who've already faced significant challenges. Lahaina Strong fully supports these tenant protections and believes they'll provide immediate relief to individuals, families, and small businesses.

We're also pleased to see measures like a Residential Property Foreclosure Moratorium and a three-year Mortgage Payments Deferment included in the bill. These measures would provide crucial financial relief to homeowners who've suffered losses.

In summary, SB2094 SD1 is an important step forward in addressing the challenges our community faces after natural disasters. We urge the legislature to pass this bill to provide relief and support to the Lahaina community and beyond.

Thank you for your attention to this matter and for your commitment to our community's well-being.

Sincerely,
Ashlie McGuire

SB-2904-SD-1

Submitted on: 2/28/2024 5:53:12 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Support	Written Testimony Only

Comments:

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Sincerely,

Nancy Harter

SB-2904-SD-1

Submitted on: 2/28/2024 7:43:47 PM

Testimony for JDC on 2/29/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa Marzan	Individual	Support	Written Testimony Only

Comments:

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Sincerely,

Theresa