

COUNTY COUNCIL

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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kauai, Hawaii 96766

January 29, 2024

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 1838, HD1, RELATING TO ZONING
House Committee on Judiciary & Hawaiian Affairs
Thursday, February 29, 2024
2:00 p.m.
Conference Room 325
Via Videoconference**

Dear Chair Tarnas and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 1838, HD 1, Relating to Zoning. My testimony is submitted in my individual capacity as a member of the Kauai County Council.

I wholeheartedly support the intent of HB 1838, HD 1, which would greatly affect the Kauai community.

Thank you again for this opportunity to provide testimony in support of HB 1838, HD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kauai County Council

AAO:mn

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
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RICK BLANGIARDI
MAYOR



DEAN UCHIDA
DIRECTOR DESIGNATE

DAWN TAKEUCHI APUNA
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI
DEPUTY DIRECTOR

February 29, 2024

The Honorable David A. Tarnas, Chair
and Members of the Committee on Judiciary
and Hawaiian Affairs
Hawai'i House of Representatives
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chair Tarnas and Committee Members:

**Subject: House Bill No. 1838, HD 1
Relating to Zoning**

The Department of Planning and Permitting (DPP) **supports** House Bill No. 1838, HD 1, which would allow counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time.

Currently, HRS 46-4(a), states in pertinent part, "In no event shall such amortization or phasing out of nonconforming uses apply to any existing building or premises used for residential (single-family or duplex) or agricultural uses." This sentence disallows the amortization or phasing out of nonconforming residential uses.

Transient accommodation uses, or short-term rentals, could be interpreted as "residential uses" for purposes of this part, and therefore not subject to amortization or phasing out. This Bill specifies that the counties may amortize or phase out nonconforming transient vacation accommodations, which may assist the counties in better controlling short-term rentals in particular areas if needed.

Thank you for this opportunity to provide testimony.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dawn Takeuchi Apuna".

Dawn Takeuchi Apuna
Director



HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

530 S. KING ST. STE. 202, HONOLULU, HI 96813

ESTHER KIA'ĀINA
VICE CHAIR
HOPE LUNA HO'OMALU
HONOLULU CITY COUNCIL
DISTRICT III
TELEPHONE: (808) 768-5003
FAX: (808) 768-1223
EMAIL: ekiaaina@honolulu.gov

February 27, 2024

Aloha Chair Tarnas, Vice Chair Takayama, and members of the House Committee on Judiciary & Hawaiian Affairs:

I support **HB 1838, HD1** – relating to zoning. This measure would authorize the counties to enact legislation phasing out nonconforming single-family transient vacation rental units over a reasonable period of time, giving the counties the flexibility to phase out short term rentals through zoning ordinances. Since I have taken office as Councilmember for District 3, representing the Windward side, constituents in my community have consistently shared how their quality of life has been impacted by the explosion of short term rentals (commercial uses) in our residential communities. The Honolulu City Council responded to this concern and those shared by other Councilmembers by passing Bill 41 (2021), which was later enacted into law by Mayor Blangiardi as Ordinance 22-7. Amidst other modifications, this law modified the definition of short term rentals as units that are rented for less than 90 consecutive days.

Recently, Ordinance 22-7 was challenged, and the federal district court enjoined the enforcement of this measure, “insofar as it prohibits 30-89 day home rentals, or the advertisement of such rentals,” “insofar as it prohibits the rental or advertisement of 30-89 day rentals lawfully existing as of the Ordinance’s effective date.” This decision limits the City & County of Honolulu’s ability to enforce policies that mitigate impacts of short term rentals in our residential neighborhoods.

HB1838, HD1 will give the counties the opportunity to take meaningful action for communities currently impacted by short-term rentals in their communities.

I urge your support of this measure.

HB-1838-HD-1

Submitted on: 2/28/2024 9:37:55 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn Lono	Maui County Council Member Shane Sinenci	Support	Written Testimony Only

Comments:

Please apply an amendment to include apartments.

Mahalo!

Council Chair
Alice L. Lee



Director of Council Services
Traci N. T. Fujita, Esq.

Vice-Chair
Yuki Lei K. Sugimura

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

Presiding Officer Pro Tempore
Tasha Kama

COUNTY COUNCIL

COUNTY OF MAUI

200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

www.MauiCounty.us

Councilmembers
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Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins

February 28, 2024

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
Thursday, February 29, 2024
2:00 PM

SUBJECT: STRONG SUPPORT OF HB1838, RELATING TO ZONING

Aloha e Chair Tarnas, Vice-Chair Takayama, and honorable committee members,

Mahalo for this opportunity to testify in *strong support* of HB1838, which would allow counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time.

First, mahalo to the Committee on Housing for amending this measure to define “transient vacation rental unit.” The following are two additional amendments that I believe will better clarify the legislature’s intention regarding transient vacation rental units:

- 1) On page 6, lines 15-17, strike “single-family” to instead state “... a zoning ordinance may provide for the amortization or phasing out of nonconforming ~~single-family~~ transient vacation rental units over a reasonable period of time in an area of any zoning classification, **except hotel or resort zoned properties.**”
- 2) On page 7, line 1, add “**Nonconforming transient vacation rental units will not be considered residential use as provided in the section.**”

I respectfully ask that this committee continue to honor and support the home rule authority provided to the counties relating to zoning as stated in section 46-4(a), HRS, to ensure that we are able to “guide the overall future development” in a manner our communities deem fit, using the tools available to the county to put our general plan into effect in an orderly manner.

As acknowledged in 6A of the Shelter Working Group’s summary of findings, “the primary challenge to securing permanent housing for displaced families is the lack of available housing stock.” In 1C of its findings, it recognizes that “Maui and Kaua‘i have lost existing housing stock, likely due to out-of-state owners leaving units vacant and converting housing stock to vacation rentals. The impact of short-term rentals is most significant on Kaua‘i and Maui, with 15% of the housing stock consisting of vacation rentals and many of the units highly concentrated in certain towns, including Lahaina.”

There are over 2,200 units in Lahaina currently used as transient vacation rental units in the apartment zoned district alone. Many of which were once workforce and long-term housing units. Most of these are condos, not single-family dwellings. This is the issue my first amendment addresses.

I ask this committee for its help in clearing up the confusion over the term “residential use,” which my second amendment above seeks to accomplish. Transient vacation rental use is a commercial use. The federal court in *Hawai‘i Legal Short-Term Rental Alliance v. City and County of Honolulu* (2023), stated: “...such “residential use” includes rentals of 30 days or longer.” AirBnB’s attorney claimed that even if its lodging for one day, he considers that “residential use” and refers to this measure a taking.

While this measure in and of itself does not constitute a taking, opponents will assert that claim. The federal court in *Flint v. County of Kauai* (2021) provided a clear legal analysis to follow: “underlying regulatory takings jurisprudence is the understanding that the state must be afforded broad latitude to regulate for the public good.” Concluding that “a regulation does not constitute a “taking” under Fifth Amendment, if the regulation does not deny landowner all economically viable use of property and if the regulation substantially advances a government interest.”

The Senate Committee on Ways and Means briefing last week brought to light the exuberant cost of using hotels and resort used as shelter. Approximately \$1,000 per unit for a total of \$1,000,000 per day. This is obviously unsustainable. In Maui County, we are trying our best to transition residents from the resorts to long-term housing by offering to waive property taxes in exchange for the use the units. Mahalo to those who stepped forward, but not enough have.

In an attempt to entice more TVR owners, the governor announced yesterday that an “additional 850 STR units are needed in West Maui until long-term housing is built” and has offered the following rents:

Bedrooms	Maximum Rent
1	\$5,000
2	\$7,000
3	\$9,000
4	\$11,000

This has had the disastrous effect of creating a secondary emergency, with current tenants now being evicted to enable property owners to cash in on this offer. All levels of government are being called to correct this systemic housing crisis that has exacerbated the disparity we are seeing. We need your help.

Mahalo for the opportunity to testify in *strong support* of HB1838.

Na‘u no,



Keani Rawlins-Fernandez
Councilmember

Feb. 26, 2024

Aloha Chair, Vice Chair and Committee,

Mahalo for this opportunity to oppose HB1838.

My parents and siblings have been visiting Oahu since the late 1960's.

Our parents purchased a condo in Makaha Valley mid 1970's, so we could all enjoy the island life together during holidays and our summers. At that time, the condo was listed as "living accommodations for permanent and temporary residential purposes."

Our lives and circumstances have changed over the years, with my parents unable to travel as they had, our own families are still able to enjoy vacationing at our beloved family condo, just as we did. This is our home away from home.

We enjoy a quieter pace outside of Waikiki and believe others do too. We want to invite people to stay in a more "local" environment, to be closer to the Hawaiian culture, and see our community.

In between the years we have rented to students and military veterans, whom we know appreciated our second home.

In fact, we have had people from the other side of the island wanting to stay at our condo for a short get-away.

The cost of a hotel room is not affordable, especially to those with families. Why not make Hawaii affordable for families to visit by offering a number of alternatives such as short term rentals?

This bill will hurt us and guests that rely on STR as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Mahalo for your time.

Sincerely,

Kelly Dewing Wedel



February 26, 2024

House Committee on Judiciary & Hawaiian Affairs
Meeting on February 29, 2024, 2:00pm
Representative Tarnas, Chair
Representative Takayama, Vice-Chair

Testimony in Support of HB1838_HD1

Chair Tarnas, Vice-Chair Takayama and Members of the Committee,

UNITE HERE Local 5 represents 10,000 working people in the hotel, food service and health care industries across Hawaii.

Short-term vacation rental units have been a blight on communities across the world wherever they have not been well-regulated. In the absence of sufficient controls on the number of residential units being taken out of the housing/rental market and other impacts on communities, the industry will evolve in whatever way is most profitable to those with the most decision-making power.

The housing and zoning policy proposed by HB1838_HD1 empowers counties with the flexibility to respond to the needs of our communities.

It is past time for State lawmakers to reign in these non-conforming businesses operating in our residential-zoned neighborhoods. We know we are not alone in our concern about the impact of short-term rentals to local housing supply, housing prices, hotel jobs, visitor demographics and quality of life for residents.

We urge you to pass HB1838_HD1.

Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/26/2024 3:47:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John	Maui Paradise Properties	Oppose	Written Testimony Only

Comments:

Bills like this will continue to destroy the Hawaii economy. I agree we need to diversify but that is not a overnight process as you will know. Shutting down STR or giving unfettered rights to do this by emotional county officials with no restrictions is not doing the job state officials were elected to do.

- This could shut down our small business that generates over \$50M in revenue and over 100 jobs/families. Is the plan for unemploy more so they leave the island to open up housing? •This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui and thousands of jobs. Per one report I saw there are over 40,000 jobs in Hawaii supporting Short Term Rentals.

- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

- Short-term Rentals besides high paying tourist who will NOT stay in a hotel, they also accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

The issue has been for 40 years, lack of building, not Short Term Rentals that were mostly designed for tourist (1 parking spot, no pets, no place for kids to play, no storage, on busy streets.....

John Kevan



Testimony of **Lahaina Strong**
Before the House Committee on
Judiciary & Hawaiian Affairs

In Consideration of House Bill No. 1838 HD1
RELATING TO ZONING

Aloha Chair Tarnas, Vice Chair Takayama, 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 providing support and assistance to the victims of these disasters.

Lahaina Strong stands in support of HB1838 HD1, allowing counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time, as recommended by the House of Representatives shelter working group.

Lahaina Strong has been at the forefront of relief and advocacy efforts, including initiating the "Fishing for Housing" camp, which has been in operation for over fifteen weeks along Kaanapali Beach, highlighting the need for dignified housing for Lahaina fire victims. Our organization has been working closely with the affected community to address pressing issues, and we appreciate the legislature's consideration of measures that align with our organization's goals and demands.

In Lahaina, 25% of housing units were listed as short-term rentals, according to the University of Hawaii Economic Research Organization. To the south of Lahaina, that percentage jumps to 41.8%. To the north, it jumps to 87%.

There is a housing emergency on the island of Maui. Giving the counties the clear authority to phase out vacation rental uses has been identified as a key policy tool for helping Maui residents find dignified housing in the wake of the wildfires.

This is a critical step in providing stability and security to those who have already endured so much. We urge the legislature to pass HB1838 HD1 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



Aloha Chair, Vice Chair and Committee,

HB1838 OPPOSITION

Individual of behalf of KOSTRO

I have owned my home here in Hawaii since 2005. It is with great pride to share the aloha with others. We do not create a housing shortage, we live in our properties! The homes owned by residents is around only 2,000.

I am concerned, as already voiced by many opposing, that this bill is unconstitutional and has the potential to result in substantial future legal action. The stated purpose of the proposed amendment in HB 1838 is to allow the Counties to amortize or phase out nonconforming single-family transient vacation rental units in residential areas.

Section 46-4 of the Hawai'i Revised Statutes Reflects the State's Statutory Codification of Property Rights Arising from the Hawai'i and United States Constitutions.

As currently enacted, Section 46-4(a) of the Hawai'i Revised Statutes ("HRS") protects the property rights of residential homeowners, which are vested in owners by both the Hawai'i and United States Constitutions.

This proposal would grant the counties the power to phase out short-term rentals ("STRs") which carries the risk of a significant reduction in tax revenue for the state. Based on total estimated transient accommodation tax ("TAT") revenues, STRs generated \$132.6 million in TAT revenues

excluding General Excise Tax revenues in 2018. It was also estimated that STRs would generate \$102.4 million in TAT revenues in 2023. Where's the replacement of these revenues going to come from?

Also, a bill can not just change the structure of what was set up long ago regarding rental laws and property rights, The county is NOT the appropriate rule and decision making of what has been a State issue - landlord - tenant laws.

Additionally, this measure could be challenged as impacting vested rights and taking principles. "Under the United States and Hawaii Constitutions, preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate.

Finally, short-term rentals are not only for vacationers and are also needed by Hawai'i residents as a housing option. These types of rentals are essential for various situations, including families temporarily displaced due to home damage; homeowners undergoing significant renovations; neighbor island residents seeking medical care on O'ahu; visiting family members; and travelling professionals such as healthcare, construction, and other workers engaged in projects across the islands, construction as well as project management.

Please do not move forward with this bill.

Respectfully submitted
Victoria Johnson

February 29, 2024

The Honorable David A. Tarnas, Chair

House Committee on Judiciary & Hawaiian Affairs
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 1838 HD1, Relating to Zoning

HEARING: Thursday, February 29, 2024, at 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Takayama, 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** House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. Effective 7/1/3000.

HAR supports access to housing for every need or situation, which includes legal short-term rentals ("STRs"). It is a common misconception that STRs are only for vacationers; however, STRs are also needed by Hawaii residents and workers as a temporary housing option. These types of rentals are essential for various situations, including but not limited to:

- Families temporarily displaced due to home damage or the need to sell their home,
- Homeowners undergoing significant renovations,
- Neighbor island residents seeking medical care on Oahu,
- Visiting family members, and
- Travelling professionals such as healthcare, construction, and other workers engaged in projects across the islands.

In these situations, a lengthy hotel stay may be too costly or impractical. It is important that we preserve this industry and the ability to access legal short-term rentals for this reason.

We have concerns with this proposal granting the counties the power to phase out short-term rentals as it carries the risk of a significant reduction in tax revenue for the state. Legal STRs with law abiding owners generate revenue for the state and the counties through real property taxes, GET, and TAT. Based on total estimated transient accommodation tax ("TAT") revenues, STRs generated \$132.6 million in TAT revenues excluding General Excise Tax revenues in 2018. It was also estimated that STRs would

generate \$102.4 million in TAT revenues in 2023.¹ Granting counties the power to amortize or phase out legal STRs punishes law abiding owners who contribute to our local economy. Similarly, this bill would also not make an impact on a county's ability to enforce on those who are not abiding by the law.

Finally, this measure could be challenged as impacting vested rights and taking principles. "Under the United States and Hawaii Constitutions, preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate."²

For the foregoing reasons, the Hawai'i Association of REALTORS® opposes this measure. Mahalo for the opportunity to testify.

¹ JLL Prepared for the Hawaii Tourism Authority. Hawaii's Home and Vacation Rental Market: Impact and Outlook (April 20, 2020). <https://www.hawaiitourismauthority.org/media/5370/impact-of-home-rental-market-on-hawaii-2019.pdf>

² *Robert D. Ferris Trust v. Planning Comm'n of the Cnty. of Kaua'i*, 378 P.3d 1023, 138 Haw. 307 (Haw. Ct. App. 2016)



The House of Representatives
The Thirty-Second Legislature
Regular Session of 2024

To: Committee on Judiciary & Hawaiian Affairs

Date: February 29, 2024

Place: Conference Room 325 - Via Video Conference
Hawaii State Capitol
415 South Beretania Street

RE: HB 1838, HD1 Relating to Zoning

Rep. David Tarnas, Chair & Rep. Greg Takayama, Vice Chair and the Representatives of the Committee On Judiciary & Hawaiian Affairs,

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

RBOAA **Opposes** HB 1838 and would like to offer the offer the following:

This Bill would give Hawaii counties the authority to enact ordinances to amortize or phase out “*nonconforming, or otherwise allowed short-term rentals*” in any zoning classification.

This Bill is not to stop illegally operating short-term rentals - this Bill goes after operators who are in full compliance of the law, operating legally within their particular location, either by their nonconforming use certificate or by being legally entitled to operate by zone. Again, this Bill is not a regulatory act to eliminate an illegal use - it is focused on those who have fully complied with all aspects of regulation to be in compliance.

This Bill is not necessary. Short term rentals have operated legally in Hawaii for decades. STR's are not new. What is new, is the counties now want to do away with short term rentals in people's homes and individual operators. These are what are known as "mom and pop" operations. There was volumes of testimony last year when HB 84 was proposed, that if this Bill were to pass:

It would cause tremendous hardship on people who have operated legally.

They have held up their responsibility to operate legally, and now the county wants to make what was legal - illegal.

There are many people, on all islands, who rely upon their ability to be able to rent short term to make extra money to pay their expenses. They should have a right to continue to be able to rely upon that income.

A recent economic study was published stating that over the past two years of inflation, the average family has suffered the real loss of \$7,400 of spending value. The inflation our country and state have experienced is significant and compounding that with additional loss of income that people could depend on from short term rentals will be a real hardship.

3550 L. Honoapiliani Rd, #215 PMB 453, Lahaina,

These are legally operating short term rentals. These folks have complied with all the requirements of the laws. They have held up their end of what was required of them. Please do not pass this Bill and allow the counties to destroy what hard working, legally operating people have come to rely upon for income.

Thank you for the opportunity to testify.

Sincerely,

Alicia Humiston, President
Rentals by Owner Awareness Association

Keep It Kailua

Preserving Kailua's Character

February 27, 2024

To: COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas - Chair, Rep. Gregg Takayama- Vice Chair

Rep. Luke A. Evslin, Rep. Greggor Ilagan, Rep. Sonny Ganaden, Rep. Sam Satoru Kong, Rep. Daniel Holt,
Rep. Tyson K. Miyake, Rep. Linda Ichiyama, Rep. Kanani Souza

SUPPORT HB1838 HD1 RELATING TO COUNTY ZONING

We strongly support HB1838 HD1 and ask your committee to pass the measure with amendments.

Allowing the counties the authority to enact ordinances to amortize or phase out permitted, nonconforming, or otherwise allowed short-term rentals in any zoning classification is fair and reasonable.

We are strong supporters of the "Home Rule" concept and we believe each county should be allow to determine where and how many vacation rental lodging business they allow on their Islands.

Hawaii State Statute §46-4 County zoning already allows these short-term rental businesses to be phased-out in commercial, industrial, resort, and apartment zoned areas over a reasonable period of time. We firmly believe residential zoned neighborhoods should be included. In addition, our legal team adamantly believes this law is constitutional, otherwise the long established Hawaii State Statute §46-4 would've been appealed.

We ask you amend the bill to include the following language "provided further that residential uses do not include transient accommodations uses".

Thank you for your consideration.

Keep it Kailua

Keep It Kailua is a grassroots community group founded in 2004 whose purpose is to retain Kailua's family-oriented residential character and quality of life.

Keep It Kailua's goals are to:

- Protect residential zoning and promote permanent residency in our neighborhoods*
- Preserve and enhance scenic, civic, recreational and cultural features that define Kailua's sense of place*
- Protect water resources essential to the health of the environment*
- Preserve trees and maintain open green space*
- Promote walking and the use of non-motorized bicycles as alternatives to automobile transportation within and around the town*
- Promote businesses that serve the residential community*
- Support other community groups with similar goals*

Please visit us at www.keepitkailua.com

Or like us on <https://www.facebook.com/keepitkailua/>



Housing Hawai'i's Future
PO Box 3043
Honolulu, HI 96802-3043

February 29, 2024

TO: Chair Tarnas and members of the Hawai'i State House Judiciary and Hawaiian Affairs Committee
RE: HB 1838 RELATING TO ZONING

Dear Chair and Committee Members,

My name is Sterling Higa, and I serve as executive director of Housing Hawai'i's Future, a nonprofit creating opportunities for Hawai'i's next generation by ending the workforce housing shortage.

We support HB 1838.

STRs use our limited housing inventory for business purposes rather than meeting our long-term housing needs.

The counties should build more housing, and they should also have the authority to phase out the use of housing as STRs over time.

Thank you,

A handwritten signature in cursive script that reads "Sterling Higa".

Sterling Higa
Executive Director
Housing Hawai'i's Future
sterling@hawaiisfuture.org
+1 (808) 782-7868



The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm
State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

The O`ahu Short Term Rental Alliance (“OSTRA”) represents many thousands of residents who own, manage and work within the legal mid and short-term rental industry – and we oppose HB1838.

Our rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. Our short and mid-term rentals provide critical housing to meet the needs of residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state’s budget in 2022 and contributed \$165 million toward the County budget.

We believe you also will oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i. Simply holding hearings on these types of bills creates unnecessary uncertainty particularly for housing, tourism, and real-estate related businesses at a vulnerable time.

HB1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O`ahu, 80% of the short-term rental owners are residents and also *kupuna (seniors)*. 70% of them own 1 unit that provides income to subsidize the ever increasing cost of living in Hawaii.

Our short-term rentals provide furnished, temporary housing to residents as well as visitors. 25% of Oahu’s visitors are non-vacationers (per the HTA). 13% of those visitors are friends and family that need affordable accommodations. It is very likely that if you live on another island, you have stayed in a short-term rental on O`ahu.

The following groups stay in our affordable, temporary or transitional housing¹:

Residents

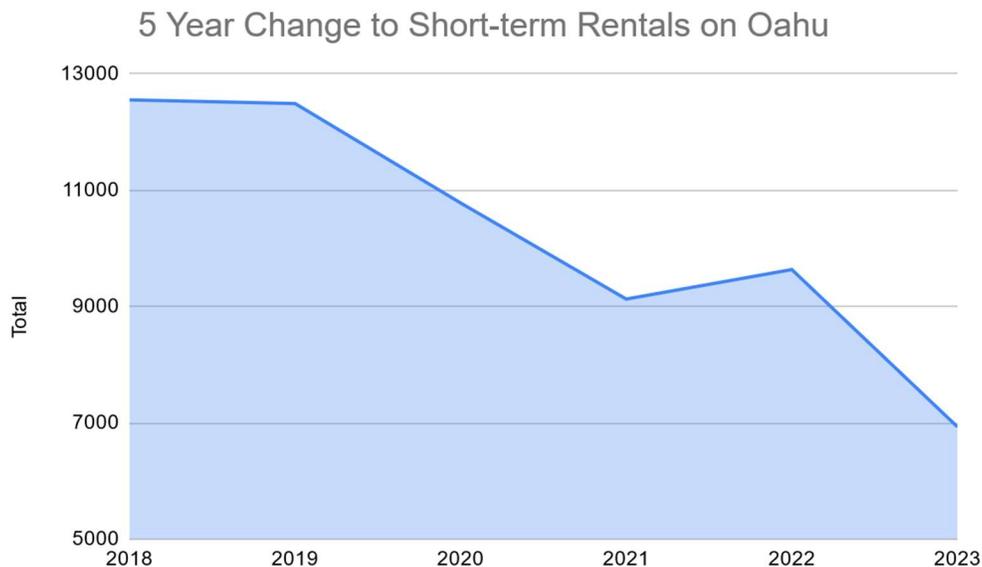
- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room.

The following chart shows the **45% decline** in short-term rentals on O'ahu due to regulations:



SOURCE: AirDNA, July 2023

By passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Excluding rentals defined as “hotel units”, O’ahu is down to 2,000 legal short-term rentals or 1% of our housing. Vacant homes account for 9% of all housing on Oahu.

¹ Note, for O’ahu, the short-term rental (less than 30 days) industry is extremely small and increasingly owned by hotels due to recent changes in Honolulu County rules (and recently amended by the Courts due to successful litigation by a group representing owners called HILSTRA). Due to the litigation, there is now a small group of people who can advertise for mid-term rentals. This group may become increasingly important as STRs have almost disappeared on O’ahu but much of our existing data does not necessarily distinguish these new categories.

We support legal rentals and will work to make compliance clear and easy. Unfortunately, it appears that the inability of the Honolulu City and County Planning and Permitting Department to enforce existing regulations before passing new regulations has resulted in continued illegal activity. Additional authority will result in new laws that will punish those operating legally, and proliferate the illegal activity.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please do not pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Lee", written over a horizontal line.

Kelly Lee, President
O'ahu Short Term Rental Alliance (OSTRA)

Aloha Chair, Vice Chair and Committee,

My name is Elissa Cruz and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Elissa Cruz

HB-1838-HD-1

Submitted on: 2/27/2024 11:36:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randall Wolfe	Tropical Bound Condo Rentals Inc.	Oppose	Written Testimony Only

Comments:

Myself and my wife own Tropical Bound Condo Rentals, a small "mom and pop" owned travel agency specializing in Hawaiian vacation rentals. We have been in business over 30 years. If this bill goes through, this will of course have a detrimental impact on our business and livelihood, but the ripple effect will be even larger. We employ numerous cleaners and maintenance workers who will be severely impacted financially. These individuals have already struggled through COVID and the recent drop in tourism due to the Lahaina fires. The number of legal vacation rentals also is a massive source of revenue for the county. We strongly oppose this bill. Please consider how many this will negatively impact!

HB-1838-HD-1

Submitted on: 2/27/2024 12:23:34 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cristina Graziano	Destination Maui Vacations	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Bill HB1838

Dear Chair, Vice Chair, and Committee,

My name is Cristina Graziano, and I am the operations manager for Destination Maui Vacations, overseeing short-term vacation rentals on the island of Maui. I am writing to express my opposition to Bill HB1838.

This bill poses a significant threat to my livelihood, as well as to the livelihoods of cleaners, electricians, maintenance workers, and small businesses in our community who rely on servicing on-island vacation rentals. The impact of this bill would extend beyond just myself, affecting the financial stability of many individuals and businesses.

I am fortunate to be employed by a small business that provides me with good wages and fair working conditions. However, the passage of this bill would jeopardize my ability to meet housing and living expenses.

Instead of introducing new legislation, I urge you to support the enforcement of existing laws by the counties.

I respectfully request that you do not move forward with Bill HB1838. Thank you for your attention to this matter.

Sincerely,
Cristina Graziano
Operations Manager
Destination Maui Vacations

HB-1838-HD-1

Submitted on: 2/27/2024 12:34:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jaime castillo	Diamond shine cleaning llc	Oppose	Written Testimony Only

Comments:

We are a company dedicated to cleaning STR homes, it would take away not only our main source of income but it also would take many others causing jobs to become even harder to find. As regards to how tourism related jobs are one of the biggest sources of tax revenue for the county, if you took it there would be a large decrease in the county's budget which would cause more problems than needed.

Short term rentals aren't only for tourists either, they help many residents who need homes. For example where would the residents who's homes were destroyed by the Lahaina fires stay? If all short term rentals were phased out, it wouldn't just be them who loose income, overall shops such as ABC stores and restaurants near rentals will see a big decrease in revenue if there aren't any tourists staying.

Tourism is too deeply integrated into our island to be removed in such a careless manner, just with this removal of STRs you're taking away many people's jobs, homes, and even taking the county's budget.

HB-1838-HD-1

Submitted on: 2/27/2024 1:12:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rosemary DeGano	Destination Maui Vacations	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Bill HB1838

Dear Chair, Vice Chair, and Committee,

My name is Rosemary DeGano , and I am the Resort Manager for Destination Maui Vacations, overseeing short-term vacation rentals on the island of Maui. I am writing to express my opposition to Bill HB1838.

This bill poses a significant threat to my livelihood, as well as to the livelihoods of cleaners, electricians, maintenance workers, and small businesses in our community who rely on servicing on-island vacation rentals. The impact of this bill would extend beyond just myself, affecting the financial stability of many individuals and businesses.

I am fortunate to be employed by a small business that provides me with good wages and fair working conditions. However, the passage of this bill would jeopardize my ability to meet housing and living expenses.

Instead of introducing new legislation, I urge you to support the enforcement of existing laws by the counties.

I respectfully request that you do not move forward with Bill HB1838. Thank you for your attention to this matter

Sincerely,

Rosemary DeGano

Resort Manager

Destination Maui Vacations

HB-1838-HD-1

Submitted on: 2/27/2024 1:41:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Ann Schober	Pacific View	Oppose	Remotely Via Zoom

Comments:

Aloha,

My name is Mary Ann Schober. I am the owner / operator of a luxury legally permitted short term rental in West Maui. I am strongly opposed to House Bill 1838.

Regarding the Lahaina fires, our hearts go out to all the victims and all those who lost properties or businesses. Everyone on Maui has a vested interest in assisting with the recovery of Lahaina Town, including short term rental permit holders.

Legally permitted Short Term Rental Homes provide tax revenue for the County, as well as being the top funding source for affordable housing on Maui. The STR property tax revenue represents 18% of the County's 1.7-billion-dollar budget. If you phase out 18% of the budget, how will this vital revenue stream be replaced?

1. consider that legally permitted luxury homes are never going to be "affordable housing" or long term rental options.
1. is a niche tourist market that luxury STR homes serve in Maui. The guests that book luxury homes want the privacy and space only a home can provide. Guests often travel with multi generational family members. If luxury homes are not available in Hawaii, the guests will not travel to Hawaii and all those tourism dollars will go else where, possibly to Mexico, the Caribbean, or Florida.
1. employ and pay a good living wage to a booking agent, a house manager, a pool cleaner, a team of house cleaners, and a team of gardeners. Those jobs would be severely cut if short term renting was not an option. How would those jobs be replaced?

Please remember that Short Term Rental holders have applied for all the necessary permits, have paid the required taxes, and employ local residents. Why hasn't the County gone after illegal short term rental homes that are not paying taxes?

Please know that everyone has a story of how they started a short term rental. I never thought I'd be a short term rental operator. My late husband and I bought our home in 2007, with the

intention of raising our three young children in West Maui. Tragically, my husband passed in 2016 after a long illness. It was best for my children to be close to family on the mainland. Short term renting has allowed me, a widow, to keep the home with the goal of eventually move back. The house has been a respite for my family and many guests. We would not have traveled to Maui if we didn't have the privacy of a home as it has allowed us space and privacy to grieve and rest.

Before you cast your vote on phasing out short term rentals, please answer three simple questions.

1. How will losing 18% of Maui's tax revenue stream from Legal Short Term Rentals going to be replaced?
2. How will lost jobs provided by Short Term Rentals going to be replaced?
3. Why hasn't the government stopping illegal short term rentals?

Please vote NO on House Bill 1838.

HB-1838-HD-1

Submitted on: 2/27/2024 1:52:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendi Anderson	Valley Isle Property Management Team	Oppose	Written Testimony Only

Comments:

Aloha! I am writing as a Realtor and Vacation Rental Property Manager on Maui. Maui County already has the most restrictive STR laws in the State. There will be NO more STRs built in Maui county due to past legislation. The current vacation rentals support our tourism and local economy. Our TAT dollars are a large contributor to affordable housing. The property values of these condos will do NOTHING for affordable housing. The most important point is the Apartment zoned complexes on Maui, that have been legally operating since the 70's and 80's via ordinance per the Minatoya List. Should you try to convert these complexes that **AGAIN HAVE BEEN OPERATING AS STRs LEGALLY FOR DECADES**, you will be opening up a huge legal can of worms and law suits, by owners, brokers, etc. All on the State and County to deal with. Leave these Apartment zoned complexes alone and focus on bulding more housing, we have plenty of land on Maui for this. You cannot take owners rights without due process. I see this as robbing Peter to Pay Paul. Get ready for the legal storm of law suits that will happen if these STRs are phased out. Not the best use of tax payer money.

HB-1838-HD-1

Submitted on: 2/27/2024 2:35:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christian Klotter	Destination Maui Vacations	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Committee Members,

I am writing to strongly oppose Bill HB1838 as the Resort Operations Assistant of Destination Maui Vacations, which oversees short-term vacation rentals on the island of Maui. This bill represents a grave threat to not only my livelihood but also to the livelihoods of numerous individuals and small businesses within our community who rely on servicing these vacation rentals.

Passing this bill would have far-reaching consequences, extending beyond just myself to impact the financial stability of countless workers, including cleaners, electricians, maintenance personnel, and various small businesses that form the backbone of our local economy.

I am fortunate to be employed by a small business that offers fair wages and favorable working conditions. However, the enactment of this bill would put at risk my ability to meet basic housing and living expenses, threatening the well-being of myself and my family.

Rather than introducing sweeping new legislation, I implore you to focus on bolstering the enforcement of existing laws by the counties, ensuring that they are effectively implemented to address any concerns regarding short-term vacation rentals.

I respectfully urge you to reconsider and refrain from advancing Bill HB1838. Your attention to this matter is greatly appreciated.

Sincerely,
Christian Klotter
Operations Assistant
Destination Maui Vacations

HB-1838-HD-1

Submitted on: 2/27/2024 2:41:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Hoheb	Loving Goodness (non profit)	Oppose	Remotely Via Zoom

Comments:

Aloha.

I began the non-profit, Loving Goodness, specifically to aid the people of Maui. My love for the people, the culture, and its land began 15 years ago when I purchased a 2 bedroom condo at the Royal Mauian, in Kihei. I could not then, or now, afford to keep the condo in our family if not for the income we earn from the short term vacation rentals.

Today, my 2 sons come and enjoy the aloha without me. They share the beauty and their love for Maui with their friends, who in turn, benefit from our ownership. I know firsthand from being a mom with young children how important it is to have a full kitchen, and separate sleeping slace for a family unit. Only a condo or home can afford a family this luxury. We are reminded as this is frequently mentioned by our repeat clients who visit Maui, often for several weeks at a time. We welcome families from all over the world. Vacation rentals are affordable for visitors, and offer an array of pricing for every budget. Otherwise, Maui prices out many tourists from coming. People want a variety of accomodation options, and certainly vacation rentals afford people that wide selection that no set of hotels or timeshares can offer.

I intend to keep our lovely home in the family for the next generatioon, and the next after that. I purchased the condo with the intent of living part of my retired life there exclusively and keeping the condo in a flexible state financially affords me the option or ability to stay. Please do not change what has been my lifelong dream - to retire in Kihei.

My love grew over the years. Now, I incorporated a non-profit. In the last 6 months we have shipped pallets of goods to the fire victims of Lahaina. I bring large suitcases stuffed with toothcrushes, dental floss, and toothpaste to donate to the Maui Food Bank. I volunteer at the local pantry in Kihei, work with the Boy's Club to assemble bicycles, serve dinner at Thanksgiving at St. Teresea's Catholic church in Hihei, and practice aloha proudly.

If the government has the ability to change our zoning and affect my ability to have supplemental financial support to support the costs of owning on Maui, I would have to sell. I have worked very hard to come to Maui 15 years ago, and please do not take that away from a soon-to-be retired lady.

Julie D'Aguanno-Hoheb

15 year Kihei Owner at the Royal Mauian

jhoheb@smilefinders.org

HB-1838-HD-1

Submitted on: 2/27/2024 3:25:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tina Dieu Tcheng-Ovak	Papakea	Oppose	Written Testimony Only

Comments:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

1. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.
2. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
3. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.
4. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.
5. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.
6. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.
7. Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
8. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Tina Dieu Tcheng-Ovak

HB-1838-HD-1

Submitted on: 2/27/2024 3:28:30 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Ovak	Papakea	Oppose	Written Testimony Only

Comments:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

1. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.
2. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
3. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.
4. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.
5. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.
6. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.
7. Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
8. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

John Ovak

2/27/2024

Aloha Chair, Vice Chair and Committee,

My name is Denise Freund and I live on the island of Oahu. I am a General Manager of an apartment property in Waikiki. The property has furnished units available for mid-term, 30-day minimum stay, rental occupancy.

I am writing in opposition of Bill HB1838. Our 30-day minimum stay units accommodate people who are on island to work temporarily, such as travel nurses; visit family or friends; residents in transition; people who are moving to the island for a new job; students; and vacationers from the mainland, Canada, Japan, Germany, and a few others. All these people spend a good amount of money on island while they are staying here- groceries, eateries, entertainment, clothing, gifts, rental cars, tours, etc. If it were not for our accommodations, many may not come at all because hotel stay doesn't meet their home-style needs and would not be affordable.

Outside of a Resort Zone, 30 days minimum is most appropriate as it works for many situations. 90 days is too long.

The City & County need to enforce the laws that have been in place for years.

I ask that you please do not move this bill forward.

Thank you for your time.

**Denise Freund
General Manager, Ala Wai House LLC
263 Kaiulani Ave/2411 Ala Wai Blvd
Honolulu, HI 96815**

HB-1838-HD-1

Submitted on: 2/27/2024 3:41:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean ODonnell	Kina's Maui condo rentals llc dba Aloha Vacation Rentals	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

<I, August 1st, 2023, finally achieved my dreams of purchasing a boutique short term rental management company that manages properties in the west side of Maui. I love how much this industry brings to the community and is interwoven into the islands local success stories. Aloha Vacation Rentals(AVR), employs only local small businesses for every step of the our guests experience. We manage legal homes that are permitted and agricullally zoned that employ a lot of local groundskeepers, handymen, to keep both the agriculture and rest of property running. To take away all of these jobs from families here that have been here for generations is punishing the people instead of fixing the actual problems at hand. >

<<We also manage properties at Papakea Resort. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<AVR & Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<AVR & Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<AVR & Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Aloha Vacation Rentals and Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.>>

<<AVR & Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<AVR & Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Sean ODonnell

Aloha Vacation Rentals



February 29, 2024

The Honorable David A. Tarnas, Chair

House Committee on Judiciary & Hawaiian Affairs
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 1838 HD1, Relating to Zoning

HEARING: Thursday, February 29, 2024, at 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

My name is Steve Baker, President of the REALTORS® Association of Maui ("RAM"), the voice of real estate on Maui and its over 2,000 members. RAM **opposes** House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. Effective 7/1/3000.

It appears the objective of this measure is to reduce short term rentals to achieve securing long-term rentals for our residents. Accordingly, we would respectfully request your consideration to redirect the intent of this bill to focus on illegal transient vacation rentals in securing long term rentals.

In 2019 the County of Maui initiated an aggressive effort to curb the increase of illegal vacation rentals. At that time, it was estimated there were thousands of illegal vacation rentals operating in Maui. There still exist hundreds of illegal transient vacation rentals in operation despite these efforts. Therefore, it is our suggestion that this measure be focused on enforcement by requiring the State to provide parcel details for vacation rentals that are paying TAT or GET to local enforcement According to a Maui Department of Planning official, providing this information to the Zoning Administration and Enforcement Division of the Maui Department of Planning would allow them to determine if the operation is legally permitted and is within the appropriate zoning classification. The TAT and GET parcel information would be a useful tool in enforcement of illegal operations. Pursuant to Section 19.65, Maui County Code, illegal transient vacation rental shall not apply for a transient vacation permit for five years. Considering this provision, it would be an opportunity for the property owner to use the unit for long term rentals.

As Maui County and the State prepare to fund disaster recovery and relief, it is important to note that short term rental property tax revenue will play an integral role in funding recovery. During FY2022-2023, the County raised an additional \$430 Million in property tax revenue over the prior year. The short-term classification raised \$160 Million in RPT tax in 2022-2023, 12% more than last year. This was an increase of \$17 Million in tax dollars, the highest increase in all the tax classifications. Short term rentals represent 37% of the real property tax revenue, which was 17% of the County's operating budget. Furthermore, based on the Charter of the County of Maui, over \$12 million of the revenue generated by short term rentals goes into the County's Affordable Housing Fund.



**REALTORS® ASSOCIATION
OF MAUI, INC.**

To encourage the “amortization or phasing out” of a potentially significant revenue generating resource would be devastating to the State and Maui County economy, not to mention how it would impact the recovery potential for Lahaina and Kula.

Legal short-term rentals in Maui County are a significant and legitimate part of our hospitality industry, and have been for many years. These operations are paying real property tax classification, the GET and TAT. It is the illegal operators that are not contributing to the State and County revenue base; therefore, they should be the focus of enforcement efforts. It does not make sense for the State to encourage the County to create laws that would shut down legal operating small businesses, especially the ones bringing in 37% of real property tax revenue.

Accordingly, RAM would respectfully request your consideration for refocusing this measure to crack down on illegal transient vacation operations, provide local authorities TAT and GET information for enforcement purposes and provide funding to allow this effort to continue on Maui and other Counties.

Maui County's housing challenges are longstanding and the focus should be on building more housing supply that are appropriate for local families. In January 2024, Maui County passed Bill 38 to increase affordable housing inventory by modifying criteria for the county's Homeowner Programs Revolving Fund. This funding would help homeowners build attached or detached accessory dwelling units. It behooves us to allow time to weigh the outcome of this recent legislation.

For the foregoing reasons, the REALTORS® Association of Maui opposes this measure. Mahalo for the opportunity to testify.

HB-1838-HD-1

Submitted on: 2/27/2024 4:59:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Khoo	Alaka'i Real Estate LLC	Oppose	Written Testimony Only

Comments:

This and many other anti-vacation-rental legislations are drafted without bringing representatives of the Vacation Rental industry to the table and allowing them to explain the complexities within which they operate and work together to come up with a fair and balanced solution. We want our legislators to include us when discussing these issues and drafting these bills.

This legislation intends to punish legal vacation rental owners while exempting the hotels from the same treatment. Unlike the existing Transient Accomodation Taxes which treat any rentals of less than 180 days (like hotels and vacation rentals) equal, this one singles out and punishes owners of transient vacation units, especially on Oahu.

This distinction may also discriminate against certain individuals or groups who may rely more heavily on short-term rentals, such as low-income travelers or families with young children who may need the additional space and amenities provided by short-term rentals. This may also disproportionately impact small businesses and entrepreneurs who rely on short-term rentals as a means of generating income.

We, local resident are legally operating short-term rentals and paying taxes. This is our only income sources and supporting to our family. Without this we will not able to survive and thrive.

In summary, HB1838 violates the Equal Protection Clause of the Fourteenth Amendment by creating a classification based on the type of accommodation and penalizing guests who choose to stay in short-term rentals. This arbitrary distinction is not rationally related to any legitimate state interest, and may also have a discriminatory impact on certain individuals and groups. Therefore, HB1838 is unconstitutional and should not be enacted into law.

HB-1838-HD-1

Submitted on: 2/27/2024 5:02:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin Khoo	Po'Okela Real Estate LLC	Oppose	Written Testimony Only

Comments:

This and many other anti-vacation-rental legislations are drafted without bringing representatives of the Vacation Rental industry to the table and allowing them to explain the complexities within which they operate and work together to come up with a fair and balanced solution. We want our legislators to include us when discussing these issues and drafting these bills.

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In summary, HB1838 violates the Equal Protection Clause of the Fourteenth Amendment by creating a classification based on the type of accommodation and penalizing guests who choose to stay in short-term rentals. This arbitrary distinction is not rationally related to any legitimate state interest, and may also have a discriminatory impact on certain individuals and groups. Therefore, HB1838 is unconstitutional and should not be enacted into law.

HB-1838-HD-1

Submitted on: 2/27/2024 5:06:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teresa Khoo	Sunshine Infectious Disease Medical Group	Oppose	Written Testimony Only

Comments:

This and many other anti-vacation-rental legislations are drafted without bringing representatives of the Vacation Rental industry to the table and allowing them to explain the complexities within which they operate and work together to come up with a fair and balanced solution. We want our legislators to include us when discussing these issues and drafting these bills.

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Hana Kai Maui
on hana bay

01/29/2024

House Committee on Housing

Aloha Members,

I have resided in Hana for the past 46 years. My husband's family has been here for many generations.

Maui has depended upon tourism, with little effort put toward any other industry. While it is understandable that each County desires the ability to make decisions concerning zoning and land use in their own districts, the real purpose behind HB-1838 is to eliminate vacation rentals on Maui altogether. I believe this all or nothing approach is wrong.

Vacation rentals should be regulated, managed and limited, especially in certain areas; but they should be allowed to operate, legally. They play a vital role in Maui's economy. Completely doing away with vacation rentals on Maui would only encourage illegal vacation rental activity (again) and we know from experience that Maui County does not have the resources to put illegal operators out of business.

I am the General Manager of Hana Kai Maui. I also operate a legal STHR. We employ 10-15 people directly at any given time, not to mention outside services. In 2023 (a slow year) we contributed \$175,000 in property taxes, over \$500,000 in transient accommodation taxes, and \$50,000 in payroll taxes. How will these funds be replaced from so many properties across Maui? How many of our employees would need to leave Hana in pursuit of employment?

Unlike the large, corporate hotel and resort properties, Hana Kai is made up of individual owners whom we know, personally. In Hana, we accommodate Kama'aina from all over the state. It isn't only tourists who want to vacation in Hawaii! Does the County intend to put us out of business after 50 years in operation; only to allow another large hotel to be built here to satisfy demand?

The State is giving autonomy to the counties; hopefully the counties will also allow their communities to have a say in this matter.

Thank you for your time,

Susan J Pu
GM - Hana Kai Maui

HB-1838-HD-1

Submitted on: 2/27/2024 5:48:34 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin Burk	BGH LLC	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

I strongly support the development of housing that provides families an opportunity to thrive and prosper in an economic environment that provides jobs, livable wages, and an affordable housing industry. I'd like to see Hawaii legislators have bigger community building aspirations instead of an assumed quick fix of "taking away" codified property rights of its citizens. If you positively engage owners of STR's and focus on applying resources to building communities that make sense for workers and families to grow professionally and equitably, you might be very surprised to see financing, creativity, and commitment come in waves to Maui and other islands. This needs a long term public/private collaboration to become a reality. Visionary leadership can make this happen and Maui, as a result of its recent tragedies, could be the a shining example of these efforts.

Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/27/2024 6:23:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Fox	2 Papayas, LLC	Oppose	Written Testimony Only

Comments:

Aloha, As a licensed property manager of vacation rentals for over 20 years I strongly oppose this bill. All the homes that I manage are legal STVR/NUCs.. The area these homes are located will never be affordable housing as they are on the ocean so by removing the homeowners ability to rent short term it impacts not only them but guests who have come to enjoy the island and support the local economy. All my renters have expressed that if they cannot rent a home, they would not go to a local hotel; they would vacation elsewhere. My homeowners depend on the income from short-term rentals to pay their property taxes and insure a legacy for their children. The homes also employ many service people who would be without work and perhaps have to relocate off island if their jobs were impacted. Please do not take away this income source and joy for so many, including the state which collects nearly 18% in taxes.

thank you for your time,

Mary Fox R (B)

HB-1838-HD-1

Submitted on: 2/27/2024 7:24:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Henson	Honomu Tropical Farm, LLC	Oppose	Written Testimony Only

Comments:

Aloha,

As a farm owner on the Big Island, I deeply oppose HB1838. This legislation threatens not only my future but also the economic opportunities for self-employed individuals who service vacation rentals, including housecleaners, gardeners, site managers, and handymen. The bill's supporters claim that regulating or eliminating hosted rentals will create affordable housing for long-term renters, however they ignore facts that show short term rentals are not a solution to this problem. It is not the responsibility of private citizens to solve a housing crisis by threatening their livelihood with this bill.

Furthermore, it's crucial to recognize the importance of agri-tourism as a means to spread the message of the importance of agriculture to Hawaii. Our farm was established with the intent to educate visitors, both local and out of state visitors, about native, endangered, and fruiting plants and offer an opportunity for tourists to stay overnight for an immersive experience. The availability of accommodations through vacation rentals is essential for the success of agri-tourism initiatives like ours.

Additionally, the Hilo area relies on a variety of accommodations to support its tourism industry. Hotel accommodations are extremely limited. By limiting vacation rentals, especially in areas like Hilo and the Hamakua coast, we risk inhibiting the growth of agri-tourism, agriculture, and making it more difficult for tourists to find authentic and immersive experiences in our region, ultimately impacting the local economy and the livelihoods of many.

The housing crisis is not going to be solved by eliminating short term rentals. If these businesses are eliminated, those homeowners are simply going to sell their properties to the highest bidder and may sit empty with no guarantee they'll be used as long term rentals instead. It's time to look at other solutions instead of eliminating the livelihood of others who responsibly own and operate short term accommodations.

Matthew Henson

Honomu Tropical Farm, LLC

Honomu, HI

HB-1838-HD-1

Submitted on: 2/27/2024 7:26:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ferdinand Fernando	Island Condo Cleaners LLC	Oppose	Written Testimony Only

Comments:

Aloha,

I'm a owner of a small business here in Maui County, We provide housekeeping for short-term rentals. My workers and I are relying on this business to provide to our family. It's very important in the likelihood of Maui. There are lots of people working in this field. We understand the impact of the fire on the West side and trying to give them jobs to get by this period.

Thank you

Ferdinand

HB-1838-HD-1

Submitted on: 2/27/2024 8:50:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
KELLY LOVATO	Maui Luxury Realty LLC	Oppose	Written Testimony Only

Comments:

I strongly oppose Bill HB1838 as it would give Maui county the power to phase out short term rentals in any zoning area. Short term rentals provide important economic benefits to communities by stimulating tourism and providing additional income for property owners. Banning short term rentals would have a detrimental impact on the local trade professionals, maintenance level people, housekeepers, handyman contractors, and small businesses in Maui like me. I have lived on Maui since 1986 and worked hard to build my business, this bill would shut my business down and I would be forced to sell the vacation rental condo I own.

We individuals and businesses rely on the tourism industry for our livelihoods, and any negative effects on tourism would directly harm their incomes.

Furthermore, many people rely on short term rentals for affordable and convenient accommodation options, especially in high-demand areas. By phasing out short term rentals, counties would be limiting housing options for travelers and potentially driving up prices for hotels and other accommodation options.

Instead of banning short term rentals , counties should work to regulate and ban the illegal operated complexes that are zone residential or apartment.

Allowing counties to phase out short term rentals without any alternative solutions in place is not the right approach and could have negative consequences for both local economies, residents & tourist.

Kelly Lovato

HB-1838-HD-1

Submitted on: 2/27/2024 9:15:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Senemetry Group LLC	Sen3metry Group LLC	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kelly LaRosa

Sen3metry Group LLC

February 27, 2024

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE H.B. 1838, HD1** for the following reasons:

<<Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.>>

<<Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

QNL Holdings Inc.

Papakea G205

Norman Vesala - President

HB-1838-HD-1

Submitted on: 2/28/2024 3:08:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
RUSSELL KEKUEWA	RLK KALAHEO LLC	Oppose	Written Testimony Only

Comments:

I paid a premium for my beachfront home in Kailua because it was a licensed short-term rental. It has operated successfully since 2011 providing vacation housing for groups of multi-generational families who would otherwise think twice about coming to Honolulu if they had to live in separate rooms in a hotel and pay higher prices. Cleaners, repairmen, laundry companies, property management, etc. have benefitted in a good way from the business generated by this rental. Marketing expenses over these past 13 years have built an appealing brand and goodwill. The City has already singled out licensed short-term vacation rentals through property taxes. And now it wants to eliminate the rentals altogether? As a world traveller and one that has proudly shown guests around my home state I can honestly say that Hawaii is no longer "unique". Tourists have many options. The State, City and Hotel Association would do well to market Hawaii more effectively to generate demand rather than cut back on the livelihood of decent working residents. Thank you.



**REALTORS® ASSOCIATION
OF MAUI, INC.**

February 29, 2024

The Honorable David A. Tarnas, Chair

House Committee on Judiciary & Hawaiian Affairs
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 1838 HD1, Relating to Zoning

HEARING: Thursday, February 29, 2024, at 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

My name is Lynette Pendergast, President-Elect of the REALTORS® Association of Maui ("RAM"), the voice of real estate on Maui and its over 2,000 members. RAM **opposes** House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. Effective 7/1/3000.

RAM supports access to housing for every need or situation, which includes legal short-term rentals ("STRs"). Per Mayor Richard Bissen's presentation at the Ways and Means Committee meeting on February 20, 2024, the County received 1,600 conversions of STRs to long term rentals to house wildfire victims by the first week of February. 1,034 of which were STR owners in West Maui. There does not appear to be a need to grant additional powers to the counties to phase out legal STRs.

We have concerns with this proposal granting the counties the power to phase out short-term rentals as it carries the risk of a significant reduction in tax revenue for the state. Legal STRs with law abiding owners generate revenue for the state and the counties through real property taxes, GET, and TAT.

Maui County's housing challenges are longstanding and the focus should be on building more housing supply that are appropriate for local families. In January 2024, Maui County passed Bill 38 to increase affordable housing inventory by modifying criteria for the county's Homeowner Programs Revolving Fund. This funding would help homeowners build attached or detached accessory dwelling units. It behooves us to allow time to weigh the outcome of this recent legislation.

For the foregoing reasons, the REALTORS® Association of Maui opposes this measure. Mahalo for the opportunity to testify.

HB-1838-HD-1

Submitted on: 2/28/2024 8:13:20 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elisabeth Eppich	EIG River Road Investments Inc	Oppose	Written Testimony Only

Comments:

To whom this may concern, I am writing to share that we own a vacation rental in the Kihei area and the family uses it in the peak season which accounts for over 25% of its use. If this legislation goes through and we lose the ability to rent to other families we would not put it up for long term rental. I don't believe the condo was built for long term living in mind. We understand the huge challenges Maui and the State of Hawaii are facing but we do not believe ending short term rentals is the way forward. The guests arriving pay a large amount in taxes for the state which I believe would be a tremendous loss of income. I am in favor of increasing TAT and adding a \$25 climate impact charge.

Thank you for your time.

Elisabeth Eppich

EIG River Road Investments

HB-1838-HD-1

Submitted on: 2/28/2024 9:43:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elaine Vincent	Kuilima Estates at Turtle Bay, LLC	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee

My name is Elaine Vincent and I was born and raised in Kahuku, Oahu. My husband (also born and raised here) and I own a small licensed vacation rental business at Kuilima Estates/Turtle Bay. The units that we manage all have either NUC or are registered STR's.

I'm writing in opposition of this bill as it will threaten our lively hood. We have followed all the rules and regulations and was estatic with ordinance 22-7. By passing this bill, we risk the chance of it all getting taken away and hundreds of jobs being lost.

I do support the laws and regulations currently in place. I feel the focus should be on the illegal STR that are currently operating in neighborhoods and operating without a real estate license. I personally have invested a lot of time and money obtaining my broker license, paying realtor fees, dues, etc while thousands are running their illegal STR under the radar.

I kindly ask that you please do move this bill forward.

Mahalo,

Elaine Vincent, REALTOR® Principal Broker

Kuilima Estates at Turtle Bay, LLC

HB-1838-HD-1

Submitted on: 2/28/2024 10:02:27 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Kim	GATES LAUNDRY SERVICE INC	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

*I am writing in **opposition** of this bill because it will threaten my ability to make a living.*

I work for a small business that services short-term vacation rentals on my island of Oahu.

This bill will hurt me and put at risk my ability to pay for my own housing and bills not to mention all my employees who will either be let go or be on reduced work hours.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Sincerely,

Christopher Kim



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February 28, 2024

HOUSE COMMITTEE ON JUDIARY & HAWAIIAN AFFAIRS
Rep. David A. Tarnas, Chair, Rep. Gregg Takayama, Vice Chair

HEARING DATE: Thursday, February 29, 2024
TIME: 2:00 p.m.
PLACE: Conference Room 325

Re: TESTIMONY ON BEHALF OF AIRBNB OPPOSING
HOUSE BILL NO. 1838 HD1

Dear Chair Tarnas, Vice Chair Takayama and Committee Members:

We write on behalf of our client, Airbnb, in opposition to House Bill No. 1838 H.D. 1 (“**HB 1838 H.D.1**”). We are concerned that this bill is unconstitutional and has the potential to result in substantial future legal action. The stated purpose of the proposed amendment in HB 1838 H.D.1 is to allow the Counties to amortize or phase out nonconforming single-family transient vacation rental units. Although this may appear to be an innocuous delegation of authority, the proposed changes included in HB 1838 H.D.1 would conflict with existing constitutional rights that have been explicitly recognized by courts in the State of Hawaii. As discussed more fully below, such changes would potentially cause numerous unintended consequences, which could ultimately lead to a deprivation of vested rights of existing, residential homeowners. The end result of such impacts would likely be substantial litigation. For these reasons, we would strongly urge that the Committee not pass this bill.

A. Section 46-4 of the Hawai‘i Revised Statutes Reflects the State’s Statutory Codification of Property Rights Arising from the Hawai‘i and United States Constitutions.

As currently enacted, Section 46-4(a) of the Hawai‘i Revised Statutes (“**HRS**”) protects the property rights of residential homeowners, which are vested in owners by both the Hawai‘i and United States Constitutions.

Specifically, the language of Section 46-4(a) makes clear that existing uses which were permissible at the time of the enactment of the statute shall not be impacted by subsequent governmental acts, providing:

Neither this section nor any ordinance enacted pursuant to this section shall prohibit the continued lawful use of any building or premises for any . . . purpose for which the building or premises is used at the time this section or the ordinance takes effect.

The effect of this provision was to provide that a county was precluded from passing a law that discontinues any previously lawful use of any property. Additionally, the statute limited counties' passing of zoning ordinances that provided for the elimination of nonconforming uses or for the amortization or phasing out of nonconforming uses solely to commercial, industrial, resort, and apartment-zoned areas only. The statute further confirms that, "In no event shall such amortization or phasing out of nonconforming uses apply to any existing building or premises used for **residential** (single-family or duplex) or agricultural uses." (emphasis added).¹

In interpreting Section 46-4, it is important to look to the history of its passage.² The Legislature noted property owners' protections arising from the Hawai'i and federal Takings Clauses and passed the language that would limit the counties' ability to adopt zoning ordinances that "prohibit the continuance of the lawful use of any building or premises for any trade, industry, residential, agricultural or other purpose for which such building or premises is used at the time . . . such ordinance takes effect."³

In 1980, the Legislature amended Section 46-4 and added the above-cited language to prohibit the counties from phasing out "any existing building or premises used for residential or agricultural purposes."⁴ As the 1980 House Journal confirms, this amendment was intended "to restrict the areas where the counties are allowed to amortize or phase out non-conforming uses to non-residentially zoned areas."⁵

¹ Haw. Rev. Stat. § 46-4.

² Hawai'i law expressly recognizes that a statute's legislative history is relevant to ascertain its "true meaning." H.R.S. § 1-15.

³ Act 234, Hawai'i Session Laws 1957, § 6.

⁴ 1979 Hawai'i Senate Journal (Special Committee Reports) at 1235.

⁵ 1980 Hawai'i House Journal (Standing Committee Reports) at 1676-77 (noting the amendment "restricts the counties from amortizing or phasing out existing buildings or premises used for residential or agricultural purposes.").

The intent and effect of Section 46-4(a) are clear: counties may not phase out the continued lawful use of any property used for residential purposes. Courts have enforced that limitation in a variety of contexts to ensure that property uses that were lawful under preexisting zoning ordinances receive grandfathering protection.⁶

B. HB 1838 H.D.1 Could Result in Violations of the State and Federal Constitutions by Impairing Existing Vested Rights.

It is incontrovertible that the Hawai‘i State Legislature has a duty to pass laws that are consistent with and effectuate the protections of the Hawai‘i and Federal Constitutions.⁷ Passage of this bill would conflict with the Legislature’s obligations to adopt laws consistent with constitutional principles. Amending HRS § 46-4 through HB 1838 H.D.1 would not change the underlying constitutional protections that the statute codifies. Furthermore, the Legislature’s authority to adopt laws does not authorize it to redefine constitutional requirements.⁸ Such a change could, thus, result in substantial litigation which would be time-consuming, costly, and harmful to Hawai‘i’s residential landowners.

As noted, one of the fundamental purposes of HRS § 46-4 is to protect the uses that lawfully existed prior to the effective date of a zoning restriction. Such protection has its foundation in principles arising from protections in both the United States and Hawai‘i constitutions. The Fifth Amendment to the United States Constitution prohibits “private property [from] be[ing] taken for public use, without just compensation.” U.S. Const. amend. V. Similarly, the Hawai‘i Constitution states that “[p]rivate property shall not be taken or damaged for public use without just compensation.” Haw. Const. art. I, § 20. Furthermore, the Hawai‘i Constitution provides even broader protection than its federal counterpart, as it prohibits not just takings, but also mere “damage” to property interests.⁹ As such, “[w]hen applying the Hawai‘i Constitution, Hawai‘i courts may interpret it to afford greater protection than provided by the U.S. Constitution.”¹⁰

Both Hawai‘i and federal litigation has recognized the principle that all preexisting uses of land are protected, including nonconforming uses. “Under the United States and Hawai‘i

⁶ See, e.g., *Waikiki Marketplace Inv. Co.*, 86 Haw. at 354.

⁷ “[E]very enactment of the Legislature is presumptively constitutional.” *Schwab v. Ariyoshi*, 58 Haw. 25, 31, 564 P.2d 135, 139 (1977) (citing *State v. Kahalewai*, 56 Haw. 481, 541 P.2d 1020 (1975)); cf. *League of Women Voters of Honolulu v. State*, 150 Hawai‘i 182, 194, 499 P.3d 382, 394 (2021) (“[I]f the Legislature could alter the meaning of the Hawai‘i Constitution through its own rules of procedure, theoretically, there would be no need to go through the formality of amending the Hawai‘i Constitution. See *Mason’s Manual [of Legislative Procedure]* (2010 ed.) § 12, ¶ 1 (‘A legislative body cannot make a rule which evades or avoids the effect of a rule prescribed by the constitution governing it, and it cannot do by indirection what it cannot directly do.’).”)

⁸ *Sierra Club v. Dep’t of Transp. of State of Hawai‘i*, 120 Hawai‘i 181,196, 202 P.3d 1226, 1241 (2009), as amended (May 13, 2009).

⁹ See, e.g., *Cnty. of Hawai‘i v. C & J Coupe Family Ltd. P’ship*, 119 Hawai‘i 352, 382, 198 P.3d 615, 645 (2008).

¹⁰ *Id.* (citing *Hawai‘i Hous. Auth. v. Lyman*, 68 Hawai‘i 55, 704 P.2d 888 (1985)).

Constitutions, ‘preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate.’”¹¹ Significantly, even preexisting nonconforming uses are protected from subsequent restrictive zoning regulations.¹² As the Hawai‘i Intermediate Court of Appeals has recently stated, “The statutory protection of lawfully existing uses and structures ‘prior to the effective date of a zoning restriction is grounded in constitutional law.’”¹³

The Ninth Circuit has similarly recognized that the right to continue a preexisting lawful use is constitutional in nature. “A provision permitting continuance of a nonconforming use is ordinarily included in zoning ordinances because of the hardship and doubtful constitutionality of compelling the immediate discontinuance of nonconforming uses.”¹⁴

It is important to note that Section 1 of HB 1838 H.D.1, explaining the bill’s motivation, contains an incorrect statement of law in stating:

Though short-term vacation rentals are resort uses, because they operate in residential areas, the courts have overturned county ordinances to phase out short-term vacation rental uses....¹⁵

Contrary to the text of HB 1838 H.D.1, courts in Hawai‘i and across the United States have repeatedly reaffirmed that short-term rentals are a fundamentally residential use. Most recently, the Hawaii Federal District Court held that short-term rentals of 30-89 days were “residential uses” because the property was being “used” for “ordinary living activities.”¹⁶ The court further recognized that residential owners have such vested rights and that limitations would likely violate constitutional takings principles in holding that the County ordinance likely violated both Section 46-4(a) and the Takings Clause of the Hawai‘i and Federal constitutions.¹⁷ As to Section 46-4(a), the court recognized that short-term rentals are a residential use of property, and counties therefore were required to provide grandfathering protection.¹⁸ But, the court did not stop there. Recognizing

¹¹ *Ferris Trust v. Planning Comm’n of Kaua‘i*, 138 Hawai‘i 307, 312, 378 P.3d 1023, 1028 (Ct. App. 2016) (internal citations omitted).

¹² *Young v. Planning Comm’n*, 89 Hawai‘i 400, 410, 974 P.2d 40, 50 (1999) (internal citations omitted)

¹³ *Ferris Trust*, 138 Hawai‘i at 312, 378 P.3d at 1028 (internal citations omitted); *Waikiki Marketplace v. Zoning Bd. Of Appeals*, 86 Hawai‘i 343, 353, 949 P.2d 183, 193 (Ct. App. 1997) (citing the due process clauses of the United States and Hawai‘i Constitutions).

¹⁴ *League to Save Lake Tahoe v. Crystal Enterprises*, 685 F.2d 1142, 1145 (9th Cir. 1982).

¹⁵ See HB 1838, § 2

¹⁶ *Hawai‘i Legal Short-Term Rental All. v. City & Cnty. of Honolulu*, No. 22-CV-247-DKW-RT, 2022 WL 7471692, at *7-8 (D. Haw. Oct. 13, 2022).

¹⁷ *Id.* at 10 (“In the present case, 30–89-day rentals in non-Resort districts are a vested property right protected by takings principles.”)

¹⁸ *Id.* at *5-8.

that Section 46-4(a)'s statutory protection was grounded in constitutional principles, it also found the ordinance likely violated the Takings Clause. The court stated:

The Takings Clause, made applicable to the States by the Fourteenth Amendment, provides that private property shall not “be taken for public use, without just compensation.” U.S. Const. amend. V. 21 . . . In the present case, 30–89-day rentals in non-Resort districts are a vested property right protected by takings principles. Plaintiff has articulated its vested entitlement to this property right on the basis of equitable reliance principles: . . . Here, there is no question that there has, in that Ordinance 22-7 outlaws the rentals in question within 180 days and without providing any process to compensate or accommodate nonconforming uses. In this light, Ordinance 22-7 likely violates the Takings Clause.¹⁹

Accordingly, the Hawaii Federal District Court enjoined the City and County of Honolulu from enforcing certain provisions of an ordinance that prohibited the previously lawful rental of one's residence for 31–89 days because it effected an unconstitutional taking.²⁰ Further, just last month, the Hawai'i Federal District Court permanently enjoined enforcement of that very same Honolulu ordinance.²¹

Ultimately, the passage of HB 1838 H.D.1 would inevitably lead to continued improper attempts to regulate existing vested uses of residential property that are protected. As such, we would urge that the bill be held as it would not accomplish any legitimate governmental objective and would ultimately lead to substantial and unnecessary litigation.

C. HB 1838 H.D.1 would violate the General Laws Provision of the Hawai'i State Constitution.

¹⁹ *Id.*, 2022 WL 7471692, at *6-7.

²⁰ *Id.*; see also Hawai'i Legal Short-Term Rental, 2023 WL 8850247.

²¹ Hawai'i Legal Short-Term Rental All. v. City & Cnty. of Honolulu, No. 22-CV-00247-DKW-RT, 2023 WL 8850247, at *1 (D. Haw. Dec. 21, 2023).

In addition to conflicts with vested rights, HB 1838 H.D.1 potentially conflicts with Article XI, section 5 of the Hawai‘i Constitution, which provides that the power of the legislature “shall be exercised *only by general laws*,” rather than by special laws.²² The Hawai‘i Supreme Court has held that in order to be a general law, a statute “must apply uniformly” to a particular class.²³ The Hawai‘i Attorney General has similarly opined that “[a] law is a special, not a general, law if it operates upon and affects only a fraction of persons or a portion of the property encompassed by a classification, granting privileges to some and not others.”²⁴

HB 1838 H.D.1 would be considered an unconstitutional “special law” to the extent that it affects only a fraction of the class of residential property owners as it carves out nonconforming single-family transient vacation rental units and leaves them outside the scope of the preemption provision, while other properties, including all other residential uses of property, remain protected. This intent to distinguish vacation rentals from other residential uses of property could not be clearer from the proposed language: “In no event shall such amortization or phasing out of nonconforming uses apply to any existing building or premises used for residential (single—family or duplex) or agricultural uses [--] **other than nonconforming transient vacation rental units** as provided in this subsection.” (emphasis added).

There is no question that Hawaii courts, as well as other courts around the country, have found that vacation rental units represent a residential use of property regardless of the rental period. As the United States District Court for the District of Hawai‘i recently recognized, “appellate courts of at least nineteen states have decided that even rental stays of less than 30 days—nightly, weekend, or weeklong stays—constitute *residential uses* or purposes.”²⁵ Similarly, other courts have recently recognized that a “[a] ‘residential building’ is used for human habitation without regard to length of occupancy” and “[i]t is possible to reside somewhere for a night, a week, or a lifetime.”²⁶ The proposed bill flies in the face of established law by excluding vacation rentals from the protection from amortization expressly afforded to residential uses in HRS 46-4. The legislature must either give vacation rentals the same protection as other residential uses or else allow phasing out of all residential uses of property – a drastic result that is surely not intended by HB 1838 H.D.1.

Given that HB 1838 H.D.1 fails to apply uniformly to residential property, it is inconsistent with the Hawai‘i State Constitution’s general laws provision. Importantly, the Hawai‘i Supreme

²² Haw. Const. Art. XI, § 5 (emphasis added).

²³ *Sierra Club v. Dep’t of Transp. of State of Hawai‘i*, 120 Hawai‘i 181, 214, 202 P.3d 1226, 1259 (2009), as amended (May 13, 2009).

²⁴ Att. Gen. Op. 07-2.

²⁵ See *Hawai‘i Legal Short-Term Rental All. v. City & Cnty. of Honolulu, et. al*, No. 22-CV-247-DKW-RT, 2022 WL 7471692 at *16 (D. Haw. Oct. 13, 2022) (emphasis added).

²⁶ *Keen v. City of Manhattan Beach*, 292 Cal. Rptr. 3d 366, 370 (2022) (accord).

Court has not hesitated to declare statutes that violate the provision as unconstitutional.²⁷ As such, HB 1838 H.D.1 would be the target of significant litigation around the State.

D. HB 1838 H.D.1 Potentially Implicates the Equal Protection Clauses of the Hawai‘i and United States Constitutions.

It should be noted that the distinction being created by HB 1838 H.D.1, by characterizing shorter term stays as somehow not a residential use, while longer stays are a residential use, creates a distinction between different owners of traditionally residential property that does not appear to have any rational basis. In order for a law such as SB 2919 to create distinctions between individuals, the legislature must have, at a minimum, a rational basis for such disparate treatment.²⁸

To the extent that HB 1838 H.D.1 creates the distinctions identified herein, it has not provided any valid justification for such disparate treatment.

It is noted that in the recently decided Hawai‘i Federal District Court case, Judge Derrick Watson examined the fundamental nature of a short-term rental and concluded that it was a “residential use.”²⁹ In response to the argument that “short-term rentals are [] business, commercial, and transient/resort type land uses; they are not ‘residential uses’ protected from amortization under HRS § 46-4,”³⁰ Judge Watson stated: “**The Court disagrees. Whether a use is residential depends much more on what is being done at a residence than for how long.**”³¹ Judge Watson continued to state:

[T]hese rentals are being used for ordinary living activities by the occupants. Although the occupants of monthly rentals may shift more frequently than some neighbors and perhaps Defendants would like, there is no doubt that these tenants are using the homes for residential purposes. Moreover, the use does not depend on why the property is owned. By Defendants’ logic, any home rental of any length is a commercial use if the property is owned for “speculative” financial or investment purposes.³²

Thus, Judge Watson has already identified the standard for evaluating what constitutes a residential use and found that the distinction between a shorter term use and a longer term use is not legally

²⁷ See *Sierra Club*, 120 Hawai‘i at 214, 202 P.3d at 1259.

²⁸ See *Willowbrook v. Olech*, 528 U.S. 562, 564 (2000); *Armendariz v. Penman*, 75 F.3d 1311, 1327 (9th Cir. 1996); *DW Aina Lea Development, LLC v. Bridge Aina Lea, LLC.*, 134 Hawai‘i 187, 218, 339 P.3d 685, 716 (2014) (“[T]he equal protection clauses of the United States and Hawai‘i Constitutions mandate that all persons similarly situated shall be treated alike[.]”).

²⁹ *Hawai‘i Legal Short-Term Rental All.*, No. 22-CV-247-DKW-RT, 2022 WL 7471692, at *9.

³⁰ *Id.* at 8.

³¹ *Id.* (emphasis added).

³² *Id.*

significant, as the character of the use is the primary factor. HB 1838 H.D.1 does not articulate any rational basis as to why a tenant with a six month lease is a valid residential use, but none of the following uses are “residential”: (1) a temporary worker who comes to Hawaii for 90 days to help address the lack of affordable housing; (2) an environmental scientist who spends 30 days in Maui reviewing environmental impacts; or (3) a guest professor who comes to Hawaii for a semester to teach a class. All of these uses are fundamentally the same in that they are all using the rented property for ordinary living activities and all are providing great benefit to the State of Hawaii. The fundamental effect of HB 1838 H.D.1 would be to characterize these as different uses even though they are essentially identical. As such, this attempted redefinition of what constitutes a residential use results in a law that impermissibly treats groups of people disparately in violation of the Hawaii and United States Constitution. For this reason, HB 1838 H.D.1 should be held.

E. Conclusion

For the reasons set forth herein, we have significant concerns about the proposed changes in HB 1838 H.D.1 and would strongly recommend that the Committee hold this bill.

Very truly yours,



DAVID M. LOUIE
JOSEPH A. STEWART

for
KOBAYASHI, SUGITA & GODA, LLP



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February 27, 2024

The Honorable David A. Tarnas, Chair

House Committee on Judiciary and Hawaiian Affairs
State Capitol, Conference Room 325 and Videoconference

RE: House Bill 1838 HD1, Relating to Zoning

Hearing: Thursday, February 29, 2024, at 2:00 p.m.

Dear Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

Hawai'i Island REALTORS® ("HIR"), one of two local REALTOR® associations on Hawai'i Island, **opposes** House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time.

HIR supports housing opportunities for all, including legal Short-Term Rentals ("STRs"), which are invaluable to local people and businesses, not just vacationers. Hawaii residents use STRs for various reasons including:

- temporary and seasonal work on other islands
- to visit or care for 'ohana
- provide housing for those displaced by natural disasters, as well as help to house emergency workers and first responders
- as interim housing for those who cannot find or qualify for permanent housing
- create jobs for the local community (i.e. handymen, yard services, cleaning services, etc.)

In these situations, legal STRs play a very crucial role in the health of our local economy.

The State must recognize that homestays through platforms like AirBnb, VRBO, etc. are now a mainstream product that is preferred by many over a hotel stay. In phasing out single-family transient vacation rental use, the State stands to lose hundreds of millions in revenue from Transient Accommodation Taxes (TAT), during this time when the counties and the State are actively seeking additional revenue for issues such as Maui reconstruction and statewide wastewater infrastructure solutions, just to name a couple of the major issues.





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The Hawai'i County Council has proposed new legislation to amend existing STR laws, which the REALTORS® on Hawai'i Island adamantly oppose, due in part to the negative impact these policies will have on local families. Working towards better housing solutions requires the removal of barriers to development such as prohibitive zoning, and improvement of infrastructure issues such as wastewater and freshwater availability. Granting the County additional powers to phase out STRs is NOT necessary and will NOT contribute to finding a balance within the needs of the community and residents. Mahalo for the opportunity to work together for the future of Hawai'i.

Respectfully Submitted,

Christi Mallicoat

Christi Mallicoat, REALTOR® Principal Broker/Owner, ReLife Realty LLC
2024 President - Hawai'i Island REALTORS®



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Testimony by Suzanne Young, CEO
Honolulu Board of REALTORS®

In Opposition to HB 1838, HD1
Relating to Zoning

House Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
Thursday, February 29, 2024 @ 2:00 PM
Conference Room 325 or Via Videoconference
Hawaii State Capitol; 415 South Beretania Street

Aloha Chair Tarnas, Vice Chair Takayama, and members of the committee:

Thank you for the opportunity to testify in opposition to HB 1838, HD1 which allows the counties to enact a zoning ordinance to amortize nonconforming single-family transient vacation rental units.

The Honolulu Board of REALTORS® (HBR) on behalf of our over 6,700 members and its City Affairs Committee would like to offer context to our opposition to HB 1838, HD1. Transient vacation rentals (TVR) are lodging that provide guest accommodation for less than 30 consecutive days. To preserve housing for long-term residents, TVRs are only permitted in resort-zoned areas and those that have been issued a non-conforming use certificate (NUCs). These “grandfathered” TVRs have been in operation since prior to October 22, 1986, and no new NUCs are being issued.

According to the City and County of Honolulu’s list of NUCs issued¹, there are a total 785 NUCs issued, with over 600 located in the resort area of Waikiki. Ultimately, HB 1838, HD1 would only phase out 103 NUCs issued in non-resort residential areas on Oahu. And with the legislation applying only to single-family units, it will be even less than 103.

As such, this measure will not garner a significant conversion to long-term use and will instead risk legal challenges for these “grandfathered” properties on the basis that preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not revoke.

We continue to strongly support enforcement measures that address the illegal short-term rentals that exist and negatively impact our residential communities.

Thank you for allowing the opportunity to oppose this measure.

¹ https://www.honolulu.gov/rep/site/dpp/dpp_docs/nucs-by-tmk.pdf

Feb. 29, 2024, 2 p.m.
Hawaii State Capitol
Conference Room 325 and Videoconference

To: House Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: HB1838 HD1 — RELATING TO ZONING

Aloha Chair Tarnas, Vice-Chair Takayama and members of the Committee,

The Grassroot Institute of Hawaii would like to offer its comments on [HB1838 HD1](#), which would amend Section 46-4 of the Hawaii Revised Statutes to allow the counties to phase out non-conforming single-family transient vacation units in areas of any zoning classification over a period of time.

First of all, the removal of short-term rental units from Hawaii's tourism sector could harm the economy as a whole and generate legal challenges under the takings clause of the Fifth Amendment, as well as perhaps the Eighth Amendment, which has to do with excessive penalties or fines.

A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state's economy and sustained 46,000 jobs.¹ The survey also found that "30% respondents reported that if there was not a home and vacation rental option during their recent stay in Hawaii, they would not have made the trip."

Thus, the removal of STRs from the vacation unit inventory could have a cascading effect, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well grocery and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.

¹ "[Hawaii's Home and Vacation Rental Market: Impact and Outlook](#)," prepared for the Hawaii Tourism Authority by JLL's Hotels & Hospitality Group, April 20, 2020, p. 10.

As for possible legal challenges, the U.S. Supreme Court has in recent years indicated its willingness to uphold property rights against state and local government regulations. In *Tyler v. Hennepin County*² and *Timbs v. Indiana*,³ the Court sided with property owners on Fifth Amendment and Eighth Amendment grounds, respectively.

If the committee decides to move this bill forward, we recommend that it add this wording at the end of the proposed change to the section:

“except that any county that phases out single-family transient vacation units must provide just compensation to the owners of such units.”

That is, it would now read:

Neither this section nor any ordinance enacted pursuant to this section shall prohibit the continued lawful use of any building or premises for any trade, industrial, residential, agricultural, or other purpose for which the building or premises is used at the time this section or the ordinance takes effect; provided that a zoning ordinance may provide for elimination of nonconforming uses as the uses are discontinued, or for the amortization or phasing out of nonconforming uses or signs over a reasonable period of time in commercial, industrial, resort, and apartment zoned areas only[.]; provided further that a zoning ordinance may provide for the amortization or phasing out of nonconforming single-family transient vacation rental units over a reasonable period of time in an area of any zoning classification, except that any county that phases out single-family transient vacation units must provide just compensation to the owners of such units.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² [“Tyler v. Hennepin County, Minnesota, et al.”](#) Supreme Court of the United States, May 25, 2023.

³ [“Timbs v. Indiana,”](#) Supreme Court of the United States, Feb. 20, 2019.

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm

State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

The O`ahu Short Term Rental Alliance (“OSTRA”) represents many thousands of residents who own, manage and work within the legal mid and short-term rental industry – and we oppose HB1838.

Our rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. Our short and mid-term rentals provide critical housing to meet the needs of residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state’s budget in 2022 and contributed \$165 million toward the County budget.

We believe you also will oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i. Simply holding hearings on these types of bills creates unnecessary uncertainty particularly for housing, tourism, and real-estate related businesses at a vulnerable time.

HB1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O`ahu, 80% of the short-term rental owners are residents and also kupuna (seniors).

70% of them own 1 unit that provides income to subsidize the ever increasing cost of living in Hawaii.

Our short-term rentals provide furnished, temporary housing to residents as well as visitors. 25% of Oahu's visitors are non-vacationers (per the HTA). 13% of those visitors are friends and family that need affordable accommodations. It is very likely that if you live on another island, you have stayed in a short-term rental on O'ahu.

The following groups stay in our affordable, temporary or transitional housing¹

:

Residents

- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night.

They choose short-term rentals for affordability and also the livability versus a hotel room.

The following chart shows the 45% decline in short-term rentals on O'ahu due to regulations:

SOURCE: AirDNA, July 2023

By passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Excluding rentals defined as “hotel units”, O`ahu is down to 2,000 legal short-term rentals or 1% of our housing. Vacant homes account for 9% of all housing on Oahu.

1 Note, for O`ahu, the short-term rental (less than 30 days) industry is extremely small and increasingly owned

by hotels due to recent changes in Honolulu County rules (and recently amended by the Courts due to successful litigation by a group representing owners called HILSTRA). Due to the litigation, there is now a small

group of people who can advertise for mid-term rentals. This group may become increasingly important as

STRs have almost disappeared on O`ahu but much of our existing data does not necessarily distinguish these

new categories.

We support legal rentals and will work to make compliance clear and easy. Unfortunately, it appears that the inability of the Honolulu City and County Planning and Permitting Department to enforce existing regulations before passing new regulations has resulted in continued illegal activity. Additional authority will result in new laws that will punish those operating legally, and proliferate the illegal activity.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please do not pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

Michael Heh, Director OSTRA

808-382-4515



February 28, 2024



Subject: House Bill 1838 HD1, Relating to Zoning
HEARING: Thursday, February 29, 2024, at 2:00 p.m.

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
State Capitol, Conference Room 325 & Videoconference

The West Hawaii Association of REALTORS® (WHAR) is testifying on behalf of its over 950 members and affiliated business partners in opposition to House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single family transient vacation rentals over a reasonable period of time.

WHAR promotes housing opportunities across all density levels, striving for socio-economic diversity in both ownership and availability and WHAR also is focused on supporting the right of property owners to utilize their property to the highest and best use within the limits of all local and state laws and regulations and while respecting the same rights of all property owners to quiet enjoyment of their property.

Right now, Hawaii County is considering additional bills to target vacation rentals, or as Hawaii County references them, Transient Accommodation Rentals (TAR). WHAR is actively engaged in these proposals and granting the county additional powers to phase out legally operating TAR's is not necessary. Enforcement of illegal short-term rentals is a county issue and does not require this bill to ensure enforcement.

Families displaced due to damage and remediation work, pest tenting, and home renovations, or those travelling for work, receiving medical care, or visiting family are examples of locals who need and use temporary accommodations. These residents may not want, or be able to, afford the high cost of a hotel stay. Short and mid-term rentals are a solution, and a legitimate part of the housing needs of a vibrant community.

WHAR has concerns that this proposed measure would allow the county to eliminate an entire segment of our housing market. Short and mid-term term rentals are a unique product in the marketplace and allow the flexibility that guests/families/renters etc., greatly appreciate, not to mention are a large tax generator for both the counties and the state.

Respectfully and with aloha,

Linda Swanson

2024 Board President

West Hawai'i Association of REALTORS®

Jennifer Wilkinson

2024 Government Affairs Committee Chair

Taylor Rodamer

Association Executive



The Honorable David Tarnas, Chair
and Committee Members
Committee on Judiciary & Hawaiian Affairs
State House of Representatives
State of Hawaii
415 S. Beretania Street, Rm. 325
Honolulu, HI 96813



Dear Chair Tarnas and Committee Members

RE: HB 1838 Relating to Zoning

On behalf of the members of the Hawaii Mid and Short-Term Rental Alliance (HIMAST), I am testifying in strong opposition to HB1838 Relating to Zoning.

HIMAST is a resident led organization comprised of members who are the owners of mid-and short-term rental units, statewide. Our members operate rental units that are licensed and operate legally in their county. The owners have their tax licenses and permits as prescribed by law, and are recognized as legitimate businesses in the counties and communities that they operate in. We are an organization that seeks to find solutions to Hawaii’s housing issues, while maintaining and operating legally recognized mid-and short-term rentals.

HB1838 seeks to amend Sec. 46-4 HRS by allowing the counties the ability to phase out nonconforming single-family transient vacation rental units over a reasonable period of time in an area of any zoning classification. The definition of what is a transient vacation rental unit is very broad. For example, the term “transient vacation rental unit” is also defined to include “short-term rental home.” The term short-term rental is defined to mean a furnished self-contained apartment or home that is rented for short periods of time. A short-term rental home is a residential use that is used for temporary work force housing of construction workers, nurses, and teachers. Short-term rental homes can also apply to units that are used by people who are in hospice or in housing close to medical facilities that need treatment. Short-term rentals may be used by someone that is re-locating for a job or is in transition during renovation of their home. And yes, a short-term home may also be used by kama’aina who travel in-state between islands and those who are out-of-state visitors. The uses mentioned are real-life examples of residential uses, which this Legislature is trying to ban.

Our members provide services to our communities by providing housing solutions that are necessary for communities to thrive. It is difficult to understand why this Legislature would want to deny or ban services that are needed by our communities, for which the consequence results in higher costs for everyone and less and costlier housing.

We suggest that instead of trying to ban uses that will negatively affect housing and tax collections statewide, this Legislature instead focus on helping the counties with enforcement regulations.

We look forward to working with you on solutions and urge you to strongly oppose HB1838. Thank you for this opportunity to testify.



02/27/24

Honorable Chair Tarnas, Vice-Chair and Members of the Committee
The House Committee on Judiciary and Hawaiian Affairs
415 South Beretania Street
Honolulu HI 96813

RE: HB-1838 Oppose

Aloha e Committee,

Thank you for taking the time to review this bill and take testimony. Maui Vacation Rental Association (“MVRA”) represents thousands of residents who own, manage and work within the legal short-term (STRs) rental industry. We strongly oppose HB1838.

We believe in a managed hospitality industry for Maui. We also support fair taxation and regulations of vacation rental properties. However we see issues with HB1838 hurting legally operating small business operators in Maui County. We believe you will also oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy and tax revenue for that State of Hawai`i and Maui County.

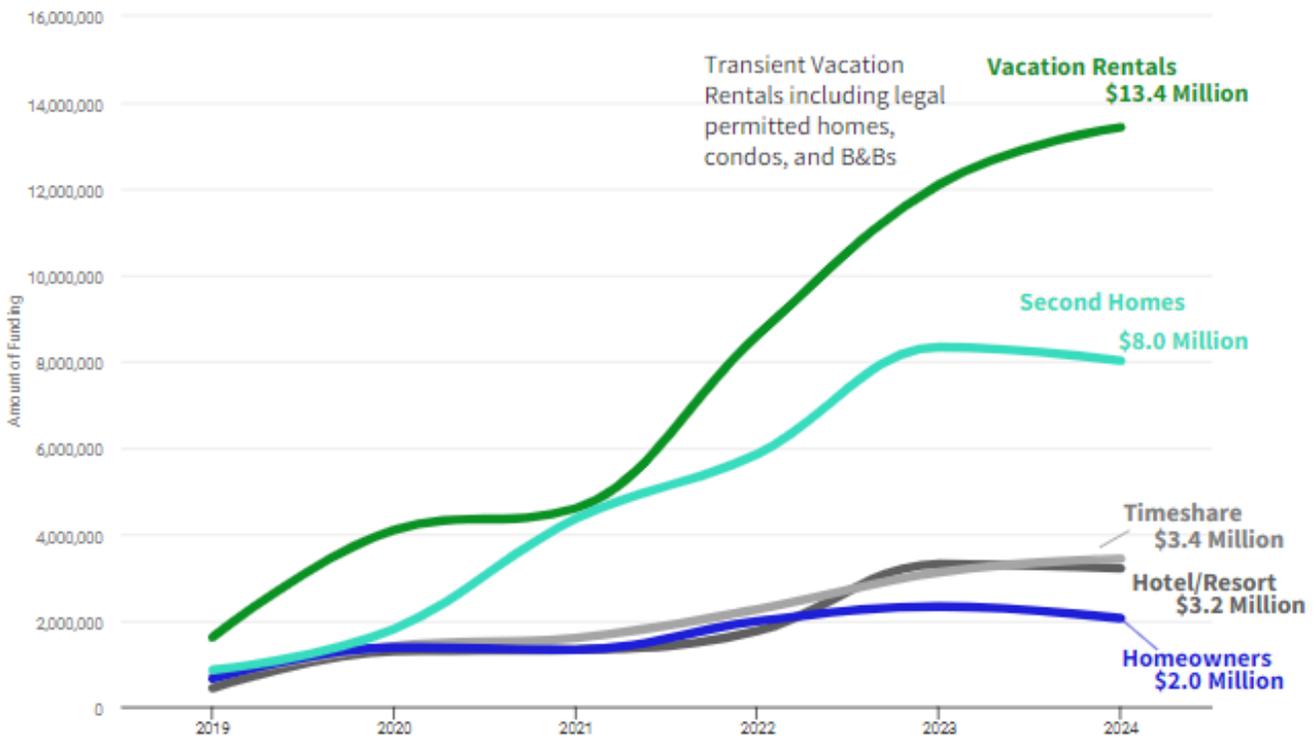
HB1838 would give the counties authority to enact ordinances to eliminate or phase out short-term rentals in any zoning classification.

Maui has 13,744 legal short term rental properties, 8,336 hotel rooms, and 2,475 timeshare units in our diversified visitor accommodation industry. Each provides the potential Maui visitor different options. The clear differentiation regarding the legal short term rental properties is that thousands of them are owned by Maui County families and thousands more are employed directly by the industry or benefit from the industry. **This is one of the only ways local families can directly participate in and benefit from the hospitality industry.**

Short term rentals will contribute \$13.4 Million in revenue to the Affordable Housing Fund, the largest contribution of all the classifications, and the largest contribution to date. Over the last 5 years the **short term rental classification has generated \$45 million dollars for the affordable housing fund**, the largest contribution by far, and more than the other accommodation sectors combined.

Who Pays for Maui's Affordable Housing Fund?

FY2019-2024
Review



Vacation Rentals have contributed a total of \$45.0 million from 2019-2024 Source: Maui County Real Property Tax
Second Homes have contributed a total of \$29.6 million from 2019-2024
Timeshares have contributed a total of \$12.6 million from 2019-2024
Homeowners have contributed a total of \$9.8 million from 2019-2024
Hotel/Resorts have contributed a total of \$11.6 million from 2019-2024

Many owners voluntarily offered their properties to those in immediate need at the outset of the emergency out of the kindness of their hearts without any thought or ask to any form of compensation. Additionally, there are thousands of individual owners who voluntarily on their own or in conjunction with their local management companies who have facilitated housing through Red Cross, FEMA,



and/or other entities. What would Maui County have done immediately following the fire if STRs did not exist? How would we have housed our displaced residents?

STRs are not just for the tourism industry - they also provide furnished, temporary housing to residents and their families.

Residents

- Inter-island neighbors visiting for work or family events
- Residents displaced from emergency events such as the Lahaina and Kula fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Traveling Nurses and other medical personnel
- Emergency contractors and other vendors
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room.

This bill targets the estimated 18,000 jobs that STRs provide across Maui County and the 49,000 statewide. These jobs include cleaners, property managers, contractors, and their families. Where is the data that shows those impacts? What will happen to those residents who no longer have a source of income? **How many jobs and taxes would be potentially lost with a measure like this?**

Many of the condo buildings operating on Maui were built in the 1970's and 1980's and have large monthly maintenance costs. If the property owners cannot continue to fund the high maintenance costs of these buildings there could be unintended consequences for the State in this bill. There could be significant neighborhood blight as a result of people not being able to afford the cost associated with the upkeep and maintenance of these aging properties.

When it comes to legislation that could affect the livelihood of thousands of its constituents (actual voters), the State should be considering factual and data driven based decisions. At the very least, the



State should be supporting this legally operating small business sector that offers such a vibrant and diverse ecosystem for our residents and visitors, while our county and state are already leveraging significant taxes on these businesses to benefit our local economy. The legal short term vacation rentals already generate the largest amount of tax revenue for Maui County - more than any other category by a very large margin.

Maui County’s operating budget has increased to over 1 Billion dollars in its current fiscal year. Most of the county’s revenue comes from the short term rental classification, and the small businesses creating this revenue. The county of Maui has long had a strategy of taxing the Short Term Rental Classification in order to keep taxes low for the residents. A big part of this strategy is by means of the property assessment values that the County assessment division attributes to these properties. Looking at the top 30 real property tax revenue generating legal visitor accommodations in Maui county, you can see that the assessment of many short term rentals result in a higher rate and tax revenue than many of our hotel properties.

The county increased their budget this year by \$102M, and 52% of that increase or \$53M came from increased revenue in the TVR/STR category. The next highest increase was \$7.5M in the Hotel/Resort classification (7 times less than the STR increase).

The short term rental classification generated 40% of real property tax revenue this fiscal year (FY23-24), or \$213.7M. This amount represents 20% of the county operating budget. This is the largest single revenue generating category in the real property tax classifications. **What this demonstrates is that the county depends on the tax revenues of properties like the ones operating in the districts that would be affected by this measure.**

When looking at average tax revenue generated on a per Unit basis, the top 13 properties are all legal vacation rental properties. The top Hotel, the Kea Lani falls behind all of these at number 14 on this same list.

TOP REVENUE GENERATING SHORT TERM RENTAL AND HOTEL PROPERTY, MAUI COUNTY 2023

PROJECT PROPERTY	TOTAL ASSESSED VALUE	AVE. PROPERTY TAX REVENUE	AVE. ASSESSMENT PER UNIT	AVE. TAX REVENUE PER UNIT
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M A U I
VACATION RENTAL
 ASSOCIATION

1	WAILEA BEACH VILLAS	474,547,900	5,623,393	4,943,207	58,577	Largest Ave/Unit
2	KAPALUA BAY CONDO	487,731,400	5,779,617	4,601,240	54,525	
3	WAILEA POINT I, II, III	360,302,000	4,269,579	3,498,078	41,452	
4	HOOLEI	398,574,400	4,723,107	3,267,003	38,714	
5	KAANAPALI ALII	657,716,900	7,793,945	2,391,698	28,342	
6	WAILEA ELUA I, II	354,432,200	4,200,022	2,286,659	27,097	
7	HONUA KAI	1,179,135,500	13,972,756	1,602,086	18,985	Largest by Total Rev.
8	PUAMANA	296,446,000	3,512,885	1,585,273	18,785	
9	KAPALUA BAY VILLAS	175,535,500	2,080,096	1,244,933	14,752	
10	WAILEA EKAHI I, II, III	245,631,400	2,910,732	1,175,270	13,927	
11	MAUI KAMAOLE I, II, III	226,794,000	2,687,509	944,975	11,198	
12	PALMS AT WAILEA I	139,192,700	1,649,433	927,951	10,996	
13	WAILEA EKOLU	135,207,100	1,602,204	913,561	10,826	
14	KEA LANI	410,022,500	4,817,764	911,161	10,706	Largest ave/unit hotel
15	THE RIDGE	139,597,000	1,654,224	867,062	10,275	
16	MANELE BAY HOTEL	195,762,900	2,300,214	829,504	9,747	
17	GRAND WAILEA	621,756,100	7,305,634	797,123	9,366	Largest Hotel by Total rev
18	KAPALUA GOLF VILLAS	146,211,800	1,732,610	786,085	9,315	
19	FOUR SEASONS	297,937,400	3,500,764	784,046	9,213	
20	GRAND CHAMP VILLAS	142,419,600	1,687,672	757,551	8,977	
21	PAPAKEA	238,776,500	2,829,502	655,979	7,773	
22	KAMAOLE SANDS	278,724,700	3,302,888	633,465	7,507	
23	ANDAZ	205,360,300	2,412,984	635,790	7,471	
24	HALE KANAPALI	161,065,400	1,908,625	624,284	7,398	

M A U I
VACATION RENTAL
 A S S O C I A T I O N

25	SHERATON	296,801,600	3,487,419	584,255	6,865	
26	ROYAL LAHAINA	254,303,200	2,988,063	580,601	6,822	
27	HYATT	386,224,700	4,538,140	479,187	5,630	
28	WAILEA BEACH MARRIOTT	238,336,000	2,800,448	438,118	5,148	
29	WESTIN MAUI	292,717,300	3,439,428	385,662	4,532	
30	RITZ CARLTON	163,362,000	1,919,504	350,562	4,119	
	Source: Maui County Real Prop Tax	Legend:		=STR		=Hotel

One of the tools used by the assessment division is the fact that the short term rental properties are sold more frequently on the **real estate** market and then these **sales** are factored into the taxable value of the properties. Thus the assessed values in the short term rental class are some of the top real property tax valued properties on the island, generating most of the tax revenue for the county.

Maui County has added the 3% TAT tax for the county as of November 2021 and these operators and visitors have fostered this increase generating millions of dollars for Maui county.

Maui County has had laws and regulations in place that closely regulate our short term rentals, and there is strict enforcement of these rules, keeping the illegal rentals numbers very low. In the January 2023 report, there were 25 complaints which resulted in three notices of warnings and zero notices of violations. The vacation rental industry is highly regulated and enforced in Maui County. The community leverages the existing legal operations for benefits to the community as whole.

Our visitor industry benefits from the diversity vacation rentals offer. Having a short term rental is one of the only ways local residents can have direct participation in the hospitality and accommodations sector. There are thousands of small businesses in Maui that benefit from this legal established use in the county. The properties in this district accommodating our visitors and residents are an important legitimate part of our hospitality industry. The guests that seek out these experiences and want more local authentic culture are the educated guests Maui wants.

The legal short term rentals in Maui County are a significant and beneficial part of our hospitality industry, and have been for many years. It does not make sense for the State to create laws that would shut down legal operating small businesses without doing plenty of research first.



What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses. Given the current budget, gutting funding categories for the State and Counties county is contrary to their fiduciary duty. Please vote no on this bill HB1838.

Thank you for considering my testimony. If you have any questions or clarifications please feel free to contact me.

Best,

Maui Vacation Rental Association

Visitor Accommodation Maui County Real Property Tax Revenue Fiscal Years 2020, 2021, 2022, 2023, 2024



Source: Maui County Real Property Tax



KOSTRO

Kama'aina Occupied Short-Term Rentals O'ahu
Defending short-term rental rights of kama'aina whose rental property is their primary residence.

Aloha Chair Tarnas, Vice Chair Takayama
and members House Committee on Judiciary & Hawaiian Affairs,

“This fire uncovered a clear truth which is we have too many short-term rentals owned by too many individuals on the mainland ... and it is bullshit and our people deserve housing here so I'd like them to sell to local owners...”

- Gov. Josh Green, M.D.
- Facebook 2/27/2024

The human suffering caused by the Maui wildfire is an unimaginable loss! This legislation will work against the recovery effort. It will likely provoke further litigation resulting in additional injunctions and motions to compel that will delay the recovery efforts. Implementing barriers to affordable hosted renting will separate those who have the skills from their work locations.

Section 1, the preamble of the bill ignores the fact that many cities across the country have found that taking residential property from their owners did not result in a long term reduction of real property prices. In our case in particular, there is a pent up nationwide demand for island property. Any reduction in prices will in itself place the price of a single family home or duplex into an affordable range for a two income family with good credit. The answer is build more residential property NOW!

The governor has stated in his Facebook briefings that there are only 500-850 Maui STR property owners left to engage with incentives to achieve the housing goals. He should be congratulated on his efforts. The 'carrots' are working. There is no need for the 'sticks'.

KOSTRO strongly opposes HB1838 HD1 as it does not accomplish the governor's stated objective. It fails to protect the long standing property rights of our residents. It targets owner-occupied properties.

Rental property is governed by the Residential Landlord Tenant Code HRS § 521:

*HRS § 521-22 Term of rental agreement. The landlord and tenant may agree in writing to **any period** as the term of the rental agreement.*

The Court has already overturned the notion that renting owner-occupied property is a resort use.

See [HILSTRA v. CITY, ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION Case No. 22-cv-247-DKW-RT before the UNITED STATES DISTRICT COURT, DISTRICT OF HAWAII](#), pages 15 to 20:

“When interpreting words in a statute, “we give words their common meaning.” Iddings, 919 P.2d at 269; see also United States v. Flores, 729 F.3d 910, 914 (9th Cir. 2013) (“[U]nless defined, words in a statute will be interpreted as taking their ordinary, contemporary, common meaning.”) (internal quotation marks and citation omitted).

Here, HRS § 46-4(a) does not define “residential use.”¹⁵ Nor have Hawai‘i courts yet interpreted the term in the context of vacation rentals. See Opp. at 15. Thus, the Court has examined the available resources to glean the “common meaning” of the term, including relevant dictionary definitions, other states’ interpretations of the term in similar contexts, and other relevant State and City statutes or ordinances.

“Residential” means “used as a residence.” Merriam-Webster.com Dictionary (last visited Oct. 8, 2022). “Residence,” in turn, means “the act or fact of dwelling in a place for some time; the act or fact of living or regularly staying at or in some place for the discharge of a duty or the enjoyment of a benefit.” Id. “Dwell” means “to remain for a time,” and “live” means, inter alia, “to maintain oneself; to occupy a home.” Id.; see also Black’s Law Dictionary (5th ed. 1979) (defining “residence” as “[l]iving or dwelling in a certain place permanently or for a considerable length of time”). The noun “use” means “a particular service or end.” Merriam-Webster.com Dictionary (last visited October 8, 2022).

As these definitions show, the term “residential use” depends both upon the function the property serves for its occupant and the duration of time the property is used. The durational component is not precise, including, for instance, “for some time,” “for the discharge of a duty or the enjoyment of a benefit,” “for a time,” and “permanently or for a considerable length of time.”

Likewise, in common usage, the term depends on both function and duration, although the functional component is generally more significant. Indeed, the appellate courts of at least nineteen states have decided that even rental stays of less than 30 days—nightly, weekend, or weeklong stays—constitute residential uses or purposes. These states focused on whether such short-term residents were using the homes for ordinary living activities and benefits—e.g., eating, washing, sleeping, storing their belongings and vehicles, and enjoying the surrounding scenery and community. Some cases illustrated the difference between ordinary living activities and business activities by discussing alternative uses, such as bustling autobody shops, see, e.g., Craig Tracts, 744 P.3d at 228, while others assessed how the short-term nature of the stays would tend to affect the surrounding inhabitants. What the decisions had in common was their reliance on the use to which the home was put—i.e., the functional component. On the other hand, the Court has not found any case, nor have Defendants cited any, holding that

rentals of 30 days or longer were not residential. The Court is aware of five jurisdictions that focused primarily on duration, holding that short-term rentals ranging from one- to seven-nights did not constitute residential uses. But these outliers are, in any event, inapposite because even if the Court were to similarly emphasize duration over function, the time frame at issue here is 30 days or longer.

Undeterred, Defendants contend that 30–89-day rentals are not residential uses because they involve frequent occupant turnover not traditionally associated with family living. Opp. at 15–16. Defendants argue that these rentals are commercial uses akin to resort and hotel complexes because they involve “speculative business risks” or “speculative real property investments.” Opp. at 2, 15, 22–23 (“[S]hort-term rentals are [] business, commercial, and transient/resort type land uses; they are not ‘residential uses’ protected from amortization under HRS § 46-4.”).

The Court disagrees. Whether a use is residential depends much more on what is being done at a residence than for how long. 30–89 day rentals on O‘ahu are used as housing by:

- (1) O‘ahu residents who have sold and bought [homes];*
- (2) off-island families traveling to O‘ahu for medical care;*
- (3) traveling healthcare workers temporarily assigned to O‘ahu;*
- (4) military families in transition;*
- (5) employees performing work on O‘ahu;*
- (6) temporarily displaced families; [and/]or*
- (7) others who prefer to temporarily reside closer to work or schools than the resort districts.*

Plaintiff’s Reply Brief at 7 (“Reply”), Dkt. No. 26 (citing Declaration of Andreea Grigore (“Grigore Decl.”) ¶ 5). Defendants do not dispute that these rentals are being used for ordinary living activities by the occupants. Although the occupants of monthly rentals may shift more frequently than some neighbors and perhaps Defendants would like, there is no doubt that these tenants are using the homes for residential purposes. Moreover, the use does not depend on why the property is owned. By Defendants’ logic, any home rental of any length is a commercial use if the property is owned for “speculative” financial or investment purposes.

Defendants make two additional contentions that should be addressed: first, that it is “absurd” to “interpret[] HRS [§] 46-4[(a)] in a manner that prohibits the City from regulating the duration [of] residential property rentals” because such an interpretation “would undermine its ability to address fundamental zoning issues and render the long-range and comprehensive planning require[ment]s in HRS § 46-4[(a)] a nullity.” Opp. at 19. The Court’s interpretation does not render the long-range and comprehensive planning requirement a nullity, nor does it prevent the City from regulating the duration of vacation rentals. It simply places certain restrictions on that regulation—restrictions plainly imposed by the State Legislature. The City may, and indeed must, execute its long-range planning goals, while respecting and accommodating prior lawful uses already in place, as HRS § 46-4(a) requires it to do.”

Correct by using this language HRS § 46-4:

... other than ~~nonconforming~~ transient vacation rental units **that do not share a property with a primary legal residence** as provided in this subsection.

Zoning restrictions must be narrowly tailored to resolve the issues.

As the objective is to preserve the housing stock for residents, the counties lack substantial governmental interest to regulate owner-occupied renting.

We ask that the state continue to regulate residential rentals without interference from the counties.

[Measure Status](#)

Mahalo for the opportunity to testify on this legislation critical for the survival of thousands of full-time Hawai'i legal residents who just want to continue to rent their own property.

Respectfully Submitted for KOSTRO,

Margaret Aurand
Tonic Bille
Victoria V. Johnson
Edward Jones

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Testimony by Suzanne Young, CEO
Honolulu Board of REALTORS®

In Opposition to HB 1838, HD1
Relating to Zoning

House Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
Thursday, February 29, 2024 @ 2:00 PM
Conference Room 325 or Via Videoconference
Hawaii State Capitol; 415 South Beretania Street

Aloha Chair Tarnas, Vice Chair Takayama, and members of the committee:

Thank you for the opportunity to testify in opposition to HB 1838, HD1 which allows the counties to enact a zoning ordinance to amortize nonconforming single-family transient vacation rental units.

The Honolulu Board of REALTORS® (HBR) on behalf of our over 6,700 members and its City Affairs Committee would like to offer context to our opposition to HB 1838, HD1. Transient vacation rentals (TVR) are lodging that provide guest accommodation for less than 30 consecutive days. To preserve housing for long-term residents, TVRs are only permitted in resort-zoned areas and those that have been issued a non-conforming use certificate (NUCs). These “grandfathered” TVRs have been in operation since prior to October 22, 1986, and no new NUCs are being issued.

According to the City and County of Honolulu’s list of NUCs issued¹, there are a total 785 NUCs issued, with over 600 located in the resort area of Waikiki. Ultimately, HB 1838, HD1 would only phase out 103 NUCs issued in non-resort residential areas on Oahu. And with the legislation applying only to single-family units, it will be even less than 103.

As such, this measure will not garner a significant conversion to long-term use and will instead risk legal challenges for these “grandfathered” properties on the basis that preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not revoke.

We continue to strongly support enforcement measures that address the illegal short-term rentals that exist and negatively impact our residential communities.

Thank you for allowing the opportunity to oppose this measure.

¹ https://www.honolulu.gov/rep/site/dpp/dpp_docs/nucs-by-tmk.pdf



INTERNATIONAL LONGSHORE & WAREHOUSE UNION
LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikaula Street, Hilo, Hawaii 96720 • **OAHU DIVISION:** 451 Atkinson Drive, Honolulu, Hawaii 96814
MAUI COUNTY DIVISION: 896 Lower Main Street, Wailuku, Hawaii 96793 • **KAUAI DIVISION:** 4154 Hardy Street, Lihue, Hawaii 96766
HAWAII LONGSHORE DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814

LOCAL 142

February 26, 2024

The Thirty-Second Legislature
Regular Session of 2024

THE HOUSE OF REPRESENTATIVES
Committee on Judiciary & Hawaiian Affairs

Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
State Capitol, Conference Room 325 & Videoconference
Thursday, February 29, 2024 at 2:00 p.m.

**STATEMENT OF THE ILWU LOCAL 142 IN STRONG SUPPORT OF HB1838 HD1
RELATING TO ZONING**

The ILWU Local 142 represents 16,000 members across Hawai‘i. We are in **Strong Support of HB1838, HD1**, which gives the counties greater authority to define and manage short-term rentals on their islands. We are particularly invested in combating the current housing crisis, which is causing an exodus of hard working generational local families from our homeland and short-term rentals a part of this problem.

Short-term rentals generate an average of four times the revenue that a long-term rental generates. This sets up each home in Hawai‘i, each neighborhood in Hawai‘i, as a sitting duck for outside investors who only wish to extract profit and have little care for our communities or our local families. Short-term rentals decrease the housing inventory in Hawai‘i, increase the cost of housing in Hawai‘i, and compromise the cohesion and safety of our neighborhoods.

Too many of our neighborhoods have become overrun with short-term rentals and tourists. While our state depends on tourism for jobs and revenue, short-term rentals offer little jobs while sprawling tourists from resort areas into our backyards. If we want to cool local resentment for tourism overall, we must take action to control short-term rentals.

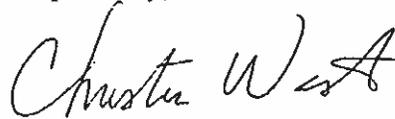
While those who are invested in short-term rentals in our state may frame the ILWU’s support for this bill as a matter of interests in hotel occupancy, it is important for lawmakers to know that housing has always been a focus of the ILWU’s work to support the working-class of Hawai‘i.

The ILWU established housing committees in the 1950s to give workers a voice for issues related to their plantation housing. The late Ah Quon McElrath convened an ILWU housing conference in the 1970s to address the working-class people's struggles for affordable housing amidst booming development. Many workforce housing developments across the islands were established through the work of the ILWU, including the Jack Hall Housing in Waipahu and even the Kelaweia Mauka neighborhood of Lahaina.

In alignment with our communities, we are concerned with both pono tourism management and with addressing Hawai'i's housing problems. Giving counties the appropriate authority to manage housing issues on their islands is a move in the right direction to address both. We appreciate the urgency that SB2919 gives to the situation. We stand firmly in support of HB1838.

Thank you for your consideration of this vital matter.

Respectfully,

A handwritten signature in black ink that reads "Christian West". The signature is written in a cursive, flowing style.

Christian West
President, ILWU Local 142

House Committee on Housing
Rep. Luke Evslin, Chair, Micah Aiu, Vice Chair

Re: Testimony in Opposition to HB1838 HD1
Hearing: Thursday, February 29, 2024

Dear Chair Evslin, Vice Chair Aiu and Committee Members:

We represent Hawaii Legal Short Term Rental Alliance (“HILSTRA”), a Hawaii not-for-profit corporation whose purpose is to create a sustainable business environment for legal property rentals in Hawaii. HILSTRA’s members are numerous property owners and property managers who engage in the perfectly legal practice of renting residential properties throughout the State of Hawaii. HILSTRA strongly opposes HB1838 for the reasons stated below.

HILSTRA recently prevailed in a federal lawsuit in the United States District Court, District of Hawaii – *Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu*, Civ. No. 1:22-cv-00247-DKW-RT – in which the District Court held that HRS 46-4 prevented the City and County of Honolulu from amending its zoning ordinance to prohibit previously lawful rentals of residential property of 30 to 89 days.¹ The District Court found that the rental of property for ordinary living activities is a “residential use” protected by the express prohibition of HRS 46-4 against using zoning laws to eliminate lawful residential uses of property in Hawaii. *Id.* Bill 1838 is nothing but an attempted end-run around the District Court’s opinion and well-settled constitutional principles upon which HRS 46-4 is premised.

1. Lawful Residential Rentals Are Constitutionally Protected Vested Rights.

HRS 46-4 was initially adopted by the Legislature in 1957 by Act 234. In granting Hawaii’s counties the power to enact zoning ordinances, the Legislature specifically prohibited the adoption or amendment of zoning ordinances which would prohibit the continuance of the “lawful use of any building or premises for any trade, industry, residential, agricultural or other purpose for which such building or premises is used at the time this act or such ordinance takes effect.”² Preexisting lawful uses could only be eliminated as the use was discontinued by the owner. *Id.*

The statutory protection of prior lawful uses is simply a codification of underlying constitutional principles. As has been repeatedly noted by Hawaii’s appellate courts: “The statutory protection of lawfully existing uses and structures ‘prior to the effective date of a zoning restriction is grounded in constitutional law.’”³ “Such uses are vested rights that zoning ordinances may not abrogate.” *Id.*

¹ *Haw. Legal Short-Term Rental All. v. City and County of Honolulu*, 2023 U.S. Dist. LEXIS 227895 (D. Haw., Dec. 21, 2023).

² Act 234, Hawaii’s Session Laws 1957, § 9.

³ *Ferris Trust v. Planning Comm’n of Kauai*, 138 Hawaii 307, 312 (Ct. App. 2016) (holding that HRS 46-4 and constitutional due process protect the owner of property used as a transient vacation rental when Kauai amended its zoning code to restrict such use); *Waikiki Marketplace Inv. Co. v. Chair of Zoning Bd. of Appeals*, 86 Hawaii 343, 353 (Ct. App. 1997) (noting HRS 46-4’s protection of lawful uses of property was grounded in constitutional law).

When the Legislature amended HRS 46-4 in 1980 to introduce “amortization or phasing out of non-conforming uses”, it made crystal clear that the counties could not use their zoning powers to amortize or phase out uses in residentially zoned districts by stating a zoning ordinance may provide “for amortization or phasing out of nonconforming uses or signs over a reasonable period of time in commercial, industrial, resort, and apartment zoned areas only.”⁴ The Legislature removed any doubt when it added “In no event shall such amortization or phasing out of nonconforming uses apply to any existing building or premises used for residential (single-family or duplex) or agricultural uses.” *Id.* The Legislature’s intent was to make sacrosanct residential and agricultural uses in Hawaii.⁵

While the counties have long pushed for an amendment – like HB 1838 – to remove this restriction on certain residential uses in residential districts, such a statutory change will be ineffective. That is because HRS 46-4’s limitations on zoning are simply a codification of underlying constitutional protections embedded in the Hawaii and United States Constitutions, which both explicitly protect private property and due process. “The statutory protection of lawfully existing uses and structures ‘prior to the effective date of a zoning restriction is grounded in constitutional law.’”⁶ Thus, the constitutional protections will remain a legal protection against any effort to amortize or phase out certain politically disfavored residential uses. Although the HILSTRA litigation included claims that Honolulu’s Ordinance 22-7 – which attempted to eliminate lawful residential uses of rentals less than 90 days – violated the Hawaii and United States Constitutions’ protections of private property and due process, the District Court of Hawaii did not need to decide those constitutional claims. Enactment of a bill like HB 1838 will still run head long into the constitutional protections.

2. Legal “Short-Term” Rentals Are Used By Hawaii Residents.

Contrary to the false narrative that short/shorter term rentals are only used by tourists, they are essential to Hawaii residents. As noted by the District Court in the HILSTA litigation, restricting the ability of homeowners to legally rent properties on a month-to-month basis impairs “(1) service members’ ability to easily transition to or from on-base military housing; (2) traveling medical practitioners’ ability to provide contracted care at O‘ahu health care facilities; (3) local residents’ ability to transition between homes; (4) contractors’ abilities to perform work on O‘ahu; (5) displaced residents’ ability to find housing following natural and man-made disasters, including the Red Hill fuel leak, fire and flood; (6) neighbor island residents’ ability to travel to O‘ahu for medical care or events; and (7) other individuals’ ability to travel as they prefer.”⁷ This is no less true for hula halau travelling to Hilo for Merrie Monarch, or canoe clubs competing inter-island. There are many Hawaii residents who cannot or do not need to enter year-long rental arrangements as their housing, employment or travel needs require.

⁴ Haw. Rev. Stat. § 46-4(a) (emphasis added).

⁵ 1980 Hawaii House Journal (Standing Committee Reports) at 1176-77.

⁶ *Ferris Trust v. Planning Comm’n of Kauai*, 138 Hawaii 307, 312 (Ct. App. 2016) (holding that HRS 46-4 and constitutional due process protect the owner of property used as a transient vacation rental when Kauai amended its zoning code to restrict such use); *Waikiki Marketplace Inv. Co. v. Chair of Zoning Bd. of Appeals*, 86 Hawaii 343, 353 (1997) (noting HRS 46-4’s protection of lawful uses of property was grounded in constitutional law).

⁷ *Haw. Legal Short-Term Rental All. v. City and County of Honolulu*, 2023 U.S. Dist. LEXIS 227895 (D. Haw., Dec. 21, 2023).

3. Legal “Short-Term” Rental Generate Millions In Tax Revenue For Hawaii.

Studies have shown that alternative accommodations like “short-term rentals” provide significant benefits to Hawaii’s economy. A 2018 study of short-term rentals on O‘ahu found they generate an annual \$129,000,000 in tax revenue.⁸ Similarly, on O‘ahu alone in 2018, it was estimated that they provide 12,000 jobs, \$564,000,000 in household income, and \$2 billion in spending. *Id.* Statewide, the economic impact in terms of tax revenue, employment, household income and additional spending is even greater. This is a direct and substantial economic benefit to Hawaii’s economy, which would be dramatically impaired by legislation like HB 1838.

4. The Legislature Intentionally Protected Residential Use In Hawaii.

As was observed in 1604 by Sir Edward Coke, “the house of every one is to him as his Castle and Fortress”. This was equally evident to Hawaii’s legislature in 1980 when it placed residential uses above all others by amending HRS 46-4 to enact the prohibition on zoning away residential uses.⁹ The Legislature should not begin to erode those protections, which allow Hawaii residents to use their homes to meet their living and income needs.

5. The Legislature Has Wisely Refused Previous Efforts To Amend HRS 46-4.

HB 1838 is only the latest attempt by Hawaii’s counties to amend HRS 46-4 in this fashion. As the District Court observed “the State Legislature has been lobbied by the DPP and other counties since at least 2014” to amend HRS 46-4 to grant counties the power to amortize or phase out nonconforming or otherwise allowed short-term rentals.¹⁰ Year after year, the Legislature has declined the counties’ invitation to water down the protections afforded for residential uses by HRS 46-4.

The counties already have the power to eliminate short-term or transient accommodations if they desire. The Legislature has granted each county with the power of eminent domain. HRS 46-61. Thus, each county already has the power to take private property for public purposes, upon the payment of just compensation to the owner. Should the counties wish to eliminate lawful residential uses of property quicker than the already permissible means of discontinuance, then each already has the power of condemnation, which is the constitutionally permissible way to take private property rights.

6. Passage of HB 1838 Will Generate Litigation.

Courts in other jurisdictions have ruled that amortization as a means to eliminate private property rights is an unconstitutional taking of private property without compensation.¹¹ The Georgia Supreme Court, interpreting its constitutional protection against private property being “taken or damaged” – the same language found in Hawaii’s Constitution – held that the

⁸ *Economic Impact of Alternative Accommodations on Oahu*, Kloninger & Sims Consulting, LLC, July 23, 2018, p.1.

⁹ 1980 Hawaii House Journal (Standing Committee Reports) at 1176-1177.

¹⁰ *Haw. Legal Short-Term Rental All. v. City & Cnty. Of Honolulu*, 2022 U.S. Dist. LEXIS 187189 n. 19 (D. Haw., Oct. 13, 2022).

¹¹ *Lamar Adver. of S. Ga. v. Albany*, 389 S.E.2d 216 (Ga. 1990); *Hoffman v. Kinealy*, 389 S.W.2d 745 (Mo. 1965).

uncompensated amortization of nonconforming signs was an unconstitutional taking of private property.¹² The Missouri Supreme Court held that “zoning zealots” used the amortization technique to eliminate preexisting lawful uses and that such elimination was unconstitutional.¹³ Thus, the counties’ invitation to the Legislature to grant them an arguably unconstitutional power may well invite litigation against the State. And if HB 1838 is passed and zoning laws are amended to amortize certain disfavored residential uses, the counties themselves will surely be sued.

For all of the foregoing reasons, the House should decline to advance HB 1838.

A handwritten signature in black ink, appearing to read "G. W. Kugle", written in a cursive style.

Gregory W. Kugle

¹² *Lamar Adver. Of S. Ga. v. Albany*, 389 S.E.2d 216 (Ga. 1990).

¹³ *Hoffman v. Kinealy*, 389 S.W.2d 745, 750 (Mo. 1965).

The House Committee on Judiciary and Hawaiian Affairs
Hearing Scheduled: February 29, 2024 2pm
State Capital, Conference Room 325
Re: SB HB1838, Relating to Zoning

Testimony in Opposition

Aloha Chair, Vice Chair, and Members of the Committee,

We are writing to express our strong opposition to House Bill 1838 and to share our concerns regarding its potential impact on our small, locally-owned, and operated company. As a business with 45 employees and daily contracts with over 20 vendors, we are deeply alarmed by the prospect of the County of Maui gaining the power to phase out our industry.

Our company operates legally within the Short-Term Vacation Rentals (STVR) sector, a critical industry that not only supports local businesses like ours but also serves as a lifeline for various members of our community. The County Council's expressed desire to convert all STRs to long-term housing has cast a shadow over legal operations like ours, villainizing us in the process.

We implore you to consider the repercussions on our employment and the broader community before advancing HB 1838. STVRs play a pivotal role in providing housing for a diverse range of individuals, including displaced residents, those in transition, inter-island visitors seeking medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, students, as well as our family and friends.

Furthermore, STVRs across the State are not merely economic drivers but also crucial for temporary housing during disaster relief efforts, such as the natural and domestic disasters such as fires and floods. They serve as essential accommodations for individuals seeking healthcare on other islands who may not be well enough to travel back home.

The concern extends beyond the potential loss of our employment; we question how the state would replace the good-paying jobs and tax revenue lost if counties were to phase out STVRs. A national study by Oxford Economics underscores that STVRs have a minimal impact on rent and home prices across the country.

We respectfully request your protection and thoughtful consideration of the broader implications of HB 1838 on small, locally owned businesses like ours and the diverse individuals who rely on STVRs for various reasons. **With collaborative efforts and alternative solutions, we believe a balanced approach that addresses long-term housing concerns can be implemented without jeopardizing our livelihoods and the well-being of our community.**

Thank you for your time and consideration.

Sincerely,
Ali'i Resorts



4359 Kukui Grove Street, Suite 103
Lihue, HI 96766
Phone: (808) 245-4049
Email: kbr@kauaiboard.com

February 29, 2024

The Honorable David A. Tarnas, Chair

House Committee on Judiciary & Hawaiian Affairs
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 1838 HD1, Relating to Zoning

HEARING: Thursday, February 29, 2024, at 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

My name is Milo Spindt, 2024 President, testifying on behalf of the Kaua'i Board of REALTORS® ("KBR"), the voice of real estate in Hawaii and its over 600 members. KBR opposes House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. Effective 7/1/3000.

KBR supports access to housing for every need or situation, which includes legal short-term rentals ("STRs"). It is a common misconception that STRs are only for vacationers; however, STRs are also needed by Hawaii residents and workers as a temporary housing option.

These types of rentals are essential for various situations, including but not limited to:

- Kaua'i already has a robust set of STR county regulations and enforcement system
- Granting counties, the power to amortize/phase out NUCs doesn't seem necessary for Kaua'i
- Kaua'i, like the rest of the state, has a housing supply issue, but STRs are not the cause

In these situations, a lengthy hotel stay may be too costly or impractical. It is important that we preserve this industry and the ability to access legal short-term rentals for this reason.

We have concerns with this proposal granting the counties the power to phase out short-term rentals as it carries the risk of a significant reduction in tax revenue for the state. Legal STRs with law abiding owners generate revenue for the state and the counties through real property taxes, GET, and TAT. Based on total estimated transient

accommodation tax (“TAT”) revenues, STRs generated \$132.6 million in TAT revenues excluding General Excise Tax revenues in 2018. It was also estimated that STRs would generate \$102.4 million in TAT revenues in 2023.[1] Granting counties the power to amortize or phase out legal STRs punishes law abiding owners who contribute to our local economy. Similarly, this bill would also not make an impact on a county’s ability to enforce on those who are not abiding by the law.

Finally, this measure could be challenged as impacting vested rights and taking principles. “Under the United States and Hawaii Constitutions, preexisting lawful uses of property is generally considered to be vested rights that zoning ordinances may not abrogate.[2]

For the foregoing reasons, the Kauai Board of REALTORS® opposes this measure.

Mahalo for the opportunity to testify.

[1] JLL Prepared for the Hawaii Tourism Authority. Hawaii’s Home and Vacation Rental Market: Impact and Outlook (April 20, 2020). <https://www.hawaiitourismauthority.org/media/5370/impact-of-home-rental-market-on-hawaii-2019.pdf>

[2] *Robert D. Ferris Trust v. Planning Comm’n of the Cnty. of Kaua’i*, 378 P.3d 1023, 138 Haw. 307 (Haw. Ct. App.2016)

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as a vacation rental for almost fifty years. STR at Papakea obtains direct employment of roughly 35 residents, as well as supports a wide variety of local trade professionals including, pest control, HVAC, Plumbing, Electrical, and construction. It will prevent the multiple jobs upheld by these STR units. Housekeepers, landscapers, front desk staff, property managers, grocery stores, car rental companies, as well as hard the multiple individuals and business' that profit financially from the constant tourism provided by

Papakea STR's supports a number of local on island businesses in Maui. Housekeepers, handymen, on-island property managers and contractors. The local food vendors, restaurants and local grocery stores would suffer if not allowed the STR tourism that Papakea brings.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

Changing this STR ability, will drastically reduce the value of each property as well as all other surrounding properties. It will lower sales in all nearby restaurants and retail shops. In a time when we are trying to rebuild from Covid-19 and the Lahaina Fires, allowing this to pass will further decimate the surrounding business' that rely on tourism.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Sincerely,

Jamie Maas



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

February 29, 2024

2:00 PM

Conference Room 325

In **SUPPORT** of **HB1838 HD1**: Relating to Zoning

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS** HB1838 HD1, which would empower the counties to regulate commercial resort uses of residential units that are contributing to our housing crisis, and thereby fueling continual attacks on legal mechanisms that protect the public's environmental, cultural, climate resilience, and other interests.

As most recently demonstrated by the Governor's original Emergency Proclamation on Housing, our housing crisis and the suffering of local families have been repeatedly used to attack legal safeguards protecting our environmental and cultural integrity, food security, water security, local job creation, and other critical interests and needs of both present and future generations. **Tellingly, these attacks often provide little to no assurances that housing projects developed without such safeguards will directly provide meaningful or long-term housing relief to the vast majority of local families. For example, the original Emergency Proclamation had no affordability requirements whatsoever, nor any means to ensure that new units would be reserved for current residents.** Meanwhile, the continual push to scapegoat environmental, cultural, and other public interest protections for our housing crisis has diverted policymakers and housing advocates from pursuing systemic, root-cause solutions that would provide much more meaningful and direct relief to local residents in need of truly affordable housing.

This measure, by contrast, would more directly address the housing needs of local residents, without compromising the environmental and cultural interests and the associated well-being and quality of life of our children and future generations. **By empowering counties to phase out vacation rental uses of their local housing supply, this bill provides a mechanism to open up tens of thousands of existing residential units for long-term residential use.**

While there is no single silver bullet for our multi-faceted housing and houselessness crises, the Sierra Club appreciates that this measure presents a meaningful potential pathway for housing relief for many local families, without compromising the well-being and quality of life of our children and future generations. **The Sierra Club also emphasizes that if implemented by**

Maui County, this measure may also head off a humanitarian crisis when current federally-funded housing programs for displaced Lahaina residents expire – a crisis that would only invite further attacks on our environment, culture, and social fabric.

Accordingly, the Sierra Club respectfully urge the Committee to **PASS** HB1838 HD1. Thank you very much for this opportunity to testify.



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
Thursday, February 29, 2024 AT 2:00 P.M.

To The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
Members of the Committee on Judiciary & Hawaiian Affairs

OPPOSE HB1838 HD1 RELATING TO ZONING

The Maui Chamber of Commerce **OPPOSES HB1838 HD1**.

The Chamber feels this bill has the potential to result in substantial legal issues. Although the stated purpose of this measure may appear to be an innocuous delegation of authority, the proposed changes could conflict with constitutional rights as well as existing state statutes. Such changes could potentially cause numerous unintended consequences, ultimately leading to the deprivation of vested rights of existing residential homeowners, that then would likely result in substantial litigation.

As a fundamental residential use, property owners in Hawai'i have, for decades, relied on the protections enshrined in HRS Section 46-4 to offer short-term rentals to their guests. And these fundamental protections—which, as described below, are “grounded” in the Hawai'i and United States Constitutions—should not be dismissed or undermined. To do so would not only implicate important constitutional protections, it would potentially drive significant litigation around the State.

Both Hawai'i and federal litigation has recognized the principle that preexisting uses of land are protected. “Under the United States and Hawai'i Constitutions, *‘preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate.’*” Even preexisting nonconforming uses are protected from subsequent restrictive zoning regulations. As the Hawai'i Intermediate Court of Appeals has recently stated, “The statutory protection of lawfully existing uses and structures *‘prior to the effective date of a zoning restriction is grounded in constitutional law.’*”

For these reasons, we strongly **OPPOSE HB1838 HD1** and respectfully request it be deferred.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

HB-1838-HD-1

Submitted on: 2/28/2024 5:10:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Naron	Maui Vista Condos	Oppose	Written Testimony Only

Comments:

Dear HSL.

I believe this bill HB1838 will hurt Maui County business in everyway. Maui's income, be it STR, the resturant owner, tour guides, ABC stores and tax stream on tourism will put families at risk to leave the Hawaiian Islands, this is our income. The fact that residents are leaving Maui now because Lahaina is no longer around should be a sign of future things to come if you take away legal STR.

In my opinion, the county needs to find illegal STR and make sure they sign up to be legit in the eyes of the law.

I oppose HB1838

Most Appreciated

M. Naron - Maui Vista condos in Kihei



HAWAI'I LODGING & TOURISM
ASSOCIATION

Testimony of Mufi Hannemann, President & CEO
Hawai'i Lodging & Tourism Association

House Committee on Judiciary & Hawaiian Affairs (JHA)
HB1838 HD1 RELATING TO ZONING
Thursday, February 29, 2024
Position: SUPPORT

Chair Tarnas and members of the Committee,

On behalf of the Hawai'i Lodging & Tourism Association, the oldest and largest private sector tourism organization in the state, we express our support for the intent of **HB1838 HD1 RELATING TO ZONING**. This bill would allow counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time.

The Hawai'i Lodging & Tourism Association – the state's largest and oldest private sector visitor industry organization representing more than 50,000 hotel rooms and nearly 40,000 lodging workers – has long prioritized the regulation of short-term rentals (STRs) across our state.

Short-term rentals in neighborhoods bring several drawbacks, including disruption within communities due to frequent turnover of renters, increased noise levels, and other potential disturbances. These rentals also strain local infrastructure, pose regulatory challenges in enforcement, and raise safety concerns, further compounding the issue. Moreover, the conversion of properties into short-term rentals reduces the availability of housing for long-term residents, driving up rental and purchasing prices for local renters or buyers, and negatively impacting property values. This issue is particularly prevalent now, exacerbating the challenges of long-term housing in the overall recovery of West Maui.

With the various counties implementing enforcement measures to achieve further regulation of these units, we appreciate the Legislature's proposal through HB1838 HD1 to make the counties' authority to amortize or phase out nonconforming single-family transient vacation rental units in residential zones explicit in state law. We have always held the view that STR's should operate in appropriate areas such as hotel and resort districts where they are deemed legally zoned, and can be held accountable to the same taxes, rules, and regulations that hotels and resorts have to adhere to. As progress is made, hopefully, in reeling in short-term rentals within our residential neighborhoods, this clarification of jurisdiction will help to avoid future litigation.

Mahalo for the opportunity to offer our testimony.

HB-1838-HD-1

Submitted on: 2/29/2024 10:16:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Giovanni Reola	ILWU 4526	Support	Written Testimony Only

Comments:

I support HB 1838 as Presented

HB-1838-HD-1

Submitted on: 2/29/2024 11:15:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lady Caitlin Magee of Kerry	House of Organic Life	Oppose	Remotely Via Zoom

Comments:

As a small business owner I come here once or twice a year for my e-commerce store. I work with the small businesses as my vendors here in Hawaii. I stay in a short term rental in Hawaii Kai while I'm conducting business here. If I didn't have this option I would be forced to not be able to continue my business with them due to costs of staying in a hotel for an extended stay. This law will prevent me from contributing to the Hawaiian economy on a Global scale.

HB-1838-HD-1

Submitted on: 2/26/2024 12:37:01 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joshua Montgomery	Individual	Oppose	Written Testimony Only

Comments:

Honorable David Tarnas Chairman
House Committee on Judiciary and Hawaiian Affairs
Hawai'i State Capitol, Room 442
415 South Beretania Street Honolulu, HI 96813

Aloha Chairman Tarnas,

My name is Joshua Montgomery, a proud farmer on the Big Island, where my ohana and I have rooted our lives deeply into the 'aina we cherish. We are stewards of the land, cultivating it with respect and love, embodying the true spirit of aloha 'aina. Our farm is not just our livelihood; it's a sanctuary where we have opened our doors to share the beauty of Hawai'i with visitors through a hosted vacation rental. This venture is crucial, as it helps us make ends meet and sustain our farm.

I am writing to express my deep opposition to HB1838. This bill threatens the very essence of our ability to share our home and the culture of Hawai'i with those who travel from afar. By allowing counties to phase out and restrict non-conforming single-family transient vacation rentals, HB1838 does not just impact a business model; it threatens a way of life for families like mine who depend on this income for survival.

Our hosted vacation rental has allowed us to connect with people from all over the world, sharing with them the true meaning of aloha and the importance of caring for our land. It has also enabled us to provide a more personal and authentic experience of Hawai'i, something that cannot be replicated in a hotel setting. This personal connection fosters a deeper understanding and respect for our culture and environment among our guests.

The proposed legislation unfairly targets individuals and families who have followed the rules, invested in their communities, and contributed significantly to the local economy. It ignores the positive impacts that hosted rentals can have, not only in terms of economic contributions but also in cultural exchange and environmental stewardship.

I urge you to consider the detrimental effects HB1838 will have on families like mine and many others across the islands who rely on vacation rentals as a vital source of income. Please, let us continue to share our homes, our culture, and our aloha with the world in a sustainable and respectful way.

Mahalo for your attention to this matter and for considering the voices of your constituents.

With respect and aloha,

Joshua Montgomery
75-1097 Keopu Mauka Dr.
Holualoa, HI 96725

HB-1838-HD-1

Submitted on: 2/26/2024 12:37:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
G Rand	Individual	Oppose	Written Testimony Only

Comments:

I've been a professional property manager here in Hawaii for 49 years. Unlike what you politicians may have been told, most of the time with proper management, STR Owners pay their taxes and responsibly manage noise, parking & the other issues much more than Long Term rentals. We oppose this bill as it strips owners of their basic right to responsibly do what they have for many decades, to accommodate the urgent needs of our communities, to earn a basic living with their homes responsibly. Don't allow the Hotel Associations and Union lobbies tell you otherwise for their monopolistic intentions. They have the power & tendencies to "incentivize" you so they can horde Billions yearly in more profits. This bill seems an effort to circumvent the sound ruling by Judge Watson. Serve the needs of your mom & pop Hawaii constitutes instead. We need you to stand tall against their manipulative ways this Bill pushes towards.

HB-1838-HD-1

Submitted on: 2/26/2024 1:03:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kris Adair	Individual	Oppose	Written Testimony Only

Comments:

75-1097 Keopu Mauka Dr

Holualoa, HI 96725

kris.adair@guardwellfarm.com

785-840-7989

February 26, 2024

Hawai'i State Legislature

Committee on Judiciary and Hawaiian Affairs

State Capitol 415 South Beretania Street

Honolulu, HI 96813

Dear Members of the Legislature,

My name is Kris Adair, and I am a farmer on the Big Island. I'm writing to express my deep concerns about HB1838 and how it could adversely affect not just my family's livelihood but also the fabric of our community.

Running a hosted vacation rental on our property has been a lifeline for my family. It's not just about supplemental income; it's about survival. Like many others in our community, we rely on this income to make ends meet, especially in the face of unpredictable economic challenges.

Our vacation rental not only provides essential income for our family but also plays a vital role in supporting the local economy. Visitors who stay with us contribute to the success of our community by patronizing local businesses, purchasing our farm products, and experiencing the unique culture and hospitality of the Big Island.

HB1838, however, threatens to upend our way of life. While I understand the need for regulation to address certain issues related to vacation rentals, this bill does not do that. Its restrictive measures could force many of us out of business.

Moreover, many of us who operate these rentals do so with a deep sense of responsibility to our community and our aina. We take pride in offering unique experiences and fostering meaningful connections with visitors from around the world.

I urge you to reconsider HB1838 and work towards a solution that balances the interests of all stakeholders. Let's work together to protect our livelihoods, support our communities, and preserve the beauty and vibrancy of our beloved Islands.

.

Thank you for considering my perspective on this important issue.

Sincerely,

Kris Adair

75-1097 Keopu Mauka Dr
Holualoa, HI 96725

HB-1838-HD-1

Submitted on: 2/26/2024 1:12:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Levi Brooker	Individual	Oppose	Written Testimony Only

Comments:

My wife moved from Oahu to the mainland to find work 15 years ago, and her dream, along with mine, was to somehow find a way to live there again permanently. 5 years ago, we thought we found a way to eventually make that dream come true. We purchased a condo in the resort community of Ko Olina, where you are allowed to lease your home out on a 30+ day basis, which allows us to subsidize the extremely high cost of our monthly HOA and mortgage payments and eventually retire there. Over the years, we have offered much needed housing to nurses, military personnel, family members of local residents, new residents to Oahu, various government workers and vacationers. We even leased to an FBI agent and his family for a few months while he was there investigating corruption in the Honolulu government! In each case, the luxury hotels in Ko Olina were not a valid option for the tenant for various reasons. In each case, the tenants brought much needed revenue to the local community, and as always, we paid 17.75% of our rental revenue to the state and county despite not even turning a profit. The resort community of Ko Olina was developed and zoned with this type of housing in mind, but somehow all <6 month rental housing has gotten lumped in with illegal <30 rentals that are causing issues across the state of HI. There is a huge need for 30-180 day rental housing on Oahu, and Ko Olina helps serve this need without harming anyone. However, the hotel lobby is EXTREMELY strong and is doing everything they can to influence the City and County to eliminate every last bit of competition from the island. We need protection from the hotel lobby, and thus ask the State of HI to please reject this latest attempt to blame the ~2,000 of legal short to mid-term rentals for Oahu's housing crisis that was decades in the making. By all means, <30 day rentals should be regulated and/or banned in areas where they don't belong, but please do not allow Honolulu County and the hotel lobby to eliminate much needed 30-180 day rentals in resort communities.

HB-1838-HD-1

Submitted on: 2/26/2024 1:31:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
April Perreira Pluss	Individual	Oppose	Written Testimony Only

Comments:

I am testifying on behalf of over 100 immediate families who will be affected if there is no option to rent a place reasonably for 30 day rentals. These families need reliable, safe, clean places to stay in emergencies, or health reasons or family having a baby, or for work, transition. A hotel is not an option for these individuals. Hawaii will miss these people sharing our paradise. In addition to these individuals workers will be affected. I will no longer be able to afford or need work to help with my 30 day rental. I will not need them. Why would you want to hurt the local families' families? Why would you jeopardize housing for needed nurses and others moving to the island for work? These are hard working people, the middle class that are constantly being pushed down. We need to support all the classes! Not just the upper class and big business.

Please consider my plea and vote this bill down for once and for all.

Mahalo,

April Perreira Pluss

HB-1838-HD-1

Submitted on: 2/26/2024 1:35:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ken Kribel	Individual	Oppose	Written Testimony Only

Comments:

Bill HB1838 will cause a huge hardship on our family if we are unable to rent our condo. Those who rent their homes are small business owners. It is important to many support people who rely on STR for income. Please do not put people out of work. Vote no on HB1838.

HB-1838-HD-1

Submitted on: 2/26/2024 1:41:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurie R	Individual	Oppose	Written Testimony Only

Comments:

With all due respect, why don't you focus on bringing illegal rentals to task. Either shutting them down or making them conform/pay their share of taxes. And not constantly targeting people doing things that aren't illegal over and over and over again.

Also focus on what you can do to build rentals to bring to market for locals. Something you should have been doing for 50 years instead of blaming, targeting and taxing law abiding citizens year after year.

HB-1838-HD-1

Submitted on: 2/26/2024 1:44:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aaron Kaplan	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to this bill. I believe that this bill will NOT resolve the housing shortage caused by the Maui's fire. There are more than adequate housing in Maui for all the remaining victims of the fires if more short-term vacation owners would rent their units to these individuals. Allowing ALL hawaii counties the authority to rezone any area of short-term rentals is a huge overreach the legislature is using to justify housing for people affected by the Maui's fires. It is also grossly unfair to short-term vacation owners of the other island who need to earn additional income from their vacational rentals to support themselves and their families. Vacational rentals also bolster local businesses and restaurants, create employment oportunities (cleaning services, landscaping, contractors, etc), and generate millions in tax revenues each year that can be used for local affordable housing funds. I feel that vacational owners are continually being scapegoated for a housing crisis that has muldifactorial causes. I believe that this bill will hurt Hawaii's economy and will do little if anything to alleviate the housing problems in this state.

Dispelling the myths regarding Short-Term Rental Homes

This is specifically focused on Maui but other HI counties have done similar things. I think Oahu is late to the TVR control party and perhaps the state legislature should "clean up their own back yard" before enacting laws that would take effect in other counties.

So the first myth to tackle is huge and rampant illegal Transient Vacation Rental problem aka TVR problem. Despite the rumors and internet hyperbole, there are not that many. The county of Maui hired a big data company in 2021 and they determined that there was only 1217 illegal TVR's on Maui at that time and most (as in 95%) of these have been shut down. This is way below the alleged 6000+. What happens is that people lump in the large number of Minitoya units (see below) which are not required to have permits. In fact there are less than 200 TVR's that have a specific permit number.

Importantly, following the above analysis, Airbnb removed more than 1,300 vacation rental pages without licenses under its agreement with Maui County. The company signed a Memorandum of Understanding with the county Feb 4, 2022. This vastly reduced the number of illegal TVR's. So right now the evidence supports the notion that illegal TVR's are rare.

One could argue that illegal TVR's can happen without a VRBO/Airbnb presence but it is pretty difficult. The author has tried over the decades to do business on other sites and they rarely get inquires, let alone a booking.

The second myth is regarding the over-abundance of specifically permitted TVR's. These are units not on the Minitoya list and have owners that have received a special permit to TVR in an area that is not a classic "resort area". Maui county has severely restricted B&B and single family Short Term Rentals over the last few decades. County wide there are only 164 addresses with 13 being on Lanai and Zero on Molokai. Maui county could refuse to add more. But if you closed all these down it would not create much local housing at all. Please refer to the last paragraph.

The elephant in the room and the 3rd thing to tackle are the more than 13,000 units (per Maui County) on the Minitoya list. These are largely units in resort communities built before 1990 although there are a few "Non-apartment District" properties listed as built in the 2000's. Grandfathering is a complex legal term but the history to date is that the Minitoya units are grandfathered-safe. Very few of these units were ever designed or built to be local residences. Thus it is a myth that these took a big chunk out of local housing during the Airbnb era which came later.

The Minitoya units were designed and built as vacation rental communities from the start. Many, if not most, Maui residents would say that resort communities are where tourists "should be". It eliminates lot of problems if tourists reside in these TVR "enclaves" and only "bother" locals when they venture out for tourist activities. There is a significant percentage of travelers that are NOT interested in staying in a hotel. And the traditional TVR resort is a good way to "contain" these tourists. This is not to say all TVR communities have no local impact. For example, If the TVR community does not have its own adequate parking then this will have a local impact.

When they are mapped, the Minitoya units are overwhelmingly on the ocean or between the closest major street and the water. Regarding SMA areas and SLRE areas (sea-level rise exposure areas), most Minitoya units in in SLRE areas. Properties inside the SLRE areas are risky and not a good choice for permanent housing.

There was in fact a recent Planning Sustainable Land Use Committee *proposal* that those properties in the SLRE areas would be able to continue that TVR use. But those outside and SLRE area would be banned from this use. The *proposal* hoped to get approx 3000 units out of TVR use and into 6+ month leases. The author has studied the SLRE and Minitoya maps and thinks this is overly-optimistic. Kihei would "donate" a few resorts to local housing with this proposal and there are a few on the West side. But the vast majority of TVR resorts are on the water or close by and thus are in SLRE areas.

And finally, we need to tackle the myth that the majority of non-resident TVR owners are in it for money and profit. It would take some database and number crunching to verify this but the author firmly believes that most non-resident owners engage in TVR renting their units to help pay for them during the seasons when they are not residing in Maui. If they did not want to enjoy Hawaii for some weeks or months each year by staying in their own condo, then they would not own.

On the other hand, roughly half of Hawaiian TVR's are locally owned. Furthermore, there are some owning entities/people that do TVR renting of multiple properties: like 20 or more units! The author would hazard a guess that these are solely for-profit ventures and not the mom and pop owned condo.

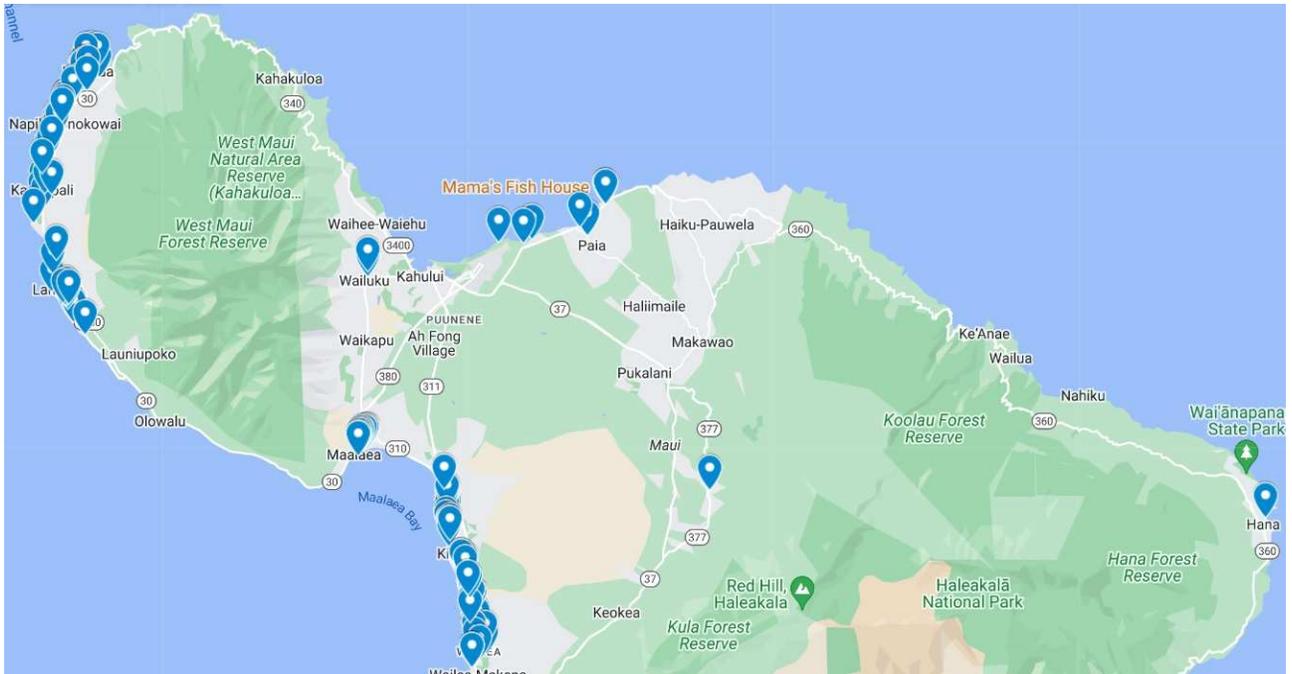
And the tax numbers:

If Maui county banned TVR use from many Minitoya units then it would likely NOT create much local housing. Rather the prices would fall for these ocean front units but not low enough for local housing. Others would buy them and just keep them vacant except when they are in Hawaii. Furthermore the fallout from this would be severe on Maui county finances. Property taxes on vacation renting properties are super high! The Maui vacation home rental industry raises **37% of Maui real property taxes**! That represents a sizeable chunk of the operating budget in Maui County. Therefore, by severely restricting Minitoya TVR's, you would lose a lot of tax base and not get much local housing in return.

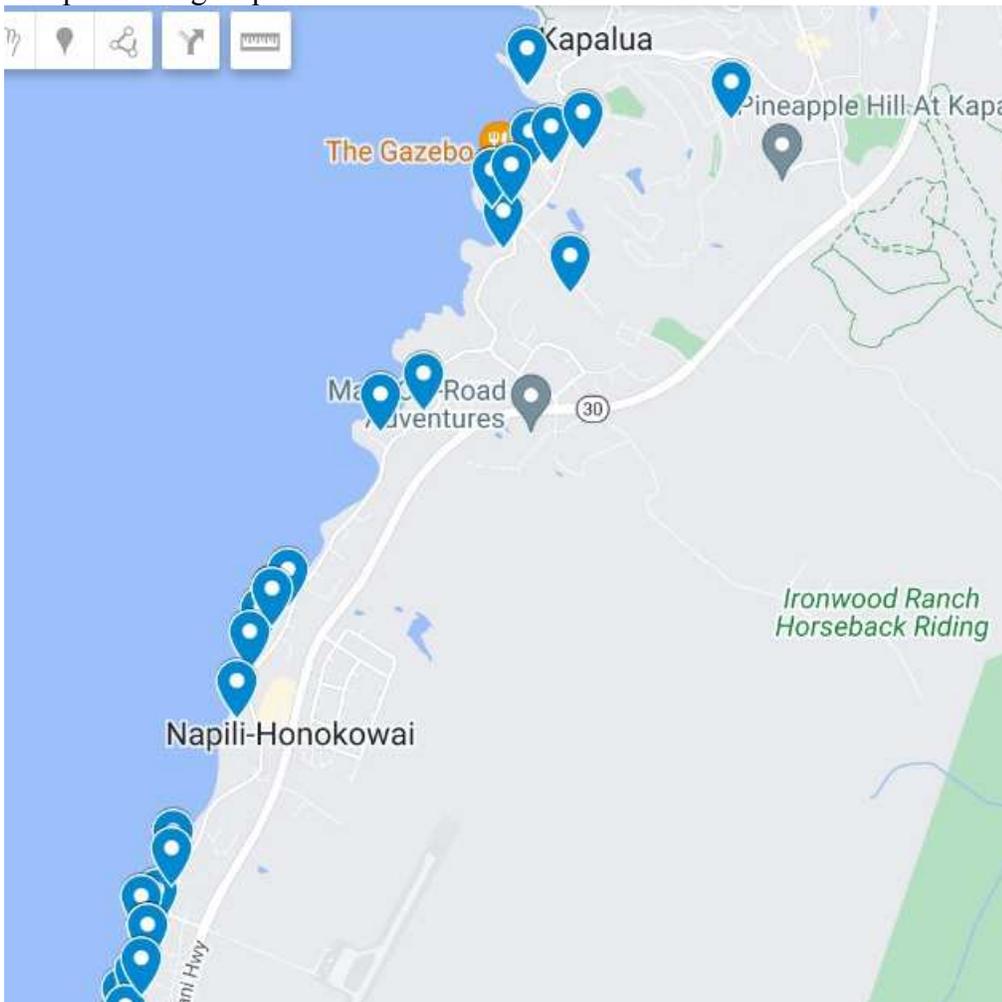
What we need is more local housing. There is plenty of former sugarcane land to use for this. And there are developers wanting to do this. So what are we waiting for?

Thank you
Dana Keen

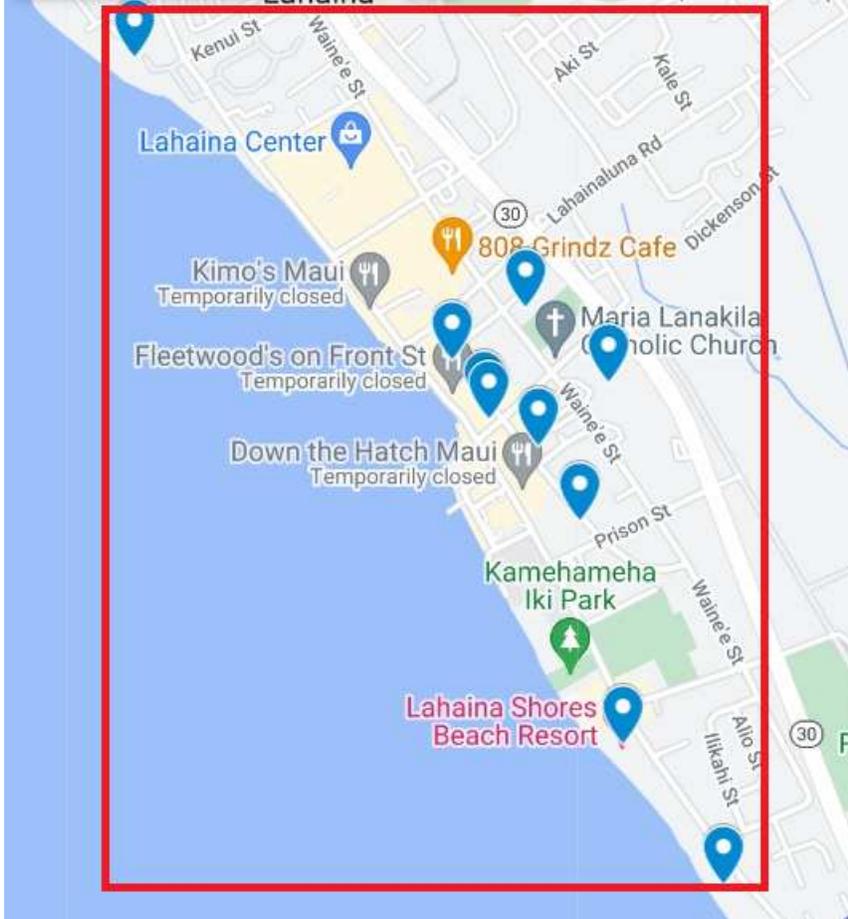
Maui Minitoya Resort communities with TVR's. The vast majority are Resort condo communities built before Airbnb and VRBO. Note that the two in Wailuku are hostels.



There are many west side purpose built resort communities (Minitoya) right on the water the exception being Kapalua.



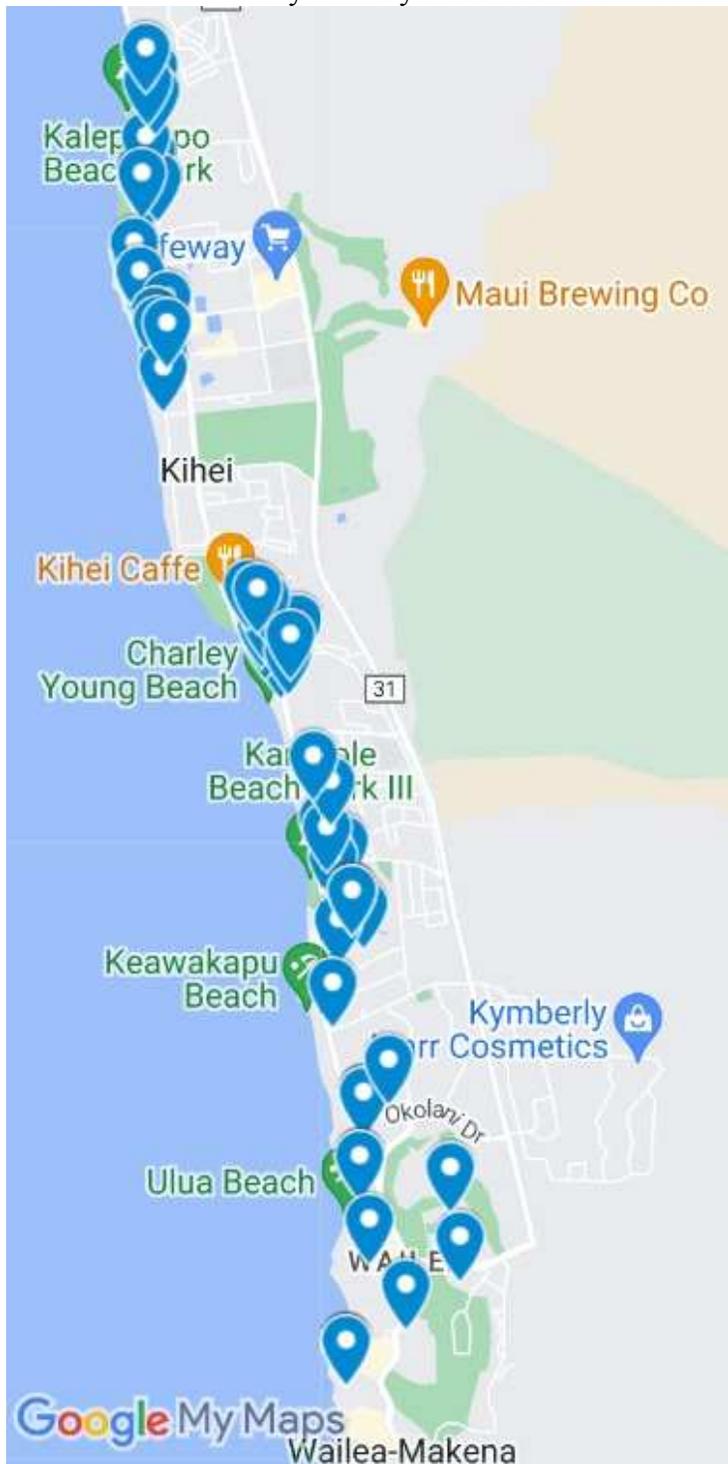
Most of the TVR's in Lahaina burned. The exception being Lahaina Shores.



Maalaea again has coast hugging purpose Minitoya built resort condo communities going back before Airbnb and vrbo.



And south Maui. Many Minitoya resort communities on the water with a few sprinkled inland.



HB-1838-HD-1

Submitted on: 2/26/2024 2:15:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heidi Schemp	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Thank you for trying to do things that will allow for more affordable housing in Hawaii, I great appreciate that. BUT blaming non-conforming vacation rentals is in my opinion exetremely short sighted. I'm on Kaua'i, so that's the perspective I am looking at. The vast majority of our non conforming vacation rentals are in Haena, Hanalei, Anini and Lawai Rd in Poipu. The other areas have a handful mostly right on the coastline. Most of these homes are well over \$3,000,000. They pay exetremely high property taxes and they employ cleaners, property managers, handymen. These homes if not being used as a vacation rental would sit vacant and be some wealth person's second home, contributing little top our economy. Instead they house visitors that support businesses all over the island. Please stop taking advice from HOTELS that are obviously against vacation rentals and want to fool you into thinking this is the problem.

I strongly OPPOSE.

Heidi Schemp

Kilauea, Hi

Patricia Rolland
67-225 Kiapoko Street.
Apt. A
Waialua, HI 96791

February 26, 2024

I oppose HB1838 as it could authorize the counties to phase out already permitted short-term rentals.

I am a 71-year-old divorced woman who has lived in Hawaii since 1989. I own a legally permitted Kuilima East condo. My ability to retire from my full-time accounting job rest solely on the income from my condo. My condo also provides income for a manager and janitorial services. There is no other local industry that has been targeted and politically hassled as much as legal short-term rental operators. How can I confidently retire if I am constantly worried my income from my condo will be taken away from me at the whim of a new City Council. It's no secret that the biggest campaign donors for our local politicians are the hotels. Please show support for those of us that have been operating legally, paying our taxes and providing others with good paying jobs. This constant fear of the unknown has got to stop now.

Thank you for your consideration in this very important and far-reaching bill and vote NO.

Patricia Rolland

HB-1838-HD-1

Submitted on: 2/26/2024 2:22:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Iliahi Curtis	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Iliahi Curtis and I live and work on the island of Hawaii and grew up here along with my Ohana.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time. Our area is remote and it takes hours to get to any larger towns such as Hilo and there is not much work for people like myself that is disabled.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Mahalo for your time,

Iliahi Curtis

HB-1838-HD-1

Submitted on: 2/26/2024 2:29:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Wagner	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please vote against the Counties having the right to phase out transient rentals

at their discretion. My family can only survive financially because we have had for decades a grandfathered rental on our property. We are in a quiet neighborhood and live on site. We employ our neighbor and we have never had a complaint against us. It would probably make us move off island if we were to loose this income. It helps us to mainatin our property properly. And we contribute to the tax base.

I STRONGLY OPPOSE HB 1838.

I bought a condo in Hawaii for my retirement, and it is a legally registered rental condo. I follow all the rules and pay all Hawaii taxes. My wife and I stay there part of the year and rent it out most of the rest of the time, so it is occupied at least 80% of the time. If the right to rent my condo were taken away, it would be a financial hardship for me.

If the goal of this bill is to create affordable housing by doing away with short term rentals (STRs), it will not work.

Obviously, the Lahaina fires were a terrible tragedy, and there is a huge need for affordable housing. However, using this tragedy to promote an agenda of getting rid of STRs is wrong.

There is some belief that STRs have deprived local residents of housing through the years, and getting rid of them would make housing affordable. However, most studies suggest that eliminating STRs would result in only an extremely small reduction in property values and rental rates. Therefore most of the vacation rentals, if converted to long term rentals, would still not be affordable to many of the people in need.

I believe a better solution is two-fold: Provide developers with incentives and reduce restrictions to construct new affordable housing, so more units are available. Also crack down on and eliminate the thousands of illegal STRs, especially those in residential areas, and convert them to long term rentals.

It appears that the motivation of this bill has to do with catering to special interest groups, like the hotel lobby, which would love to see the STR competition eliminated, as well as those groups that would like to have tourism to Hawaii greatly reduced. If blame is to be placed for the current lack of affordable housing, politicians should look in the mirror.

If less tourists come to Hawaii, the loss in revenue would result in a vast ripple effect that could result in businesses like restaurants and shops closing, putting people out of work and negatively affecting Hawaii's economy. Thousands of people work in the STR industry, and if STRs were eliminated they would lose their jobs. How will the government deal with the loss of millions of dollars in tax revenue resulting from the elimination of STRs?

This bill would result in many negative consequences and no positive results. Again, for this reason, I strongly oppose HB 1838.

Thank you for your consideration.

Philip Daniel

HB-1838-HD-1

Submitted on: 2/26/2024 3:31:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Young	Individual	Oppose	Written Testimony Only

Comments:

I currently own a condo in Honolulu that supplements my retirement pension that helps put food on the table for my family & I and pays for other necessities such as home heating. The lack of short-term rental income will mean less nutritious food for my children & reducing other necessities as much as possible.

Oahu is down 2000 legal short-term rentals excluding hotel units. We cannot afford to lose more.

Mid & short-term rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, family & friends.

Events like the Red Hill Crisis & Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Where will people stay when they come to Oahu for work, visit family or seek healthcare? A \$700/night hotel?

My name is Deirdre. I am an STR Host in the Minatoya District, and I share my home and welcome guests to Maui. Please protect the rights of Hosts like me who share their homes to supplement our income and oppose HB1838.

We purchased our condo in the Minatoya district at the Maui Vista as a way to establish ourselves as part of the Kihei community and to have a home on Maui. We rent our condo on short term rental platforms when it is not used by us. This in turn employs local residents by a hiring local, family-run cleaning company who cleans vacation rentals only. Without having our legal STRs as clients, this family business would not have the income they do now.

As Hosts, we depend on this income for our livelihood, and especially as the costs of living on the island continue to increase. Without the ability to host, many of us will face further economic hardship and the uncertainty that comes with it.

As you discuss and draft regulations that will impact us, please support our right to share our homes. We help bring wide-ranging benefits to the local community, including distributing visitor spending to local small businesses and increasing tax revenues for the County & State. We need to work together to establish fair, balanced rules that preserve the economic benefits of short-term rentals while protecting the integrity of neighborhoods.

Also, if the intent is to open more affordable "homes" for local residents, then our property (and many others like ours in Kihei) is not the type of home that would accomplish this goal. Our complex was designed and built to house short-term rentals. We have parking for 1 car, no storage for residents and high (and ever increasing) HOA fees, currently around \$900 per month. My 600 SF unit is not suitable for affordable housing by any means. At most, our unit can house 2 people, and the mortgage on the condo if we were to sell in the current market, the mortgage payment would be \$3900/month, plus property taxes and the HOA fees. This does not seem to be affordable in my estimation. Too, our complex is ageing and is starting to need costly repairs which present themselves by way of special assessments.

Lastly, As a STR property, I pay a much higher property tax rate than I would if my condo became permanent housing. The County would lose the extra revenue generated by my STR. Too, the County & State will lose the GE and TAT income that my property generates.

Maui County has recently imposed a 3% tourism tax on STR. "Maui County's revenue from its new tax for this year will go toward affordable housing, open space, cultural programs, and tourism management and enforcement." To phase out STR condos in the Minatoya district seems counterproductive to accomplish the goal of bringing in extra revenue to support more affordable housing.

The legislature needs to consider this substantial loss of revenue that will occur by phasing out my ability to rent short term.

HB-1838-HD-1

Submitted on: 2/26/2024 3:47:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Darla Phillips	Individual	Oppose	Written Testimony Only

Comments:

I have been a Maui Resident for 42 years, and our kids were born and raised here. We have always needed more than my husband and myself income to live here in Hawaii. He is a registered nurse working at Kula hospital over 35 years, and I was a retail store manager. We took some profit sharing money from my husband's former employment and bought a STVR in Kihei. It helped us along and get our kids through school, however during Covid when the islands shut down we had to sell or go bankrupt. We sold.

finally last year we were able to buy one property to help us make it here in Maui where we have lived for over 40 years.

We need our vacation rental income to survive.

Please do not take this away from us as we financially cannot afford to live here without another income. It also provides a living for the housekeepers, maintenance men, furniture stores, and most important,, huge tax income for our county and state.
we are in high opposition of this bill which would be catastrophic to the income of your residents here on Maui.

Mahalo,

Darla Phillips

Eliminate Short-term Vacation Rentals? Let's Stop this Nonsense!

By Dr. James T. (Kimo) Walz, Ph.D.

26 Feb. 2024

As full-time residents of Hawaii and owners of short-term vacation rentals on Maui, we are very concerned with recently proposed bills HB1838 and SB2919 that are attempting to force the rezoning of legal short-term rentals to other classifications disregarding the recent HILSTRA judgment. U.S. District Judge Watson was clear when he stated, "There is nothing to suggest that HRS § 46-4(a) does not mean exactly what it says — that a county is barred from passing any law that would eliminate existing lawful residential uses." In addition, short-term rentals contribute a significant portion of Maui's annual budget.

According to the proposed County of Maui's Department of Finance and Real Property Assessment Budget for 2023, short-term rentals will contribute 35.9% or \$149,800,000 of the overall budget. If short-term rentals are eliminated, where will this shortfall come from? This is a disastrous approach to the housing shortage on Maui and in the Islands in general. Maui will see a financial collapse if this approach is adopted. Hotels won't be able to, nor will they be willing to make up the tax shortfall. It has also been suggested that the hotel's lobbying efforts are behind these past and recent bills to eliminate short-term rentals, thereby creating an opportunity for a monopoly. I speculate that if HB1838 and SB2919 pass, they will be challenged in the courts for many years to come. This will cost the State and the County of Maui more than they can imagine. Short-term rental owners will not take this lying down.

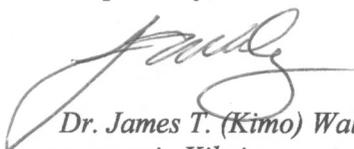
In addition, thousands of cleaning, maintenance, property managers, restaurants, and entertainment industry employees will lose their jobs. This will negatively impact business revenues in and around resort communities like Kihei. With the need to rebuild Lahaina, adding the loss of these jobs is very short-sighted at best.

Finally, the solution to the housing shortage on Maui is to build more affordable housing, not eliminate current tax revenue sources provided by short-term rentals. We have significant portions of land available, but the State and County need to get serious about building infrastructure and housing that local people can afford not more luxury properties.

Those of us who own short-term rental properties love our community and want to see it prosper while remaining respectful of our beautiful Hawaiian homeland. As I stated in an earlier letter, we have been closely watching the process that has taken place to reopen tourism, and we're grateful that guests are finally able to stay in our properties just as they would in a hotel or resort.

Unfortunately, bad actors remain a threat to businesses like ours and cause Maui County to lose out on deserved tax revenue. Maui County can easily identify any illegal operations through online platforms like Airbnb and VRBO, which can quickly delete them from their listings. We hope that Maui County officials will recognize these issues and adopt a rational, balanced solution when dealing with short-term vacation rentals.

Respectfully,



Dr. James T. (Kimo) Walz and his wife, Laurie Walz, are Hawaii residents and short-term rental owners in Kihei.

The short term rentals in Maui are a key piece of the economy. Tourism on Maui is paramount and hotel prices are unaffordable to many middle income travellers. The tax revenue generated would be lost and visitors would be forced to find other options (in other locations like Mexico and the Caribbean) meaning that the economy in Maui would be adversely affected across the board as so many other businesses depend on the tourism industry and the taxes collected. Many of the properties with established legal short term rentals are not really suitable for low income affordable housing so using that as a rationale is not really a valid argument. Oceanfront condominiums, for instance, are not likely to ever be used for low income housing simply based on the value of real estate in Maui. Many of the owners of short term rental properties depend on the income generated by their investment. In addition, the values of short term rental condos are inflated due to the earning potential. These condos are capped off in the market and new ones are not added to the market, so cutting short term rentals will cost these owners probably up to 50% of the cost of their investment due to the deterioration of that income earning status. The only people who would benefit from this is the hotel industry, not the public as a whole. There may be people that take advantage of the system and own many rental properties, but by and large, most owners are just trying to make ends meet with this extra revenue.

1228 N La Cienega Blvd., #102

West Hollywood, CA 90069

213-220-4176

Dear legislators:

I am writing to you asking you to oppose the passage of HB 1838. I am testifying as an individual citizen and part time resident. I am a Hawaii licensed, Registered Nurse/Nurse Practitioner. I have used short term rentals for several weeks to months on end to allow me to volunteer with homeless agencies and to assist with volunteer efforts due to the Lahaina Fires. I have owned a short-term rental for 6 years and through this rental I have employed Maui residents who manage my property per Hawaii law, housekeeping staff that clean and maintain the property and numerous handypeople, contractors, electricians, and plumbers to keep the property up to current standards. I am appalled that you are considering phasing out short-term rentals. This will impact the Maui residents I employ, and my ability to volunteer my services.

Mid and short-term rentals accommodate displaced residents, newly housed resident, residents in transition, inter-island resident coming for medical treatment or family visits, traveling nurses as myself, emergency contractors, temporary military & students, our family, and friends. Passing this bill will impact this greatly.

Maui's short-term rentals provide 40% of the real property tax revenue for the county as well as being the top funding source for affordable housing for Maui. The short-term property tax revenue represents 18% of the county's 1.7-billion-dollar budget and the County cannot survive without those funds.

In addition, demanding short term rentals participate in the FEMA housing programs for displaced Lahaina residents is not the answer. There are still so many that are participants in that program but are yet to be rented. I have tried writing, emailing, and calling the FEMA property managers for Maui and yet no one ever returned calls. Punishing short term rental owners by increasing property taxes for not participating is not fair and it is more harmful to Maui residents and the county.

Please do not support the passage of HB 1838. It is not good for the people of Maui and Hawaii.

Best Regards,

Dr. Aaron J Strehlow, RN, FNP

Short term rental owner and user.

HB-1838-HD-1

Submitted on: 2/26/2024 4:11:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Alpine	Individual	Oppose	Written Testimony Only

Comments:

We respectfully oppose HI house bill 1838

My wife and our bought our condo 10 years ago in the most heavily touristic area of Maui, in a hotel zone, in a development largely occupied by timeshare owners with the intention of using it as a second home part of the year and using it as a short term rental when not there. Given the costs of beach front property, insurance, HOA (\$3000 per month), taxes, etc, the unit was only affordable to us if we could lease it part of the year. We are not “off shore” investors or property speculators, but regular citizens that purchased property under completely legal and county approved usage. Between property tax, GET, transient accommodation taxes we pay far more in Hawaii taxes than most full time residents, yet neither ourselves nor our guests use half the services paid by these taxes.

Under new proposal by the Governor, mayor and yourself it appears we are now responsible for the housing problem on west Maui after the fire. We are the enemy, and should be penalized by even higher taxes if we don't agree to forfeit our usage of our property and convert to a long term rental. During this period we cannot use our property, sell it, or manage it directly.

It is misguided to lump all property owners that offer their homes as short term rentals the same.

Not all such units are even remotely viable as interim or long term rentals. Most vacation properties are in resorts with extremely high HOA fees, are studio or 1 bedroom, have parking and pet restrictions, and mixed ownership models (fractional and timeshares).

Please consider a bill that properly categorizes part Tim occupied vs investor property, suitable long term vs non viable long term rental.

John and Lisa Alpine, Lahaina , HI

HB-1838-HD-1

Submitted on: 2/26/2024 4:14:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heidi Winslow	Individual	Oppose	Written Testimony Only

Comments:

\$4,400 PER MONTH. That's how much it costs me to break even for my ONE BEDROOM oceanfront condo in Honokowai. Not pricy Kapalua or Kaanapali. HOA fees, leasehold fees, special assessments, property taxes, mortgage payments have all skyrocketed since we purchased ten years ago. My condo has NEVER been a part of a long term rental pool. It has been a short term rental since it was built in 1979. No one has ever occupied it long term, it has been a short term rental for 45 years.

We have one parking space for our unit. We have zero storgae and a hotel-size kitchen. There is zero privacy and pets aren't allowed. Neither is smoking. Can't store anything on the lanai. Sound like a suitable place for someone to live full time? Of course not, it wasn't designed for that and has never been used for that.

The idea that STR owners are making huge profits on their rentals is so false. We barely break even. Most years we lose money. We bought our place for part time use and to eventually retire. There is no way we could rent it long term. Who would pay almost \$5,000/mo for a one bedroom? With no parking, privacy or storage? Why do you assume all STR's are better off as long term rentals?

STR property taxes make up 40% of all tax revenue on Maui. Take this away and local residents will be forced to pay a massive increase in property takes.

South Lake Tahoe placed a ban on short term rentals. Guess what? Those units now sit empty. Owners didn't rent long term. They still use them for their leisure but they sit empty when not occupied by the owner. No more tax revenue for the city. Just empty real estate.

My housekeeper lost her home in the fire. She cleans STR's on the west side for a living. If this bill passes, not only will she have lost her home, but she will now lose her livliehood. My handyman? Same exact story. STR's provide jobs.

Oceanfront STR's are not the problem, they are part of the solution to the housing crisis on Maui. Use the tax revenue to keep long-term resident's taxes low. And to fund more affordable housing projects. And to keep people's jobs. The only people who will profit from a blanket ban is the off-island hotel corporations. Keep the oceanfront units as STR's.

HB-1838-HD-1

Submitted on: 2/26/2024 4:15:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
George Fulton	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have owned a unit at Maui Kamaole since 2002. We occupy it for 4 months out of the year it rents as a STR the remaining 8 months. We have always paid our property taxes, TAT and GET taxes on time. Over the years this has equaled to probably \$250,000 directly to the state and county.

besides taxes, we pay monthly dues to the association who has employees and who also retains contractors to do the work around the premises. We have purchased a car for our personal use and for which we paid sales taxes, commissions and DMV fees, all to the benefit of Maui, the passage of HR 1838 will cause to drastically look at other options, including sale. Even at fire house sells, I doubt that residents could afford the monthly upkeep fees, resulting in empty units producing nothing.

HB-1838-HD-1

Submitted on: 2/26/2024 4:16:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David White	Individual	Oppose	Written Testimony Only

Comments:

Esteemed members of the legislature, thank you for the opportunity to present my perspective on HB1838. My name is David White and my wife and I have been coming from Oakland California with our children to Kuilima Estates in the North Shore for over a decade. We fell in love with Oahu and the North Shore, and started coming at least once a year, more when we could. In addition to the weather and the beaches we loved exploring the towns, shops, restaurants, and roadside stands. We always made a point of stopping at Leonard’s for malasadas when we land, and then hit Ted’s pie shop on our way to where we are staying. Over the years as we started thinking about what retirement might look like, without hesitation we both very much want to move to the North Shore permanently. We spent 2 years looking at waiting for the perfect palace and finally we had the opportunity to buy a wonderful condo at Kuilima Estates. To be honest it was more than we could afford, but since KE was in an area that has been allowed to have STRs, we believed that we could make it work until we can move there full time. There have been some challenging months, as tourism across Hawaii has been so affected both during and since Covid but so far, we have been able to squeak by.

As you can tell, we are very invested in Oahu. As I write this I am looking at my Kahuku Red Raiders ball cap. We love our time there and are very much looking forward to retiring to our place that we worked so hard to get. We are still a number of years away from retirement but if HB1838 passes, it may destroy not just our plans but much of what we have worked for. In the event that STRs are prohibited from renting for less than 30 days, 2 very sad things would happen. First, we would have to sell our condo. There is just no way that we could afford to keep it if we are not able to offset the costs by using it as a short term rental. The second thing is that we would likely lose a tremendous amount of money since we would need to sell quickly and almost certainly sell at a loss since the value of the condo will plummet if it cannot be used as a STR. This would wipe out decades of hard work and careful saving on top of losing the condo. In short, we would be devastated both emotionally and financially if this were to go through.

As catastrophic as it would be for us, I fear that it may be even more detrimental to the North Shore that we so enjoy. The STR tenants are people that are far more likely to spend

money, supporting the local community. Most people, when they come and stay in a hotel, are likely to take the majority of their meals there, and often may never leave the hotel at all. When people stay in STRs that are far more likely to shop at the stores, go to the local restaurants, and stop at the roadside stands to buy fresh fruit and banana lumpia from the wonderful ladies there. The STR industry on the northshore, though very small, manages to make a significant amount of money for not just stores and restaurants, but cleaners, repair people, and property managers. This is money that continues to cycle in the local economy and not get siphoned off back to the mainland. The entire economy of the North Shore is so entrenched in tourism, and honestly, it would be a tragedy to devastate the tourism industry that supports so many people for whatever small gains that may come by eliminating STRs.

Thank you for your time and careful consideration of this issue. I have faith that upon reflection, you will agree that it is in the best interest of the North Shore and Oahu for the measure to NOT pass.

Sincerely,

David A. White

HB1838

Aloha

As a local Maui resident and owner of a short term rental I stringy oppose bill HB1838. My family, wife, and 3 kids depend on our rental to feed our family. With the extremely high costs of living in Maui our rental allows us to get by. Not only does it support our family but it also provides many jobs fro tradespeople that use. Painters, cleaners, handymen, plumbers, etc all benefit from our vacation rental. As a local resident it is extremely frustrating that the individual local residents are always under attack from the state. We are a licensed and approved rental and have followed all of the laws. Maybe the state should target the unlicensed rentals, or the our of state residents that have short term rentals. Leave us local, law abiding, tax contributing residents alone.

HB-1838-HD-1

Submitted on: 2/26/2024 4:39:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pam Taylor	Individual	Oppose	Written Testimony Only

Comments:

My husband and I are opposed to HB 1838 regarding the random elimination of short term rentals in any area. Our son and his family have lived in Kahuku for 14 years. When we retired, we worried that we wouldn't be able to visit our grandkids and be there for their milestones. We couldn't afford to stay in hotels because rooms are so expensive! Our son didn't have room for us either. We had a chance to buy a condo at Turtle Bay. However, we can't afford to keep it without the income from short term renting. We employ local people, not corporate offshore management. Our cleaners are local. We pay local workers to do repairs. We buy all of our supplies and materials locally, from refrigerators to paper towels. We only own one condo. We have done everything that has been required by the City and County of Honolulu to register. We pay a great deal of our income to GET, OTAT and TAT taxes. We also pay higher property taxes than residents. With each increase of our taxes, we were promised our money would be used to help DPP crack down on the illegal short term rentals in neighborhoods that are causing so many problems. So far, we haven't seen much of that happening. My son has several in his Kahuku neighborhood. I asked one of those folks about her listing. She said, no one cares if they rent. My son cares! Other neighbors care! Please, please help!

HB-1838-HD-1

Submitted on: 2/26/2024 4:39:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Brazwell	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to HB1838 due to the impact it will have on local families and on the the tax revenue for our Island. This rental income helps families maintain their residences and creates income for cleaners, landscapers and handymen that may help maintain the properties. If we are forced to sell our properties, more than likely they will be bought by people from the mainland that are looking to buy a vacation home here. It will not help a shortage of affordable housing. We are seeing that when contractors propose building affordable housing, as was done in Kailua, it was rejected by the same people opposed to short term rentals. Since implementing the 30 day minimum rental law, many of us have worked hard to attract people in transition, and family members coming home. This law will take that option away from us, as well as from people wanting to relocate here. Please oppose Bill 1838.

Aloha,

I am writing to express my strong opposition to the proposed measure to shut down short-term rentals on Maui. As a frequent visitor to the island and someone with family ties there, I believe this decision would have severe and unnecessary repercussions for both the local economy and part time residents like myself.

First and foremost, I want to highlight the adverse impact this action would have on individuals like Cinthia Guadarrama, who runs a small business providing housekeeping services for short-term rental properties. For many locals, such ventures are a crucial source of income, allowing them to support their families and contribute to the community's economic vitality. Shutting down short-term rentals would not only jeopardize these livelihoods but also create financial uncertainty and hardship for hardworking individuals like Cinthia.

Furthermore, as someone who cherishes the opportunity to visit my father, who resides on Maui, the prospect of losing access to my short-term rental accommodations is deeply troubling. For many families like mine, these rentals offer a more affordable and flexible option compared to traditional hotels, enabling us to spend quality time with loved ones without breaking the bank. Removing this accommodation option would not only limit tourism but also disrupt the cherished bonds that connect families across geographical distances.

I understand the concerns surrounding the impact of short-term rentals on housing availability and affordability. However, I believe that a blanket ban is not the solution. Instead, I urge decision-makers to explore alternative measures that address these concerns while preserving the economic opportunities and cultural richness that short-term rentals bring to Maui.

I respectfully urge you to reconsider the proposed measure and to seek alternative solutions that strike a balance between regulating short-term rentals and supporting the local economy. Thank you for considering my perspective on this important issue.

Sincerely,

Natalie Arbuckle

HB-1838-HD-1

Submitted on: 2/26/2024 4:44:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacque Delaunay	Individual	Oppose	Written Testimony Only

Comments:

Testimony regarding HB1838

As an owner of a permitted short term rental I would like to make an appeal for the consideration of keeping STRH properties in the North Shore. This area has very few vacation rentals and to eliminate them seems a bit harsh. The permitting process is restrictive enough to keep this number down and when people sell or violate their permit, it also eliminates existing permits. Below are a few reasons I feel that a small amount of vacation rentals should be considered and not eliminated.

Although I realize it is the hotel industry that has always been opposed to the short term rentals, there are people actively opposing them because they feel there is a need for affordable housing. Adding 45 to 55 homes in this area to the rental market is not going to create an affordable housing situation. In fact it may have the opposite effect in that if I were to lose my short term rental, 3 different families that have income from cleaning, yard service, etc would be affected enough that they would no longer be able to afford the homes they rent. Affordable housing needs to be created by our counties for local workers. TAT taxes, visitor dollars or perhaps an increase in real estate taxes on non resident home owners could be a source of revenue. There are certainly lots of unused retail spaces that could be converted into apartments.

Another factor is that Paia, while it is very busy during the day with tourists, gets very quiet at night. Most of the restaurants depend on people within the north shore community to support the restaurants for dinner. Tourists from the west and south side do not drive into Paia at night to eat at Cafe Mambo or other restaurants but tourists staying on the North Shore do support the local restaurants.

Many of my guests that come to Paia have family that live here. I have repeat visitors that come every year to visit parents, siblings, children, etc. They do not want to stay in the resort areas and choose to be as close as possible to their families.

I believe a more practical approach is to establish a certain number of STRH's, perhaps based on the number that is now permitted. Perhaps you could consider eliminating off island owners and just allow Maui residents to have permits. When owners live here, their money is spent here which helps our economy. Absentee owners take this revenue and spend it where they live.

Many of our hotels are not locally owned. The majority of profits go to shareholders and do not benefit the local economy. If the vacation homes are locally owned, I believe they should be given serious consideration to continue to operate.

My husband and I were raised in the Islands. Our 3 daughters and 6 grandchildren were all born and raised here. We retired in 2013 shortly after we started operating our vacation rental. We were counting on this income not only for our retirement but also to help our children and their families financially, as needed, so they can remain here. We acted in good faith when we went through the arduous process of obtaining our permit and furnishing and putting our property into quality rentable condition. We have a substantial investment in supplies, linens, furnishings etc and always maintaining or replacing things as needed. We very much want to continue with our rentals and hope you will take our points into consideration.

HB-1838-HD-1

Submitted on: 2/26/2024 4:57:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Hamilton	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Our dream of owning a small condo on Maui came true three years ago. We worked hard and made several sacrifices to become part of a community we love. Our condo isn't just a STR rental but we also plan to retire there someday and immerse ourselves in the culture and volunteer for various organizations. Renting our home occasionally helps us pay the mortgage and property taxes. We gladly pay the GET and TAT to help keep the island clean and moving forward to protect the people and environment. Please do not pass this bill as it will hurt many people like us and does not represent the meaning of aloha.

Thanks,

James Hamilton

HB-1838-HD-1

Submitted on: 2/26/2024 5:02:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Morris	Individual	Oppose	Written Testimony Only

Comments:

We own a home as a family and have rented it in full compliance with the STR rules and regulations for many years and have had no complaints. We chose to obey the laws and pay all the rental taxes and very high property tax as a STR unit frankly, while we watch other units slide under the radar. We are located in Hana and provide housing for families visiting one of the more remote parts of Maui. Without STR units in Hana, there would be a real shortage of units available for visitors to our area. Let us face it and embrace it, we rely on tourists.

We do appreciate well-mannered visitors and strive to make sure our property is managed so we remind our visitors of their responsibilities to the Aina and the Ocean and all of our natural resources. We employ local Hana residents to lead this effort. Our property manager is, of course, local and her income would be drastically impacted by the passage of this bill. That is only one of many locals affected. Our housekeeper depends on our home being rented for her own household to make ends meet. Our lawn and trees are all cared for by locals. Grocery and foodtrucks are supported by our guests. Carpenters and other local skills are hired to take care of our home for our visitors. We do not take anything out of our property as profit! We turn everything back into the land and our home so that we make really stays on Maui in support of a local on Maui unless it is something we must buy from off-island.

Hana needs a thriving, respectful, STR business for our community's economic health. Why would you take away this part of our local economy? We love Hana and have been a part of this area for over 40 years and a STR for 12 years. How could the County and the State do without this critical tax revenue? Please work on those rentals not in compliance with your own laws so we may all provide income to our island.

Respectfully,

John Morris

February 26, 2024

To: Members of the Hawaii Legislature

From: Linda Twilling, condo owner at 100 Ridge Road, #1614, Lahaina, Maui, Hawaii

Re: HB 1838

I am writing to express my strong opposition to HB 1838. Nearly two years ago my husband and I bought a condo in Maui. We were about to retire and bought the condo with the intention to spend more time in Maui & also to rent it out to visitors. We paid top dollar for the condo because we knew that we could rent it out for people vacationing in Maui. We worked extra time before retiring so that we could afford the condo. Having the option of a short-term vacation rental made it possible for us – seniors entering retirement—to afford the condo and also support the Maui economy by inviting visitors to Maui.

You may want to support the bill because you think it will help people in Maui. It may look like that in the very short term. **But, over the next couple of years, as businesses are decimated, as tourists stop visiting, as people cannot find work or places to stay, this short-sighted bill will turn out to be the cause of the demise of the wonderful island of Maui. I do not think you want to be responsible for making the tragedy of the Lahaina fire turn out to be an even bigger tragedy for the people of Maui.**

Due to health and food issues, we always stay at a short-term vacation rental, when we are lucky enough to travel. If we had to stay in a hotel, we could not travel. Thus, we were happy to provide a short-term vacation rental in Maui for ourselves and for visitors to the island. This was good for us, good for the Maui economy & good for the people we knew and worked with in Maui.

Unfortunately, shortly after we bought the condo, interest rates quadrupled, making it very difficult to pay our mortgage. Then the fire engulfed Lahaina, creating a tragedy for so many people there. We were not on the island when the fire hit & our condo was not in the fire zone. However, visitors were discouraged to come to Maui and we did not receive any income for several months even while our insurance rate went up by 500%, our HOA dues were increased secondary to concerns about future fires & we continued to have to pay our mortgage.

We have tried to help. We worked with the Council for Native Hawaiian Advancement & FEMA and we are renting our place for a year + to fire survivors. But, if HB 1838 passes it will be a disaster for us and for all people in Maui. If we do not have the option of short-term vacation renters next year, we will lose the condo. We will have to sell at substantial loss, just as we are living on a fixed, retirement income. And, our property manager – who has been in the business for > 30 years—will lose her business, our housekeepers will not have work, the Lahaina Carpet store will not have our business, local restaurants will not have our visitors and the economy in Maui will not recover. That is not good for anyone.

Our condo has a long history as a beautiful home that is sometimes used as a short-term vacation rental. It was built in 1979 and it has legally been a STVR for 45 years. It has housed visitors, visiting RNs, our family and friends, tourists who supported the economy, and us. Please vote against HB1838 so that Maui can recover from the tragic Lahaina fire and continue to support its people.

HB-1838-HD-1

Submitted on: 2/26/2024 5:10:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale Jensen	Individual	Support	Written Testimony Only

Comments:

Dear State Representatives:

I am writing to support passage of HB1838 HD1. During 2022, I was a strong supporter of Honolulu City Council Ordinance 22-7 that defined short term rentals as units that are rented for less than 90 consecutive days, and limited such rental to certain well defined resort areas in Honolulu County. Therefore, I was distressed to see later federal court action that enjoined full “enforcement of Ordinance 22-7”.

It is my understanding that passage of HB 1838 HD1 will rectify this situation and allow Honolulu County to fully enforce the provisions of Ordinance 22-7, and allow other Hawaii counties to pass short term vacation rental ordinances to limit the dire social impact these rentals have had and continue to have on our residential neighborhoods. Please give your full support to this measure.

Sincerely,

Dale Jensen

Kailua

HB-1838-HD-1

Submitted on: 2/26/2024 5:18:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Aloha Chair Tarna, Vice Chair Takayama, and the honorable members of the Hose committee on Judiciary & Hawaiian Affairs.

I am testifying in support of HB1838

In Lahaina, 25% of the housing units were listed as short-term rentals according to the UH Economic Research org. South of Lahaina jumps up to 41.*% and up north it jumps to 87%. We are in a housing emergency on Maui. Giving the counties the clear authority to phase out vacation rental uses has been identified as a key policy tool for helping Maui residents find long term housing in the wake of the wildfires.

Mahalo for giving me the chance to voice my support for HB1838.

Sincerely ,

Athena Roebuck and family

Aloha ko'u hoa aloha, O Paul Laub ko'u inoa.

I am writing you today to ask that you uphold short term rentals as they are a very important part of elder life. Many of us (I am a Kupuna of 79 years old) are in motion to visit relatives (read grandchildren) on the mainland. Due to modern economics and technology many local families have relocated to the 9th Island and likewise elsewhere and need to be visited by their grandparents. It goes both ways in that the youth learn the old ways and the older cultures and us older folks learn the lives of our descendants and help in their development.

When we are in the islands we integrate and function to the benefit of Hawaii. For example I have participated in the following: 1) President of Maui County Veterans council for 5 years, 2) President of the WEST Maui Veterans Club for 15 years. 3) Member of Hong Wan Ji Lahaina temple, 4) Member of Shingon Lahaina temple, 5) Gate man for the Chinese Joss house on Front street during events (recording visitors numbers and countries of origins of visitors), 6) Member of Maui Native Hawaiian Chamber of Commerce, 7) Substitute teacher at Princess Nahi'ena'ena grammar school.

How do we pay for this and our mortgages? Basically thru our short term rental fees. And from the monies spent for goods and services of visitors.

Negativity: It has been proposed that the lack of long term housing is partially caused by the use of homes for short term rentals rather than long term rentals, however short term rental homes tend to be outside the general homes rental market economy. It really makes much more sense to allow development of purpose built basic homes. There have been proposals to do this in numerous areas: e.g. Across from the Aquarium, and above Ka'anapali both of which were 'shot down' by the powers that be.. Perhaps it would be more productive to enforce positive development of proposed projects by setting guidelines and easing governmental constrictions. For example if a project meets restrictions positively it is allowed. Another example is 'bottleneck'. Sometimes it is hard to find enough employees to 'process a permit for a home. This can be alleviated by having the permitted surveillance of a project to be accomplished by incensed architects, which would greatly speed up the permit process. I do not believe that curtailing short term rentals to enhance long term rental development is reasonable nor productive

Thank You

HB-1838-HD-1

Submitted on: 2/26/2024 5:27:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barak Laub	Individual	Oppose	Written Testimony Only

Comments:

I want to comment on how important it is for my family to be able to short term rent our home in Hawaii. I spent much of my childhood at our family home in Lahaina, I taught at numerous schools, attended church and have numerous friends as does my entire family in our community. As my family has gotten older and my father spends more time on the mainland after nearly 40 years on Maui short term renting allows us my family to spend 3-6 months on the Island, when we are forced to long term rent we can only visit once a year, must remove our tenant and then find a new one. As it's important to me to keep this home in our family and for our children. The ability to do a short term rental allows my dad to see his old army buddies and me to see my friends and their children who I've known for decades.

Thank you.

HB-1838-HD-1

Submitted on: 2/26/2024 5:29:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy MacPherson	Individual	Oppose	Written Testimony Only

Comments:

My name is Nancy MacPherson, and I have owned a unit in Kaanapali Shores on Maui since 2016. Although I have only owned my place for 8 years, I have been a regular visitor to Maui since I was a young girl, dating back to 1970.

I have a great respect for the people of Hawaii. That is why I'm submitting this testimony against HB1838. If this bill is passed, it will harm not only the local people of Maui who make a living from the tourism industry, but also people like myself.

Speaking as a single grandmother in my late 60s, I rely on the income that is generated from my short-term rental. I think of the local people who benefit from my short-term rental: housekeepers, maintenance workers, handymen, guest services, property managers, local privately owned small businesses that cater to tourists exploring the many sights and experiences on Maui, etc., etc.

The passing of HB 1838 has the potential to harm many, many *local* people.

Since 2020, I have spoken with local people who have told me they're just getting back on their feet after the COVID 19 work restrictions.

When the fire happened in Lahaina, I hosted a young family in my short-term rental for a couple of months, at no cost to them, because they lost their home. While that's not something I can afford to do long-term, I was happy to do my part to step in and support the local community. If another emergency like that were to happen, and if you greatly reduce the number of short-term rentals like mine, there will be far fewer places like mine where people could go for immediate help.

It seems to me that the authors of this bill are short-sighted, not considering the ramifications of the impact its passing would have.

Please, if you truly care about the citizens and ohana of Maui, please don't cause them further damage by passing this bill.

Submitted respectfully,

Nancy MacPherson

3445 Lower Honoapiilani Rd, #527

Lahaina, HI 96761

HB-1838-HD-1

Submitted on: 2/26/2024 5:36:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Biederman	Individual	Oppose	Written Testimony Only

Comments:

As an senior individual who relies on the income of my licensed vacation rental, the loss of the income I would realize would be a financial hardship on me and my wife. Please consider what your action would cause those of us who needs to continue renting. Mahalo

HB-1838-HD-1

Submitted on: 2/26/2024 5:45:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara DeBry	Individual	Oppose	Written Testimony Only

Comments:

This bill will impact so many and should not pass. I have owned a short term rental on Oahu for over 25 years. I employ several people to help me operate my rental. These jobs are their source of income. Without this income they will have no way to support themselves and their housing and living expenses. I have ALWAYS paid all property taxes, and any permit and licensing fees honestly and continue to get frustrated that every year something changes. It seems to be impossible to offer these wonderful options for temporary housing for many on island...many who come to offer professional services to the people of Oahu. Please let us continue to honestly and effectively offer short term rental options to the citizens of Hawaii as well as the many many visitors who come to enjoy and offer talents to the people of Hawaii.

Thank you for the opportunity to submit our opposition to HB1838.

- Personal Impact to our family:
 - House Bill 1838 poses a significant threat to our family's livelihood as well as many others – without solving the root cause of the issue which is to help local displaced families.
 - My family purchased a property to use as a future home and rental property, to support the local community, which we have visited and loved for many years.
 - Through this property, we provide employment and income to property managers, housekeeping staff, groundskeeping staff, the many employees of Papakea Resort, and tourism income through taxes and tourist spending.
 - We truly love Maui and contribute to the community through community service efforts as we do at home in San Diego.
 - If we are forced to discontinue short term rental of our unit, we will be unable to pay the mortgage. This will impact our good credit and put our home and savings at risk, through no fault of our own. This will **not** solve the housing problem in Maui, as the unit will sit empty.
 - Please, focus on helping the families who have been displaced by reasonable, not political, solutions. These families need help in terms of action, not by the government stealing livelihoods from others.
- Legal impact/concerns:
 - It is a slippery slope for the government to begin to dictate how families utilize the homes that they own. Where does this end? Will you be paying my mortgage since you aren't allowing me to rent for a reasonable market rate?
 - Further, HB1838 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui, which is far greater than the number of housing units needed. How will the government determine who is impacted?
- Financial impact to Maui:
 - Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui.
 - This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget.
 - If STRs are curtailed, where will the equivalent revenue come from?
 - The impact statewide to so many families is concerning, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector will

have far-reaching consequences on employment for local Maui families.
These are the very people you are trying to help.

- Community Impact to Maui:
 - Short-term rentals accommodate various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, family & friends.

Regards,

Nicole Jones-Gerbino

Subject: Testimony in Opposition to HB1838

Dear Members of the Committee,

We are writing to express our vehement opposition to HB1838, which threatens to devastate our community and jeopardize the livelihoods of countless residents in South Kihei and across Maui. This bill, if passed, will have profound negative consequences for both property owners and local workers who rely on the short-term rental industry.

First and foremost, HB1838 will force my family to sell our condominium as the demand for long-term rentals in South Kihei cannot support the number of short-term properties in existence. The financial burden of monthly association dues, insurance, utility bills, and other ongoing expenses would be insurmountable without the income generated by short-term rentals. We, like many others, simply cannot afford to shoulder these costs without the revenue from short-term rentals.

Moreover, the impact of this bill extends beyond property owners like ourselves. Our housekeeper and her employees depend on the income generated by short-term rentals for their livelihoods. Long-term rentals would result in significantly fewer cleanings, thereby eliminating crucial employment opportunities for local residents. The ripple effect of this bill would be felt throughout our community, driving many hardworking individuals out of jobs and exacerbating economic hardship.

Furthermore, HB1838 threatens to phase out 13,744 legal short-term rentals on Maui, which play a pivotal role in our local economy. These rentals contribute 40% of the real property tax revenue for the county and serve as the top funding source for affordable housing initiatives. The loss of this revenue would have dire consequences for our community, affecting essential services and programs that benefit residents across Maui.

Short-term rentals are not just a source of income for property owners; they serve as a lifeline for many individuals and families in need. These rentals accommodate displaced residents, newcomers in transition, inter-island travelers seeking medical treatment or family visits, traveling professionals such as nurses and contractors, temporary military personnel, students, as well as our own family and friends. HB1838 would deprive these individuals of crucial housing options and disrupt the fabric of our community.

In conclusion, we urge you to reject HB1838 and consider the devastating impact it would have on our community. Instead of imposing sweeping regulations that undermine our local economy and threaten the livelihoods of residents, we implore you

to work towards solutions that balance the needs of property owners, workers, and the community as a whole.

Thank you for considering my testimony.

Sincerely,

Craig and Jill Tompkins
2777 S Kihei Rd. #J115
Kihei, HI 96753
773-301-4705

HB-1838-HD-1

Submitted on: 2/26/2024 5:51:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ray Blasing	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members,

I am writing to express my strong opposition to HB1838 HD1. As a longtime property owner and short-term rental (STR) landlord in Lahaina, I am deeply concerned about the potential ramifications of this Bill on our rights and livelihoods.

HB1838 represents yet another challenge to our ability as property owners to secure renters, sustain ownership of our Hawaiian investment properties, and earn a reasonable living. It is one of many initiatives seemingly driven by hoteliers, with the support of certain officials and entrenched benefactors, who target our community. The proposed Bill unfairly singles out STR property owners, undermining our legal and constitutional property rights, while benefiting another class of business owners.

This one-sided approach, devoid of meaningful dialogue with STR property owners, lacks transparency and fails to consider the interests of all stakeholders, including owners, tenants, tourists, and the hospitality industry. Such targeted attacks not only infringe upon our property rights but also threatens the economic vitality of our community.

I urge you to reject HB1838 HB1 for the following reasons:

1. **Economic Impact:** Short-term rentals play a vital role in driving tourism, job creation, and local business revenue. Suppressing, eliminating, or phasing out STRs could deter tourists, and undermine our ability to recover and thrive following recent economic and societal challenges, such as the Lahaina devastation.
2. **Property Rights:** Property owners should have the freedom to utilize their properties within existing regulations without facing persistent threats, or unethically-motivated restrictions. It seems that as soon as one STR-impacting measure or bill gets shelved or defeated, several more are released from hot-backup. This harassment must stop.
3. **Regulation and Compliance:** Targeted threats to STRs undermine the regulatory framework governing short-term rentals, and hinders responsible landlords from operating legally and sustainably.

4. Consistency and Equity: STRs should not be targeted, but instead treated equally and equitably. Our industry, housing, and societal challenges are many and complex - we should be treated as partners and stakeholders, not as hapless bystanders ripe for disadvantaging.

Rather than perpetuating one-sided attacks on STR property owners, I urge you to consider a collaborative approach that engages all stakeholders. By fostering transparent dialogue and cooperation, we can address the complexities of our hospitality industry while ensuring that the interests of all parties are balanced and respected. This is not a zero-sum game, and STR owners should not bear the brunt of policies, laws, and regulations designed to surreptitiously benefit others.

Thank you for considering my perspective on this important issue. I am hopeful that together, we can find solutions that promote fairness, sustainability, and prosperity for our community.

HB-1838-HD-1

Submitted on: 2/26/2024 5:51:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pamela Polland	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I am a "fire victim" from Kula. Prior to Aug 8th, 2023, I had an STRH and a BnB. They were my sole sources of income, as I will be 80 years old this Summer, and don't have skills for any other kind of work. My STRH burned to the ground, and my BnB suffered so much damage I had to close the Bnb and even move myself to a different place for 6 months. I'm FINALLY back in my home and able to run the BnB again and have *some* income. Also, I employ housekeepers, handyman, and even a woman who grows flowers in Kula, and I put fresh flowers in my BnB for each guest. ALL these people will suffer if you take away my right to have this fully permitted business. PLEASE do not pass ANY legislation that would threaten the legality of my BnB. I have paid my TA, GE and MTAT taxes religiously, I have been fully permitted for nearly a decade, and I NEED this income for my very survival. So does my handyman and the housekeepers! Please consider how FEW PERMITTED vacation rentals there are compared to how many condos and hotels. We are a small community of local citizens who need the right to continue our permitted businesses. Don't take this away from me/us. Please OPPOSE HB1838 and ANY other proposed legislation that would hurt individuals such as myself. Thank you.

Aloha:

My wife and I have been spending 6 months a year in Maui since 2003 and my wife was born and raised in Honolulu, graduated from Radford High then received a BS and MS from the University of Hawaii in Nursing. She spent 20 years as an ICU nurse at Queens Medical Center, so we are not just mainlanders, we have given back to this community and feel that the only way we can continue to spend half of each year in Hawaii is to continue renting our condo which is in an approved short-term rental area since 1969.

When we are in Maui we support the local economy and our Maui church at Harvest Kumlani and when we are off-island we use cleaners and maintenance people who depend on our rentals to support their families. In addition, as short term owners we pay more property tax than almost all of the Hawaii residents.

If HR1838 become law, the state can expect the property values to decrease with the loss of property tax revenue and transient tax loss.

Mahalo

Richard Foley

HB-1838-HD-1

Submitted on: 2/26/2024 6:12:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chow Yu	Individual	Support	Written Testimony Only

Comments:

I fully support HB1838. Short term rentals are bad for residential communities. Please support our communities and not the short term rental industry by passing HB1838.

HB-1838-HD-1

Submitted on: 2/26/2024 6:14:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alan Ng	Individual	Oppose	Written Testimony Only

Comments:

I strongly believe this bill will not only hurt tourism in Maui but also hurt the local economy as well.. People who work with short term rentals such as Management companies, housekeepers, plumbers, electricians and handymen will feel the impact of this bill. Jobs will be lost. Property tax revenues will decrease damatically as well. Along with the GET AND TAT Taxes and the COUNTY OF MAUI TAT Tax. I completely understand from the locals point of view about Maui being overcrowded and some tourists disrespecting areas. Short Term Rental Clients shouldn't be the only ones people point their fingers at. Hotel guests should also be in the spot light. I've personally seen cities and counties get rid of short term rentals and it ended up causing damage to the local economies.. Property values also dropped over 50%. People basically lost half of their money in their property. Business couldn't make enough money and eventually left or closed down. People lost their jobs. It's a sad sight to see. People go to hawaii to vacation with their families and make memories, but limiting them to choices for places to stay will eventually deter them from returning and find other places to go. My family have been property owners on Maui since 1980.. Every year we would spend our summer vacations on Maui and have wonderful memories.. I remember smelling the white ginger flowers when we got off the plane. Funny thing is, all you smell nowadays is starbucks coffee.. My family loves maui and we would never do anything to hurt or destroy such a beautiful place..We have also made alot of friends in Maui over the years. When the Lahaina fires happened, all we could think about is all of those people who lost their lives. Sadly some of those people who lost their lives we knew. We have volunteered our properties to help the fire victims by converting them into long term housing. Maui has given us so much and we wanted to give back. Even some of our long term rentals we didn't do like others are doing and price gouge. We kept them affordable. We always want to help the local people strive and live a good life. That's ALOHA. So please reconsider this bill.. It will cause more damage to the local economy than you think. And the ones who will suffer the most will be the residents of Maui.

February 23, 2024

Re: Resolution 24-27, HB1838 and SB2919

To Whom It May Concern:

We are the owners of Four Paddle unit 708 in Waikiki. The property is located in residential zoning and not resort zoning. We purchased our unit in August of 2001 as both our second home and an investment property for when we are away. We purchased this unit because it had the Non-Conforming Use Certificate (NUC) attached to it. We wanted to buy a higher floor but the State sanctioned short-term certificate attached to the unit was a legally accepted way to rent the unit. It allowed us to use the unit and additionally contribute to the economy remotely until we could retire.

We don't understand the need to eliminate NUC's as there are currently less than 2000 still active. These units help local residents in many ways. They offer furnished housing for displaced residents, residents from outer islands seeking medical treatment, those effected by building fires, Red Hill, traveling nurses, etc. Having 2000 legal short-term rentals is needed in the community, it only helps and does not cause harm.

During the past 22-years of owning our condominium, we have added greatly to the economy of the State and City. We employ a full-time management company that does our rentals and maintenance. Our rental guest also drives the economy with every dollar they spent. We pay all the required short-term rental taxes along with the NUC renewal fees. The management team members are paid a living wage driven by our legally allowed short-terms rental. Local 6 has made it perfectly clear that hotels do not provide a living wage to their employees. It is a constant fight for wage increases for Local 6 while the hotel chains make huge profits off the backs of workers.

We have a one-bedroom condominium and have done two full renovations of the unit in the last 22-years. The last renovation was over \$100,000. There is also yearly upgrading and replacing furniture and items. That's all monies which go directly back into driving the local economy.

For the last 22-years, we have done everything legally required by the State and City to maintain our NUC. Now with Resolution 24-27 and bills HB1838 and SB2919, the Legislators want to change the rules yet again but this time it is against those with NUC's who follow the law. The Legislator's created Bills HB 89 and HB 41 so that the DPP can monitor short-rentals. In 2019 when Bill HB 89 passed, the DPP was given enforcement powers over illegal vacation rentals. Those the units that the Legislators should be addressing, not the legal NUC units.

We are in the process of returning to the island full-time as we have both retired and plan to purchase a two-bedroom condominium. That again contributes more to the island economy. Our rental investment with the NUC is part of our retirement plan that has been in the works

for over thirty years. Part of our retirement income includes the revenue from our legal short-term rental. That revenue is returned back to the local economy. Now you are proposing to rip away the NUC's from those who have done nothing but follow the rules of the law. After 22-years of doing everything legally and contributing greatly to the economy you want to change the rules. We feel this is unacceptable and wrong.

We recommend that the State reject Resolution 24-27 and bills HB1838 and SB2919.

Thank you,

Charles Snider and Daniel Muzinich

HB-1838-HD-1

Submitted on: 2/26/2024 6:15:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linh Le	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This is not a long-term solution to the housing crisis. Rather it steals from individuals and families who had worked hard to earn income for them to be able to afford to live in Hawaii.

HB-1838-HD-1

Submitted on: 2/26/2024 6:17:23 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Norm Couttie	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to bill HB1838. It will expropriate the long standing rights of property owners who have bought property within zones that always allowed vacation rentals. We are not the same as people doing AirBnB against the rules. You are changing the rules after we have made decisions based on the zoning. We have been paying taxes for years based on the zoning. This is unfair and unreasonable.

February 23, 2024

Re: Resolution 24-27, HB1838 and SB2919

To Whom It May Concern:

We are the owners of Four Paddle unit 708 in Waikiki. The property is located in residential zoning and not resort zoning. We purchased our unit in August of 2001 as both our second home and an investment property for when we are away. We purchased this unit because it had the Non-Conforming Use Certificate (NUC) attached to it. We wanted to buy a higher floor but the State sanctioned short-term certificate attached to the unit was a legally accepted way to rent the unit. It allowed us to use the unit and additionally contribute to the economy remotely until we could retire.

We don't understand the need to eliminate NUC's as there are currently less than 2000 still active. These units help local residents in many ways. They offer furnished housing for displaced residents, residents from outer islands seeking medical treatment, those effected by building fires, Red Hill, traveling nurses, etc. Having 2000 legal short-term rentals is needed in the community, it only helps and does not cause harm.

During the past 22-years of owning our condominium, we have added greatly to the economy of the State and City. We employ a full-time management company that does our rentals and maintenance. Our rental guest also drives the economy with every dollar they spent. We pay all the required short-term rental taxes along with the NUC renewal fees. The management team members are paid a living wage driven by our legally allowed short-term rental. Local 6 has made it perfectly clear that hotels do not provide a living wage to their employees. It is a constant fight for wage increases for Local 6 while the hotel chains make huge profits off the backs of workers.

We have a one-bedroom condominium and have done two full renovations of the unit in the last 22-years. The last renovation was over \$100,000. There is also yearly upgrading and replacing furniture and items. That's all monies which go directly back into driving the local economy.

For the last 22-years, we have done everything legally required by the State and City to maintain our NUC. Now with Resolution 24-27 and bills HB1838 and SB2919, the Legislators want to change the rules yet again but this time it is against those with NUC's who follow the law. The Legislator's created Bills HB 89 and HB 41 so that the DPP can monitor short-rentals. In 2019 when Bill HB 89 passed, the DPP was given enforcement powers over illegal vacation rentals. Those the units that the Legislators should be addressing, not the legal NUC units.

We are in the process of returning to the island full-time as we have both retired and plan to purchase a two-bedroom condominium. That again contributes more to the island economy. Our rental investment with the NUC is part of our retirement plan that has been in the works

for over thirty years. Part of our retirement income includes the revenue from our legal short-term rental. That revenue is returned back to the local economy. Now you are proposing to rip away the NUC's from those who have done nothing but follow the rules of the law. After 22-years of doing everything legally and contributing greatly to the economy you want to change the rules. We feel this is unacceptable and wrong.

We recommend that the State reject Resolution 24-27 and bills HB1838 and SB2919.

Thank you,

Charles Snider and Daniel Muzinich

HB-1838-HD-1

Submitted on: 2/26/2024 6:17:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bruce Klug	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee,

My name is Bruce Klug, and our family has owned our unit for over 50 years. We are in our second generation enjoying the use of the property. The only way our extended family can enjoy Hawaii is to rent out the condo when we are not on the island.

I am writing in opposition to this bill because short-term rentals are important.

This bill will hurt me, other residents, and important visitors who rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Bruce Klug

HB-1838-HD-1

Submitted on: 2/26/2024 6:18:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Brant	Individual	Oppose	Written Testimony Only

Comments:

On Oahu the Honolulu City Council has worked through a long process over the last few years of finding an appropriate balance between all the interests involved in short-term vacation rentals, recognizing the need to protect residential areas from inappropriate disruption, while recognizing the ethical operations of legacy owners who rely on these rentals for their income, and the benefit to the very-important local tourist industry and to state and county tax coffers. A new arrangement has at last been created on Oahu that seems to be working well. But now the State is to suddenly drop a bomb in the middle of all this and say that counties can terminate any rental operation they choose, with no open process or recourse? NO! This is dangerous, unfair and probably illegal! Local zoning and legislating is the correct process, not sudden confiscation of long-held assets. Governments should work with the proprietors who are assets to their community, address whatever problems need addressing, but not resort to sudden and total terminations! Mahalo.

HB-1838-HD-1

Submitted on: 2/26/2024 6:22:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ALEXANDER KAMINER	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

During the fires, my company, Maui Paradise Properties, which has short and long term properties has shown me nothing, but aloha. They've provided me with free housing for a month and a half while FEMA and RED CROSS kept on denying me based on their so-called rules.

Why did it take FEMA so long to respond??? Why would I trust them when our community darted to help so many in no time providing housing in those short term rental units that everyone is hating on! They're legally zoned! If the state didn't want to create a shortage of housing then why did it allow so many properties to convert to short term?? Now you want to blame the owners and the business owners that worked so hard to create income? It is unconstitutional, to say the least.

My company provides me with a livable salary, and allows me to provide for my family. There are many others who are employed in this industry that would agree with me. It is absolutely disgusting that there are lies, exaggerated numbers of short term rentals to make their point!

Why did our county wait for 20 years to finally wake up to our shortage of housing, while pocketing the lucrative transient tax?? Yeah that's nice! Where are the promised homes??? You blame your failures on someone else's success??? That's nice!!! Way to go county!!!

I absolutely despise this outrageous bill and utterly revoke even the slightest of my thoughts. How could anyone come up with such idiotic solution??? You should be ashamed of yourself to even propose it!!!

My letter will end with a prayer for those who perished in the August 8th tragedy. Those who should still be breathing the air, the innocent ones whose justice is yet to come for those who are responsible! How could anyone let this happen!!! Negligence, greed and unconscious unaccountability and disrespect! And all you come up with is this bill? wow!!! Shame!!!!!!!!!!

HB-1838-HD-1

Submitted on: 2/26/2024 6:29:01 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeff Simon	Individual	Oppose	Written Testimony Only

Comments:

Whether we like it or not, tourism is the lifeblood of the Maui economy. The income of the vast majority of Maui residents is largely impacted by the spending of visitors to the island, whether it be shop owners, dive instructors, tour guides, folks who work in grocery stores, salespeople, restaurant owners, etc. The only occupation that comes to mind whose income is not heavily impacted by tourism is politicians.

The elimination of short-term vacation rentals will severely limit the number of visitors to Maui, as most people cannot afford the exorbitant nightly rates charged by the hotels on island, which rates will only increase based upon the principles of supply and demand, as there would be FAR FEWER options for lodging. Those who would otherwise be spending great sums of money in restaurants, tours, and other activities will instead travel to more affordable islands and other sunny destinations. The hotel brands will certainly be thankful for the change, but fewer tourists will be on island, so the residents will suffer, as fewer people on island means fewer people in restaurants, tours, etc.

Another significant blow to the economy relates to the fact that the short-term rental property tax rates generate INCREDIBLE sums of money for the government. With far fewer short-term rental options available for visitors, all that government revenue will be lost, thereby making it more difficult to fund programs and services that benefit all of the residents of Maui.

Finally, the County will face numerous lawsuits perhaps alleging an unconstitutional taking of property rights or various other claims of overstepping by the government. Not only would the government be losing on the “income” side of the income statement, but the “expense” side will blow up due to the need to defend its position.

Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/26/2024 6:29:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Philip Robertson	Individual	Oppose	Written Testimony Only

Comments:

Hello All

We have been a part of Hawaii since 1986 when my wife and I came to Maui. We have respected and enjoyed since then. We are thankful to have a small unit that we frequent often and also short term when we are not.

We have paid taxes. Registered a car. Shop local. Made a lot of local friends. We have appreciated the opportunity provided to purchase a unit that WE call home.

I would hope that you take in consideration on the exact same people who do the same short term. The short term also provides income for residents while providing a helping hand in keeping our unit.

PLEASE DO NOT LET THIS PASS

I Appreciate your time

Mahalo

Philip and Colleen Robertson

HB-1838-HD-1

Submitted on: 2/26/2024 6:31:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael RYAN	Individual	Oppose	Written Testimony Only

Comments:

I have been coming to Hawaii for the last 25 years with my family. My first visit to Hawaii was with a friend in 1987. I have had the opportunity to rent a condominium or other short term rental over all of those years including my first visit. With my family we visited the island and chose renting, condominiums or other short term rental facilities, so that we could have our family time together without going out to restaurants all of the time. We enjoy our family time on the beaches in the mountains, and sitting in living rooms, kitchen, and dining areas, talking about the wonders of Hawaii.

Recently 2020, I had the opportunity to become a short term, rental owner. This involved purchasing a condominium and anticipating that part of the cost could be covered by renting our place to others if we have rented theirs over the past 25 to 35 years. We still enjoy all of the beauty , friendliness, and wonders of Hawaii. The only way we can continue our ownership would be by providing our place for short term rentals when we are not there.

When we heard of the disaster striking west Maui, we rose to support the local nonprofits and all of our friends and acquaintances that were impacted. We provided donations and assistance as much as we could from the mainland. We sympathize with Those who have been affected by the fires and disaster. We hope to continue to contribute to the recovery.

The legislative bills that are limiting short term rentals impact all those who have similar situations as ours. I feel the owners of short term rentals contribute to the tourism industry as a whole and local economies has a tremendous impact for the people who live and work on Maui.

HB-1838-HD-1

Submitted on: 2/26/2024 6:31:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Emery	Individual	Oppose	Written Testimony Only

Comments:

Vacation rentals provide jobs and tax revenue. Owners have invested in property and should not have the rug pulled from underneath them. This proposed law will not create more housing.

HB-1838-HD-1

Submitted on: 2/26/2024 6:50:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharon Heritage	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this Bill. Many owners could not afford their vacation homes if they could not rent them. This is punishing a very large percentage of STR owners.

HB-1838-HD-1

Submitted on: 2/26/2024 7:05:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lillie mcafee	Individual	Oppose	Written Testimony Only

Comments:

PLEASE DO NOT PASS THIS BILL--GROSSLY UNFAIR TO NUC HOLDERS OF OVER 30 YEARS WHO OBEY RULES, PAY TAXES, AND NEED TO SUPPLEMENT SOCIAL SECURITY

HB-1838-HD-1

Submitted on: 2/26/2024 7:05:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lorenzo Lotti	Individual	Oppose	Written Testimony Only

Comments:

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

It would be tragic for my family if we are unable to rent our property, devastating to say the least

HB-1838-HD-1

Submitted on: 2/26/2024 7:13:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caleb Medefind	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Caleb and I love and own a short-term rental on the island of Maui in Lahaina. If my property was in the green zone, I would be trying to rent it to people who can help support the return of Lahaina. We are not your enemies. Stop painting us as the scapegoat.

Please consider only limiting future STR's. No more new hotels. Taking someone's legal business away from them without just compensation is stealing. They made big financial decisions based on what was legal at the time.

This bill will hurt me and put at risk my ability to pay for my mortgage.

Let the counties enforce the laws that they already have. The states legal costs to argue against the coming lawsuits will be immense.

I ask that you please do not move this bill forward.

Thank you for your time.

Caleb Medefind

HB-1838-HD-1

Submitted on: 2/26/2024 7:13:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kent Bohling	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My wife and I are opposed to phasing out short term rentals as it will make it extremely hard for us to afford to retain ownership of our Kapalua Golf Villa. We are in our upper 50's and have saved up for decades to purchase our beautiful condo. When we first started coming to Maui, short term rentals were a great way for our family to be able to afford to visit as most hotels were priced much higher. In the future, our children will come to Maui with their families and will stay in short term rentals such as the Kapalua Golf Villas. Many of our neighbors at the KGV also short term rent their condos to families, some are vacationers, others are displaced full time residents or workers needing a place to stay for a specific amount of time. We rented to one such contractor for 30 days in October.

We come to Maui 3-4 times per year for approximately 6-8 weeks total. While we are here, we generously support the economy in many ways (eating at restaurants, purchasing retail, tours, etc.). Our condo was very expensive to purchase and when we purchased it, we could only do so knowing we would be able to short term rent the property to help pay for the mortgage and expenses when we are not in Maui. The bank made the loan to us taking into consideration our condo's rental history. We've recently done remodeling on our condo and with it have purchased art all from local artists, furniture and utilized multiple local contractors. We hope to permanently move to Maui once we retire, but that will not happen for about 10 years or so. We urge you to keep the existing laws as they are and allow short term rentals as we know there are many other owners in our similar situation. We are very good for the local economy as we are very loyal part-time residents who come to Maui for 40-50 days per year and bring with us money to spend supporting the local economy and residents/workers. If we are unable to short term rent our property, we will most likely be forced to sell and will have to find a similar property on another island. Thank you very much for taking our situation into consideration.

Mahalo,

Kent Bohling and Janet Black

Kapalua Golf Villas

HB-1838-HD-1

Submitted on: 2/26/2024 7:28:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noah Rankin	Individual	Oppose	Written Testimony Only

Comments:

The short term rental market is more important to the state of Hawaii than most realize. I have experienced the many many benefits of short term rental and have talked to those impacted by the jobs provided. I think getting rid of short term rentals would be detrimental to the Hawaiian economy.

HB-1838-HD-1

Submitted on: 2/26/2024 7:37:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sasha Capone	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members,

I strongly oppose bill **HB1838**. This island paradise that we call the Gathering Isle is known as a place that welcomes visitors from near and far. Why would we go against the core of our message to the world as being a place of "aloha" and "warmth" to anyone who comes to see the beauty that we get to call home. Part of our island living is allowing visitors to stay and experience neighborhoods all around Oahu. Vacation rentals are a part of that message we send to the world. Not only does it allow travelers to have accommodation options, but allows our residents and community members job options and home buying options. Those who cannot afford to just buy a home and live in it full time can do so. They can rent it part of the year to pay the mortgage and other house expenses. In addition, it gives our handymen, plumbers, housekeepers, appliance vendors and so many more jobs and a means to live in this paradise that is increasingly more and more costly to afford. Why do you want to drive away our tourism dollars, residents and laborers with this bill? We are getting in our own way by passing this bill and it would destroy Hawaii's true message to the world as being a place of "ohana", "aloha" and most importantly as it's known nickname "the Gathering Place."

HB-1838-HD-1

Submitted on: 2/26/2024 7:47:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

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

Thank you very much.

HB-1838-HD-1

Submitted on: 2/26/2024 7:58:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Stewart	Individual	Oppose	Written Testimony Only

Comments:

I provide essential housing to inter-Island residents, workers, and family members on the Island of Lana'i in one of only 18 permitted STRH units. There will be few options for these people to come to Lana'i if short term housing is eliminated.

My Friends;

A very small number of the residents displaced in the tragic Lahaina fire have considered relocating to Lana'i; even fewer have made the move. If legal STRH units are eliminated, a critical supply of housing for our short term residents listed above would adversely impact their ability to come and contribute to our community.

Thank you for your understanding;

Dennis Stewart

HB-1838-HD-1

Submitted on: 2/26/2024 7:59:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Spencer	Individual	Oppose	Written Testimony Only

Comments:

Jennifer Spencer

I-110 - 2777 S Kihei Rd I110

[Kihei](#), Hawaii 96753

403-585-6345

February 26, 2024

Aloha Chair, Vice Chair and Committee,

My name is Jennifer Spencer and I am a short-term vacation rental owner on Maui. I am writing to you today to express my strong opposition to House Bill 1838 and to provide you with some crucial insights into how this bill will directly impact our business, as well as many others in our community.

Firstly, I want to highlight the significant repercussions this bill could have on the legal short-term rental (STR) market on Maui. According to recent estimates, HB1838 could potentially lead to the phasing out of 13,744 legal short-term rentals on our island which will have a devastating impact on tourism, local service providers as well as negatively impact our small business.

It's essential to recognize the vital role that Maui's STRs play in our local economy. Not only do they contribute 40% of the real property tax revenue for the county, but they also serve as the top funding source for affordable housing initiatives on Maui. The STR property tax revenue represents a significant portion of the county's budget, comprising 18% of the total 1.7 billion dollars. If this revenue stream is cut off, the immediate question is: Where will the necessary funding for vital community programs and services come from?

Additionally, I want to emphasize the crucial role that mid and short-term rentals play in accommodating various individuals and families in need. From displaced residents seeking temporary housing after events like the Lahaina Fire to traveling professionals such as nurses, contractors, and students, our vacation rentals serve as a lifeline for many in the community. Short term rentals provide a comfortable and convenient option for those in transition or visiting the island for family visits, or other personal reasons.

In addition to these concerns, I want to emphasize the impact that HB1838 will have on our local service providers. Many of these individuals own or work for small businesses that service short-term vacation rentals, such as cleaners, handymen, electricians, maintenance workers, and other related businesses. These service providers rely on the steady income generated by the vacation rental industry to make a living. They are paid good wages, create their own schedules, and work very near to where they live.

If HB1838 were to pass, it would decimate the industry, leaving many residents without access to temporary, furnished housing and threaten the livelihoods of service providers who rely on the short term rental industry for their livelihoods. As someone deeply invested in the well-being of our community, I urge you to consider the far-reaching consequences of this bill and to oppose it in the strongest possible terms.

Thank you for taking the time to listen to my concerns. I hope that you will stand with small business owners like myself and work towards finding more equitable solutions that support both the local economy and the needs of the community.

Sincerely,

Jennifer Spencer

HB-1838-HD-1

Submitted on: 2/26/2024 8:16:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaia Medeiros	Individual	Support	Written Testimony Only

Comments:

I support this bill. Short term rentals are literally killing our community during a time of emergency no to mention the supply leading to an inflated market and lack our housing overall for actually tax paying community members.

HB-1838-HD-1

Submitted on: 2/26/2024 8:18:25 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Vieau	Individual	Oppose	Written Testimony Only

Comments:

To Whom It may concern, I believe the legislators have good intentions but are not fully comprehending the huge financial and job losses this bill would create. The financial web that is created by STR is a wide one. From rental cars to property managers, Cleaners, accountants, advertisers, restaurants, shops, stores. And so on. There will not be one industry in Hawaii not affected financially by this. Many people who longer want to stay in hotels . They will gladly take their vacation dollars elsewhere like Mexico, Costa Rica, Caribbean . If you truly want more affordable housing you must lower construction costs and fees.

HB-1838-HD-1

Submitted on: 2/26/2024 8:19:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Anderson	Individual	Oppose	Written Testimony Only

Comments:

I am a condo owner at Maui Kai in Kaanapali.
I oppose this bill

Our Unit is not suitable for a permanent living situation. We purchased this condo for short term rental use. Our HOA bills taxes and insurance are very expensive and we would have to charge an astronomical amount of monthly rent to cover these expenses from a long term renter.

I am also extremely concerned about the taxes and income that will be lost from the tourism industry. Local Hawaiians are all impacted by lack of tourism, not just the lack of restaurant jobs but also

other jobs that support tourism like property upkeep and repairs the list can go on and on. Everyone will be affected .

We ultimately would have to sell our condo at a loss and the value could decline significantly. Not sure who Would benefit from this declining value. Certainly not a local homeowner since they would not be interested in living in our unit full time even with the lower price.

please vote no

HB-1838-HD-1

Submitted on: 2/26/2024 8:25:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ann Sarna	Individual	Oppose	Written Testimony Only

Comments:

We purchased a condo at the Papakea Resort in August 2022. We are currently renting our condo to a fire survivor through FEMA.

We feel a connection to the community, and wanted to do our part in helping a woman who is in transition due to the loss of her home from the Lahaina fire. We thought we would be able to visit our unit, and continue to do short term rentals when our contract is finished with FEMA, but now are informed that this part of our livelihood is at risk due to HB1838 and SB2919.

The Papakea is a resort, which rents out to tourists since it was built in the late 1970's. It was never intended to be an apartment complex. This resort generates revenue for the state of Hawaii, employees local people, and supports the livelihood of cleaners and other contractors. The tourists who use our condo spend money in the local economy by going out to restaurants, renting cars, purchasing local tours etc... Besides hurting our finances, there is this greater loss of revenue to the local economy. Statewide, Maui's Short term rentals provide 40% of the property tax revenue, represents 18% of the county's \$1.7 billion dollar budget. If short term rentals are curtailed, how will the equivalent revenue come from?

As for Employment, 40,000 jobs are supported by the short term rental industry. Restricting short term rentals, will impact unemployment.

Short term rentals also house displaced residents in transition, residents coming from medical treatment, family members visiting, traveling nurses, emergency contractors, military and students. In times of crises, short term rentals serve as essential temporary furnished housing for displaced residents. We are currently renting our unit through FEMA to a survivor of the fire. Having a fully furnished place provides her with more security and a chance to move forward.

I think that the State should invest in more housing for the local population, but not at the expense of eliminating short term rentals at resorts. The long term impacts of eliminating short term rentals will severely hurt the local economy, in addition to hurting the people who invested in these properties in good faith. I ask you to vote no on both HB1838 and SB2919, and find a better way to create more affordable housing for the local people.

Testimony of Claudia Kihano Parker re Opposition to HB 1838

My husband and I are both born and raised in Hawaii, he being 4th generation and I being second generation. After graduating from University of Hawaii, Manoa and then law school on the mainland, I worked as a lawyer in Southern California until returning home for good in 2020, where we live in Mililani. Although we lived in the mainland for 38 years, Hawaii was always “home” to us and we came home yearly.

My husband’s parents were deceased, and my parents lived in a one bedroom condo on the North Shore and so they couldn’t house my family when we would come home. We had to stay in Waikiki hotels, very expensive for a family of 5, even then. In 1990, we were fortunate to buy a one bedroom condo in the same ocean front project on the North Shore as my parents. It has been our heaven on earth and until our return to Hawaii in 2020, it was where we stayed with our three kids during our summer vacations back home. We are not speculators, we plan and hope to keep this property for the rest of our lives and be able to pass it down to our children.

When we were not staying at our North Shore condo, we rented it out for a minimum of 30 days at a time. We didn’t want to rent it out long term because we wanted to be able to use it when we came home. Being able to rent it out on a short term basis when we were not there helped us to pay the mortgage and the expensive maintenance fees, utilities and otherwise maintain the condo. Being able to rent it out short term allowed us to keep the condo which our kids absolutely love. Our rental rates have always been very reasonable, slightly more than what a long term rental would be, so we are not getting rich off our North Shore condo.

Because we were able to schedule the short term rental of our North Shore condo, we could come home every year in the summer for about 3 weeks, so our kids could come to know Hawaii. Also, my husband had clients in Hawaii so when he came home to Hawaii on business, he would stay at our North Shore condo. Basically, our kids grew up each summer in Hawaii; our girls are accomplished hula dancers having joined a halau in SoCal where the kumu is the daughter of one of Hawaii’s renown “Treasures,” and our son became a paddler at the outrigger canoe club at Dana Point, California. Having our North Shore condo and being able to come home every summer for several weeks, we were able to instill in our California-born kids the love of the islands that my husband and I had naturally from being island born. One of our daughters is currently pursuing her master’s degree at the University of Hawaii, Manoa in Cultural Anthropology. Another daughter is a professional photographer and has wedding and event clients in Hawaii so she also comes home to Hawaii a few times a year for photo shoots.

At this point, 2 of our 3 children live off-island and when they come home to Hawaii, our North Shore condo is where they stay. They simply cannot afford to stay in hotel rooms; especially since one of our kids has a child and needs kitchen facilities. Hawaii hotels led US markets in 2023 alone, with the nation’s highest average daily room rate of almost \$400 for standard rooms, ([“Hawaii hotel prices top nation during first half of 2023,” Star Advertiser, Aug 1, 2023](#)). Anecdotally, friends intending to visit the islands tell me that their recent searches end up with very standard (not luxury) rooms in Waikiki for \$700/night.

For the last 9 years we have rented out our North Shore condo to the same snowbirds from Wisconsin. They absolutely love our place on the North Shore and are able to come for a few months at a time. The rent that they pay us enables us to pay for the mortgage on our North Shore

condo. That doesn't cover everything, but it sure helps, especially since my husband and I are both retired and are now on fixed incomes. Like many kupuna, we rent out our income property to supplement our fixed income which has always been a part of our retirement planning. This is how middle class people in our position have always managed to build a reliable income stream in our declining years.

My husband and I pay thousands each year in TAT, GET, OTAT, etc., not to mention constantly rising real property taxes (at Res A rates since our North Shore condo is not our personal residence). We are in compliance with the law because we rent for no less than 30 days. If we were not allowed to legally rent on a 30-day basis—e.g., if each county were allowed to place a 90 or 180 day minimum on short term rentals--the State and County would not receive these taxes (other than the real property taxes which we have to pay regardless). Because we need to keep our place open for our kids so we can see them and our grandbaby, and because we worked so hard all these years to have our little paradise on the North Shore that we enjoy when our guests are not there, we would not put our unit in long term rental. Without the rental we get from our short term rental guests, we would have a difficult time on our fixed incomes paying the monthly mortgage, taxes, homeowners' association fees, utilities and regular maintenance costs. Further, we engage a house cleaner to clean before and after our tenants/guests stays. She would be missing out on this additional income; as she is a single mother, this additional money for her is useful and welcome.

In addition, we have friends who come to Hawaii and rent our place for a month at a time while they work remotely. Our mainland snowbirds and family/friends and other guests who stay at our North Shore condo buy groceries, frequent restaurants, pay for activities and entertainment, buy local products, rent cars, buy gas and generally spend money in the surrounding North Shore area as well as the rest of Oahu. I can only imagine that they spend thousands on their trips here, paying GE tax all the while on top of their purchases to fill government coffers. If they are required to stay at resort hotels, which I am told now charge upwards of \$700/night for a mere standard room (not a luxury room at all), they simply won't come; they will go elsewhere. You need only look at the recent Star Advertiser articles in the travel section which surprisingly recommended that travelers who might otherwise come to Hawaii instead find substitute vacations in Mexico since Hawaii is so expensive. The State and City and County are killing the goose that laid the golden egg.

During the years, we have also had tenants on a month to month basis who worked for military contractors near Schofield and up at Mt. Kaala. If 30 day rentals are no longer allowed, where will visiting contractors, traveling nurses and medical professionals, military folks between stations, folks displaced by emergencies such as fires, university students coming for short term studies, and our friends and family be housed? Who can afford to pay between \$400 to \$700/night for a hotel room?

Limiting short term rentals as proposed may cause visitors who still have enough disposable income to come and stay at resort hotels, however I would venture to say that most of those hotels are owned or controlled by outside interests, not Hawaii companies or locals. Although resorts do employ local people, they are not well-paid and often are not given full time shifts to avoid the hotels having to pay benefits or overtime. Shifting revenue to hotels is helping to line the pockets of these outside interests at the expense of we mom and pop short term rental owners and doesn't seem to be helping we Hawaii people afford to stay in this beautiful, but very expensive state of Hawaii. Instead, such efforts are taking away income from mom and pop operators and putting

it in the pockets of large, off-shore hotel owners and operators. Continuing the well-documented net outflow of local residents, many local families will simply have to pull up stakes, sell their properties that they can no longer afford to support without short term rental revenues and move to the mainland. I venture to guess that these Hawaii properties to be sold will not be affordable to other local families who are barely making ends meet themselves, especially at today's prices, interest rates and outrageous property tax rates, but will end up being sold to outside interests-- Silicon Valley types, who can afford the "price of paradise," the high cost of real estate and the ever increasing property taxes, and who can afford to keep their properties vacant for their own use regardless of whatever new vacancy and other taxes our government deems appropriate. So for all the talk by our legislators of wanting to keep Hawaii affordable for Hawaii residents, the continued outflow of Hawaii residents will be the unintended consequence of the proposed bill.

I urge you to oppose this bill.

HB-1838-HD-1

Submitted on: 2/26/2024 8:43:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy King	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Mahalo for giving me the opportunity to testify. I oppose HB1838. I am a fulltime resident of Maui. I retired two years ago and my husband retired a month ago. We worked hard and saved our money in order to buy our condo about 11 years ago. When we purchased it, we decided to not use it as a short term rental because there was already a local couple who was living in it. We long term rented it to them for eight years. Then, once Covid allowed, we moved into it ourselves and lived in it for a little over two years. Now we're using it as a short term rental for income as we have retired. This has been our investment in our future. We have worked since we were teenagers. We have been good citizens and community members. We volunteer weekly in our community. We now are afraid that this Bill will wipe us out of all the hard work and planning we have done. How will we pay our bills and survive? We're asking you to please consider the negative impact this is going to have on those of us that live here and are hard working, middle class, blue collar people who rely on their investments to survive. Especially those of us that are elderly. We love Maui. We're invested in Maui and Hawaii. Now we feel like Maui/Hawaii is wanting to put the entire weight of the devastation on our shoulders as short term rental owners to fix problems that we didn't create. We are not rich people. We don't own dozens or more rentals. We legally purchased a short term rental property with the intention to use it as our retirement income. Please work with EVERYONE to solve the housing problem. If you take away the short term rentals, many people are going to lose their investments. Many people are going to lose their jobs. Many people are not going to be able to survive. Robbing one group to pay the other is not the solution. Please let's work together to find a solution that works for everyone.

Mahalo for your attention. God Bless.

HB-1838-HD-1

Submitted on: 2/26/2024 8:44:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
SharLyn Foo	Individual	Oppose	Written Testimony Only

Comments:

Aloha I strongly oppose HB1838. This targets legal folks. We have help original NUC since 1989.

There are only 114 cerificates in residentially zoned areas on all of Oahu.

They have not been part of the housing market for over 30 years.

Please don't take away my families livelihood. I planned on passing this on to my children. Not sell to the highest bidder. We have lived up to every law and regulation all these years.

Our county cannot seem to enforce current laws against illegal rentals. Targeting and punishing legal rentals will only force more illegal rentals to exist . What would giving the counties more authority do?

Mahalo

HB-1838-HD-1

Submitted on: 2/26/2024 8:49:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Rankin	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-1838-HD-1

Submitted on: 2/26/2024 9:10:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherri Williams	Individual	Oppose	Written Testimony Only

Comments:

Aloha. I would like to voice my opposition to HB1838. I would first like to say that in my life, I have lost my home and a business in separate fires and later lost a business in a flood and another business in a tornado. In none of these situations did I receive any government money, free rent or anything else other than insurance money which wasn't enough in any of the situations. My family and later my husband had to figure out how to work more, rebuild and carry on without any assistance. We did just that and was fortunate enough to buy our Maui condo after 30 years of dreaming. We are close to retiring and have hopes of moving here permanently. The Lahaina fires were a horrible tragedy and my heart breaks over it. However, I am shocked and disheartened with the Mayor and Governor acting like Hawaii is a separate Socialist country and making threats that strongly resemble extortion regarding our vacation rental condo. I pay a substantial amount of TA and GE taxes each month along with the highest property tax rate in the state. The idea of losing the tax revenue from Short Term Rentals is unconscionable and shows very poor leadership in Maui as well as the state of Hawaii. The monthly cost of owning my condo is \$8,000 including mortgage, HOA, property tax, insurance and utilities. I highly doubt any of the displaced citizens had this amount of cost in their lost homes so how can they afford this after the free rent period. Or does everyone realize they can't be evicted at that point?? The Governors comments about forcing our property value down or making us pay even more tax is also unexcusable. Someone should explain to him that Hawaii is a part of the US and anyone can own property here. The same applies to Hawaii residents. I was taught that if you want something, you must work for it and not expect it to be handed to you. You should not be treated like a criminal for working hard and sacrificing for over 30 years to realize a dream and then have politicians who are desperate for votes threaten to take it away. Again I am against HB1838 and removing or reducing Short Term Rentals. To do so would be financially detrimental to me and my family as well as Maui County and Hawaii.

Thank You

Sherri Williams

HB-1838-HD-1

Submitted on: 2/26/2024 9:26:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judy angel	Individual	Comments	Written Testimony Only

Comments:

I do not think phasing out all Short term rentals is a good idea. It will create a huge imbalance in the tourist industry. It will create a lot of unemployment and many visitors will not be able to come to Hawaii, because the hotels are charging ridiculous prices. I remember when we could stay at a hotel for \$100 a night now it's \$1000. What kind of tourism industry do you plan to create? Only visitors for the very elite? Short term rentals given up opportunity for other people to visit maui. I do think they should be regulated and I'm not really, big on the idea of them in the neighborhood but many of them are right in the resort area and are condos. I don't think all short rentals should be restricted.

HB-1838-HD-1

Submitted on: 2/26/2024 9:32:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zhi Chen	C & O Ohana	Comments	Written Testimony Only

Comments:

My name is Zhi Chen and I live on the Island of Oahu. I am writing in opposition of this bill because it will threaten my ability to make a living along with many other local families that support the operation of my small family business.

I am a first generation immigrant from China and grew up in Waimalu. I grew up in a modest family, both of my parents worked in the Hotel Industry and held two full time jobs to support the family. My Mom was a maid and Dad was a maintenance worker at Outrigger Hotels. My sister and I knew early on that my parents sacrificed their professional careers in China, so my sister and I will have the opportunity to chase the American Dream. My sister and I worked extremely hard and were very fortunate to attend top tier Universities and worked at top Fortune 500 companies. After attending college in the mainland, I ended up working/living in California for the past 21 years, but always claimed Hawaii as my home and is very proud of our Aloha Spirit and rich diverse culture of the Islands. In 2019, I moved my entire family of 6 (my Mom and Dad included) back to Oahu and just started my own short term rental business. My entire family is ecstatic about this opportunity because this exemplifies the classic American Dream. I only have one legal short term unit now, though I am confident that with the support of the local communities I will be able to scale this business so I am able to employ as many local families and immigrant families similar to ours and guide and support them with their journey to the American Dream.

I kindly ask that you please do not move this bill forward and kindly consider that when it's not passed, it will provide a tremendous positive economical and social impact to our community.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/26/2024 9:39:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
elizabeth evans	Individual	Oppose	Written Testimony Only

Comments:

Good Evening

I am devastated that yet again I have to be concerned and consumed with worry about my livelihood and the livelihood of the many support businesses that service my short term rental. My husband and I have owned our home on Maui for 10 years. We have always been active community members creating a homeowners association in our neighborhood to maintain the roadways, streetlamps, sidewalks, streetsigns and upgraded broadband services to those in the community. In addition to the housing our home provides to the many tourists that visit the island, my family of six have been enjoying our visits to Maui since 1990 and for us to have a home allows us to visit for longer periods of time. I would be deeply offended to be "kicked out" of a place my family considers to be home.

Our property provides income to many support services -

Landscaping 750.00 a month, Housekeeping 900.00 a month Ohana Pool Services 400.00 a month, Bugman Maui 1000.00 per year, Laundry services 200.00 a month, Dan Brown Window services 125.00 a month, Paradise Living Upholstery Services 300.00, Roofing service in 2019 50,000, Handyman Services 45,000 in 2022 alone just to name a few. In addition, 25% of the revenue generated by our short term rental home goes to the many employees of Maui Paradise Properties and therefore into the hands of locals. The cascade effect would have a profoundly negative impact to the local people and businesses.

The STR property tax revenue provides over 1.5 billion in tax revenue for the county annually. How will that be replaced?

Fourty percent of our real property taxes go straight to the cocunty of Maui? How will that be replaced?

In November of 2022 my husband passed away so for me personally losing the income of our home on Maui would be catastophic to say the least.

We own a fully permitted, legal STR on Maui. We are contributing members of our community and neighborhood and strongly oppose HB1838!

Thank you

Elizabeth Evans

HB-1838-HD-1

Submitted on: 2/26/2024 9:53:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Au	Individual	Oppose	Written Testimony Only

Comments:

I firmly oppose this upcoming law.

As a family, we take vacations in Hawaii where a house is vastly preferred to a hotel. They are clean, quiet, and great for families.

If these rentals disappear, we will have to consider other states and locations to visit in the future, and skip Maui sadly.

HB-1838-HD-1

Submitted on: 2/26/2024 9:59:30 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rosaline Wang	Individual	Oppose	Written Testimony Only

Comments:

Hawaii does not have any dominant industry except depends on tourism. Leaving the county to decide or kill the short term rental or mid term (less than 180 days) rental is like killing your own golden goose. Unless the state and the legislature know how to create new industry and attract investors to Hawaii, blaming short term rental to drive the cost of living up is the most convoluted excuse. The rising of cost of living is global macroeconomic phenomena that affects all over the world, not because of short term rental or mid level rental taken away the affordable housing! Inventory. In fact, Providing affordable housing is the city, county and state government responsibilities! When on earth has it become the citizens who rent out their place to outsiders to stay afloat themselves?! Blaming on the ordinary locals or mainlanders or foreign buyers who try to either have a second home in Hawaii, spend 4-6 months on the island for rehab, and rent out the unoccupied time to people outside of Hawaii is easy way out for the authorities not hold themselves responsible for the housing, cost of living problem. Keep in mind, not necessarily people came to Honolulu for sun and fun, people are here for rehab, for works like traveling nurse, professors, researchers, hotel lodgings in the designated resorts areas simply won't work for them.

I oppose this HB bill 1838!

HB-1838-HD-1

Submitted on: 2/26/2024 10:00:01 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charlie Page	Individual	Oppose	Written Testimony Only

Comments:

I oppose the proposed resolution on the grounds that this is yet another attack on hard-working people who don't show-off with a fancy house, big TV or a lifted Yota, but invest in their future and put a down payment on a small slice of a dream property that they share with others by having people (including families from Maui who come to settle their kids in first year at UH or travel to see family on Oahu) stay for a few days at a much better rate than the corporate hotels.

This legislation is to the benefit of a minority group of wealthy individuals and corporate entities that seek to restrict competition and roll back advances made in the past 20 years. NUC's perform a vital stabilizing function as a check and balance to monopolistic corporate ownership of the Hawai'i accommodation and hospitality sector. Individuals who live in Hawai'i, pay tax in Hawai'i and offer true aloha in Hawai'i should be allowed to operate STR's with NUC's in perpetuity. Passing this legislation is another step toward transferring accommodation revenue out of state to corporations based in McLean, Virginia or White Plains, New York.

It is another step towards diminishing the aloha between kama'āina, increasing the costs of visiting 'ohana around the islands and alienating people from travelling in their home islands because we can't afford to stay at hotels.

Thank you for receiving my testimony.

HB-1838-HD-1

Submitted on: 2/26/2024 10:01:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
RALPH FURLEY	Individual	Oppose	Written Testimony Only

Comments:

Allowing the counties untethered controll to zoning laws will have unintended long term affects to allow th State to keep a necessary uniformaty required across all counties.

Mahalo Ralph Furley

HB-1838-HD-1

Submitted on: 2/26/2024 10:03:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayo Malik	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama and the honorable members of the House committee on Judiciary and Hawaiian affairs,

I am testifying in support of HB1838.

In Lahaina, 25% of housing units were listed as short term rentals according to the UH Economic Research organization. South of Lahaina jumps at 41.8% and up north it jumps to 87%. We are in a housing emergency on Maui. Giving the counties the clear authority to phase out vacation rental uses has been identified as a key policy tool for helping Maui residents help find long term housing in the wake of the wildfires.

Mahalo for giving me the chance to voice my support for HB1838.

Kayo Malik

HB-1838-HD-1

Submitted on: 2/26/2024 10:05:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cecila Gomez	Individual	Oppose	Written Testimony Only

Comments:

hello Hawaii House of Representatives,

I oppose this bill because it will allow thee counties to restrict zoning laws without any oversight from a larger government body. We require the State to serve as an set some level of control or else each county will be so different that it could cause long term legal issues to try to correct.

Cecilia Gomez

HB-1838-HD-1

Submitted on: 2/26/2024 10:08:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Fernandez	Individual	Oppose	Remotely Via Zoom

Comments:

Hello House members,

I oppose this bill because it will allow Oahu and other counties to place unreasonable rental restrictions for many local households that will create the following problems.

Countless of essential workers who repeatedly testified against ordinance 22-7 argued that it will reduce the ever increasing shortage of workers that mid-term rentals (between 30-180 days) can house during their stays on Oahu. Hotels are for tourists who typically stay less than 12 days according to tourism records. Temporary workers (many who are essential) are unwilling to stay in hotels and high cost resort areas for weeks. As a result this will add to the ever increasing shortage of workers.

Countless of local residents (primarily service sector worker) who frequently pursue and seek better jobs throughout Oahu require flexible rental terms such as monthly leases. Imagine the long commutes and gas expenses these renters will endure without the opportunity to freely relocate because they are restricted with a 90+ day rental agreement. Or residents who are undergoing home repairs or upgrades and can't afford the high hotel costs for extended periods of time. Or visiting family members who come visit or take care of relatives and need to be nearby yet can't afford staying in hotels for extended periods of time. Or families that are relocating and looking for a home to build or buy can't afford to pay for hotels for extended periods of time. Or families like those in Maui that endured a natural or made-made disaster and require temporary and transient accommodations.

Countless of homeowners who offer legal monthly rentals can't afford not to be paid rent (with a 90 or 180 day rental restriction) if a tenant decides to break the rental agreement shortly after moving-in.

There is no economic impact assessment endorsing any 90 or 180 day improve the housing issues or help the economy on Oahu – in fact it will make the situation worse. There are other means to improve the housing situation by removing the red tape for planning and permitting, offering commercial zones for housing, reducing property taxes, etc..

HB-1838-HD-1

Submitted on: 2/26/2024 11:21:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martine Aceves-Foster	Individual	Oppose	Remotely Via Zoom

Comments:

Good afternoon, Chair and Committee Members:

Thank you for allowing me to speak on HB 1838.

My name is Martine Aceves-Foster, and I oppose HB 1838.

I raised my children here in Hawaii, taught for 26 years in the UH system, and my former husband and I bought our home here in Hawaii. After the divorce, I chose to stay in the home I love, amongst my good neighbors and dear friends.

This is the home where my sons stay when they visit me, and that is the reason I rent short-term. I want my sons to be able to come home. That's important to me.

I own one piece of property in Hawaii with one structure on it, my home. It's simple, one front door to a 3-bedroom, 2-bath house. I rent short term one of the bedrooms my sons used to occupy. Many of my guests have been students, nurses, medical interns on rotation, Oahu residents in transition, and former Hawaii residents returning to visit their ohana. I've enjoyed providing a home for my guests and getting to know them.

Renting one bedroom in my home has made it more manageable to pay the mortgage, property taxes and utility bills.

As a single divorced retiree on a fixed income, I see HB 1838 as a blunt tool.

Yes, providing enough affordable housing in Hawaii is a serious problem. That is why we rent — so we can make ends meet. Taking that option away does not add affordable housing when we're simply trying to hold on to our homes.

Hawaii's housing problem will not be solved by forcing some homeowners to give up their homes in order for others to have them. And who's to say the buyers will be locals in need of housing? Isn't it true that about 20% of homes on the market are purchased by people who live outside the State?

I would like to see a bill that includes an exemption that allows individuals and couples who reside in their home to supplement their income by renting a room or two in their own home.

Please, vote against HB 1838. Please, create legislation that does not replace one homeowner with another homeowner. Please, help all of Hawaii's residents thrive in Hawaii. Mahalo.

HB-1838-HD-1

Submitted on: 2/27/2024 12:16:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jay Summers	Individual	Oppose	Written Testimony Only

Comments:

I find myself profoundly disheartened by the relentless actions of our corrupt government officials who are incessantly launching attacks on the short-term rental market on the island.

As local business owners, we pride ourselves on not only operating within the community, but also sourcing locally for every aspect of our operations. From our cleaning staff to our maintenance workers, and even our managers, each and every individual is a local resident, making valuable contributions to the local economy. We provide stable employment for these individuals, thereby ensuring the financial well-being of them and their families.

This persistent witch hunt to phase us out does not address the supposed housing crisis. The numbers being cited are not only incorrect but also grossly inflated by these uninformed individuals who are striving to shut us down. This counterproductive onslaught must cease immediately.

The potential impact is far-reaching, with tens of thousands of locals standing to be adversely affected by this move. The industry that breathes life into Hawai'i is being systematically dismantled by mainland organizations and hotel chains. It's a grave injustice to sell out Hawai'i to the mainland, especially at the expense of local businesses.

We must stand firm and resist these efforts to marginalize local businesses. It is crucial that we maintain the unique identity of Hawai'i by supporting local businesses and nurturing the island's economy.

HB-1838-HD-1

Submitted on: 2/27/2024 1:54:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Allen Benedict D. Donado	Individual	Oppose	Written Testimony Only

Comments:

As a resident of Maui, Hawaii, I am writing to express my strong opposition to the termination of short term rentals on the island. Short term rentals play a vital role in our local economy, providing jobs and income for many residents, as well as contributing to the tourism industry that is the lifeblood of our community.

Maui has long been a popular destination for travelers seeking a relaxing and enjoyable vacation experience. Short term rentals offer visitors the opportunity to stay in unique and affordable accommodations that cater to their specific needs and preferences. By restricting or eliminating short term rentals, we risk losing the diversity and charm that make Maui such a beloved destination.

Furthermore, many local residents rely on short term rentals as a source of supplemental income. Whether it be renting out a spare room in their home or managing a vacation rental property, these opportunities allow residents to make ends meet in an increasingly expensive and competitive housing market.

Instead of terminating short term rentals altogether, I urge policymakers to work collaboratively with stakeholders to find solutions that balance the needs of residents, visitors, and the local economy. By implementing regulations that ensure responsible and sustainable growth in the short term rental industry, we can preserve the unique character of Maui while continuing to support the livelihoods of our community members.

In conclusion, I believe that opposing the termination of short term rentals in Maui is essential to maintaining the vibrancy and economic prosperity of our island. I urge decision-makers to consider the cultural, social, and economic benefits that short term rentals bring to our community and to work towards a solution that benefits all stakeholders involved.

After all the things that happened to Maui last year (wildfire), terminating short-term rentals would cause the same impact and eventually kill a lot of small businesses and the people relying on them. I hope the government would think of the benefit of the people of Maui instead of the big names who want to take advantage of our island.

HB-1838-HD-1

Submitted on: 2/27/2024 2:35:20 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Len Gambla	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose the Bill as written mainly for the reasons that a one sized fits all for every County proposal is not the most sensible way of approaching the housing problem in my opinion.

It is a short-term remedy to a longer-term problem. Think ahead a bit. The population is only going to increase. Let's say this Bill solves the immediate problem. Then what happens as the population increases? Hotels get converted the same way to satisfy the need? Does that solve the long-term problem? I don't think so.

How about changing zoning so more single family residences can be built in communities? That would take care of the supply problem for a long time.

Additionally, I see many houses with three to five decked out, Toyota Tacomas out front of a single family house on the Big Island. Perhaps if folks economized a bit on depreciable assets and instead, invested their thousands of dollars a month being spent on trucks into a house, a longer-term solution would become available to them. I realize this point is going to incense some folks reading this but it's basic economics.

Lastly,

- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. So now the only option would be a hotel. Hmmm. Doesn't that sound like a lobbied influence.
- I have hosted many doctors for a reduced rate so that we have qualified medical professionals in the Hilo area. That will end as the hotels wouldn't do the same and the doctors I have hosted said they would not come if the only option was a hotel room.
- The people going to lose work are cleaners, pool maintenance people, landscapers, and anybody else who would otherwise have a chance to work closer to home rather than drive 90 minutes each way across the Big Island to Kona. This results in a (facetious voice here) great quality of life for thoe people spending no time with their families as a result. Can't exactly bring your kids with you either to work now; can you in that situation?

- How many single family homes can be built on one sprawling, hotel resort area of land? I think this Bill would be better served if no more hotels, motels, other like places be built if the real problem is housing. All of the existing hotels/motels should also be converted to single family units. Are they 'too big to fail' or do they have more influence on our legislators? I would argue that our citizens who live on the islands and rent out rooms or part of their house are too big to fail. Again, I hear the hotel unions cringing here.
- Hotel unions support this Bill as they say they will become homeless and lose their jobs... Really? If they are at a hotel now serving tourists, the same jobs would be available for the most part in the community. New restaurants would pop up. More people would need cleaners. More people would need pool help, landscapers, etc... And the hotel workers would set their own hours and have the opportunity to open up their own business... I can go on. Apology for the digression.
- Where will you stay when you go to a neighbor island to work, visit family or seek healthcare? A \$700/night hotel?

In summary, I oppose the Bill as written.

Mahalo, Len Gambla

Papaikou, Hawai'i

Mark Goebel

106 Kaanapali Shores Place

Lahaina, HI 96761

RE: HB1838

Representatives:

I am writing in opposition to bill HB 1838 targeting Short Term Rentals. My family purchased our condo in March of 2020 shortly before the Covid pandemic for family use as well as a rental to allow others to have the enjoyment we do. Currently that rental along with others on the island provide 40% of the real property tax for the county.

In addition we supplement some of the 40,000 jobs that are supported by the short term rental industry. Phasing out the short term rental industry will have a deleterious effect on the local economies by reducing or eliminating the revenue of the county through taxes and eliminating jobs in the local community.

As owners we have a vested interest in the maintenance and upkeep of our individual properties which supports the local carpenters, plumbers and electricians to provide good wages and the ability to support the local communities. It is not just tourism jobs these short term rentals support in the local communities.

Please oppose this measure as this decision to remove the short term rental market has the ability to drastically curtail or eliminate local jobs and abundant tax revenues for not only the county of Maui but also the state.

Regards

Mark Goebel

A handwritten signature in black ink that reads "Mark Goebel". The signature is written in a cursive, flowing style with a large initial "M".

Aloha Chair, Vice Chair and Committee,

My name is Tracey Jubelirer. I stayed in a short-term rental because it allowed my family and I to visit and explore the beautiful island of Maui at a reasonable cost, visit friends, and help support the local economy. We would never have visited Maui if we couldn't have stayed in rental housing. It simply would not have been affordable or practical.

I am writing **in opposition of this bill** because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time!

Sincerely,

Tracey Jubelirer

HB-1838-HD-1

Submitted on: 2/27/2024 4:02:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ben Jackson	Individual	Oppose	Written Testimony Only

Comments:

I have been an out-of-state property owner in Hawaii since 2004. I own a condo in Puako, which is located where many high-end homes and hotels are located. When I am not in residence, which is approximately 10 months a year, My unit provides an affordable place for visitors to stay, in one of the highest average daily rate areas for a hotel room in Hawaii. My particular unit rents anywhere from \$250-\$400 a night when compared to the resorts less than 10 minutes away, my rate is a quarter of what most of those Resorts charge per night!

I pay all the appropriate taxes and have a property manager assist with my property. if HB 1838 would pass please consider the thousands of jobs that will be immediately eliminated that are tied to the property management industry not to mention tax revenue to the State that will come to an end.

in addition to renting my place to visitors that come to the great State of Hawaii my place has numerous rentals by folks traveling interisland, just moving to the State, need temporary housing and families that travel for school activities, sports, cultural events, etc.

Any misplaced idea that passing H Bill 1838 is going to stop people from coming to Hawaii is critically flawed. What it will do if passed is make Hawaii even more expensive and elitist, giving the hotels and resort properties a monopoly on rates charged to stay in their properties.

HB-1838-HD-1

Submitted on: 2/27/2024 4:38:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amelia Pickering	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose HB1838.

My family has owned a home on the Big Island since 1977. Over the years we have spent as much time there as possible but we are scattered over the Mainland and not able to live and work full time in Hawaii. We have rented our home on a short term basis since 1977. Families often come back to Hawaii to rent our house year after year. Many of our renters tell us they come to Hawaii because they can rent a house like ours - a hotel is not going to work for them.

These rentals to just our house have contributed hundreds of thousands of dollars to the Hawaiian economy. We also pay significant property taxes every year based on our short term rental status. The availability of short term rental homes have brought vacationers to Hawaii who would not come otherwise. Why would the legislature want to kill this industry that is contributing so much to the economy?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & many friends. These fully furnished rentals are available for families who have been harmed by fires and floods. Without them where would people go?

We understand that there is a serious housing shortage in Hawaii but eliminating short term rentals is not the answer to solving that problem. In fact it takes housing options off the market. If we are not able to rent our home, we will no doubt have to sell it as we won't be able to afford to maintain it, pay taxes, etc. The County and State would then lose the revenue being generated by this property. This property is not going to be affordable for the people who need housing the most. If it is bought by some wealthy person who uses it to vacation in Hawaii occasionally and otherwise it sits empty, it is not going to bring in revenue to the County and State. Why would the legislature want to do this?

We have done everything to be good neighbors, to follow all the laws and regulations, and to promptly pay all the fees and taxes associated with our short term vacation rental. We desperately want to be able to keep our home and we want to be able to share it with repeated and new vacationers who fall in love with Hawaii when they stay at our rental.

I urge you to vote against HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 4:53:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Gamez	Individual	Oppose	Remotely Via Zoom

Comments:

This bill directly harms the lively hood of myself and my community. This bill directly affects the Kapuna I serve, and hurts military family's traveling to Hawaii. For a multitude of reasons, this bill can not pass. There are sufficent controls in place to govern abusers.

HB-1838-HD-1

Submitted on: 2/27/2024 5:18:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Jackson	Individual	Oppose	Written Testimony Only

Comments:

Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more.

Less than 3% of Oahu housing is STRs

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

HB-1838-HD-1

Submitted on: 2/27/2024 5:22:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith E Smith	Individual	Oppose	Written Testimony Only

Comments:

With much respect for the people who lost their homes and are working to rebuild their future, the choice to eliminate short term rentals in Maui is not the solution. It only creates a larger obstacle for working residents to overcome. Local artists who depend on tourists to purchase their products, small business, local rental car companies and the people that they employ, cleaning businesses for short term rental properties, tour companies and their employees will all be effected by the loss of these accommodations for travelers. STRs are also valuable and cost effective solution used by inter-island residents coming for medical treatment, visiting friends and family, residents temporarily displaced, traveling nurses, traveling contractors and emergency workers, volunteers, and temporary military and students.

Vacationing guests will choose to go to other destinations.

The costs of accommodations will escalate and become unaffordable for average families. Only large corporate owned lodging, restaurants, high end shopping, etc will survive Only the large corporations will benefit. Only the very wealthy will be able to visit and support the economy The state transient tax, GET tax and property taxes are already creating a decline in travel and spending in Maui.

Unfortunately many properties with short term rental occupancy will have units shift to second homes or go into foreclosure also creating a less than desirable environment for local families or for choosing Maui for hard earned vacation time.

There needs to be a balance and long term plan to allow the residents to return to a normal lifestyle. Most of the short-term rentals are not designed or appropriate for long term family living. The solution is to expedite and provide affordable housing and assistance in rebuilding the properties that families lost.

Ending short term rentals will only creat more challenges for the devastated residents. Recovery efforts as in hurricane Katrina and other natural disasters need to be implemented with volunteers and assistance organizations that are trained in rebuilding homes and businesses need to be allowed to come on island and begin construction as soon as possible. The county could greatly assist in expediting this permitting and processing.

Mahalo for understanding these negative effects that this legislation will impose on the people of Maui.

HB-1838-HD-1

Submitted on: 2/27/2024 5:29:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Douglas	Individual	Support	Written Testimony Only

Comments:

Fully support HB1838.

We must craft our housing policy to support those that actually live and work here. Doing nothing is a form of ethnic cleansing as more and more Kanaka move out of state. The faster the better. Start with out of state owners, corporate owners and REITs.

HB-1838-HD-1

Submitted on: 2/27/2024 5:37:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Please balance the zoning laws to support locals. Mahalo 🙏

HB-1838-HD-1

Submitted on: 2/27/2024 5:49:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Hewlett	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jennifer Hewlett. I stayed in a short term rental because it allowed for a larger number of family members to visit the island for an extended period of time. We were able to lodge together which enhanced the experience and time together that would not have been able to occur had we stayed in separate hotel rooms. Additionally, we would have been unable to visit the island if we were unable to offset the costs of dining by making some meals at our rental.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Jennifer Hewlett, PharmD

HB-1838-HD-1

Submitted on: 2/27/2024 5:55:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roy Lindfield	Individual	Oppose	Written Testimony Only

Comments:

- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
-
- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 5:55:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kassie Avilla	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 6:00:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Allison Kaye Budvarson	Individual	Oppose	Written Testimony Only

Comments:

- **Potential Loss of Legal Rentals:** HB1838 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui.
- **Economic Contribution:** Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?
- **Employment Impact:** Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.
- **Community Support:** Short-term rentals accommodate various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- **Housing Options in Crisis:** In times of crisis, like the Lahaina Fire, short-term rentals serve as essential temporary, furnished housing for displaced residents. Where will residents find such housing in times of emergencies. Where will residents find temporary, furnished housing if the industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 6:21:24 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colleen Brodbine Boyarsky	Individual	Oppose	Written Testimony Only

Comments:

Yet again, the Hawaiian government is attempting to restrict citizens' rights and destroy local economies and to what goal! We own a short term rental on Maui in a complex that was included in a list of exempt complexes for short term rentals. And now years later, the government which is supposed to protect and represent us believes it has the right and the power to come in and destroy not only part of our livelihood as we are on a fixed income but those of the individuals serving this industry.

- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?
- **Employment Impact:** Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.
- **Community Support:** Emphasize the role of short-term rentals in accommodating various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- **Housing Options in Crisis:** In times of crisis, like the Lahaina Fire, short-term rentals serve as essential temporary, furnished housing for displaced residents. Where will residents find such housing in times of emergencies. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 6:26:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Cline	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My personal testimony against this bill is the reality that short term rentals in Maui provide affordable housing for visitors such as myself enabling memorable family vacations that would otherwise be cost prohibitive if left to a hotel chain.

Additionally, in January we witnessed first hand the value that these short term rentals have provided by giving housing options —other than a tent or tiny house-- to those displaced by the Lahaina fires. It's astounding to me that this bill would even be considered right now given just that need alone!

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Linda Cline

Frequent Maui Visitor

HB-1838-HD-1

Submitted on: 2/27/2024 6:31:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kacie Vieau	Individual	Oppose	Written Testimony Only

Comments:

I believe this is a misguided attempt to blame STVR for housing shortages. These units would never be returned to the housing market. A great number of them will be used as second homes and left vacant. They will no longer create jobs and much needed taxes that help our communities. A much larger problem is Wall Street Hedge funds who are buying up vast amounts of properties all over the country. It's almost impossible for a first time home buyers to beat their cash offers. If you truly want to fix housing you must provide builders with incentives to build.

HB-1838-HD-1

Submitted on: 2/27/2024 6:38:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Cooper	Individual	Oppose	Written Testimony Only

Comments:

We have put our life savings into our rental property. This bill will destroy us. Please don't do this. Please!

HB-1838-HD-1

Submitted on: 2/27/2024 6:53:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Dachtler	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members:

Subject: Opposition to HB1838 - Preserving Essential Monthly Rentals on Oahu

I am a homeowner on Oahu who legally rents my property for 30 or more nights at a time, and I strongly oppose the passage of HB1838. This bill, if enacted, threatens to further diminish the already limited number of **legal monthly** rentals on the island, a situation that Oahu cannot afford.

The island is grappling with a shortage of housing options, and any reduction in legal monthly rentals will exacerbate this problem. This bill risks eliminating valuable housing opportunities for displaced residents, those newly housed, individuals in transition, inter-island residents seeking medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, and students, as well as our own family and friends.

In times of crisis, such as the Red Hill Crisis and the Marco Polo fires, thousands of residents were displaced. Legal monthly rentals played a crucial role in providing temporary, furnished housing for these individuals. If the proposed legislation passes, it could severely impact our ability to assist residents in need during unforeseen emergencies.

Furthermore, the bill's passage could have unintended consequences for individuals visiting Oahu for work, to spend time with family, or to seek healthcare. With legal monthly rentals at risk, visitors may be left with no choice but to opt for expensive hotel accommodations, potentially costing them \$700 per night. This is an unnecessary burden that will adversely affect both visitors and the local economy.

The proposed removal of an existing land use, as outlined in HB1838, is particularly concerning in light of the recent Supreme Court decision in *Knick v. Township of Scott, Pennsylvania* (588 U.S. __, Case No. 17-647). This landmark property rights case underscores the importance of avoiding land use takings without just compensation. HB1838 risks treading on the delicate balance between property rights and regulatory interests, potentially exposing the state to legal challenges at the Federal level.

In conclusion, HB1838 poses a significant threat to the already limited legal monthly rentals on Oahu. The island relies on these accommodations to serve a variety of needs, from emergency

housing for displaced residents to providing affordable options for visitors. The bill's passage could not only exacerbate the housing shortage but also open the state up to legal challenges, particularly in light of the recent Supreme Court decision. It is crucial to reconsider and strike a balance that addresses concerns without disproportionately impacting homeowners and the essential services provided by legal monthly rentals.

Sincerely,

Elizabeth Daly

HB-1838-HD-1

Submitted on: 2/27/2024 7:01:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melodie Austria	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose this bill. As a vacation short term rental owner in Molokai, I have been accomodating displaced Maui residents, visiting workers (nurses, dentists, doctors, construction workers, lawyers, researchers, college workers, teachers, etc), relatives of local residents who need to visit their family for funerals, weddings, and other special events. I offer prices lower than what hotels are offering. I also employ local staff for housekeeping, cleaning, maintenance, painters, electricians, etc, who depend on us for income. Our guests also contribute to the success of local restaurants and businesses. I live out of country but my primary reason of buying the property is so that my family and I can visit our kupuna who are still living on island and need to visit them. I don't make profit from the short term rental. I need help to be able to pay for my HOA & utilitie fees & mortgage while I am not there.

Mahalo,

Melodie

HB-1838-HD-1

Submitted on: 2/27/2024 7:03:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracie Gildea	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I am writing in to oppose the bill under consideration, HB1838. I am a homeowner who has made my home available for 30day + rental during certain months in the year.

Since we began renting in 2023, we have hosted residents in transition, folks who were moving intra island needing temporary housing. We have offered our home to friends and family in Maui (and their extended families) for anyone who has been displaced by the tragic fires. We also have Ohana who are originally from Maui (for generations) and stay with us frequently to visit their extended family and to get critical medical care.

We have also rented to vacationers who planned to stay on the island for an extended time. On this latter point, all of the guests we've had have been families who prefer the quiet tranquility, privacy and affordability of staying in a home vs staying in an expensive hotel (of which there are few hotel options where we live).

Whether we are offering our home to friends and family, residents who are moving, displaced families or other guests, their stays positively impact our local economy to include house cleaning, regular maintenance repair work, restaurants, our local grocery stores, pharmacy, and small local businesses of all kinds (in addition to rental taxes paid).

Providing homeowners with the opportunity to share their home with others, support our local economy and do our part for families whether short or mid-term should continue to be allowed. For their service, homeowners also deserve to be paid for this effort. The cost of hotel living for short of mid-term is extraordinarily high and does not support those with geographic or others needs outside of Waikiki.

Thank You

HB-1838-HD-1

Submitted on: 2/27/2024 7:11:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Liz Lees	Individual	Oppose	Written Testimony Only

Comments:

I am a full time Hawaii County resident and retiree. I need the income I receive from sharing part of my home as a short term rental to help pay the bills and afford my home. My husband works in Maui and we also own resort zoned condo that he uses during the week while he is at work, then he rents it out on the weekend to help make ends meet. I am very concerned that the state could take away a resort zoned allowance with this bill. How much time is reasonable to change usage???

I oppose this bill and feel it reeks of hotel lobby influence. Allowing residents to participate in the tourism economy keeps earnings local and not just going to the big off island corporations. If affordable housing is the issue, the state and counties should work to strengthen landlord protections, provide tax incentives to rent long term and create streamlined permitting process to help build affordable housing. The state is trying to shift the burden of affordable long term housing to private residents due to the state's past failures to create new affordable housing.

Local owned short term rentals create local income and jobs. If there is no income and there are no jobs, no one will need affordable housing.

Please vote no to this bill.

HB-1838-HD-1

Submitted on: 2/27/2024 7:11:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vonda Smith	Individual	Oppose	Written Testimony Only

Comments:

With much respect for the people who lost their homes and are working to rebuild their future the choice to eliminate short term rental in Maui is not the solution. It only creates a larger obstacle for working residents to overcome. Local artists who depend on tourists to purchase their products, small business, rental car companies and the people that they employ, cleaning businesses for short term rental properties, tour companies and their employees will all be affected by the loss of these accommodations for travelers. Guests will choose to go to other islands or other destinations besides Hawaii and the costs of accommodations will escalate and become unaffordable for average families. The state transient tax, GET tax and property taxes are already creating a decline in travel to Maui. Unfortunately, many properties with short term rental occupancy will have units go into foreclosure also creating a less than desirable environment for choosing Maui for hard earned vacation time. There needs to be a balance and long-term plan to allow the residents to return to a normal lifestyle. In talking with our friends - housekeeping, maintenance and grounds keepers, office staff, etc. - there is big concern of losing jobs if owners convert to Long Term (LTR). We have made the choice to honor and continue to rent SHORT TERM. Most of the short-term rentals are not designed or appropriate for long term family living. The solution is to provide affordable housing and assistance in rebuilding the properties that families lost. Ending short term rentals will only create more challenges for the devastated residents. Recovery efforts as in hurricane Katrina and other natural disasters need to be implemented with volunteers and assistance organizations that are trained in rebuilding homes and businesses need to be allowed to come on island and begin construction with respect for the devastation as soon as possible and the county could greatly assist in expediting this permitting and processing.

Mahalo for considering this side of the effect that this legislation will impose on the people.

HB-1838-HD-1

Submitted on: 2/27/2024 7:23:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracey stefanyk	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose HB 1838 as it would be devastating to the economy.

Short term rentals are a solid source of revenue for counties. In Maui, short term rentals provide 40% of the total Real Property Tax collected. This represents 18% of Maui's total 1.7 billion dollar budget, and the largest source of revenue for affordable housing. If str's were shut down in Maui, it would create an insurmountable loss of revenue for the county.

Short term rentals are also a solid source of income for local families, and in some cases, the sole source of income. I know several families who rely on income from housekeeping in short term rentals to support their families. There are currently 13 744 legal short term rentals in Maui. If they shut down, that would potentially leave over 13 000 local families without a source of income.

Many local business rely on the patronage of guests who chose to stay at short term rentals. There are many restaurants, entertainers, boutiques, gift shops, markets, tours, and rental companies who rely on business from these guests. Many of these businesses would be forced to close if short term rentals were shut down.

Allowing counties to shut down short term rentals would ruin the economy through major job losses, business foreclosures, and massive loss of revenue for programs, housing and infrastructure. It's an unsustainable option.

HB-1838-HD-1

Submitted on: 2/27/2024 7:25:03 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Meglen	Individual	Oppose	Written Testimony Only

Comments:

I, Barbara Meglen, respectfully submit my opposition to the above proposed legislation. I purchased a home at 69-1814 Puako Beach Rd., Kamuela, HI in April of 2017 which was at the time a legal STVR and had been for many previous years. The purchase of this home was only possible based on that fact. Our long time desire was to rent this property until my husband and I could eventually make it our principal residence. Since the purchase the current STVR rules had changed and we consistently followed the new rules setting up a NonConforming STVR which has been approved every year since our purchase date. The TAT and GE taxes have generated income every year including last year which totalled the sum of \$26,172. The real property taxes which are based on Rental property valuation (Including a premium for 2mil+ valuation) are over \$42,000. These amounts would no longer be collected if I am forced to sell this home to a new owner who would be occupying as a principal residence. My husband unexpectedly passed away in December 2021 which has also contributed to my current financial situation. This community currently has a large number of legal STVRs, the neighborhood has sustained this arrangement for many years with little to no complaints. This neighborhood should be zoned as a resort due to the location between 4 large resorts on the Kohala coast. (Waikoloa, Mauna Lani, Mauna Kea and The Westin Hapuna Beach). I believe that this legislation would impact the local economy significantly in a negative manner as there are a number of local workers (cleaning, maintenance, landscaping) who would no longer have employment. I am in favor of STVRs being licensed and regulated but this legislation could shut down the industry all together and a very important revenue source for the county and State. Please stop this legislation! Thank you for your consideration. Sincerely, Barbara Meglen

HB-1838-HD-1

Submitted on: 2/27/2024 7:25:55 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jackie Keefe	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee on Judiciary & Hawaiian Affairs,

My name is Jackie Keefe and I am a resident of Lahaina. I am writing in strong support of HB1838 HD1 with request.

As you all know, this bill addresses an urgent need for housing and I would like to request that this bill be amended to take effect upon signing.

I am one of the lucky ones - I've been living in my apartment for almost six years, and I'm able to have a dog. Most of my 'ohana are not so lucky. Many of them have had to leave island, while others have been able to find somewhere incredibly expensive somewhere else on Maui. Generational families have had to leave Maui due to the stress of housing or work instability, the stress of bureaucracy, cost of living, or other factors. Thousands of others are still living in hotels, without any vision of what the housing situation is going to be in coming months or years. Dozens of others, if not more, have taken to living on the beach or along the highway.

Census data has confirmed that we now have more Native Hawaiians living on the continent than in Hawai'i - and that was 3 years before the August 2023 wildfires. My fear is that this trend is going to continue to get exponentially worse, as less local people are able to afford homes in Hawai'i because of the short-term rental boom.

I think that it is also important to point out that short-term rentals cost us in other ways, too.

Restaurants, which depend upon the business of tourists, have a harder time filling their seats. As the cost of doing business continues to increase, they have to continue to raise their prices and/or cut their portions just to break even in an industry with incredibly small margins. Tourists are now choosing to stay in short-term rentals because of access to a kitchen, which means they are spending little to no money in our local restaurants. Many of those who stay in these properties and do choose to go out are dining at the fast food chains that we have seen pop up since the COVID pandemic.

As short-term rental properties almost exclusively do not have on-site concierge programs, we have more tourists who are not encountering someone whose job it is not only to try to sell our local tours but also to warn these people about the dangers of our ocean, hiking alone, or other

things they may have be aware of. I am a transplant who has been on Maui for about seven years now, and I have seen a significant increase in ocean and mountain rescues with each passing year. Short-term rentals do not contribute more to these services.

This also goes for car accidents. Because short-term rental properties do not offer shuttle services, we have more cars on the road. Almost everyone who stays in a short-term rental rents at least one car, adding to the congestion of our roads. While this may not be a matter of real concern on O'ahu as there are multiple highways, Maui does not have the infrastructure for this many cars (even if the airport did get a huge expansion with an upgraded rental car area). This is especially true for west Maui, where we will have only **one, one-lane road into and out of Lahaina for the foreseeable future.**

My plea is that you weigh the plight of our local people over that of the private entities that dominate the pae 'aina. It is far past time that we prioritize people over profit, and this bill takes a step towards achieving that goal.

Thank you for your consideration.

Jackie Keefe

HB-1838-HD-1

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

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gloria Moyers	Individual	Oppose	Written Testimony Only

Comments:

This letter is in opposition to to HB1838.

Perspective on Short Term Rentals (STRS). Here, I am referring to legally operated STR's. According to our governor there are several thousand "Illegal" STR'S. Why is our government not fining them and shutting them down. If they know how many there are, it would stand to reason that they would know where most of them are. I suggested to elected officials a long time ago that they have a commissioned based work force that receives a fee for each one that they find. No extra expense would be necessary with the fee being ultimately paid by the fines and potential back GE, TA and Maui TA.

Instead, current legal owners are living under the constant threat of aggressive, possibly illegal legislation, re-zoning and arbitrary moratoriums.

First of all, the current ownership of "off island" and "local" ownership should not make a difference These purchases were done legally under current laws. The audacity for local citizens and government alike to assume that these owners can just change their financial situation because of the Lahaina disaster is unkind and unfair. The present these owners to society as wealthy, greedy and "no aloha". I know many personally and they love Maui and contribute in many possible ways to our island.

I am sure that each owner has a "story". I will share mine.

I am currently 75 years old. You only have to read the obituaries to realize that I am older than some and younger than some. As a single parent, I put myself through college delivering the San Jose Mercury news for 11 years with no days off when the newspaper was huge. Yes, I was sick during that time. Went anyway. Had two back surgeries later, probably a result of all the lifting of bundles. From there, I worked hard as a technical recruiter and both selling/ buying real estate.

I painted, scrubbed and maintained over 24 apartments and several rental homes for ten years. Blood, sweat and tears. As a result of all this hard work, I was able to buy my home on Maui, as a previous resident of California. I was able to buy a legal vacation condo at Kihei Akahi, managing and cleaning it personally. I have never taken public assistance and always paid for my own health insurance. I have been a productive citizen of the United States.

Currently, I am able to enjoy my years with travel and family. With my STR and social security, I am financially independent. I do not have the additional assets to replace the upgrading that I have done to create a meaningful vacation environment for visitors. Am I suppose to feel guilty and change my income and plans because Hawaii/Maui did not provide proper permitting, affordable housing, fire maintenance, infrastructure for fire fighting for their people? Local citizens and government are complaining about the half empty luxury dwelling throughout Maui. Who permitted them? I say hoorah for the capitalist system of our country that allowed people to legally afford such luxury. Mine is modest. They too are being demonized. Yet, I am sure their property taxes bring a hefty revenue to Maui.

Going forward, it will be up to our government to enforce current laws and zoning and create new restrictions while accommodating current legal dwellings.

What people seem to forget is that it is and was the past laws of Hawaii that have put Maui in the current situation. Just as these policies created the current balance slowly, rapid change will only create rapid negative financial fallout to legal STR owners and small businesses that cater to these tourists. (far too many to list) Residents and nonresidents have operated legally and with good faith yet feel demonized by local citizens and government.

I am just one example of potential financial disruption. A swift change to the current structure will result in additional disruption and financial demise of small businesses that depend on the modest tourist that cannot afford the grand resort prices.

I understand that there are challenges to be met but government over reach bills like HB1838 are not the answer.

I have also just heard about HB2081! Seriously, is the government trying to ruin the rest of Maui? An additional \$50 per night is ridiculous!

Respectfully submitted, looking for the Aloha,

Gloria Moyers

Kihei HI

808-442-2075

HB-1838-HD-1

Submitted on: 2/27/2024 7:39:36 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimberlee J Rankin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

First and foremost, the tragedy of the Lahaina fires are devastating and weighs on all of us. We oppose HB1838. We have invested in Maui and the westside even though we do not live here "full time". We own 1 condo. For the past 10 years we used STRs to make it affordable to vacation annually. We decided we wanted to buy a place so we could come on a more regular basis and start to put down some roots. The only way to make it work financially is if we rented it out when we weren't here. We love Maui and have built relationships here investing back into the community. We will eventually retire here and live in our condo. If this bill passes it will drastically affect us and we will not be able to stay. More importantly it is the wrong approach to solving the housing issue. It will decimate the local small businesses like restaurants, coffee shops, stores, activities, cleaners, and many service contractors. It will eliminate the millions of tax dollars provided by STRs.

Please let the counties enforce the laws that they already have in place.

I humbly ask that you please do not move this bill forward.

Mahalo,

Kim Rankin

HB-1838-HD-1

Submitted on: 2/27/2024 7:45:15 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Holley & Clark Richards	Individual	Oppose	Written Testimony Only

Comments:

We are opposed to HB 1838. As an elderly couple, we purchased a condo at Hale Mahina Beach Resort in 2021. Our purchase hinged on the contingent we could rent our condo to help cover our expenses while we were not using it. Our aim was not to make money or to exploit Maui in any way. Our intent rather, was to participate in the magic of Maui and in so doing, add value to the local economy and tax base. We believed (and still do) this was a morally right thing to do. We gain and Maui residents gain. Then came the Lahaina fire of 2023 and the associated housing crisis, a tragedy no one could have foreseen. We feel horrible about this event. Unfortunately, due to our advanced age and the real constraint of limited time, we are not in the position to offer long term rentals. If HB 1838 is passed, we, like many others will be forced to sell, most likely at a loss. Who gains in this scenario? We do not believe Maui residents will benefit in the long run. Clearly, the bill is founded on good intentions, to help the current housing shortage but will it cause unintended negative economic consequences? Please reconsider this bill. Thank you for reading our concerns. Clark and Holley Richards

HB-1838-HD-1

Submitted on: 2/27/2024 7:47:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alicia hill	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose this bill. Why are you going after the legal rentals? Is it because you have no power to enforce the illegal rentals? There are generations that depend on the income just to live on island.

it seems to me that the valuable time and energy should be in addressing the illegal vacation renters rather than the people who have already gone through the legal process of acquiring permits. I think that the number of illegal renters greatly exceeds those who are currently permitted.so the real problem is the black market trade! Your current bill doesn't address the underlying issue. I understand that Maui has many permits! But Oahu permits are very small. Where will I put family? No one can afford these hotel prices. Especially with kids. The state either wants tourism or it doesn't? Which is it?

HB-1838-HD-1

Submitted on: 2/27/2024 7:50:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debbie Bettencourt	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose bill HB1838 on behalf of myself and my family. My family has been visiting Maui for over 40 years. The islands welcoming spirit, people and culture keep us coming back every year. Several years ago, my family purchased several condos on the island to enjoy family time together. During the time we are not on island, our condo's are rented on a short-term basis. HB1838 would result in our inability to enjoy our time on Maui as a family and loss of rental income. I would seriously need to consider an alternative investment, where our family could get together and continue to rent our condos out as short-term rentals.

Not only does Short-term rentals provide benefits to myself and my family, they provide 40% of the real property tax revenue for the county and represents 18% of the county's \$1.7 billion dollar budget. My families visits, as well as other clients utilizing short-term rentals continue to support Maui's economy through jobs in the industry. A decision to discontinue short-term rentals would have a far-reaching impact on the islands employment including other service sectors.

Short-term rentals immediately allowed the accommodation of displaced residents during the Maui fires as well as several agencies, support workers and first responders. I personally had a representative from the EPA Boston office staying in my condo with all his testing equipment supporting the Maui fire clean up effort.

Please do not approve HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 7:56:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Marie Lopez	Individual	Oppose	Written Testimony Only

Comments:

This bill will cause a major loss in jobs that will affect all of Maui. Housing prices will plummet, banks will not give financing. I will personally lose what I worked so hard for on Maui for the past 30 years. My retirement is the equity that I have in my home. I have been jobless since August. Driving tourism away means that I will not be able to find work. I will be forced to retire early, sell my home and leave my beloved Maui. I am only one person. This move towards driving housing prices down so the state can buy cheap is unfair and unconstitutional. You will be allowing out of state buyers as well which is what you say you are trying to prevent. Please do not pass this bill.

HB-1838-HD-1

Submitted on: 2/27/2024 8:05:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Henrique Regina	Individual	Oppose	Written Testimony Only

Comments:

Dear representative,

It is absurd the tourism industry is lobbying to annihilate the transient accommodation rentals on Oahu. I have responsibly done 30 days minimum rental and paid the ever-so-high taxes associated with this activity. Our communities need options for transient accommodation. It has been this way for decades. This bill threatens the livelihood of many in our community when they need these options the most. Short-term Rentals accommodate displaced, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military, students, and our family and friends.

I urge you to veto this malicious bill. It is one-sided with the intent of profiting foreign corporations to the detriment of our communities.

Respetifully,

Henrique Regina

HB-1838-HD-1

Submitted on: 2/27/2024 8:07:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ROBERT Y CHUNG	Individual	Oppose	Written Testimony Only

Comments:

As a resident homeowner in Kona and working in Maui, I keep cost down by renting out my one, resort-zoned condo, that I rent when not using for work. I am not sure how many Hawaiians do what I do out of necessity, but this bill will force me NOT only sell my condo, but also end my current employment situation. I am constantly troubled by same "hotel-connected" politicians who probably never bothered to get even the most minor statistical data on working Hawaiians who reside in one island and work in another. Harry Kim once quoted, "I didn't realize how many people from Big Island work on other islands ".

Before bills like this take final stage for passage, I am demanding an objective survey of owners and the true effects to locals like me in this situation.

Bills like this are bad medicine. Not only will this law ineffective, the side affects will be even worse in the long-run since details of the affected were not fully considered.

HB-1838-HD-1

Submitted on: 2/27/2024 8:17:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurie Zimmerman	Individual	Oppose	Written Testimony Only

Comments:

As a condo owner I strongly oppose this bill.

How's hawaii supposed to survive without tourism in places for tourists to stay

HB-1838-HD-1

Submitted on: 2/27/2024 8:19:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Benjamin Bennett	Individual	Oppose	Written Testimony Only

Comments:

My name is Ben Bennett. My family and I live in Kahuku. I am writing to strongly OPPOSE HB1838 HD1

I appreciate that short term rentals in residential neighborhoods can have a negative impact on housing availability and prices. I recognize that the housing situation in Maui is especially dire given the tragic wildfires. While our hearts go out to our Ohana and Kapuna in Maui, the situation in O'ahu is very different and the legislature should favor home rule in this instance as one size does NOT fit all.

On O'ahu, the facts are as follows:

- Short term rentals make up less than 1% of the island's approx 371k housing units.**
- By comparison, vacant homes on O'ahu make up 9% of the housing stock.**
- 81% of the owners of short term rentals on O'ahu are LOCALS!**
- A recent study by the Oahu Short Term Rental Alliance (OSTRA) estimated that LOCAL housekeepers who assist with short term rentals make an average of \$39 / hour vs. similar jobs at hotels which pay \$15/ hour.**

Our home is located in a resort zoned area and directly adjacent to a large hotel. We occasionally rent our home on a short term basis when we are off island to offset the high cost of living in the state. O'ahu has enacted strict short term rental regulations via Bill 41 and taxes associated with the same bill. We respect and abide by those laws. We pay those taxes. We work hard to be good neighbors and to support local businesses in all that we do.

I attended the initial committee hearings for this bill at the state legislature. Far and away, the majority of the people who showed up to testify in favor of this bill were not residents (although there were some). The majority of those testifying for this bill were either from

or associated with the HOTEL INDUSTRY. How many of the HOTELS are LOCALLY owned? The answer is ZERO of the HOTELS are locally owned! 81% of short term rentals on O'ahu are OWNED by O'AHU LOCALS.

This bill would hurt my family and others who I employ by allowing even legal short term rentals that are in resort zones to be phased out. Please don't allow the hotels to mischaracterize the situation or manipulate the council into siding with them. Eliminating short term rentals isn't the silver bullet to the housing crisis. Let's start with vacant homes and work together to come up with creative solutions.

Mahalo,

Ben Bennett

HB-1838-HD-1

Submitted on: 2/27/2024 8:22:03 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert P Rankin	Individual	Oppose	Written Testimony Only

Comments:

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John Rosen
5564 Willow View Trail
Morrison, CO 80465

February 24, 2024

Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
Rep. Luke A. Evslin
Rep. Greggor Ilagan
Rep. Sonny Ganaden
Rep. Sam Satoru Kong
Rep. Daniel Holt
Rep. Tyson K. Miyake
Rep. Linda Ichiyama
Rep. Kanani Souza

Re: HB 1838

Dear Members,

I am writing in opposition to the proposed HB 1838. My wife Julie and I purchased a property in Hawaii County last September. This purchase was made after many years of trips to the Island as visitors. With the exception of our first visit, we always arranged for accommodations at short term rentals in various locations on the Island – Puako, Hawi, Honokaa, Volcano, etc. We fell in love with the Island and much of this affection was because of the access, relaxed atmosphere and comfort afforded by the short-term rental properties we regularly frequented. We are attracted to Hawaii by the natural beauty of the land and ocean and the variety of related outdoor activities. We are not resort people and if a resort or hotel was the only option available to us, we likely would have found an alternate travel destination. We believe there are a significant percentage of visitors to Hawaii that are similar to us. The elimination of the short-term rental option would not drive a higher occupancy at the resort locations. It would result in reduced visits to the state.

We fully understand the housing shortage issue that Hawaii is experiencing. We are from Colorado and all of our mountain towns face very similar issues. The elimination of short-term rentals will not resolve this problem, which is driven by affordability. Properties such as the one we purchased are very expensive to own and maintain. Even if we were forced to sell due to the loss of our ability to generate income, the property would not be affordable via ownership or rental to island residents that are having difficulty locating affordable housing opportunities. If we sold the property it would be purchased by someone with substantial financial means who would either occupy the house as a full or part-time resident - someone not affected by the affordability crisis in the state. In effect, a forced sale of our property would essentially be to remove a highly occupied tourist rental and a commensurate reduction in revenues to the state without adding to the affordable rental housing stock.

The termination of our short-term license would also eliminate our need for the people and businesses that aid us in managing and renting the property. This includes our property management team and the cleaning staff. To a lesser degree, we would not contract for the extensive landscaping, tree trimming, and building maintenance services we provide to ensure maximum marketability of the property. This is a loss of jobs and revenue to the people who need it most.

The housing shortage and affordability problem will not be resolved or mitigated in any way by HB 1838. In fact, it may be exacerbated by its passage. We urge you to vote no on this bill.

Sincerely,

John & Julie Rosen
89-1815 Puako Beach Drive
Kamuela, HI 96740

HB-1838-HD-1

Submitted on: 2/27/2024 8:28:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward Brookes	Individual	Oppose	Written Testimony Only

Comments:

About six years ago I decided to buy a unit in Maui. The price of the unit was in reason and since I was at the time only 71 I felt that if I could rent it and have some retirement income I could eventually afford to live there by the time I was 80. Obviously this bill number HB 1838 would change my plans. I would then have to live there and have a shortened amount of money to retire on. Due to Covid and the Maui fire my income is already less, and if I could no longer rent it, I would have to live there as a full-time resident, which I plan to do at age 80. I also want you to realize by stopping rentals in the area of Honokawai would cost you approximately \$25,000 a year and lost income on my place based on rental income and another \$10,000 based on real estate taxes.

HB-1838-HD-1

Submitted on: 2/27/2024 8:33:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandi Intraub	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Sandi Intraub. I stayed in a short term rental because we wanted to support the Maui economy after the fires, learn more about Hawaiian culture, and visit and enjoy the beautiful island.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room. We have a family of 4 and this short term rental allowed us all to fit comfortably in one space, with enough room to enjoy meals in the space and have access to a pool and other amenities.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Sandi Intraub and family

HB-1838-HD-1

Submitted on: 2/27/2024 8:33:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johanna	Individual	Oppose	Written Testimony Only

Comments:

As an individual citizen, I am sending this letter, because as a head of my family, I need to provide food, clothes a home and many other things for my family, living in this island is not easy, is expensive and very stressful thinking everyday how to bring money to cover all needs. Having part of my home for STR it helps a lot to put some of that stress away, and enjoy more with my family as they deserve. If I'm paying my home and paying my taxes, I don't see why I cannot use my home the way I want or I need. It's not fair being struggling with family needs when I have other ways that I can provide for them.

Maybe the law it could change to allow small groups of people instead of big groups to rent, out of the hotel area, examples instead of rent a house for 5 or 10 people at ones, allow a rental for upto 3 people at the time, that way it's easier to control, noises and other issues that neighbors could complain of. Also if the property provide parking it shouldn't be an issue with neighbors.

Right now I am struggling with 3 different jobs to be able to cover all my family needs due to not being able to rent my property, when I could being Having 1 job and rent part of my home to cover all needs. We also paying taxes everytime the property gets rented so the Government still also receiving easy money from STR taxes. So please I'm requesting to be allow to rent my property for STR.

HB-1838-HD-1

Submitted on: 2/27/2024 8:44:02 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rey and Carla Munoz	Individual	Oppose	Written Testimony Only

Comments:

Good Afternoon,

My husband and I would like to submit a testimony to strongly oppose HB1838.

We currently own two short term rental properties in the Kahana area of Maui. We have traveled to Maui for over 30 years and in 2017 and 2019 were able to purchase two units with inheritance funds. My husband's family came to Hawaii to cut sugar cane on contract in the early 1910's from Spain, so we have longstanding family ties to the islands and we believe they would be proud that family funds contributed to providing the opportunity for our family to continue to love Hawaii. We also donate a portion of funds generated from our units to local non-profits (Kumulani Chapel).

We have successfully rented our units with nearly 90% occupancy. Loss of this short term rental income would be devastating to our personal finances. We also use the units multiple times each year as well as our children and grand children. Long term rentals would prevent this. We love and appreciate the beauty and culture of Maui and want to continue to share this with folks who wish to come to Maui and stay in a condo unit for vacation. We are a legally permitted condo and we faithfully pay our property taxes to the County of Maui.

We understand that the short and mid-term condos on Maui provide 40% of the taxes generated for the county and 18% of the total budget revenue for the county. The impact of this loss would be devastating to the economic structure of the county, not to mention the impact on funding for affordable housing that is provided through these funds. How would Maui recoup this loss in funding to support valuable line items in the budget? With the many businesses closed in Lahaina due to the fires, as well as the funding from the county to assist the businesses and residents, likely the full negative budget impact has not yet been realized.

The loss of short and mid-term condos would impact not only our family and vacationers, but would limit the amount of housing available for traveling medical folks, temporary military and government workers, new residents in transition, residents from other islands due to medical reasons, to name a few. Also the condo experience greatly enhances the vacation experience with more room, ability to cook in the unit and a more home-like environment that our guests enjoy - likely causing them to return to Maui year after year for short term vacations - thus generating business for all of the areas of the tourist industry from the airlines, to the resorts, to the small businesses, to tour operators, restaurants and shopping.

The impact, though indirectly to the county as well, would directly cause great financial loss for housekeepers, maintenance workers, property managers, resort personnel, restaurants, servers and staff - many who are native to the islands. The negative impact would be felt by small business who have already suffered greatly due to the pandemic and the recent Lahaina fires. The loss of vacation travelers could and would likely be the final straw to cause complete closure for many of these folks and families, not to mention the various tour and entertainment opportunities who would have greatly reduced business. The taxes and income generated by these small businesses should not be overlooked in the equation.

Short and mid-term housing (furnished) have provided temporary housing for displaced persons after the Lahaina fire. Where will these folks go?

We love Maui and the beauty it offers. We ask that you vote against HB1838 to allow continued short and mid-term housing options in our condos on Maui.

Respectfully submitted.

HB-1838-HD-1

Submitted on: 2/27/2024 8:44:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeri Ireland	Individual	Oppose	Written Testimony Only

Comments:

I first moved to Hawaii in 1974. I had a business on Oahu for several years. I moved to California to raise my children but continued to maintain a second home on Maui and visit regularly. In 2003 we purchased a “hotel-condo”, preconstruction, at the Wailea Beach Villas. It was a new concept to us at the time and made sense as a way to generate income rather than keeping a unit empty while we were in California.

The building was completed in 2006 and since then we have managed the short-term rental ourselves. Throughout the years we have paid SIGNIFICANT property taxes, with our most recent property tax bill coming in at \$43,661. Additionally, we paid excise and GET tax of \$43,982 last year alone on earnings from the rentals.

Eliminating short-term rentals completely is a foolish solution to a dire problem. The County of Maui would lose \$75,000 of income per year from OUR UNIT ALONE. Property value would be slashed, resulting in loss income throughout the island at a time when Maui desperately needs money for rebuilding vital services and infrastructure.

Changing the rules when responsible owners have purchased DESIGNATED HOTEL CONDO properties is underhanded and short-sighted.

STRs located in existing residential neighborhoods are different and could be limited. However, eliminating them all at once and immediately would create havoc and cause undue financial strain on many owners, not to mention many visitors who have already planned vacations to the island. Let's not forget that much of Maui's economy is based on these visitors.

I urge you to vote no on HB 1838 and come up with a better solution.

Monica and Dean Meredith
monicammeredith@gmail.com
858.761.1891

February 27, 2024

Dear Legislators,

We are writing in opposition of HB1838.

Given the economic advantages to locals and visitors alike, we feel that this bill is going to cause more harm than good. We own a condo in Maui which we use as a home and short term rental to offset costs. Maui's short term rentals provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. What is the plan to replace that revenue? Property taxes for these STRs are already extremely high, raising them just compounds the problem.

The owners of shops, restaurants, markets, and the domestic workers, landscapers, tourism and activity companies, construction workers, and even your utility companies in Hawaii all benefit from tourism. Short term rentals provide a more affordable way to visit the islands than booking a hotel room. Hotel costs are astronomical, and don't provide an ability for tourists to cook their own meals. Please look at the cost of staying in a hotel. It won't go down. Hotels can *raise* their rates with the shortage of places to stay for those hoping to enjoy Hawaii. Most people won't be able to visit, and all the businesses mentioned above will suffer. Your well-intended bill could have disastrous results.

If the goal is to minimize short term rentals, then put a moratorium on any new ones. But please don't take away people's investments, your local citizen's livelihoods, and the economic benefit to the state of Hawaii. If the goal is more housing for locals, please consider that the way to do it is to engage local workers and build affordable housing areas on the islands. Eliminating short term rentals in the hopes that local homeowners will buy them is not necessarily well thought out. Are these small apartments now going to drop significantly in price so that local people in need of housing can afford them? Will there be enough parking for families on a permanent basis? Will the HOA be able to survive given that most people will have a hard time with those fees? The expense of these places is offset by being able to rent them. There are so many issues that could lead to unintended results.

As an architectural firm, we have an architectural license in Hawaii, and it's important that we can afford to have a place to stay when we do business in Hawaii. As mentioned above, we are owners of a small condo in Maui and use it as a short term rental to offset some of the costs. While this may be unique to us, it's just one more reason we personally will not be able to afford to come to Hawaii anymore.

Please do not pass HB1838. There are other ways to accomplish your goals. We believe this bill is a lose/lose for both the local citizens and owners of STRs.

Sincerely,
Monica and Dean Meredith

HB-1838-HD-1

Submitted on: 2/27/2024 9:00:33 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susie Carter Johnson	Individual	Oppose	Written Testimony Only

Comments:

This bill would greatly reduce the Tax revenue used for many purposes in Hawaii and Maui in particular!!

It would also take away THOUSANDS of jobs from full time residents: housekeepers, maintenance people, property managers, groundskeepers, tour guides, restaurant workers, just to name a few!

Tourism is the heartbeat of Maui!! How can this bill possibly help the residents if their livelihood is taken away!! Look at the bigger picture!! Tourism provides so many JOBS and tax revenue to the entire state!

HB-1838-HD-1

Submitted on: 2/27/2024 9:01:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Marvin	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I think that instead of taking away current homeowner rights, our government should concentrate on creating affordable housing.

Many residents depend on the income from servicing vacation rentals. How can eliminating those jobs help our communities? Most of the non conforming TVRs on Kaua'i are in high "longterm" rent areas. Eliminating them will not provide affordable housing.

I am a 52 year resident of Kaua'i north shore with 5 adult children and 7 grandchildren. Believe me, we know the pain of the affordable housing shortage. That being said, I am also a realtor and have sold many properties at a premium based on the right to vacation rent. How is it fair to take away those rights?

Let's build affordable housing!!!

Respectfully,

Amy Marvin

Aloha Chair, Vice Chair and Committee,

My name is Maurice Schreiber and I live on the island of Oahu.

I am writing in opposition to HB1838 because legal, short-term rentals are important for tourism on the island of Oahu as they provide family and visitors with variety and choice as compared to a hotel room. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt the county and state due to the loss of revenue created by GE, TA, and OTAT taxes that legal, short-term rental generate and pay to the county and state of Hawaii.

In addition, this bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, and affordable housing. In addition, it will also threaten my ability to make a living along with the other cleaners, electricians, plumbers, painters, maintenance workers, and small businesses like me, who live and work in my community and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Maurice Schreiber

HB-1838-HD-1

Submitted on: 2/27/2024 9:10:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gloria Squitiro	Individual	Oppose	Written Testimony Only

Comments:

Aloha, and thank you for your service. I know sacrifice you are making with your time, energy and, at times, even your health, and I just want to say that I appreciate you

Thank you for taking the time to read what is in my heart.

I am a 65-year-old woman who has been a short-term vacation rental host for 11 years now.

First, please let me give you the backstory on how it came to be that I fell in love with your island.

In 2016, I got over my 20-year fear of flying so I could bring my sister to Hawai'i for medical treatment. Unfortunately, my sister unexpectedly died 3 days before we were supposed to leave. Three weeks later, I made the trip for the two of us. I had know idea if I would have to endure a 16-hour anxiety attack, given a mid-air anxiety attack is wht grounded me from flying for 20 years, but I did it anyways. That's saying a lot for someone who considers herself a chicken at heart!

Anyways, during the planning stages of our visit, my sister didn't want to stay the entire three months in Hilo, and man, did we have a million fights about that! In the end, we split the trip between Hilo and Kona. Because of that decision, I not only fell in love with Hawai'i, but also with the very remote area south of Kona where I've been staying for four months each time, every year since.

I believe Hawai'i is my sister's final earthly gift to me, given I have finally found the home I've been searching for, for my entire life.

Because I've been coming for extended periods of time, I now know my way to the Sunday Farmer's Market; to the tiny salon where I get my grey colored back to brown every 3 weeks; to the chiropractor's and the acupuncturist's offices, the grocery store, and to local music venues and eateries, though I rarely eat out. Most important, though, is that my neighbors have become my friends—likely because I try to fit myself into the culture, not impose my ways on anyone.

In 2022, I was blessed to able to buy a teeny tiny lot near the remote area where I've been staying—a piece of land that had sat on the market for three years. Unfortunately, I've not been able to build yet.

My husband is 74, and is still financially unable to retire. And unfortunately, he also cannot work remotely in Hawai'i because of the time difference. Since I'm still afraid to fly, he brings me to the island, stays a few weeks, and then picks me back up 4 months later.

So it is that I now commute between two places.

This next part is how I "fell into" short term vacation renting.

In 2013, we moved from the Midwest to east coast for my husband's job. We settled into an apartment, but when the first electric bill came in the mail, we could barely find the money to pay it. This is when we first became aware of cost-of-living difference between the midwest and the east coast.

My husband's job requires that he travel, and I usually tag along if it's someplace I want to go.

Since I was 21 years old, I've always chosen to lodge at a vacation rental because I love experiencing a new place at the neighborhood level. I do not like to "sightsee," I prefer learning the customs of any new place I find myself in. I especially love purchasing local food and bringing it back to my vacation rental to cook.

When I received that electric bill and found that we could barely make ends meet on the east coast, I decided to try vacation renting my own home whenever my husband's job required that he work out of town.

For some reason, I was really good at vacation renting.

Sharing my home with fellow travelers is the first time in my life that I have ever earned a decent wage as a woman.

It's also the first time I've ever employed housekeepers, handymen and landscapers. And given I was once a housekeeper and a waitress, I believed in paying a living wage. For instance, I pay my housekeepers \$50 an hour. And while I have made enough money to have disposable income, also for the first time in my life, I have always put my money back into my business by maintaining my home and purchasing quality furnishings on a regular basis for my guests.

I feel like falling into this line of work was also a gift from the Heavens.

Given that I am both a host and a frequent Airbnb guest, I take my responsibility as a host very seriously. I don't like staying in a vacation rental that is not quiet and peaceful. It's rare that I find myself in that situation, but when I do, I immediately request a refund and find a different place to stay.

Because I am a responsible host, I have earned and maintained "**SuperHost Status**" since its inception, and now, the coveted "**Guest Favorite**," meaning my home is one of the most loved homes on Airbnb, according to guests. The reason being, I vet my guests well and respond

immediately whenever they reach out to me. I turn away more potential guests than I take in because I vet so well.

In the 11 years that I've been vacation renting my home, I've never once had a neighbor call me because of a disruptive guest—they've only called to ask to borrow my driveway! And since I only vacation rent my home whenever I travel, I've been able to manage my vacation rental from anywhere in the world. That is due in large part to the people I've hired staying loyal to me, likely because I pay them a fair wage.

My most fervent wish is to build and live in Hawai'i at least 7 months of the year until my husband can retire. We are not wealthy, hence the reason my husband is still working at 74 years old.

But now this blessing from Heaven might not come to fruition.

If the proposed legislation becomes law, we will not be able to live out our dream. If this law passes, we not only won't be able to vacation, but we won't be able to build on my beloved plot of land in Hawai'i. The simple reason being, we would not be able to afford our mortgage payment. Long-term renting would not begin to cover the payment. And even if it did, we wouldn't be able to come to Hawai'i, because we wouldn't be able to live in our home if someone is there full time.

If this law is passed, it will only be because I didn't discover my new home in time. And that will be such a heartbreak.

To me, Airbnb and the state should put problematic hosts out of business. It doesn't have to be this broad sweep of not allowing good hosts to live where and how we want to live.

The proposed broad sweep will also negatively affect the local economy, as it will put all the small business owners that vacation rentals rely on to maintain and upkeep their properties out of business.

I am asking that you please reconsider this law so that other people who love your islands can experience the same beauty and wonder that you get to experience every day.

Please don't take away the dream that I've longed for my entire life—finding my place in the world.

Mahalo nui loa for considering my story.

Wishing you all the best, Gloria

HB-1838-HD-1

Submitted on: 2/27/2024 9:15:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lianna McMillan	Individual	Oppose	Written Testimony Only

Comments:

Thank you for the opportunity to share my testimony regarding HB 1838

I oppose HB 1838 which proposes to phase out single family home use for short term rentals. If this bill passes, hotel prices, which are already unaffordable, will rise even more and will have a ripple effect on our tourism industry. We count on tourism for our economy, including jobs and business staying afloat. Numerous families needing homes actually rely on their jobs with the tourism industry.

Because the cost of living is so high in our islands, many of the families needing homes cannot pay enough rent to cover the basic expenses. Landlords are stretched thin collecting rents but covering expenses and shortfalls. Please find housing solutions that benefit everyone.

Please vote NO to HB 1838.

Mahalo nui,

Lianna McMillan

HB-1838-HD-1

Submitted on: 2/27/2024 9:23:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lindsay grier	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing because I am in opposition to HB 1838.

I am a long-time Maui resident residing in Haiku and own a small STRH also in Haiku. If passed, these bills could have a detrimental effect on my family, the residents I employ to help maintain my rental home, and the communities of Paia, Haiku, Upcountry, and Hana.

As a former teacher with the Hawaii DOE, I was unable to give my children the full attention that they deserved. Since I began operating my STRH, I can spend much more time with my own children thereby helping them become responsible, kind individuals.

Operating as a short-term rental home provides two cleaners, one landscaper, and one general handyman with part-time employment near their home. Each has communicated how much they appreciate the work near their home as opposed to having to commute to hotels in Wailea and Ka'anapali for employment.

Not only does my STRH benefit the people I work with, but my visitors also frequent the locally run businesses in Haiku as well as Paia, Upcountry, those along the Hana Highway, and in Hana. Often, my guests have chosen to rent on this side of the island to stay near close friends or family, and then frequent local restaurants and shops. For many of my guests, a hotel room is not affordable nor livable to small families that need to prepare meals or need more space than one room.

Additionally, the operation of STRHs generates a huge percentage of Maui County's tax revenue from higher real property taxes and the MCTAT. Where will this revenue come from if Maui County is permitted to phase out thousands for STRHs?

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Aloha,

Lindsay Grier

HB-1838-HD-1

Submitted on: 2/27/2024 9:27:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan A Bryson	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill as it is just another way for the government to gain more control over its' citizens based on a corrupt agenda put forward by the hotels, trying to put their competitors out of business. The STR industry is not competition....hotels offer thousands of rooms, while STRs compose only a small fraction of rooms. This will certainly affect the visitor industry in a BAD way. We are already struggling with a Liberal,Communist, Marxist government and cannot allow any more control than we already have. PLEASE do not pass this Bill.

HB-1838-HD-1

Submitted on: 2/27/2024 9:28:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

This bill is incredibly short-sighted and will have heavy negative effects on the local community more than our local legislators have taken time to actually consider. Short term rentals have become the cop out as the source of the problems regarding the total housing market crisis on Oahu. In reality the root of all our most heavy issues are a result of terrible legislation and policy.

This will also lead to millions of dollars of tax lost for the local government. This bill essentially also creates a monopoly within the hotel industry. It takes away the ability of local families to stay rooted on the islands by owning a short term rental which can help offset the cost of living on the islands. All of my clients who have purchased short term rentals have been local families looking to get ahead. None of them have been for people who don't live on the island.

The narrative pushed that demonizes short term rentals just does not match reality. It is anti-American to have the government so heavily involved in controlling and killing the freedom of the people to operate within the confines of capitalism to be entrepreneurs. Our Government exists to preserve the freedoms of the people, not enslave and make it impossible for them to get ahead financially.

HB-1838-HD-1

Submitted on: 2/27/2024 9:34:52 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Grier	Individual	Oppose	Written Testimony Only

Comments:

Feb 21/2024

Senator McKelvey, Rep. Cochran and Rep. Amato,

I am writing you in opposition to bills HB 1838 and SB 2919.

I am a long-time Maui resident and have an STRH permit in Haiku near the Haiku Cannery.

If passed, these bills will be detrimental to my family's income. In addition to my own family's economic well-being, I employ five area residents whose small businesses would be devastated by the passage of these bills.

Neighbors of my short-term rental have never expressed opposition to it, and have shared that they prefer it.

I am not negatively impacting the housing market in Maui. Rather, I am having a positive impact by creating employment for small businesses in the community in which they reside.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Aloha,

Michael Grier

157 Mauu pl Haiku Hi 96708

mikeg96708@gmail.com

808-357-1004

Aloha Nui Loa and mahalo for allowing to provide this testimony,

My story begins many years back, but I will save the details and only provide the highlights. Hard to do though cause all pretty much high lights.

I'm from the Midwest part of the country, Missouri to be exact. It is there I completed engineering school then made my west, Go West Young Man, said my grandfather, so I did. Coming from very humble beginnings, going west was more challenging than glamorous, but in the long run it all worked out. I started an engineering company and all seemed right with the world. Then.....the world changed, my world changed. It was then I met a local girl from Maui. My life would never be the same....

We started dating and all would be good, except, the minor detail, we were separated by 2000 miles of beautiful blue ocean. Long story short, we eventually came together. We wrote letters to each other describing what we wanted our lives to look like, down the road. It is amazing, but we both said we wanted to be living up in Kula, Maui. For me it was about being with her, but in an environment like home. To her it was always a magical place from small child where she wanted to be.

After about 10 years in California, we saved enough to buy a place on Maui, over in Kahana. A beautiful 1 bedroom ocean front ohana.

We didn't know much about vacation rental but it helped us keep our place while living in California. Somewhere along the line, my wife, born and raised on Maui wanted to go home. Little did we realize, our Maui Ohana would help provide the mechanism to allow us to come home. We engaged in short term rentals always striving to provide the best accommodations and the best guest experience we could, always thinking about.... we wanted people to experience Maui as we did, as I did, as a magical place.

Contrary to the published narrative, we are not rich mainlanders cock roaching (different word) on the tourist making mega profits. We are merely sustaining our existence to live back home on Maui.

In the big picture, STVR provide a vehicle for many to provide for their families, while employing so many others, including housecleaning, maintenance, etc. If you think about it, the backbone of the country is small business which is what you have with a short-term rental. We paid nearly \$30,000 dollars in taxes with property tax, GET and TAT, so you multiply that by all the STVR that is nearly 40 or 50% of the Maui County Tax base.

To attack this industry, is attacking small business, but more importantly attacking the tax base of Maui. I'm not convinced the politicians are taking this into account, while the current proposals would gut the Maui tax base, destroy tourism, and ultimately the local folks, our brothers and sisters will pay the price. The FEMA money will go away, then what. Where will the money come from, once the tax base is eroded, the small business is decimated and the local families loose the FEMA money.

A strong economy depends on all parts functioning in harmony, which provide revenue streams to all including the State of Hawaii. I believe the current bills will send Maui County into bankruptcy. How can any other outcome be fathomed. You take away 40 or 50% of tax revenue, how do you make it up. I am concerned the local folks who are in an uncertain world and vulnerable, to say the least, maybe unintentionally being politicized.

Thank you in earnest for the opportunity to speak, James A Harber Jr, alias Kimo

HB-1838-HD-1

Submitted on: 2/27/2024 9:40:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martin V Murphy Jr	Individual	Oppose	Written Testimony Only

Comments:

Hello

I oppose this legislation because it takes away property owners rights.

Sincerely,

Martin V Murphy Jr

HB-1838-HD-1

Submitted on: 2/27/2024 9:40:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry	Individual	Oppose	Written Testimony Only

Comments:

opposed

HB-1838-HD-1

Submitted on: 2/27/2024 9:45:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vicky Poland	Individual	Oppose	Written Testimony Only

Comments:

Aloha House Members. Please accept my testimony in opposition of HB1838. My husband Grant and I own and run a Non conforming use lisenced Bed and Breakfast. We bought the home in 2018 with a view to helping us to retire here. We came to Oahu from New Zealand as a result of the nurse shortage in 1990. I am a critical care nurse. We raised our children here. My son has done 20 years in the US Military. Our guests are often family members of Military families. Our guest eat and shop in the local community. Please do not change the License. Mahalo Vicky Poland

HB-1838-HD-1

Submitted on: 2/27/2024 9:48:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Gabrielson	Individual	Oppose	Written Testimony Only

Comments:

Brian Gabrielson

Kihei, HI

To whom It may concern,

I represent the small community of people on Maui that obtained a Bed and Breakfast Permit. Over a long two year road that cost us an immense amount of sweat equity, stress and money, the permitting process drove us to sink all of our life savings into with the hopes of investing into our future. My wife and I work for the Hotels in Wailea, as a Massage Therapist and Banquet Waiter. We are part of the working-class people on this island, just trying to make it. I hope you take my testimony to heart because I believe I represent both sides of this issue.

Although this bill aims to help the working-class people with housing, I believe this will only destroy the economy that has been built around short-term rental tourists and their dollars. This economy supports thousands of citizens, provides a sizable amount of tax dollars through retail/food sales, and has created hundreds of independently owned businesses. The destruction of this economy will alter how this community lives and breathes and will only end up hurting the working-class people of this island.

I also fear that you will create a market that only helps enrich the hotel industry. In Doing so, you will recreate the brand of tourists that come to this island. This will completely alter the balance of businesses serving tourists and locals alike.

What happened in Lahaina was terrible and horrific and I believe this bill was put forward in good faith to help the victims of that tragedy. The language this bill uses is dangerous and reckless, and is a knee jerk reaction that would create more problems than it will solve.

The rules were set out on the table and followed by private citizens investing in their future. They live in America which is a place where private ownership is revered and respected. We are fortunate to not live in an authoritarian state that can step in and just change the rules, but I fear this bill will contradict that.

I support extra tax dollars to go towards the middle and lower class housing needs and improving their living situation, But you don't have to destroy the sweat equity I've endured to make somebody else's situation better.

This bill is written to destroy wealth and completely alter the economy that supports thousands of people. My suggestion would be to BUILD! and then create legislation to protect the housing needs of the working class.

This bill is lazy and lacks imagination, I have faith that my chosen representatives will see that and present legislation that solves problems rather than creates them.

Thank you so much for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 9:50:03 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Mayer	Individual	Oppose	Written Testimony Only

Comments:

I oppose this legislation attacking the rights of property owners. The intent of this proposed legislation is clearly to allow the counties to eliminate short term rentals in order to benefit the hotel industry. Property rights are a bedrock principle of the United States, and legislators should strongly resist any attempt to diminish those rights, especially at the bidding of special interest groups. And don't ignore the law of unintended consequences. While this bill is intended to allow counties to eliminate short term rentals, it could in the future be used for other purposes as well. I urge you to vote against this harmful bill.

HB-1838-HD-1

Submitted on: 2/27/2024 9:50:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanel Souza	Individual	Support	Written Testimony Only

Comments:

I am writing in support of HB1838. It is Imperative that we prioritize our Hawaii residents before vacationers. Restore the balance between locals and tourist. These condos were never meant to be for tourist. They were meant to house our people.

Mahalo,

Chanel

HB-1838-HD-1

Submitted on: 2/27/2024 9:51:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Franklin Cofer	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill. We purchased our condo as part of our retirement for three reasons: as an investment, for us to use (we were there for 41 days in 2023), and for income from renting it as a vacation rental. If we rent it long term, we will not be able to use it, so if we are restricted from renting it short term, we will not rent it at all. Aside from the covid months and the months after the fire, it has been rented virtually nonstop, with the economic benefit that comes with it. So, we are asking you not to put undue restrictions on our ability to rent it. Thank you.

HB-1838-HD-1

Submitted on: 2/27/2024 9:58:52 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
wayne giancaterino	Individual	Oppose	Written Testimony Only

Comments:

- I have conscientiously and consideratly operated a STR in North Makaha over the years, with full support of my community and appreciation for the employment it brings to a remote and poor area of Oahu. My place has provided a unique non commercial experience to visitors and includes cultural education and sensitivities to local traditions. Visitors felt it provided an experience of old Hawaii.
-
- Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more.
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?
- Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

HB-1838-HD-1

Submitted on: 2/27/2024 10:01:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Scott Davis	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is _William Davis_____ and I live on the island of _Oahu_____.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 10:04:43 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Soo Ng	Individual	Oppose	Written Testimony Only

Comments:

I strongly believe this will ruin the economy on Maui and hurt the local communities. There will be alot less income from property taxes and GET and TAT taxes.. Short Term Rentals help the economy strive. More money means more services for the local communities to build better housing and have better schools and programs for the Keikis and Kapunas

HB-1838-HD-1

Submitted on: 2/27/2024 10:07:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Lee	Individual	Oppose	Written Testimony Only

Comments:

My property, retirement and heritage as a part pacific islander are at risk with this bill.

It is hard to imagine that the lobbying power of big hotels can overtake the American freedom to own land and to use it as you wish. It also speaks to the willingness to submit to big hotel corps over the retirement and savings plans of Americans who have fought for the freedoms of this country. How do we reconcile the railroading of the right to profit of private industrialists and retirees, over the profits of big hotel corps. Big hotel does nothing to protect our freedoms but runs over the mom and pop hotels and apartments that this country stands on. Big hotel will sell out to the highest bidder in any country to turn a profit. Is this really what Americans and Hawaiians need to protect our beautiful country and heritage? I think the answer is obvious.

Sincerely

HB-1838-HD-1

Submitted on: 2/27/2024 10:08:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Burdick	Individual	Oppose	Written Testimony Only

Comments:

A blanket removal of property owner's rights is unlawful, discriminatory highly suspicious. A community that does not offer any short-term solutions is not a community that welcomes newcomers. Owners should have the opportunity to lease their homes that they pay taxes on to whom they want and for a period and responsible manner. Why does Oahu so serverly punish property owners outside of Honolulu? Is this a cartel? A couple looking for a few weeks or months in Kailua, for example, should be able to enter a sound contract to rent a home. THERE ARE NO HOTELS. The rental restrictions have become Stainist in serverity and not at all Aloha. NO NO NO on rental restictions in this ludicrus bill. Total nonsense. What political pocket does this bill owe it's life to by forcing non-tourist visitors into Honolulu or Turtle Bay? How did Hawaii become so greedy?

HB-1838-HD-1

Submitted on: 2/27/2024 10:11:52 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daryl Kent Van Groningen	Individual	Oppose	Written Testimony Only

Comments:

Members of the Committee on Judiciary and Hawaiian Affairs, I am writing you in opposition of bill HB 1838. As an owner of a short term rental condo in Maui this would severely affect my ability to an provide affordable place for visitors to come an enjoy yoir beautiful state.I personally would lose my right to legally provide short term rental to those who want to vacation in Maui.Currently short term rentals provide 1.7 billion dollars in revenue to the county of Maui. What would repace that revenue scource to the county? Many many peoples' ability to provide for their families are dependent on the people who come to Maui to vacation. I think of Angie a waitress who has worked at The Beach Club Restaurant for 30 years. She would in all likelihood lose her job. Same is true for Annie and Mark who tend bar there.

Our condo is cuurently housing displaced people from the fire and this type housing would not be available in case of God forbid another tragedy strike again. We keep a diary in our condo for our guests to share their experiences while in Maui. Many state how coming to Maui was the best vacation they ever had. Please dont take this opportunity away from them and again remember all the dear people whose jobs depend on short term rental property. Thank you for listening! Daryl Kent Van Groningen

HB-1838-HD-1

Submitted on: 2/27/2024 10:11:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Freedman	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Andrew. I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 10:14:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Ramos	Individual	Oppose	Written Testimony Only

Comments:

Susan Ramos

1376 Kilou St

Wailuku, Hi 96793

Testimony: As a longtime resident of Maui for the past three decades, I have experienced the challenges and joys of living in this beautiful community. My condo in Maalaea has been not only a home but also a source of livelihood, as I rely on its rental income to sustain myself. Living off the rental income from my condo has been essential for me, especially considering the upcoming assessment for elevator and plumbing repairs in our building. Without the rental income, I would face significant financial hardship, unable to afford the necessary upkeep to keep the condo. Moreover, the impact extends beyond just myself. The cleaners and management company who depend on the rental business would also be out of work, further exacerbating the situation. While some may criticize short-term vacation rentals, for me and others in similar situations, they are a lifeline. The reality is that properties like mine in Maalaea Banyans are not conducive to full-time residency due to limited storage space and parking availability. Trying to make ends meet with the mortgage and HOA fees alone would be untenable for most. I am genuinely grateful for the opportunity to utilize my condo as a vacation rental, as it allows me to remain a part of this community while supporting myself financially. Without it, I honestly do not know what I would do. It's crucial to consider the diverse needs and circumstances of individuals when discussing issues related to vacation rentals.

Susan Ramos

808-280-9999

HB-1838-HD-1

Submitted on: 2/27/2024 10:21:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
carolyn auwelo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and members of the House Committee on Judiciary and Hawaiian Affairs.

I am testifying in support of HB1838.

Short term rentals hurt our local communities and contribute to the housing crisis affecting Hawaii. This is especially evident in Lahaina where 25% of the housing units were listed as STRs according to the UH Economic Research Organization. North and South of Lahaina it is even worse at 87% and 41.7% respectively. This cannot continue. Our local families cannot compete with STR revenue potential and this phenomenon is fueling ridiculous rents and pricing our people out of Hawaii. This issue is also contributing to the chronic inability to fill positions, especially service positions such as bus drivers, grocery clerks, restaurant workers etc as people leave due to excessively high costs of living. This has a systemic effect that affects all of Hawaii and must be addressed immediately. Give the counties the ability to address this.

Mahalo for listening.

aloha,

carolyn auwelo

HB-1838-HD-1

Submitted on: 2/27/2024 10:30:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hal Arnold	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** the HB 1838, HD1 (HSCR73-24) bill as written.

This issue continues, even though the people and the courts have spoken. We want to be able to offer our homes to renters where that rental *follows all existing laws*.

Please consider that there are many of us that rely on this means of survival in Hawaii.

Hal Arnold

Waimanalo

HB-1838-HD-1

Submitted on: 2/27/2024 10:31:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Haley Fillman	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am strongly against HB1838. If killing Hawaii's economy is of upmost importance to you, then my all means, go ahead. Your tourism industry will be adversely affected if you push everyone to Waikiki, Koolina, and Turtle Bay. Rentals allow for large families to come to Hawaii. Large families at rentals = spending more at local businesses. Small families in Waikiki = spending at big chain restaurants and stores. Who are you really supporting with these bills? Sounds like hotels and Gucci and Cheesecake Factory to me.

Forcing these 2000 legal rentals to shut down operations will not solve the housing crisis at hand. Many are oceanfront homes and I don't know any local looking to spend \$6 million on a home. Ceasing operations will put many cleaners, lanscapers, property managers, handymen, and other vendors out of business -- once again screwing over the little guys.

I am not against enforcing the laws that are already in place and believe the county need to be given the tools to enforce the laws that are already on the books before they try implementing anything new. If the counties are actually concerned about illegal rental activity, let's start there. Passing a new law will not deter illegal rentals and only affect those who follow by your rules.

Colleen Piliialoha Medeiros: Testimony

House Representatives
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

February 27, 2024

Subject: I OPPOSE a “Phase-out” of Legal Short Term Rental Homes in Residential zoning

Aloha House Representatives,

Please accept this letter as my testimony, regarding the subject opposition of phasing out Legal Short Term Rental Homes. I would like this letter to be added to the public record.

I’d like to start with the definition of Short Term Rental Home (STRH) and explain the distinction between the STRH and other Short Term Rental properties sometimes referred to as “STR”, Short Term Rental or “TVR” Transient Vacation Rental:

- 1. Short Term Rental Home (STRH):** On Maui these are specifically those homes in residential areas that require a STRH Permit administered by Maui County
- 2. Short Term Rental (STR):** This term is loosely used for all STR, but can include the thousands of legal STR in apartment and Resort zoned areas.
- 3. Transient Vacation Rental (TVR):** Another loosely used term to describe visitor lodging in all categories; hotels, apartments and residential.

All of the above uses **EXCEPT those in the hotel zoning** are taxed at the TVR-STRH Real Property Tax rate for Maui County, which is **HIGHER THAN** the hotel/resort tax rate.

On Maui a Short Term Rental Home (STRH) are those homes located in residential zoning and require a Maui County STRH Permit. On Maui there are **168 (one hundred sixty-eight)** permitted STRH. That is all, **168** STRH in residential zoning. The “thousands” often and loosely referred to must be in the apartment and resort zoning because there are not “thousands” in residential zoning on Maui, there are **168** Additionally, this allowance has been capped, and therefore cannot be exceeded.

I am one of the **168** owners of permitted STRH on Maui and I have spent the past 13 years investing in, and building my vacation rental business, working VERY HARD to stay in compliance, and paying all the required taxes, GET and TAT, very high property tax (currently higher than the Hotel/Resort tax rate) and liability insurance, through the years. Doing everything required to conduct my business legally, adhering to all County laws and have built a reputation as a great host in a Kama’aina Home on Maui. Locals and visitors love staying at my place. And it is very special place for my family.

Colleen Piliialoha Medeiros: Testimony

Approximately 25% of STRH and STR are owned by Maui and Hawaii residents. Maui resident owners who are small business owners are being taxed MORE THAN the offshore, giant corporate hotel entities. This bill aims to put LOCAL RESIDENTS out of business.

I am a Maui resident, born and raised here in Hawaii, and of Hawaiian ancestry. My vacation rental property is a generationally owned property, from my great grandparents to my grandparents, to my dad then to me. It was likely in our family before that time and came down through the Hawaiian side of the family. This business opportunity came to me during my divorce in 2010. I had inherited this family property that I lived in while my children were young. As a result of my divorce, I had to find a way to make more money to support myself and my children on one income. I did not want to sell this property, yet it was far from my workplace, and it was expensive to live in as a single mother as I had taken out a mortgage to build a house on it. I moved my family into a less expensive rental, and when the STRH permit process was created (2013), I created a vacation rental business using this asset of my family home. This was the most sound and viable business option I could think of at the time. With Maui's tourism industry being strong, and with tourism being one of the main drivers of our economy, I believed it was a sound business choice.

This business option has allowed me to keep the home, cover the costs of the home and make a profit. In the beginning, it didn't always make a profit, but I have weathered the business growing pains and have created a strong and profitable vacation rental business. This is a lodging option that gives travelers a home setting for their family vacation which many prefer to hotel stays. This business supports me directly 1. By keeping this very special property in my family, 2. keeping it well maintained 3. as well as providing much needed supplemental income to my family. When these properties are owned locally, by Hawaii and Maui residents, the profits stay in our communities and circulate to our schools, kids activities, restaurants, other small locally owned businesses and all the services that we use living here. We need to put more support into our cottage industry because it directly benefits our host community, we should be incentivizing STRH ownership for LOCAL FULL-TIME RESIDENTS.

1. STRH fits the models for Sustainable Tourism; that the Host community should benefit DIRECTLY. The most critical way tourism benefits the host community, is that businesses that cater to visitors are localized and the money stays in the community. Locally owned and operated lodging AKA, Short term vacation rental homes, as well as STR apartments and small locally owned hotels (like The Mauian) are the best models we have for sustainable visitor lodging. Supporting our cottage industry, is the best way to begin a "tourism reform". Short term rental homes (STRH) do not demand thousands of guests per day, we draw on far less resources; electric, water, etc. to run our houses (compared to giant Hotels), we employ the entire range of construction and maintenance businesses, cleaning businesses, and yard service business who are also small, locally owned businesses.

Colleen Pili'alo'ha Medeiros: Testimony

2. Most importantly, resident owners like myself, spend ALL our income in this community, all of it, every dollar. **WE ARE** the sustainable model for tourism lodging. I cannot stress enough how my rental business has improved the overall trajectory and quality of my life. I don't live paycheck to paycheck anymore, I can afford life on Maui with a family, and now college for my kids, I can pay my mortgage and all my bills, I've been able to donate to community non-profits and to folks in need, my rental business has raised the level of my income and given me the ability to raise my family here with less financial stress.
3. Maui/Hawaii Residents should not be cut out from the ability to directly benefit from one of our largest economic industries, tourism lodging. Cutting out local small business owners from one of our largest economic industries goes against the foundational principal of sustainable tourism. By cutting out the local small business STRH owners you inadvertently (or perhaps it's intentional?) hand over all the financial benefit and gains, to the giant, corporate, big box hotels, that are **Not Locally Owned**, where the major chunk of profits do not stay in Hawaii but go offshore to enrich others, in other states or other countries. As a part of "tourism reform" I believe we need to move away from the giant big box hotels.
4. Lastly, I'd like to flip the narrative; Perhaps it's the Large big box hotels that should be phased out? They are not the sustainable model, they have wiped out communities and neighborhoods, they have filled in our wetlands, they have created ecosystem imbalance because they demand too much; too many visitors, limited access to much of our beachfront, negative impacts to our ocean resources, overuse of our fresh water resources, our electricity, their footprints are **TOO BIG**, and they are **not locally owned**.

**Perhaps, we should be converting hotel rooms to affordable housing? We could start with the rooms that are suitable for families; two bedrooms, with full kitchens and laundry, and with parking for at least 2 vehicles, and pet friendly.

I would strongly encourage our State Representatives and legislators to maintain the STRH sector of our economy, support it, enforce the laws surrounding it, and guide it to be the best and most positive cottage industry in can be for our LOCAL full-time RESIDENT communities.

Mahalo for your time,
Colleen P. Medeiros

HB-1838-HD-1

Submitted on: 2/27/2024 10:44:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cara Birkholz	Individual	Oppose	Written Testimony Only

Comments:

I am writing as a concerned Maui resident and vacation rental owner. I oppose this bill.

While the stated intent of this bill is to phase out STR houses in residential areas, I suspect that Maui County Council will take the opportunity to overreach and try to phase out STR condos in hotel-zoned areas. Many of these properties are purpose-built as vacation properties with little storage, one parking spot per condo.

Additionally, many of these properties are 40+ years old and due for some costly repair projects, such as the current Kamaole Sands (Kihei) pipe and re-roofing project which is costing the owners of 440 individual condos an average of \$50,000 in special assessments, in addition to sections being shut down for 2 months at a time. The majority of these ocean-front or near-ocean properties of that age-group have failing cast-iron pipes that need costly replacement.

Another factor of concern is ongoing sea-level rise and big swells that are encroaching on our beaches and many of these aging STR properties.

These are not ideal places for local families to buy and live in, even if they could afford the mortgage and the cost of maintenance and high HOA fees. Instead, **Counties should focus on actually enforcing existing laws regarding STRs and shutting down ILLEGAL STRs, encouraging off-island owners to invest in resort properties rather than houses which are better suited for local residents.**

A few more considerations, STRs in Maui County generated \$212 million in property taxes (40% of property taxes collected) in 2023/24 budget year, substantially subsidizing residential property owners. What happens when you phase out STRs and have to make up that lost property tax revenue?

Vacation rental guests, particularly those staying for 7 days or less, eat out at local restaurants and food trucks, frequent tourist shops, pay for excursions. Shutting down legally operated short-term rentals will hurt a lot of small businesses.

HB-1838-HD-1

Submitted on: 2/27/2024 10:45:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William P Lamkin	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. I am a retired veteran and I rely on income from my vacation rental to sustain an acceptable quality of life. If this bill were to eliminate that income it would be a serious problem for me.

Given that STRs provide 40% of the real property tax revenue for Maui, as well as being the top funding source for affordable housing, it would be irresponsible to eliminate this revenue given the current situation on Maui.

Thank you in advance for not supporting this bill.

HB-1838-HD-1

Submitted on: 2/27/2024 10:48:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Sinclair	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Michael Sinclair. I stayed in a short term rental because I wanted to enjoy Maui with the comforts of a condo versus a hotel room.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 10:49:41 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Tarnas, Vice Chair Takayama, and the members of the House committee on Judiciary & Hawaiian Affairs,

I am writing in support of HB1838.

We need to end short-term rentals across the islands. According to the UH Economic Research Org 25% of housing units in Lahaina are listed as short-term rentals, south of Lahaina ~42, and in the north 87%!! Maui is in a housing crisis after the devastating fires in Lahaina. Giving the counties authority to phase out vacation rental use has been identified as a key policy tool to help Maui residents find long-term housing, and this could be used to lower housing costs across the islands and allow people who are from here, to stay here, instead of prioritizing tourism and money from outside Hawai'i.

Mahalo for allowing me the chance to testify in support of HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 10:52:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Jacob Steimel	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawaii down this same path.

Mahalo for your attention to my concerns. Dan Steimel

HB-1838-HD-1

Submitted on: 2/27/2024 10:57:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Helen Petrovitch	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 1838

1. term monthly rentals make it possible for families to visit relatives, often grandparents visit their grandchildren. They can stay close to the family instead of in Waikiki or other resort area. Also the pricing for short term rentals is more reasonable for groups larger than 2 individuals who want to spend a longer time visiting Oahu, and those who are doing major home renovations and need temporary places to stay.

Please reject the bill in its entirety.

HB-1838-HD-1

Submitted on: 2/27/2024 10:58:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Riley Bond	Individual	Support	Written Testimony Only

Comments:

I am writing to express my strong support for HB1838 HD1, which addresses the critical issue of housing insecurity, particularly in West Maui..

Before the devastating fires in West Maui, finding affordable rental housing was already a challenge for me and many others in our community. As a mother, I have experienced firsthand the hardships and stress caused by housing insecurity. It's not just about having a roof over our heads; it's about stability, safety, and the well-being of our families.

The wildfires in 2023 only exacerbated the housing crisis, making it even more difficult for families to find affordable and stable housing. The trauma of losing homes and livelihoods in the fires is still deeply felt in our community, and many families are struggling to rebuild their lives.

Housing insecurity doesn't just affect adults; it has a profound impact on our most vulnerable populations, including our keiki and kupuna. For children, unstable housing can disrupt their education, social development, and overall well-being. And for our kupuna, who may be on fixed incomes, the fear of losing their homes can be overwhelming and detrimental to their health.

That's why HB1838 HD1 is so important. By allowing counties to phase out nonconforming single-family transient vacation rental units over time, this bill provides a crucial tool for addressing the housing crisis and ensuring that residential communities are prioritized over short-term vacation rentals. Together, we can work towards a future where every family in West Maui and across Hawaii has a safe and secure place to call home.

Mahalo for your attention to this critical issue.

Riley Bond

HB-1838-HD-1

Submitted on: 2/27/2024 11:00:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan D. Alden	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this measure.

HB-1838-HD-1

Submitted on: 2/27/2024 11:02:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

support

HB-1838-HD-1

Submitted on: 2/27/2024 11:03:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachel Cavitt	Individual	Oppose	Written Testimony Only

Comments:

We purchased our property in 2021 which has an STVR agreement and had operated for years with a property management company. Since we would not be living in our second home year round an STVR certificate was an essential element of our purchase. I doubt we would have purchased our home in Hawaii otherwise. During the pandemic period our home and many under the same property management were utilized to accommodate residents or residents in transition. There was continued employment for our gardener, irrigation person, Orkin pest control, pool service, and trash service. Specialized services were also needed for Seagrass and cocoa palm trimming as well as general overall upkeep. In addition to providing shelter this enabled local residents continued employment and contributed to the economy.

HB-1838-HD-1

Submitted on: 2/27/2024 11:04:27 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fatima T. Lobo	Individual	Oppose	Remotely Via Zoom

Comments:

There is a need for more affordable housing many markets including Maui. However, this bill ignores the fact that short term rental properties are integral to the tourism industry. It provides cost effective options to visitors (especially families) to come to Maui. A reduction of short term rentals will cause an increase in hotel rental rates and/or the remaining short term rentals. The vilification of the owners of short term rental properties appears to be an effort by the legislature to shift its obligation to provide affordable housing and/or the legislatures is being influenced by the large hotel chains at the detriment of an owner of a short term rental. This is a complicated issue and from my reading, the financial impact of removing the short term rentals (on tourism, reduction of real estate taxes, GET, TAT, Maui GET and Maui TAT) Thank you for time.

HB-1838-HD-1

Submitted on: 2/27/2024 11:12:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Williams	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kevin Williams and I used to live in Lahaina. We are a family of six our lives were forever changed on August 8th, 2024. We lost our home, we lost our business, and nearly our lives. Unfortunately, this is a story you have heard too many times. We have stayed in Maui (Napili) every day since the fire to support our community. Even though our lives were devastated, we still stand strong and are providing other victims and community members with support in any way possible (offering professional advice on insurance/FEMA/SBA, starting a mommy-and-me workout group at Napili Park, coaching keiki soccer weekly at Honokaw and tipping and shopping local everywhere we can.

Bill HB1838 puts our livelihood and that of many others at serious risk if passed. It would devastate us even further if short-term rentals were phased out in any way. After establishing roots in west Maui now for over 12 years, we would not longer be able to remain in the life we have worked so hard to build. We also file 1099's for nearly a dozen West Maui residences and families who would also be negatively affected. This impact would trickle down to shops, restaurants and businesses of all types.

Our family home burned to the ground. Our possessions are ashes. Our memories are tarnished. Our mental health is barely hanging on and if this bill is passed it threatens the one thing we have left, our HOPE.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Mahalo for your time and personal attention to this matter.

Williams Ohana

Kevin, Kelly, Sienna, Malia, Landon and Lei-lani

HB-1838-HD-1

Submitted on: 2/27/2024 11:13:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Lewis	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I oppose the HB1838 as it is too vague in it's limitations. I am aware that Maui has had housing issues for some time. I do believe changes need to be made, but it is important to make sure that we don't create additional issues in our desire to resolve it. Maui is quite dependent on the taxes and revenues from STRs. How will that be replaced? Although it may temporarily help some, what about the ability to just take away a business from someone else that may rely on the income for their own housing> What about the jobs that the STRs create for locals? What about properties, like the one I own, that have a very large land lease attached? The bill is not clear on how much power will be given to the government to just make a drastic change, the time to figure out how to respond, etc. Please do not pass this legislation. Instead, create something that has more thought behind it on how you will resolve the additional problems created by possibly getting rid of STRs

Mahalo,

Valerie Lewis

HB-1838-HD-1

Submitted on: 2/27/2024 11:21:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Freedman	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jason Freedman. I own a condo at Maui Kamaole in South Kihei. I purchased here because of my love of Hawai‘i, the land and the people. And, as a pediatric oncologist, with a very stressful job, I love spending time here to decompress and experience Aloha. I also love sharing that with my colleagues, family and friends, to whom I rent my unit when I am unable to be on island, so they can experience the joy of Maui.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room. **Importantly, I rent my condo to many physicians, nurses, etc. who are here to work and directly give back to the people of Maui.** They too are also here for respite from very stressful jobs and are respectful to the people and island.

Therefore, this bill will not only hurt me, but in turn hurt the local residents by eliminating housing for the visitors who are giving back to the island in many ways, and rely on short-term rentals as temporary, furnished, affordable housing. This legislation would importantly affect the livelihood of our cleaning team, our maintenance teams, condo staff, etc. and numerous restaurants, vendors, tourist businesses that rely on tourism and good folks who come to Maui and spend money on island. It would also decrease the amount of taxes which is critical to the Maui County budget. Finally, it would change the experience of travel to Hawai‘i forever and put it out of reach for most people financially.

Let the counties enforce the laws that they already have.

I ask that you **please do not move this bill forward.**

Mahalo for your time.

Jason Freedman, MD, MSCE

HB-1838-HD-1

Submitted on: 2/27/2024 11:22:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Moore	Individual	Oppose	Written Testimony Only

Comments:

my name is Kathleen Moore, and I oppose house bill 1838.

This Bill would severely limit the number of available condo units for tourist coming to Hawaii specifically, Maui and I think this would be detrimental to Maui counties financial situation. It does not help the Lahaina inhabitants who have lost their homes and do not want to stay so far from Their children's schools, etc. For years we have traveled to Hawaii with our family and spent more than 20 trips staying in condominiums so we could have family time and cook at home. We would not have traveled there if we had to stay in a hotel. Please register my opposition to house bill 1838.

HB-1838-HD-1

Submitted on: 2/27/2024 11:23:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sam Tamayo	Individual	Oppose	In Person

Comments:

I want to express my view in opposition of this. I understand there are many moving parts to any housing shortage. In my view, visitors in the way of the tourism industry strengthen an economy in excess of what this proposal believes in terms of creating housing. I own a unit along the coast, that has long been used as a vacation rental. The team of vendors used to maintain the unit, rent it out, and do so in a productive manner is substantial. There are a large number of residents who've built their entire livelihood on servicing the vacation industry. We are productive contributors to the economy, help share the culture and experience of Hawaii with the world, by using our units to rent to visitors. Hawaii has a substantial revenue stream coming from Hawaii visitors that are willing and have long been willing to pay additional tax fees for the privilege of visiting. This is a unique ability of Hawaii. I can't imagine the destruction of the local economy should this segment of the economy is altered. Thank you for the opportunity to share.

Regards,

Sam Tamayo

HB-1838-HD-1

Submitted on: 2/27/2024 11:28:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Gale	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Chris Gale

HB-1838-HD-1

Submitted on: 2/27/2024 11:37:15 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles Cappello	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Charles Cappello and I live in Lahaina, Maui. I am writing in opposition of this bill because it will not only threaten my ability to make a living but it will cripple the local economy. Not only the cleaners, plumbers, electricians, handyman, employees at these local condos and many more small businesses like me, who live and work in the community but the trickle effect will devastate Lahaina.

People of Maui are hurting and emotions are running high. We need housing but cutting off our nose to spite our face is crazy and making decisions based on emotions isn't good. These condos won't magically become affordable for local families. For example the cheapest 2 bedroom in Lahaina at 600 sqft is over \$650k. At 10% down this is almost a \$6k/month mortgage with taxes, insurance & monthly association dues. That doesn't even include utilities. I don't know what local family can afford/or wants to buy a 600 sqft confo for that. It won't magically become an affordable rental either.

The sad reality is we'll be eliminating thousands of jobs but providing little to no housing. As we saw during Covid, we'll see a rush of new out of state buyers purchasing their 2nd, 3rd or 4th home. These condos will now sit empty most of the year and provide no income to the local economy.

This bill will force me and most of my family & friends to have to move away.

Let us focus on what's truly needed and create only 100% affordable/workforce housing moving forward.

I ask that you please do not move this bill forward.

Thank you for your time.

Charles Cappello

1-808-377-0070

HB-1838-HD-1

Submitted on: 2/27/2024 11:41:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Levitz	Individual	Oppose	Written Testimony Only

Comments:

After the Lahaiana disaster, how are we even having this conversation? Travelors need options other than hotels. A certain percentage of our annual tourists would NOT come to this island if they were forced to pay 3x a vacation rental by staying in a hotel.

Our family has been renting short term for 54 years, longer than most city council has been alive, and I speak from experience when I say they are always the better guests than long term renters. They respect our property, they are grateful for the opportunity to rent at a reasonable rate, and they enjoy their privacy. They are not here to "party" or cause trouble. Again, I speak from 54-yeras of personal experience.

It's not the vacation rental owners that are displacing locals from reasonable rent rates, in fact it's the city who refuses to figure out other sustainable means to house the population to make sure people have shelter and people can afford to live here and pay the amount of taxes we are asked to pay.

We are more akamai then our city government gives us credit for, it's time to listen to reason and bring back short term rentals so our people can make a living here.

HB-1838-HD-1

Submitted on: 2/27/2024 11:51:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
CFolding	Individual	Oppose	Written Testimony Only

Comments:

Rather than increasingly restricting and limiting this globally growing sector of tourism in short term rentals, please consider long term thinking with diverse levels of regulation and taxation for different types of short term rental options to encourage economic diversity in tourism while maintaining important income sources for the county and state to support growth for local housing.

The tourists who stay in short term rentals spend tourism dollars helping the economy. Long term rentals do not spend this kind of money into the economy. Short term rental tax rates also boost the state economy, with frequent TAT and MCAT taxes with each stay. Long term taxation rates are lower. The math is good for the County and the State to have short term rental taxes continue.

As a part time (6 month) resident living in a home classified as short term rental, limiting or removing short term rentals would not incentivise me to switch to long term rental. It would not add to the county housing shortage it would only take away an income source for the state and county.

We have HOA fees over \$1100 a month, our special needs child needs resources on the mainland that the county does not provide yet. We need to short term rent our home while we are not there to afford staying in our home.

Limiting the scope of short term rental use and lumping it together with a stigma as a rich land owner is not realistic nor a true representation of the varied types of homeowners, and creates negative culture around an important sector and valuable income source of the state economy.

We actively contribute to the local community as a family and as homeowners and community members, meanwhile when we short term rent we pay robust taxes and bring in tourism dollars.

Short term rentals are not all the same, and they have a valuable place in a diverse economy.
Thank you!

HB-1838-HD-1

Submitted on: 2/27/2024 11:52:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Voerg	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have owned a condo in Kihei, Maui since 1987. The only way that we are still able to come back to Maui each year and enjoy some time in our condo is by renting our unit to visitors who come on vacation. The income we receive helps to pay for our taxes, maintainence fees, insurances, and all of the other expenses associated with owning property.

All of our guests spend money for food, attractions, activities, etc. while on the island. We also need to hire people to clean, repair , look after, and protect our property.' As well as spend money while we are here.

Without the income from our short term rentals we would not be able to afford our condo. Without all of these short term visitors coming to Maui I don't know how the residents would survive. It seems almost everyone on the island is in some way dependent on visitors to live.

Please do not allow this bill to pass. Thank you for your consideration.

Dolores & Bill Voerg

Kihei Akahi D 410

HB-1838-HD-1

Submitted on: 2/27/2024 11:56:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yoh Kuwano	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing in **opposition** of this bill because it will threaten my ability to make a living.

I work for a small business that services short-term vacation rentals on my island Oahu along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 11:59:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandy Ragley	Individual	Comments	Written Testimony Only

Comments:

I OPPOSE TESTIMONY!

HB-1838-HD-1

Submitted on: 2/27/2024 12:05:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tricia Chiariello	Individual	Oppose	Written Testimony Only

Comments:

Once again I oppose this idea of not allowing me to rent out my small 1 bedroom vacation condo. I understand the unfortunate situation of the Lahaina people without homes, but they will not be happy in my 600 sq condo. This is not the solution. What it will do is take away from me a small income, as well as deprive my cleaner of hers. And the State of Hawaii will lose tax revenue. Mahalo!

HB-1838-HD-1

Submitted on: 2/27/2024 12:07:01 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leila Storey Bardenhagen	Individual	Oppose	Written Testimony Only

Comments:

I am a Maui resident and mother of three Maui-born and bred children (7, 5, and 2 years old) with varying needs which require daily appointments. My only source of income is from the short-term rental of a property that I own; this income contributes to my monthly mortgage payments, HOA fees, utilities, property taxes, insurance, and general living expenses. Without income from the short-term rental, my future as a Maui resident is not sustainable.

Please reconsider this bill and allow short-term rental for Maui residents.

HB-1838-HD-1

Submitted on: 2/27/2024 12:08:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabriel Eduard du Toit	Individual	Oppose	Written Testimony Only

Comments:

My Wife and I own a Property on Maui we plan to use in the long term as part of our Retirement plan and in the short medium term as a family get-together as well as a Short Term Rental property to help finance part of the mortgage as well as running cost and investment in improvements in furniture, replacement of utilities and upgrades.

Our Short Term rental is managed by a Local Maui Rentals company and their dedicated staff. Our cleaning services are provided by a local Maui small business owner (Woman Operated and Owned) and we are leveraging local contractors for improvements. All equipment and furniture have been purchased locally as well. We have been paying out TAT, GE and Maui taxes as required.

All this economic activity will be terminated if short term rentals are stopped.

Kind Regards,

Gabriel

HB-1838-HD-1

Submitted on: 2/27/2024 12:15:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeff Derer	Individual	Oppose	Written Testimony Only

Comments:

Good day Chair, Vice Chair and Committee, I am writting you today to voice my oppostion to Bill HB1838. In 2011, we purchased our vacation rental on the unbelievably beautiful island of Maui. At that time we had been frequent visitors to the island and decided we wanted to ultimately spend as much time as possible at a home away from home here in paradise. A vacation rental was perfect for us as we wanted to use our condo one to two times per year as our work schedules permitted. Our short term rental affords us the flexibility to visit the Island on our schedule, earn enough to barely keep the lights on and from time time to time allow us to share our condo with friends and family that want to visit the Island. Implementing a bill that would remove short term rentals is wrong. Maui hotels are unbelievably expensive as are restaurants if eating out all the time. Our short term rental condos provide an economical place for families to stay. Not having short term rentals could be looked at almost as gentrification as not everyone is wealthy enough to stay in hotels for their vacations. Please consider my testomony and I ask that you do not move this bill forward. Keeping short term rentals benefits everyone, while ellminating them only benefits big hotel corporations and their wealthy guests/shareholders.

HB-1838-HD-1

Submitted on: 2/27/2024 12:18:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
holly vierra	Individual	Oppose	Written Testimony Only

Comments:

RE: Bill 1838

I am local Hawai'i Island native. 5th generation Hilo Wahine.

I've lived and contributed to the Maui community for over 45 years. Had a landmark small business on our island for 35 years. I worked hard. It afforded me to buy my home. It ended abruptly due to the financial meltdown in 2010., that was incredibly disappointing that I couldn't sell it as planned for my retirement savings. And an extreme hardship to suddenly be broke and ... broken. This is my RETIREMENT business. I started it while living with my mother recovering from this life changing trauma. I cared for her until her passing.

If bill HB1838 is passed I will no longer be able to continue to keep my property in Haiku. It is my only source of income. I employ several people in my immediate neighborhood. Cleaners, Landscapers and maintenance guys to maintain the grounds. Handyman, Appliance repair man, Electrician and Plumber. Most of my people are semiretired at this point in their lives and love working so close to home. They work for other owners who I have recommended them to. I also employ builders who maintain and update as well as cement workers who work on projects to help save the property from the climate change of more storms and rain and improve/maintain my home.

So much of my income goes into the Haiku/Maui community.

The governor asked for housing for the Lahaina Fire Survivors. MVRA members in every community stepped up. Housing was also needed for the FEMA, Salvation Army, EPA and other agencies that came to assist with this disaster. Where would these crews be staying if we didn't have these short-term homes? Think about that.

There is an undeniable need for this type of housing for our current situation as well as for visiting families to visit with each other on our island of Maui. Many people prefer a home with a kitchen to be able to maintain their diets, have breakfast before exploring and cook favorite foods for each other!

I have a good percentage of guests from the other islands who come for weddings, work, reunions.

And now that Hawaiian Home Lands has opened lands, I've been contacted by many who will come to finally build their homes!!

I have hosted crews that built and maintain the Safeway gas station, NASA Scientists, US Department of Defense working on Haleakala, Engineers working with MECO for alternative energy projects, cell tower installers, Rockfall Mitigation contractor and crew for Hana Hwy. And so many more company crews essential for Maui over the years.

There is truly a need for short term homes. We have arduously gone through creating the permitting process.

We have limited the number in each community. Rules and regulations are in place and are effective.

We need to preserve and protect our PROPERTY RIGHTS. Our local government is discriminating against Maui's Vacation Rental industry FOR NO REASON.

The PROBLEM with housing is NOT the fact that there are Vacation Rentals or VACANT HOMES owned by RICH people. It's really due to the lack of true affordable housing. KAHOMA Village was built by West Maui Land pushed through as the new "WORKFORCE HOUSING" but I have several friends who moved to Maui after purchasing brand NEW homes there ... by LOTTERY! Open to the world.

And the COST of BUILDING housing MAKING it more PROFITABLE for developers to build for the people who CAN AFFORD it.

The real problem is that we are not building enough housing as the population grows.
It's an issue that isn't just happening in Hawai'i but everywhere in the United States.

Please DON'T PASS this unfair discriminatory bill.

HB1838 TAKES AWAY the RIGHTS OF PROPERTY OWNERS.

This is UNFAIR AND UNLAWFUL.

I WORKED hard TO BUY MY HOME.

We provide a very personal Maui experience for our guests.

Please DO NOT PASS HB1838.

Respectfully,

Holly Vierra

Owner

Michael Manthey

Landscape maintenance

Devi Singer

Cleaning

Damien Castro

Yard man/ tree trimmer

Keith Brown

Appliance Man

Jeff's Plumbing

John Roberson

Painting

HB-1838-HD-1

Submitted on: 2/27/2024 12:18:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anthony Witecki	Individual	Oppose	Written Testimony Only

Comments:

Apologies if this is a duplicate, but I think my session timed out before I finished writing -- it looked like the testimony did not go through.

Aloha. Regarding HB1838, I would like to express my opposition to this legislation for a number of different reasons. I currently own an apartment within the resort zone in Waikīkī . My primary home is in Tacoma, WA. Over the past 11 years, I've used it as a second residence, provided assistance to neighbors whose family needed a place to stay for a few months while undergoing surgery, provided short term housing (90 day minimum) for traveling military, healthcare, and teachers, provided long-term housing to a state employee, and most recently, providing a short-term vacation rental to Honolulu visitors. In other words, the property has served many uses and its very flexibility was important to me as my needs changed over the years.

I oppose HB1838 because there are already multiple laws for handling zoning. City & County of Honolulu took advantage of this recently by clearly defining resort zones, a bill that I believe was a good compromise between keeping neighborhoods intact while providing some balance to the hotel industry. These same measures could be invoked on the neighbor islands at any time, without additional legislation at the state level.

I also believe this also legislation overlooks an important matter. Technology changes our lives every year. It wasn't as feasible 20 years ago to host a vacation rental as you were limited to the people you knew and word of mouth. Many families that visit the islands want to stay together in a homey setting instead of renting multiple hotel rooms. This need has always been around-- technology just facilitated it and made it more accessible. That is why we saw the spike in housing prices and the rush to buy homes in hopes of making them STVRs. But the solution isn't going from a free-for-all to a lockdown. The solution is proper zoning.

Many of the people that rent my unit today choose it because it's set up for visitors temporarily working in Honolulu that want to bring their families. The amenities I have make longer stays possible, provide the conveniences of home (kitchen, laundry, desks), and allow private business to be discussed among traveling colleagues without having to be in someone's bedroom.

I fully understand the impact that technology has had on the housing market in Hawai'i and other travel destinations. And I understand the plethora of emotions surrounding the issue. But these STVRs are an important part of the tourism market. Many people are coming to Hawai'i that otherwise couldn't afford to. That is a net positive for both them and the people of Hawai'i.

However, this bill reads more like one designed to eliminate an important part of the economy, rather than the more rational approach used by CCHNL.

The best decisions are almost always made at the local level. The neighbor islands have not chosen to zone or regulate STVRs (and many of the accommodations along the coasts were built for STVRs in the first place). The fact that O'ahu did tells me that the neighbor islands don't have the same issues as O'ahu and that, by default, makes this legislation an unnecessary intrusion where maybe not all the facts on the ground are understood. And while the Maui fires were called out as justification, it was the availability of STVRs on that island that made possible temporary housing for those affected. If those had been occupied by long-term renters, that disaster would have been much worse than it already was.

I appreciate the opportunity to share my thoughts with you and I hope you'll spend the appropriate time necessary to thoroughly vet this legislation. Sometimes the best thing a legislature can do is nothing. Mahalo.

HB-1838-HD-1

Submitted on: 2/27/2024 12:24:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael gensler	Individual	Oppose	Written Testimony Only

Comments:

As a business that depends on tourism, I am opposed to the limiting of tourism. It is my belief that we are where we are at because of past inaction of county. Now due to a tragedy, the county is attempting cover up it's part in the current crisis. A few years ago I was part of a group that attempted to get approval the "local" only rental housing built that would have limited the rental rate to 30% of average wage. These units would have NEVER been able to be converted to short term condos. At every step we were blocked by the county, our designs were not from county approved sources, the plan would damage the current rental market, etc. We were told (in private) that the county had no interest in any project that wouldn't bring in more money to the county. Our supporters left.

Now the county's lack of foresight and greed has come to roost and they are in an panic. Their solution is to cost those that made their position possible then to pay now. Well now, my current livelihood is dependent on the vision they had then. From what I can see, they just want a bandage until it can go back to "business as usual". Sorry, I can't agree. If the county can change the rules to steal from those that have worked out how to work within the system, they can change the rules to allow actual change. Long term, low cost work force rentals can be build quickly if certain rules are dropped. People that work here don't need "luxury housing" they live in paradise. They need walls and a door they can lock that doesn't require them to have roommates so they can pay 80% of their income to someone on the mainland.

The county has the ability to do that, if they wish, but instead of fast tracking and supporting projects for the people needed to keep tourism functioning, they more likely they will use bandaids, until the system fails under its own weight. What good is having 100000 tourists a day if there is no one to clear their rooms, repair the units after a drunken rampage, no one to cook or serve their food? Getting rid of short-term rentals will make places for the workers who will have no work because there are no tourists willing to pay a premium for the spaces available.

Aloha Chair, Vice Chair and Committee,

My name is Amber Peterson and I live and work on the Island of Maui.

I am writing in opposition of this bill and all future bills that attack the use of legal vacation rentals. My family has owned and operated a vacation rental home in Kihei since the 80's. The upstairs is a rental unit and the downstairs is housed by my husband, myself, and our son who attends Maui High School. Having the rental upstairs has made it possible for my family to live and survive in Maui. It has always been a family home. My husband and I both work multiple jobs to afford to live where we do. We choose to live in Maui.

I was a flight attendant for United based in Seattle, Boston, and Chicago... affordable housing was a problem in all these cities 25 years ago. I shared a unit with 15 other flight attendants to afford to have a roof over my head. The lack of affordable housing is everywhere.

In addition to managing our home, I clean vacation rental units. I have a client in Wailea who sold a property in Cape Cod in December and bought the 3 cheapest condos in Kihei/Wailea that he could find in January 2024 to avoid paying taxes (1031 exchange). **This is the problem!!!!** Condos are first-time homes. They are the most affordable units. But people coming from the mainland are scooping them up as soon as they hit the market and driving prices up. He has no intention of living in Maui, just making money here. Go after the units that are not owned or occupied by people living and working here. That was three units priced from \$500,000 to \$600,000 taken away from local families.

When my family and I travel we always rent homes on VRBO or AirBNB. We live all over the US and when we travel, we like to stay together. We couldn't afford 5 hotel rooms and eating out all the time. By pushing bills like this you are hurting families and ultimately hurting tourism.

I saw on the news last night that the State and Counties must cut spending by at least 10%, why are you even pushing bills that take away from generous tax dollars? Our home in Kihei has flooded 3 times from poor planning and drainage coming from upcountry. My husband is a contractor in Maui, it takes multiple years to get a building permit. Permitting should not take so long. The majority of families that lost their homes in Lahaina were renters... they need a permanent home. Build affordable housing neighborhoods on the West Side and quickly. And **future** condos should not be vacation rentable.

Let the counties enforce the laws that they already have in place, lets move forward not backward. My family has been dealing with the threat of taking our business away for generations. Let's make buying on Maui less desirable for non-residents, leaving real estate for locals.

Mahalo for your time,
Amber Peterson

HB-1838-HD-1

Submitted on: 2/27/2024 12:25:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M Hybiske	Individual	Oppose	Written Testimony Only

Comments:

Aloha Honorable Representatives and Senators,

I am writing in **strong OPPOSITION of HB1838** to restrict short-term vacation rentals. This bill will have an extremely negative impact on our family, as well as other residents and visitors that rely on short-term rentals as their choice. We are not rich mainland investors....but **we are invested in Maui.**

My parents are original owners of our condo which was built in 1972. It was their home on Maui for 50 years. The condo is now ours to enjoy for much of the year. 4 generations of our family have called it their "Maui home". My husband and I are now in our 70's and retired on fixed incomes. Our condo is oceanfront in a resort area where short-term rentals have been permitted to operate for the last 50 years. If short-term rentals are not allowed, we would not be able to afford the high cost of ownership. Please do NOT remove the choice that visitors have to stay in permitted, correctly zoned, tax-paying condos. We fill a need for many visitors. Hotels do NOT meet the needs of many.

Short-term rentals fill an important need on the islands, but they are NOT designed for long term living, especially not for families or more than one person. They are small and were built for short-term "transient" use. HOA policies don't allow animals or noise. Parking is limited, usually one space per condo. Vacation rentals have kitchens, but units lack storage because short-term visitors do not need storage. The walls separating the units are thin and do not block out noise. Most lack a designated place for kids to play.

Oceanfront living creates considerable maintenance issues. It cannot be considered "affordable housing." Short-term vacation rentals are NOT a good substitute for long term affordable housing for residents and **they do not work**, either economically or practically. Housing for residents should be homes and apartments in appropriate neighborhoods which are not in resort locations and do not come with the high maintenance costs and fees associated with HOAs, in part due to their oceanfront locations in prime resort areas.

Other local residents will also be impacted negatively. We employ a housekeeper who has a young family. We employ local repair people. They have become our friends. We pay many thousands in tax dollars and contribute to the economy with our purchases and expenses. What will these independent workers and small businesses do for income if we are unable to continue to rent our condo?

If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

STR's are **NOT** the cause of the housing problem. Build homes and apartments that are specifically designed for long-term occupancy. Creating more affordable housing is a noble effort, but stripping long-held property rights from existing owners is not the way to achieve it.

I ask that you please **do not** move this bill forward. Mahalo for reading my thoughts.

HB-1838-HD-1

Submitted on: 2/27/2024 12:31:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Stark	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is John Stark. My Family has owned a short term rental on Maui for over 30 years.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

It will also threaten the ability of cleaners, electricians, maintenance workers, and other small businesses that live and work in the community to make a living.

It could make hotels the only short term housing option, which are typically owned by large corporations, and diminishes the opportunity for small business owners to compete.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 12:33:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leslie Zeigler Warmus	Individual	Oppose	Written Testimony Only

Comments:

Please remember the world does not operate in a vacuum. The outcome you seek while in theory may be noble, it will have dire unintended consequences for many others. Think of the release of mongoose to combat cane toads. The cane toads still thrived. The mongoose thrived. The native birds were decimated,

This bill will destroy the economy. Those who have thriving jobs and careers in service of short term rentals, cleaners, property managers, maintenance people, handy people, contractors, and many more, will struggle and close. Leaving an economic hole too deep for the state to recover from.

Property values will tank, many say this is of no concern to legislators, but it should as it will effect all property not just STRs. This will cause mortgages to be called by banks, as the properties will be under water with no chance of being repaid.

Lower property values mean lower property assessments, leading to lower tax revenues collected. How will shortfalls be made up?

it is clear this is a complex issue. There is no simple answer. Don't sacrifice a whole industry.

Look at who and why lobbyists believe this is a good idea. What's in it for them?

STRs are not permanent family housing. They are expensive to maintain. They are not meant for full time family living. They are not ADA compliant or comfortable for the aged.

Find a way to do better for all

HB-1838-HD-1

Submitted on: 2/27/2024 12:33:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Bolster	Individual	Oppose	Written Testimony Only

Comments:

I live in Lahaina and stand strongly against Senate Bill HB1838. As a small business owner in West Maui, I have already grappled with the devastating impact of the Lahaina fires. This bill, far from offering any relief, threatens to further disrupt our way of life and inflict significant financial hardship on my family, including my 2-year-old son.

Our livelihood depends on the vacation rentals in West Maui, which HB1838 would significantly undermine. This bill would primarily benefit large corporations like Marriott and Hyatt, driving profits offshore at the expense of local businesses like mine. Why not focus on further expanding the current residential zones instead of threatening the commercial zones which were carefully planned by our local government decades ago?

HB1838 disregards the very foundation of our community – small businesses and local families. It prioritizes the interests of large corporations over the well-being of those who still call West Maui home. This bill is a slap in the face to the US constitution, and only serves these large lobbies and politicians by creating division.

I urge you to reject Senate Bill HB1838. Its passage would be detrimental to countless families and small businesses struggling to recover from the fires and carve out a sustainable future in West Maui.

-Joseph

Aloha Chair, Vice Chair and Committee,

My name is Michele Lussier and I live part-time on the Island of Maui

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in the community.

I have taken great care to be fair and inclusive with my rental amount charged and I have successfully run a short-term rental , which has been an essential part of my income for over 25 years.

Also, my tenants spend money on restaurants and events and pay taxes on all. I believe that Short-term rentals must cover a large percentage of Maui's taxes collected from vacationers.

I also understand that the Governor is stuck between a rock and a hard place. If you remove short-term rentals, you remove the ability for many to visit Maui and short-term rentals are more affordable than hotels. Yes, the Lahaina devastation is causing a huge housing shortage.

I do not know the answer (though I am willing to put it in a longer-term pool of up to 18 months as FEMA has asked.

I offered my condo based on availability when the Lahaina fire happened and I also have donated and asked how to help, but to remove my ability to have income from a property purchased for this purpose seems unfair. I have paid taxes and additional TA taxes for many years and removing that after years of paying into it is unfair. What if the condos were available during summer months and allowed short-term rental in the Spring, Fall and Winter?

If this bill passes , it will hurt me and put at risk my ability to pay for my own housing and bills. Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Mahalo,

Michele Lussier

HB-1838-HD-1

Submitted on: 2/27/2024 12:38:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Moreno	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposing HB1838 - Emphasizing Community Support Amidst Challenges

To whom it may concern,

I am writing to strongly oppose Bill HB1838, which proposes the elimination of short-term rentals in Maui. As the owner of a non-profit (the rents I receive cover only the cost of mortgage and sometimes HOA) short-term rental, I want to shed light on its unique contributions, including offering accommodation free of charge to a family affected by the fire and consistently donating to families and the Hawaii Community Foundation.

During a challenging time when a local family faced displacement due to a fire, my short-term rental provided a temporary, cost-free haven until they secured a more permanent solution. Additionally, I have actively contributed financial support to families in need through direct donations and contributions to the Hawaii Community Foundation.

It is crucial to consider that removing short-term rentals could have unintended consequences, particularly for families grappling with the aftermath of the fire. The high cost of real estate in Maui, with even small 1-bedroom condos reaching the high \$700,000s plus extremely costly HOA fee's makes cost-effective long-term rentals financially devastating. By taking away the resources generated by short-term rentals, we risk diminishing support for families in need.

I urge you to reconsider the potential impact on the community and explore alternative solutions that balance the concerns while allowing short-term rentals to continue their positive contributions. Regulating rather than eliminating this vital resource can ensure a more sustainable and supportive approach for both property owners and families affected by unforeseen challenges.

Short-term rentals are vital to Maui's economy, contributing significantly through taxes that support infrastructure, public services, and community initiatives. The revenue generated is indispensable for sustaining Maui's finances. Removing STRs would impact property owners and diminish the taxes Maui receives. Balancing concerns while preserving STRs is essential for Maui's economic health.

Thank you for your consideration and understanding of the broader impact of removing short-term rentals on our local community.

Sincerely,
Stephanie Moreno

HB-1838-HD-1

Submitted on: 2/27/2024 12:39:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Larsen	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Karen Larsen and I live on the island of Molokai.

I own my own cleaning business that services short-term vacation rentals (condos only now) on my island. I am paid great wages, create my own schedule and work very near where I live, reducing my commute time. I had many more jobs when vacation rentals (stand alone) were legal, before, in the dark of night with very little notice, council passed the no vacation rentals bill here Feb. 29, 2000.

I have seen, first hand, how that law has contributed to the degradation of this island. Molokai has a very depressed economy as a result. Meth is rampant. One reason stated were to provide housing, but not one former vacation rental houses any locals ~ they sit empty instead, and invite crime.

From a personal perspective, when I go on vacation, I have no desire to stay in a hotel ~ I like the privacy a home affords. If I cannot stay in a house, I will choose another destination. I have always enjoyed staycations around the islands, but I fear that may be in jeopardy should this bill pass.

And what of the fiscal health of the state? Where will that money that would have come from property & vacation rental taxes come from? Not to mention the loss of income tax from fewer visitors? Take a page from the Cook Islands ~ while not giving in to rampant exploitation, they are welcoming and have accomodations available, and the locals are happy about it.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 12:40:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Miyuki Noji	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose to this bill. When COVID hit, there were a lot of nurses and doctors who needed places to stay short term. Even during Maui Fire and Marco Polo Fire. I also know that Japanese tourists love to stay at short term rentals that they always return to rather than staying at the hotel because they have children or elderly who need familiarity. Hotels in Hawaii are getting way too expensive for those to visit who truly understand the beauty of this island. Short term rentals is critical to keep Hawaii a place of Aloha.

HB-1838-HD-1

Submitted on: 2/27/2024 12:44:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MARY GROSS	Individual	Oppose	Written Testimony Only

Comments:

Mahalo for considering this testimony. In 2011, my husband and I purchased our STR Condo on Maui's Westside. Over the past decade, we have been good stewards of the island and conscientious hosts. We have collected and submitted tens of thousands in TAT, GE, and Property taxes. Our condo was built in 1970 and has always been zoned hotel/resort and has exclusively been used as an STR until about a month ago when we opened our home to a Lahaina displaced family for a long term rental.

Please consider the differences between communities that were built and have always been STR as an option to the high priced, high rise hotels. We never "took" housing from a local. Our condo was never meant for long-term housing as it has one parking spot, little storage, and caters to visitors with extra amenities. Other STRs in neighborhoods not zoned for this purpose should not be allowed or phased out.

It is concerning on many levels that legal STRs are now the scapegoat for the lack of planning and affordable housing on the island. The effects of unilaterally changing zoning or raising TAT even higher for STRs will not solve the housing issue. Yes, as STR operators, we do typically bring in more money per month than renting long-term; however, this is a direct result of the very high AOA monthly fees, upkeep, and insurance requirements. We simply could not afford to pay the bills with these high costs. The same would be true for a local owner... the AOA costs alone are often more monthly than a typical long-term rent.

I ask that the legislative body consider the long term consequences of phasing out LEGAL STR not only to the loss of tax revenue which is a primary support for building low-income housing but also to the many locals we employ to support our STRs... from rental agents to cleaners to repair services.

The high price of housing, lack of housing and affordable housing is not the result of STRs. Please do not make a decision that would create legal challenges, chaos for local workers in the hospitality industry, and a huge loss of necessary tax funding to assist with the housing needs on the island.

Sincerely,

Mary Gross

I recently moved to Maui to utilize my skill and experience in building and property maintenance to manage a condo complex consisting of mostly short-term rental units. I am responsible for the safety, upkeep, and overall daily operation of the property. I quite often act as concierge helping guests traverse the island offering suggestions on food, points of interest, history, and culture. I try to impress upon them the sacred nature and warm spirit of the local populace and the challenges faced by those living here. My job and livelihood depend on the ability for the units I oversee to be rented on a short-term basis. The economics involved are what pays for me to keep the property operating at a balanced level without things spiraling into disrepair. I would no doubt have to leave the island and take my experience and knowledge base back to the mainland as the budget would be too constrained to afford to pay for me to be here. I hope you will consider opposing this bill as have I.

Thank you for your time and consideration in this complex debate.

Regards,

Dan Tiedt

HB1838 Oppose

As 40+ year permanent residents of Maui, my wife and I oppose house bill 1838. We feel that Maui County has had very ineffective policies for Short Term Vacation Rentals. We believe that there should be more evaluation of the nuances of short term rentals, which ones actually provide a different vacation experience than are available from hotels. Which ones are tune to new ecologically minded tourists. Multiple rentals owned by the same owner. The state could play a much bigger role in solving many of the short term rental problems by first compiling some real statistics and opening some discussion about what types of short term rentals, not just leaving it to the political factions of the counties which almost always rule on the side of the monied interests.

We have been providing an ecological short term rental on its own 2.6 acre private botanical reserve at a very reasonable price before permits were required. We received permit number 11 primarily because we paid all the GET & TAT taxes for years before just on our own integrity.
www.MauiChalet.com

We are only able to use water catchment so we can't rent that home full-time or we won't have enough water for our own cottage. We need to constantly maintain such an unusual log home and especially my wife's 20+ year nature reserve. We are in our 70s now, this is our only income, we're making just enough, competing with many illegal and semilegal competitors that don't pay their taxes.

HB-1838-HD-1

Submitted on: 2/27/2024 12:46:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Llorens	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern:

I am an ownwer of a condo in the Waikiki Banyan. While my family lives in our unit 3-4 months out of the year, we also rent our unit to short term renters. To phase out short term rentals will have a very negative impact on the local economy in particular many local blue collar working citizens. I can provide documentation that demonstrates my anuual spend with local cleaners, plumbers, painters, pest control,laundry, and other local support services to average \$5,000-\$10,000 per year. Obviously this amount multiplied across the Waikiki region is a significant loss the citizens of Honolulu. Thank you for your time to read this message.

HB-1838-HD-1

Submitted on: 2/27/2024 12:48:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Drew Kutcher	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair and Committee,

My name is Drew Kutcher, I am writing to express my strong opposition to HB1838, which threatens to eliminate legally zoned short-term rental properties on Maui. As a person who deeply invested in the well-being of the island and its people, I am gravely concerned about the far-reaching negative impacts this bill will have on Maui's economy, housing availability, and the livelihoods of countless individuals.

My family and I have been proud supporters of Maui's community for years, contributing both financially and through direct assistance to local organizations such as the Maui Food Shelf and Feed My Sheep. In times of crisis, such as the recent Lahaina Fire, we have coordinated efforts to provide aid to displaced residents, including securing housing for them in our short-term rental properties, free of charge, when government assistance was still being organized.

Our commitment to the island and its people goes beyond mere profit. We have witnessed firsthand the importance of short-term rentals in providing essential support to our community members during times of need. These rentals not only serve as a source of income for property owners but also play a vital role in creating jobs for local community members. We continued to pay them, even when tourism dropped off during the pandemic, we support and love those who care for our property.

Maui's short-term rental properties are not just a source of income for property owners; they also play a vital role in funding essential services and initiatives. Currently, they provide 40% of the real property tax revenue for the county and represent the top funding source for affordable housing initiatives. The loss of this revenue, which amounts to 18% of the county's budget, raises serious concerns about how essential services will be funded in the absence of this revenue stream.

The loss of legally zoned short-term rentals would not only devastate our local economy but also undermine the spirit of aloha that defines Maui. I urge you to consider the significant contributions that short-term rentals make to our community and oppose HB1838 in the best interest of Maui's residents and economy.

Thank you for your attention to this matter.

Sincerely,

Drew

HB-1838-HD-1

Submitted on: 2/27/2024 12:52:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jillian Marohnic	Individual	Oppose	Written Testimony Only

Comments:

I think that you should enforce the current STVR laws and shut down the illegal vacation rentals, then redo your counts and percentages and see if you still have a housing shortage, before putting us hard-working law-abiding small business owners out of business. We've worked hard to get where we are, and it's heart-breaking and frustrating to see our fellow islanders turn against us and take away our livelihoods. Who will come to our rescue then?

HB-1838-HD-1

Submitted on: 2/27/2024 12:53:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Scott Moreen	Individual	Oppose	Written Testimony Only

Comments:

This bill is no good it doesn't support the the citizens of maui it will only hurt thousands of jobs let alone family businesses...we dont want big corporations hotels...who does this bill benefit Certainly not the people of maui. This bill is insane to even be brought to the table let alone get this far...the Legislation the county offices work for the people we dont work for you. If this bill gets past.

The citizens of Maui are going to vote everyone out of office in huge majority numbers That can't be minneapolated. Listen to the people don't go again test us End of testimony thank you.
.....euneiffteyeoogeiuafseii

HB-1838-HD-1

Submitted on: 2/27/2024 12:53:40 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
KEVIN BROOKS	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose.

HB-1838-HD-1

Submitted on: 2/27/2024 12:55:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Beth Malone	Individual	Oppose	Written Testimony Only

Comments:

Tuesday, February 27, 2024

Re: HB1838

We have owned property on Maui since 2014. We enjoy spending three to four months a year on our beautiful island in our lovely condominium. While we are at our other home in Kirkland, WA we use our home as short-term rental property. This has allowed us to help defray the expenses. We pay very high property taxes, GET, TAT and Maui county tax. The Short Term Rental property tax represents 18% of Maui county's 1.7 billion dollars.

Our unit is an affordable option for families visiting Maui. They contribute to the local economy, help offset our costs, help us employ local housekeepers and property managers.

Please vote NO on HB1838

Mahalo, Beth Malone

HB-1838-HD-1

Submitted on: 2/27/2024 12:56:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valarie Wayne	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because I strongly agree that short term rentals only help the economy. If the Island of Maui loses even 1/4 of the tourism, businesses will go bankrupt and locals will be out of jobs. This bill will disrupt the natural flow of the local economy.

HB-1838-HD-1

Submitted on: 2/27/2024 1:01:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Edwards	Individual	Oppose	Written Testimony Only

Comments:

We support short term vacation rentals for the following reasons.

In the event of closing down legal short term vacation rentals, I believe the affect of this would impact the economy and severely. It is the domino affect impacting those that work within the business. The revenue from the short term vacation rentals alone would be a huge loss to the economy of Maui County.

Legal short term vacation rentals support the housekeepers and their families. Our maintainence people, the plumber, the handyman, the laundry folks, the landscapers, the pool and sauna workers, rental company employees, secretarial, inspectors and on and on....The restaurant businesses, the car rental businesses, road taxes. People that could afford to vacation in Maui County would not longer be able to afford to rent at a reasonable rate.

I Love Maui. Please do not take away all of this. Mahalo for your time and consideration.

HB-1838-HD-1

Submitted on: 2/27/2024 1:06:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Rosen	Individual	Oppose	Written Testimony Only

Comments:



HB-1838-HD-1

Submitted on: 2/27/2024 1:06:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jill Paulin	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposing House Bill HB1838 - Protecting Our Community and Economy

Aloha,

As a resident of Hawaii and a member of our community, I am writing to express my strong opposition to House Bill HB1838. This bill unfairly targets mid and short-term rentals by granting counties the authority to phase out these rentals, which could have devastating impacts on our community and economy.

Here are the key reasons why I oppose HB1838:

1. **Unfair Targeting:** HB1838 unfairly singles out mid and short term rentals. These properties are well-suited for temporary housing and offer the space and facilities necessary for temporary living.
2. **Property Rights:** Allowing counties to take away property rights from homeowners sets a dangerous precedent and undermines the security and stability of property ownership within our community.
3. **Retroactive Changes:** The bill enables counties to retroactively change the rules, creating uncertainty and undermining trust in the regulatory process.
4. **Precedent for Rights Violation:** HB1838 sets a precedent for taking away rights from homeowners and revoking non-conforming uses, which could lead to a loss of property value and create uncertainty for investors and builders at a time when our community needs new construction.
5. **Economic Impact:** The bill has the potential to decimate an industry that contributes significantly to our economy, generating \$740 million in taxes and \$4.8 billion in visitor spending annually.
6. **Punishing Compliance:** HB1838 unfairly punishes individuals and families who have followed the rules, navigated the regulatory process, and made significant contributions to our community.

I strongly encourage you to oppose HB1838 to protect our community and the rights of property owners. Please consider the significant negative impacts this bill could have on our community and the economy.

Mahalo for your attention to this critical issue.

Sincerely,

Jill Paulin

HB-1838-HD-1

Submitted on: 2/27/2024 1:07:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hiroko Ogiwara	Individual	Oppose	Written Testimony Only

Comments:

There will be lots of displaced residents , interisland medical patients, traveling nurses, etc. Only option for people coming for work will be hotels with a high fee. Decline in economy.

HB-1838-HD-1

Submitted on: 2/27/2024 1:07:23 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vera Williams	Individual	Oppose	Written Testimony Only

Comments:

Your supposition that there is a shortage of homes for long term rental is valid. Maintaining adequate affordable housing is important. But there are many people who would not be able to afford to live in the state without the option to rent out a room or a portion of their home to visitors.

I own a Vacation Rental property, and it allows me to live and work as a Substitute Teacher in Hawaii. I am also hoping that I can retire at some point, and the income I receive from my room is enough that this may be possible.

Also, many times I am renting the room to a local family looking for an affordable staycation. Other times I have rented to someone who is here for a wedding, a family reunion, or a class reunion. If you take away this option, the only other option in this area is a hotel that runs a minimum of \$799 per night plus fees. You may want to believe that all visitors are high end tourists, but that is not the case. There are people, wanting to visit our islands that do not have unlimited funds, and my room is a budget option.

The problem is NOT local people renting out a room when the kid(s) have left for college, or to try and keep their home in retirement, but outsiders (mainland and foreign INVESTORS) coming in to buy up Hawaii real estate to create mini hotel businesses, driving up the cost of real estate and contributing to the ridiculously high cost of housing (and rentals).

I know older residents trying to keep their homes in retirement, trying to help their kids pay for college, and trying to keep up with their bills and taxes should NOT be treated as the problem.

The problem is people who buy local houses, NOT TO LIVE IN, BUT TO EXPLOIT HAWAII, and especially those who own several homes for primary use as short-term rentals.

We need to stop outsiders from taking property off the market to try to exploit Hawaii to make a quick buck. These people contribute NOTHING, they are TAKERS, and they are SPOILING our neighborhoods.

Outsiders / non-residents should NOT be able to own more than one home for primary use as a vacation rental, or to convert homes to mini-hotels outside of a resort-zoned areas.

This legislation is not the answer to the problem of lack of affordable housing for local families.

HB-1838-HD-1

Submitted on: 2/27/2024 1:08:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Avalon	Individual	Support	Written Testimony Only

Comments:

Aloha, I am testifying in support of HB 1838. It is vital that we phase out vacation rental units in favor of creating sustainable and affordable long-term housing, especially in the wake of so many families becoming houseless after the Lāhainā fire. Our resident community should always be top priority over short-term renters and visitors.

Mahalo,

Avalon P.

Opposed to HB1838

We saved all our lives to be able to afford to buy our dream home in Hawaii. After 30 years of savings, we were finally able to buy a condo, helped by the ability to be able to receive rent income when we can't be there.

We are now told that after saving all our lives to be able to buy this home, that someone in the legislature has proposed taking away our ability to keep our home because of the tragedy in Lahaina.

To blame us for Hawaii's housing shortage is unfair and targets innocent homeowners.

There are so many other ways to help the fire victims and to alleviate the housing shortage without taking away our ability to own our home in Maui.

Please do not take away our ability to own our home in the name of helping others.

HB-1838-HD-1

Submitted on: 2/27/2024 1:11:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debra Parigian	Individual	Oppose	Written Testimony Only

Comments:

I am a part-time resident of Hawaii and own a condo on Alii Drive. We depend on the rental income and so many people can't afford to come to Hawaii anymore because of the cost of hotels. Renting our unit allows more affordable lodging. We hire all local people to clean, repair and support our place. They need these jobs.

I oppose this bill and feel the hotel lobby influence underlying this. Hotels are getting too expensive for anyone these days! Allowing residents to participate in the tourism economy keeps earnings local and not just going to the big off island corporations. If affordable housing is the issue, the state and counties should work to strengthen landlord protections, provide tax incentives to rent long term and create streamlined permitting process to help build affordable housing.

Local owned short term rentals create local income and jobs. If there is no income and there are no jobs, no one will need affordable housing.

Thank you,

Debra

HB-1838-HD-1

Submitted on: 2/27/2024 1:12:40 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Grier	Individual	Oppose	Written Testimony Only

Comments:

I am submitting testimony in opposition to HB1838.

I am a long-time Maui resident who resides and operates a Short-term rental home in Haiku.

The passage of HB1838 will hurt me financially because if given the power to do so, the County of Maui will most definitely phase out Short-term rental homes on Maui. I have had my permit to operate for approximately four years. Within that time I renovated my STRH home thus having a positive impact on the densely populated neighborhood. My neighbors appreciate the building upgrades and the gratitude that most visitors communicate while staying in the neighborhood.

Not only does being allowed to operate a STRH provide me and my family with additional income, but having visitors stay in local neighborhoods brings much needed money to the small businesses operating within these neighborhoods (Baked on Maui, Pauwela Store, Haiku grocery, Colleen's, etc.). And not only to the businesses in Haiku but also to the communities of Paia, Makawao, Upcountry, along the road to Hana, and Hana.

A third reason I am in opposition to the passage of HB1838 is because of the large amount of tax revenue that Maui County and the State will lose. STRH's are charged a higher amount in real property tax, and are required to pay two transient accommodation taxes. If forced to shut down, how will the county recoup the millions of tax dollars generated by STRHs?

A final reason I oppose this bill is because of job opportunities that will be lost on the northshore of Maui. Myself and other STRH owners provide regular employment to cleaners, landscapers, and general laborers that live in the area and who do not want to travel an hour or more to work for a large corporation that doesn't actually value their well-being.

Please don't advance HB1838 any further.

Mahalo,

Andrew Grier

HB-1838-HD-1

Submitted on: 2/27/2024 1:12:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brad Fieldson	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1838. There are so many reasons but here are the most important ones. Are you really trying to put thousands of employees who work in the Short Term industry out of work? Is that your goal? Cleaners, managers, maintenance staff, etc. These people all vote!! What will happen if there is another Marco Polo type or Maui type disaster. Where are these people going to find a home, not a hotel room, to stay? When my co-workers come here to work for short term assignments, they don't want to stay at a hotel. They want an apartment or condo to stay for 3 or 4 weeks. You are going to take that away? This Bill will do absolutely nothing to help with affordable housing. People then asked themselves who benefits from such a decimating bill? The lobbyists and off shore hotel owners I would have to guess. I can understand that out in the single-family home communities, STR's could use some guidance. However, the condominiums and condo-tel buildings have house rules that regulate how the units can be rented out or not at all. They don't need help from any government agency trying to run their buildings. Please step back for a moment and consider, that how this bill is written today, how obviously discriminating the bill is and the enormous negative impact it would have on the thousands of residents and families who work in the STR industry. Not to mention the negative impact to tourist, the loss of GET and TAT and other taxes to the city and county. Thank you for reading my testimony and considering its content.

February 16, 2024

RE: HB1838 and SB2919

Aloha Chair, Vice Chair and Committee,

My name is Bernard Smit and I own a condominium on Maui's west side. I am getting married in Kapalua in April of this year, and my wife and I will call West Maui home for 4 months per year. While we don't need to, to financially support Maui, currently rent it out for the other 8 months.

We have been visiting Maui for 40 years. While it is not our primary home, to us, it is a special place, one we will be calling home after we retire.

We have given generously to Maui Strong, the Red Cross, and have written large personal checks to several families affected by the fire. As a fire victim myself when I was a child, I know what it is like to lose one's home. We completely empathize with our Maui Ohana.

However, the unintended consequences of eliminating short term rentals will be financially devastating to all of Maui, and West Maui in particular. Consider that my condo is occupied for almost the entire year. For the entire year, tourists or we spend money while on the island. Should your proposals pass, my condo will only be occupied for 4 months, as I will be unable to rent it. That is a 67% reduction in occupancy, which would result in a 67% reduction in dollars spent in Maui by renters. 67% less sales tax revenue, 67% less restaurant activity, 67% less requirement for employees in tourism and services and 67% less GET and other hospitality taxes. Multiply this tax and revenue loss by 10,000 and Maui's budget will be decimated. Everyone will suffer under this proposal, native and tourists alike.

While we understand the immediate need to solve the housing shortage exacerbated by the fire, we feel the elimination of short term rentals in West Maui will decimate the economy.

We have discussed this with our neighbors and their occupancy would dramatically fall as well. Multiply this 67% reduction in local spending by thousands of units and the long term viability of Maui's economy would suffer.

We encourage you to consider the immense negative financial impacts on Maui and vote no on HB1838. Your decision to eliminate short term rentals will affect behavior, and will certainly hurt the economy of the island we all love.

Warmest Regards,

Bernard Smit

HB-1838-HD-1

Submitted on: 2/27/2024 1:19:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emily Trang	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Emily Trang and I am writing to express my strong opposition to HB1838. As a frequent visitor to this beautiful island, I have come to cherish the unique experiences and warm hospitality it offers. However, if HB1838 is passed, it would severely limit my ability, as well as that of my friends and family, to affordably visit and enjoy all that Oahu has to offer.

Short-term rentals have been a crucial aspect of our travel plans, providing us with comfortable and affordable accommodation options that fit our needs. By restricting short-term rentals, HB1838 threatens to price out many visitors like myself, forcing us to seek alternative destinations or settle for subpar accommodations that do not meet our needs. The alternative of staying in hotels would mean exorbitant expenses that we cannot afford. This would also have a detrimental impact on the local economy, as fewer tourists would be able to contribute to the island's businesses and attractions.

Furthermore, short-term rentals provide an essential source of income for many Oahu residents who rely on this industry to make ends meet. By supporting local homeowners and small businesses, we contribute to the sustainable growth and prosperity of the island's communities. HB1838 would not only harm visitors but also disrupt the livelihoods of countless residents who depend on short-term rentals as a means of income.

Thank you for considering my testimony, and I respectfully request that you oppose HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 1:20:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward and Patricia Marcanik	Individual	Oppose	Written Testimony Only

Comments:

We oppose this legislation because we have been STR owners for 25 years. We have paid taxes religiously and believe we have contributed faithfully to the welfare of Maui, in general, and Kihei in particular. We are proud to be owners of this condo in Hawaii and feel that our love of Maui will be compromised by this legislation and possibly we would be forced to make unwanted changes.

HB-1838-HD-1

Submitted on: 2/27/2024 1:22:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Dale	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jeffrey Dale and I own a short term rental condo on the island of Maui.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Thank you for your consideration,

Jeffrey Dale

HB-1838-HD-1

Submitted on: 2/27/2024 1:25:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Ingber	Individual	Oppose	Written Testimony Only

Comments:

Without STRs there will be fewer tourists, less employment, and a contraction of the economy. Tourists create employment and pay significant taxes as do owners of short term rentals. Without STRs will the homeless, unhoused, be able to move into the STRs? Unlikely. Value of properties will have to fall by more than 50% to 75% to make them affordable and to the unemployed they will still be unaffordable. There are cascading financial effects when property values fall as the 2008 financial collapse showed. Hotel prices are much higher than STRs and fewer tourists can afford them. No amount of corporate lodging and meetings will make up that loss. We need funds for rebuilding Lahaina and dealing with rising costs and paying increasing property taxes. Most unlikely to make up income lost from STRs. We'll just create our own recession with HB1838 and have fewer funds to spend on those in need.

Please oppose HB 1838.

Short term rentals are a significant benefit to the residents of Hawaii, the county of Maui and the State of Hawaii.

1. Short term rentals support employment in a complete sort term rental economic industry, providing jobs, salaries, and benefits for the residents of Hawaii. There exists a complete economic system providing jobs to cleaners, maintenance people, rental agencies, real estate offices, travel and activity related personnel, local restaurants, and shops.
As well as supporting existing complex infrastructure of management, home owners associations, gardeners.... Without short term rentals, unemployment would rise and more native residents would be force to move out of Hawaii to find employment. This would likely increase the burden on the state: increasing unemployment, increasing homeless, and reducing Hawaii tax base.
2. Short term rental provide tourism for those that cannot spend high rental prices at large chain resorts. This provides employment and income to local food stores, restaurants, shops, and tourist activities (fishing, surfing, diving, boating, sightseeing...).
3. Short term rentals provide additional income to the county and state for transient accommodations, general excise, Maui County transient accommodations tax. Hawaii receives 17.25% for all short-term rental revenue.
4. Many owners of short-term rentals need to rent in order to pay Hawaii property taxes, HOA fees, remodel and update their property (remodel, refurnish...). These owners would need to sell their units. This would reduce real estate prices, reduce Hawaiian tax base, increase unemployment, and reduce tourism as less people could afford to stay in Hawaii.
5. Short term rentals provide 40% of real property tax revenue for the county of Maui. This STR tax revenue represents 18% of the county's budget.
6. Short term rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students...
7. Short-term rental owners give back and volunteer to support Hawaiian locals.
A percentage of our rental income goes to support "Feed my Sheep" an on-island food bank
We have also volunteered with Feed my Sheep food distribution. We have volunteered with food distribution at Lahaina Gateway for fire victims. We also volunteered at community "free store" for fire victims.

The above are a few of the benefits of short-term rentals to the Hawaiian residents, county and state. Short-term rentals provide employment, additional taxes, and support a complete eco-system of

benefits. Any change or reduction in short-term rental policy would inflict adversity on the local residence, counties, and State of Hawaii. Hawaii top industry is tourism, including real estate, leasing, service, labor, and taxes. Short-term rentals provide significant support for all.

Please oppose HB1838 and any other legislation targeted at limiting short term rentals.

Comments regarding on HB 1838

I am writing as an independent contractor who has worked in this industry for the past 18 years in opposition of HB 1838. I am extremely concern with the avalanche effect this bill will cause if approved; there will be financial consequences to the County of Maui because of lost property tax revenue as well as the elimination of multiple small business that depend on this industry to make a living. The County of Maui had on of the highest unemployment rate in the country (33%) during the pandemic without tourism; is this what you want to see happening again?

This bill has the eminent potential to create the following:

- Significant job loss to the thousands of local residents that rely on the services created & required by short term rentals uniquely. (House keepers, frequent maintenance, concierge services, food delivery, Ubers, linen and rental services, etc). It's estimated that ~40K jobs are completely dependent on the STR market in HI.
- Significant tax revenue shortfall. Currently, STRs contribute 40% of the real property tax revenue for Maui County (and is the TOP funding source for affordable housing). STR property tax contributes 18% or \$1.7B to the county budget. How will the county replace these funds.. Is the county going to increase **my property taxes** or what services are going to need to be cut?
- Reduced availability of affordable housing options... not vacationers: STRs are a good option for displaced residents, new residents just arriving, inter-island travel for family visits or medical needs. Hotels are simply too expensive in most cases for these people, and STRs provide a real and useful service.
- There are many small restaurants and stores located in the same areas that cater to these guests and are more affordable than stores and restaurants located in resort areas. Would you like to see more vacancy in retail space?
- Reduced availability of "ready to use" fully furnished accommodations when disaster strikes. STRs have played a critical role in housing many of the families displaced by the Lahaina fires. Where would they have been able to go if STRs didn't exist and local housing was all under long term lease?

In summary, HB1838 is counter productive to Maui County and its residents. It will create job loss, a significant budget shortfall and will limit affordable housing in general. Please reconsider this path and vote against HB1838.

Thank you,

Alex Abreu

HB-1838-HD-1

Submitted on: 2/27/2024 1:29:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Reynold Tamaye	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and committee,

I am writing in opposition of State Bill HB1838 because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers and small business like me who live and work in my community.

I own and work for a small business that services short-term vacation rentals on Oahu. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time. The bill will hurt me and put at risk my ability to pay for my own housing and living expenses.

Please let the counties enforce the laws that they already have.

I ask that you do not move this bill foward.

Thank you.

HB-1838-HD-1

Submitted on: 2/27/2024 1:31:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dolores Dy-Liacco	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Dolores Dy-Liacco and I live on the island of Oahu.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Sincerely,

Dolores Dy-Liacco

HB-1838-HD-1

Submitted on: 2/27/2024 1:31:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracy Fleming	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass this bill. I am selling my condo and this will impact the sale. I am 81 years old and cannot fulfill the upkeep any longer. I feel desperately sorry for the displaced people but cannot help.

HB-1838-HD-1

Submitted on: 2/27/2024 1:35:25 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew	Individual	Oppose	Written Testimony Only

Comments:

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from? What about all the property managers, cleaners, handymen and woman, all of the vendors that service these properties will be out of a job and have to leave the island. This will cripple our economy.

HB-1838-HD-1

Submitted on: 2/27/2024 1:37:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Giannini	Individual	Oppose	Written Testimony Only

Comments:

Thank you for your consideration with respect to my position on this measure.

There's no doubt that the State in general and the County in particular have been, and continue to face a monumental housing crisis. You are all well aware of the multiple factors that have contributed to the current scenario. There is no doubt that you have a responsibility to support the residents of Hawaii while taking into consideration all of the downstream effects that will occur as a result of your actions.

You already know that the tax revenue from short term rentals is a very significant part of the County's annual budget. Reducing short term rental housing will obviously have an impact on that bottom line.

You are also well aware of the consequential benefit that short term rentals provide to property, managers, contractors, cleaning services, restaurants, tourist operators, and the like.

That said, you should also be aware of the significant benefit that short term rentals provide on an individualized basis. In our case, my wife and I own a single condominium on Maui. I am retired from the fire service, and my wife recently retired as a registered nurse. We have visited Maui for well over 30 years and obviously find it to be magical. We are currently renting our unit to a contractor who is working on the debris removal project for Lahaina. Prior to this time we also have allowed our unit to be used by a cancer survivor to support her healing process and others that have needed a respite from their personal struggles.

While, there are large corporations that hold title to a number of short term rentals on Island, there are many, individual owners, such as my wife and I that are not making tremendous amounts of money and taking it off Island.

I implore you to take the time to look closely at other communities across the Country that have faced disaster scenarios, and review the best practices that are in place to best support everyone through the consequence of this tragedy.

Our single unit is working to support your cause. Elimination of this unit would do just the opposite. Please amend the legislation in a way that would avoid any negative downstream effects that may result from your actions.

Your consideration is very much appreciated.

Respectfully,

Michael Giannini

HB-1838-HD-1

Submitted on: 2/27/2024 1:38:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Murai	Individual	Oppose	Written Testimony Only

Comments:

To Whom it May Concern,

The Bill will eliminate 40% of the real property tax revenue for the county generated by STRs, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

With this in mind, why are condo owners being targeted when STR's provide the much needed income and temporary housing that are more affordable than hotel and other options for many of the groups listed above.

It is with deep concern and hope that Maui rethink the long term strategy before making a seemingly hasty decision on this issue.

HB-1838-HD-1

Submitted on: 2/27/2024 1:38:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erin Mills	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my very strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Erin Mills

HB-1838-HD-1

Submitted on: 2/27/2024 1:40:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele E Torrey	Individual	Oppose	Written Testimony Only

Comments:

Dear Hawaii State Legislators,

I strongly oppose Bill HB1838. I have owned and operated a short-term vacation rental condo on Maui since January of 2009. During that time, the residential housing shortage has become critical. Also during that time, I have seen *no new housing being built*. No new condos, no new homes for residents. The zoning is so strict, with so much red tape, no one can build. Putting owners of short-term vacation rental condos out of business is *not the answer*. How many Maui residents who need homes can pay 1.4 million for my condo? Or are you expecting me to reduce the price such that they can afford it? Or maybe Maui County plans to subsidize the purchase price? The answers to any of these questions illustrates the ludicrousness of this Bill.

The short-term vacation rental industry brings in millions of dollars of revenue, and millions of visitors per year. The industry provides employment and revenue through management, cleaning, restaurant patronage, tours, and certainly taxes, such as the TAT and GET. Is Maui County okay with the collapse of these industries and the laying off of thousands of people? I have talked with residents of Maui, and they are angry. Not at me, but at YOU, the legislators, who have had YEARS to solve this problem. And instead of solving the problem in a way that makes sense and helps everyone, you are simply pointing fingers to find fault elsewhere and a band-aid solution. Destroying the vacation rental industry will only hurt everybody. Do what is right. Oppose this bill. Stop destroying small business owners. Loosen the regulations to building new long-term residential housing. Help your people.

Thank you,

Michele Torrey and Carl Gann

HB-1838-HD-1

Submitted on: 2/27/2024 1:41:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Misty Ferris	Individual	Oppose	Written Testimony Only

Comments:

- This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui.
- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 1:42:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elen Stoops	Individual	Oppose	Written Testimony Only

Comments:

Oppose zoning changes to phase out fully compliant and legal STR.

HB-1838-HD-1

Submitted on: 2/27/2024 1:42:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dianne Obal	Individual	Oppose	Written Testimony Only

Comments:

Oppose Bill HB 1838

We love Maui and have been coming & supporting the economy for over 30 years. Since retirement we have enjoyed ownership and the ability to share it with friends and family who also come and embrace the culture and economy. Owning has been such an awesome experience and we have become part of the community in a way that we could not have imagined. We have been there when turtles hatch, counting the whales and all of this is possible because we are able to share it with friends and family. The taxes we pay personally and the rental taxes not to mention all of the purchases made while here on Maui all help the county & state and I implore you to think long and hard before only leaving hotels as a short-term rental solution. Losing the ability to share this wonderful piece of Maui with friends and family would mean and end to our time on Maui which we refer to as our second Home.

Please Oppose Bill HB 1838

Roy & Dianne Obal

HB-1838-HD-1

Submitted on: 2/27/2024 1:43:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cindy Nakea	Individual	Oppose	Written Testimony Only

Comments:

I'm Cindy Nakea, an owner of two condo units in Kahana. **I'm opposed to bill HB1838**, as it will only create greater problems than solve them.

To eliminate all short-term rentals will only benefit hotels, creating a shortage of short-term accommodations, and leading higher rates with and a drop in tourism.

Thousands of long-term rentals would suddenly become available and exceed the demand. The need for 3000 residences for families displaced by the wildfires was filled by the end of January. Though I was willing to rent my few units, they were not needed. Without another industry ready to bring new residents to fill thousands of long-term rentals, these buildings would remain empty, leaving owners unable to pay taxes and fees, and therefore forced to sell at low prices.

I imagine that the county would be strained to function with the loss in revenue as well.

Jobs associated with short-term rentals would be lost, leading to relocation of locals who already have no home.

I sympathize with those in need of affordable housing. However, this is not a viable solution and will create greater problems in the long run. Please do not pass this bill.

Mahalo for the opportunity to testify.

Cindy Nakea

HB-1838-HD-1

Submitted on: 2/27/2024 1:45:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Englert	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1838. My family and I are 100% dependent on vacation rentals by servicing these units in Maui. We also know many other families who own small shops and restaurants that are almost fully subsidized by travelers staying in vacation rentals. The county council has not been shy about their opposition to these rentals and will likely try to do away with them. If they do, I'm scared that we will lose our income and ability to continue living here in Maui. I was born and raised here for 38 years. It is sad to see so many struggling for housing but the county banning this industry to help one group in-need will create all whole new group of people in-need. A win-win situation would removing laws and red-tape to make development cheaper and more feasible. Since the fires, we have already seen them begin rolling back the red tape resulting in quick approvals and groundbreaking. The solution cannot be worst than the original problem. We feel for those in need and their voice is the loudest right now, but please understand that there are many families here in Maui like myself that cannot survive without this tourism. Please don't make us victims as well. We need to build our way out of this, not take away.

I am testifying to oppose Bill HB1838.

We have owned a condominium at Maui Kamaole in Kihei since 2000 with the understanding that it could be used as a short term rental unit. During the 24 years we rented the property the state of Hawaii and county of Maui have issued permits for its operation and collected taxes from revenue generated by this property. Which led us to believe that this was a lawful and sanctioned activity. We feel it is unfair to deny our ability to rent our condo on a short term basis after all this time.

Additionally, we have contributed to the economy of Maui by providing partial salaries for the property management company, condominium association employees, and cleaning staff. We have also supported a large number of businesses on Maui including several contractors, retail sales, and service establishments.

We feel that Maui has become like our home. We come to Maui every year to inspect and maintain the property then spending time enjoying all the island has to offer. We would be prevented from doing this if the condo was a long term rental. There are very few tenants willing to rent for 90 days. Without short term rental income to offset taxes and association fees we would be very hard pressed keep our condo and come to the island that we love.

Finally, we have tried our best to be good citizens of Maui. We contribute to several entities like Lahaina relief funds, worked as volunteers, and tried to respect the island, its people, and its history.

Thank you for your time,
Steve Kunitake
2777 S. Kihei Rd., K204

HB-1838-HD-1

Submitted on: 2/27/2024 1:49:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Egner	Individual	Oppose	Written Testimony Only

Comments:

My wife and I purchased our Maui home in 2016, as part of our retirement plan. Within the next several years, we hope to reside on Maui permanently. In the meantime, we reside there for up to two months out of the year. The ability to rent our home to others while we're away offsets some of the cost of ownership, for which we're grateful. As a future permanent resident of Maui, I am concerned over the effects of eliminating Short Term Vacation Rental status on the island. We currently pay a tax assessment roughly six times that of a similarly valued, owner-occupied residence, and STVR's account for roughly 18% of Maui County's 1.7 billion dollar annual budget. How will you address the resulting shortfall? Maui's budget is already stressed, with new infrastructure and maintenance needs that are not being met. HB1838 is an extreme measure, stripping away the rights of those who currently own homes legally classified as STVR's. I would hope that Maui's housing and infrastructure problems could be addressed in a more unifying, productive manner.

To Whom It May Concern:

I want to respectfully voice strong opposition to HB 1838.

The proposed legislation, which will allow Maui county, among others, to eliminate permitted short-term vacation rentals, is of real concern to my family and should be to all families who have relied upon the income from legally permitted short-term rental properties.

Short-term vacation rentals brought in 40% of real property tax in Maui County, and more than 17% of the entire Maui county operating budget last year. Short-term rentals were the top funding source for the affordable housing initiative on Maui. And short-term vacation rental operators generate *a lot* of tax revenue for the State via the GET and TAT taxes.

Short-term vacation rentals also provide affordable lodging for visitors, especially large families, and they obviously help to stimulate the local economy as visitors spend money at local restaurants, shops, and small businesses. They are a valuable option for local families traveling within the state to visit other family members. And short-term vacation rentals provide countless jobs for maids, landscapers, handymen, as well as for all of the other people who regularly service and maintain them. Eliminating short-term vacation rental is going to make life quite a bit more difficult for quite a few of Hawaii's permanent residents.

It is, furthermore, simply a "red-herring" to blame legal, permitted short-term rentals for Maui's – or Hawaii's - housing problems. The housing problem may well be one of supply, but there simply aren't enough permitted short-term rental properties to significantly increase the supply. And a great many of the properties now legally permitted for short-term vacation rental will likely simply sit empty for those periods their owners choose not to use them. This will obviously not benefit anyone.

In short, to open the door to the outright elimination of short-term vacation rentals, which HB 1838 threatens to do, while politically popular at the moment, is seriously short-sighted. Legal, permitted short-term rental owners and operators have demonstrated a commitment to responsible operation. They are simply being scape-goated for a much larger problem.

In short, I urge the Hawaii State Legislature to take into account the perspectives of all those who will be impacted by the proposed legislation and vote to reject HB 1838.

Sincerely,

Craig Gay
25 Kai Pali Place
Lahaina, HI

HB-1838-HD-1

Submitted on: 2/27/2024 1:52:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Saul J Berman	Individual	Oppose	Written Testimony Only

Comments:

I oppose this legislation and do not believe it to be constitutional. It will devalue our property and adversely impact our investment and curtail our ability to use our home in Maui.

We support the need for housing for those impacted by the fires but do not believe this is the right vehicle or strategy to do such. We continue to support those in need and hope that economic incentives can better achieve the objectives of creating more available housing.

HB-1838-HD-1

Submitted on: 2/27/2024 1:53:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Olena Marchenko	Individual	Oppose	Written Testimony Only

Comments:

I will not be able to submit the payments for the property if short term rentals are allowed as we rely on the income from short term rental.

HB-1838-HD-1

Submitted on: 2/27/2024 1:56:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie A Moreno	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and members of the Council.

My name is Stephanie, and I am a property owner in Maui. I strongly oppose Bill HB1838, which I believe will not only be harmful to the Maui economy but will have a devastating financial impact on me and many other property owners.

My property is zoned as a hotel zone, and I have poured my life savings into this unit with the intention of retiring in Maui one day to be close to family and friends. Shutting down my ability to rent my home short-term would destroy my future plans and cause immense financial hardship. With the high cost of mortgages and HOA fees, I rely on the rental income to sustain my investment from which I have never actually made a profit. I have also contributed to the economic health of Maui by paying cleaners, handymen, a door company for a 10K+ new sliding door and new air conditioning just to name a few.

I also vehemently disagree with the idea that short-term rentals contribute to the lack of affordable housing in Maui. My unit, and most condos used for short-term rentals, are small, typically 400-500 square feet, with just one bathroom. HOA fees themselves are between \$700 and \$1500 per month. These are not the types of properties that would resolve the need for affordable resident housing.

Forcing owners, like myself, who have followed the law and made substantial investments in our properties would be a morally unjust action. It would undermine the trust we have placed in the zoning laws of Maui County.

Beyond the personal impacts, I urge you to consider the broader consequences of this bill. Maui's short-term rentals provide 40% of the real property tax revenue, directly supporting vital community services. They are also the top funding source for affordable housing on the island. This bill would cripple a significant source of revenue, representing 18% of Maui's \$1.7 billion dollar budget. Replacing this income will place an undue burden on other taxpayers.

Additionally, short-term rentals are not just vacation homes. They are vital accommodations for displaced residents during emergencies, visiting family members, traveling nurses, temporary workers, and those seeking medical care on the island. Slashing the availability of short-term rentals will cause severe hardship for many, especially during times of crisis.

I urge you to reject Bill HB1838 as it is misguided and will cause economic damage to the island. We must work together to find solutions to the affordable housing crisis that do not come at the expense of innocent property owners who have already made significant contributions to the Maui community.

Thank you for your time.

Stephanie

HB-1838-HD-1

Submitted on: 2/27/2024 1:56:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis A Johnson	Individual	Oppose	Written Testimony Only

Comments:

To whom it does concern,

I understand this bill will allow counties to phase out short term rentals. Personally, I have been vacationing in Maui for years and usually stay between 20 to 30 days. Obviously causing myself (and others) to stop visiting Maui thus reducing the revenues created by us "short term" visitors that actually support counties working revenues. I understand the need to help the "Lahina fire victims" but this idea is about as thought out as the initial reaction asking vacationers to go elsewhere to vacation. My wife and I have always enjoyed our time in Maui, we have donated to causes helping the displaced and hope you will oppose this bill.

Respectfully, D. Johnson

HB-1838-HD-1

Submitted on: 2/27/2024 1:58:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kirstin Shipe	Individual	Oppose	Written Testimony Only

Comments:

I am a realtor and vacation rental property manager on Maui. Our county has the most restrictive STR laws in the State. There will be NO more STRs built in Maui county due to past legislation. The current vacation rentals support our tourism and local economy. Our TAT dollars are a large contributor to affordable housing. The property values of these condos will do NOTHING for affordable housing. The most important point is the Apartment zoned complexes on Maui, that have been legally operating since the 70's and 80's via ordinance per the Minatoya List. Should you try to convert these complexes that **AGAIN HAVE BEEN OPERATNG AS STRs LEGALLY FOR DECADES**, you will be inviting lawsuits by owners, brokers, etc. All on the State and County to deal with. Leave these Apartment zoned complexes alone and focus on building more housing. You cannot take owners rights without due process. Get ready for the legal storm of law suits that will happen if these STRs are phased out. Not the best use of tax payer money.

HB-1838-HD-1

Submitted on: 2/27/2024 2:00:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Freedman	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee,

My name is Jason Freedman. I am a co-owner of a condo at Maui Kamaole in South Kihei. I purchased here because of my love of Hawaii, the land and the people. I fell in love with Maui after my first visit, got engaged here, have family and friends here, and saved for years to buy a home here, so that I could continue to live out my dream of being in Maui. Renting it out short term is the only way I'm able to make this work financially that still allows me this opportunity. And, as a pediatric oncologist, with a very stressful job, I love spending time here to decompress and experience Aloha. I also love sharing that with my colleagues, family and friends, to whom I rent my unit when I am unable to be on island, so they can experience the joy of Maui.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room. **Importantly, I rent my condo to many physicians, nurses, etc. who are here to work and directly give back to the people of Maui.** They too are also here for respite from very stressful jobs and are respectful to the people and island.

Therefore, this bill will not only hurt me, but in turn hurt the local residents by eliminating housing for the visitors who are giving back to the island in many ways, and rely on short-term rentals as temporary, furnished, affordable housing. This legislation would importantly affect the livelihood of our cleaning team, our maintenance teams, condo staff, etc. and numerous restaurants, vendors, tourist businesses that rely on tourism and good folks who come to Maui and spend money on island. Finally, it would change the experience of travel to Hawaii forever and put it out of reach for most people financially.

I ask that you **please do not move this bill forward.**

Mahalo for your time.

Jason Freedman, MD, MSCE

HB-1838-HD-1

Submitted on: 2/27/2024 2:02:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John and Evelyn Schmitt	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I am writing in opposition to this bill because short term rentals are important in bringing tourists to our beautiful state. Tourism supports the local economy and short term rentals provide an option to hotel rooms for families wishing to stay more that a few days.

This bill will hurt me, other residents, and important visitors that rely on short term rentals as temporary, furnished, affordable housing allowing families to stay together while visiting our islands.

I ask you please to not move this bill forward.

Sincerely,

John Schmitt

HB-1838-HD-1

Submitted on: 2/27/2024 2:07:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
sydney smith	Individual	Oppose	Written Testimony Only

Comments:

Oppose!

My husband and I are kupuna with 20 acres of coffee and avocados on the island of Maui. We have two very small cottages on our farm and have offered farm stays since 2012 when we got our STRH license from the County of Maui. it was not an easy process to navigate. One of our tiny cottages is nearly 100 years old. We hire many local people to help us and pay them a very good wage. Our farm stay business allows us to do so. We have archeology and natural springs here we steward with hard work and love.

We have worked hard to always work within the law. I've never even had a parking ticket. But this legislation will just punish those of us who went about things legally. Farm stays are an allowable accessory use for Bona Fide farms in HRS 205! Why do we have to continually fight for our rights? Why?

Our two cottages will never be in the long term rental pool. They were empty for over decades years prior to getting our license because our friends and family stay there when they come visit us from the mainland. Most are here to visit their Maui homeland having been priced out or regulated out of their island home. We are some of the last holdouts.

AgTourism is encouraged all over the world. The USDA offers support and loans to farmers and ranchers that want to offer AgTourism and farm stays. But here in Hawaii, one of the most expensive places in the world to farm or do anything discourages entrepreneurship and continually does everything it can to encourage those of us who are from here to move away.

What will Hawaii be without its people?

Why does Hawaii have to be the most difficult place to do business in the whole country or the world?

We need the state to protect us from County overreach.

Please do not pass this bill!

If you pass it this will just be another farm sold to a billionaire who will put up a fence and a gate and bar the local people from the cultural treasures and resources our family has been protecting for generations.

I agree affordable housing is an issue here. But that's because it takes years to get a permit. Generations to get a water meter and it's an impossible place to build an affordable house. It just is.

This bill will not fix that problem.

Sydney Smith

Makawao, Maui

HB-1838-HD-1

Submitted on: 2/27/2024 2:09:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Riddle	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838. I am a property owner at 201 Ohua Avenue and this bill would have a negative impact on me and the 875 units in this building that was built with STR in mind.
Mahalo

Aloha to members of the Committee on Judiciary and Hawaiian Affairs:

My name is Amir Tavakkol, owner of a condo in Maui (760 S. Kihei Rd. #422). I am a trained financial economist and have taught finance and economics at various universities in Engineering, Economics and Finance Departments for over 30 years.

When I look at the HB 1838 and its costs and benefits from a social optimal perspective, I see a hugely one-sided benefit to one group, i.e. the hotel industry, and significant losses for the rest of the market participants, namely the State of Hawaii, the County of Maui, and many other significant affected groups. Frankly, I can't imagine how this proposal can be reasonably justified. Clearly, the benefits of short-term rentals (STR), e.g. jobs and tax revenues, etc. cannot be replaced by hotels, which will lead to eventual stagnation to the county and state economies.

What do STRs provide? They provide an opportunity for millions of American, Canadian, and other families to travel to Hawaii and enjoy the beauties of the State at affordable and reasonable prices. These families of four or larger can stay in larger accommodations and spend their limited budget in the local economy. This in turn generates jobs, incomes, and tax revenues for the state and the county. **These incomes stay local.** The profits generated by the multi-billion dollar global hotel chains, repatriate and leave very little for the state. HB1838 will deprive many local families of high paying jobs and funds for local housing and decent living. It will also deprive many families to travel to Hawaii and enjoy safe and affordable vacations.

This proposal hurts the state and local economy and only benefits the behemoth hotel industry. Why does the hotel lobby pursue such restrictions? They have realized the STR is a legitimate source of true economic value and because of its inherent value it will grow and prosper. There is a reason for this industry segment to have grown so much in the last two decades: it just **makes economic sense**, as it provides benefits to **ALL** parties involved! The large and well-funded hotel industry is not capable of adjusting their business model and compete fairly with this new industry, so they spend untold amounts of money to modify the game rules to their advantage by influencing local legislation. The

services they provide are too expensive for the majority of people to consume, thus their model is unsustainable. So, instead of innovating a new business model, they try to **restrict the unorganized and small, but strong competition** from STRs through local ordinances.

Ladies and gentlemen, please vote **NO** to a proposal which harms the state, the county of Maui, their residents, and the tourism industry. Maui is loved by millions each year. Let's keep it open and affordable.

Regards,
Amir Tavakkol 3423 Snowberry Rd.
Eugene, OR 97403
785-341-1130

HB-1838-HD-1

Submitted on: 2/27/2024 2:12:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Cappello	Individual	Oppose	Written Testimony Only

Comments:

Testimony

Aloha Chair, Vice Chair and Committee,

My name is Bianca Cappello and I live in Lahaina, Maui. I am writing in opposition of this bill because it will not only threaten my families ability to make a living and continue to survive on Maui but it will cripple the local economy. Not only will the cleaners, plumbers, electricians, handyman, employees at these local condos, property managers who live and work in the community be effected but the trickle effect will devastate Lahaina. How do expect our local community to make ends meet?!

People of Maui are hurting and will continue to hurt if this bill is passed. The sad reality is we'll be eliminating thousands of jobs but providing little to no housing. And those that do have housing will not be able to afford to keep housing.

These short term rentals will not magically become affordable to buy or rent for locals. Let us focus on what's truly needed and create only 100% affordable/workforce housing moving forward.

Sadly, this bill will force me and most of my family & friends to have to move away. I ask that you please do not move this bill forward.

Thank you for your time.

Bianca Cappello

HB-1838-HD-1

Submitted on: 2/27/2024 2:14:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colleen Wallace	Individual	Oppose	Written Testimony Only

Comments:

TEXT you can modify/use:

Aloha Chair, Vice Chair and Committee,

My name is ___Colleen Wallace_____. I stayed in a short term rental because __it was more affordable than a hotel_____.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 2:14:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim godell	Individual	Oppose	Written Testimony Only

Comments:

I oppose

HB-1838-HD-1

Submitted on: 2/27/2024 2:16:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alejandra Penzo	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Alejandra Penzo and I live on Maui, Hawaii.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own a small business that services short-term vacation rentals on Maui. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Sincerely,

Alejandra

HB-1838-HD-1

Submitted on: 2/27/2024 2:16:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
calvin knapp	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

I am writing to oppose HB 1838. This bill unfairly targets small property owner, their guests, and supporting businesses.

Many of us rely on income from short term rentals, which we have owned and maintained for many years. HB 1838 would unfairly revoke this income, and discriminates against those of us on a fixed income..

HB 1838 discriminates against those traveling with families, against those who require more living space and the ability to prepare meals, and against those who cannot otherwise afford the high price of a hotel.

HB 1838 unfairly targets small businesses and restaurants, because it will lessen tourist travel and the significant associated revenue that is generated for local small businesses and restaurants.

HB 1838 will also remove a large portion of tax revenue which benefits the entire county, at a time when stable tax revenue is desperately needed

HB 1838 will deal a severe blow to a tourist based economy.

Calvin Knapp

HB-1838-HD-1

Submitted on: 2/27/2024 2:22:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabe godell	Individual	Oppose	Written Testimony Only

Comments:

I oppose

HB-1838-HD-1

Submitted on: 2/27/2024 2:23:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DIANA BRAY	Individual	Oppose	Written Testimony Only

Comments:

To Whom it May Concern:

Maui's STR's provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from? Additionally, as tourism is the #1 economic source for Maui, so many people will become unemployed with the loss of jobs due to the severe reduction in STR's.

Thank you for your time, Diana

HB-1838-HD-1

Submitted on: 2/27/2024 2:25:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Johnson	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 because I believe it will have tremendous negative economic impacts on the State of Hawaii and, in particular, the County of Maui.

I believe it is important to attract short-term visitors and the income that they bring.

Sincerely submitted,

Mark Johnson

HB-1838-HD-1

Submitted on: 2/27/2024 2:26:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
glenn chew	Individual	Oppose	Written Testimony Only

Comments:

As a property owner at Ekahi Village in Wailea Kihei area, I am opposed to this bill. We have been a very valued contributor to the local tax base. Our short term rental has provided a great source of tax income to the local government. In addition to the business taxes paid, we are also employing local Maui property managers, cleaning staff and repair folks. The bill seems to be a very short sighted, knee jerk reaction, that will cause huge economic issues down the line. Respectfully, this bill should not pass.

HB-1838-HD-1

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

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matt Ferris	Individual	Oppose	Written Testimony Only

Comments:

- This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui.
- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 2:27:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yu Shan Sheard	Individual	Oppose	Written Testimony Only

Comments:

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

HB-1838-HD-1

Submitted on: 2/27/2024 2:32:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol L Liu	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838, which aims to phase out nonconforming single-family transient vacation rental units. As a concerned resident and a stakeholder in our local community, I believe this bill would have detrimental effects on our short-term rental businesses and the overall housing market.

Here are my key points:

1. **Vital Economic Contribution:** Short-term vacation rentals play a crucial role in our local economy. They provide income for homeowners, create jobs, and contribute to the tourism industry. By limiting these rentals, we risk harming small businesses and stifling economic growth.
2. **Affordable Accommodations:** Many visitors prefer short-term rentals over hotels due to their affordability, flexibility, and unique experiences. Restricting these options could lead to higher accommodation costs for travelers, making Hawai'i less accessible for budget-conscious tourists.
3. **Balancing Housing Needs:** While I understand the need to address housing shortages, we must strike a balance. Eliminating short-term rentals entirely would disproportionately affect homeowners who rely on this income stream. Instead, let's explore solutions that preserve housing availability while supporting responsible vacation rentals.
4. **Local Communities:** Short-term rentals are often managed by local residents who take pride in welcoming guests and showcasing our culture. These hosts contribute to the sense of community and foster positive relationships with visitors.
5. **Mitigating Impact:** Rather than an outright ban, let's consider alternative approaches. For instance, we could implement stricter regulations, enforce responsible hosting practices, and encourage homeowners to contribute positively to their neighborhoods.

In conclusion, I urge you to reconsider the provisions of HB1838 and seek a more balanced solution. Let's protect our short-term rental businesses while addressing housing challenges effectively.

Thank you for your attention to this matter. I appreciate your service to our community and hope you will consider the implications of this bill on our local economy and residents.

Sincerely,
carol Liu

HB-1838-HD-1

Submitted on: 2/27/2024 2:33:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debra Piro	Individual	Oppose	Written Testimony Only

Comments:

I highly oppose HB1838!! Especially homeowners that have paid for and have received NUC. They should be allowed to keep renting

HB-1838-HD-1

Submitted on: 2/27/2024 2:33:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joe Schneckenburger	Individual	Oppose	Written Testimony Only

Comments:

This is a bad bill that would hurt many people on the islands. It starts with residents who have them no longer being able to afford their mortgages but then would affect almost everyone on the island.

Removal of STRs from the vacation unit inventory could have a cascading effect, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, all the nontourist business on the island such as grocery, auto repair services, maintenance companies and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.

HB-1838-HD-1

Submitted on: 2/27/2024 2:34:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roderick Yu	Individual	Oppose	Written Testimony Only

Comments:

I am a resident living in Kihei. My wife and I have a small studio located by Honokowaii that is within a legally-zoned area for hotels. We hardly make enough to live here and that small studio rented out as an STR supplements our livelihood.

We pay significant amount of taxes (property, GE and Transient) to the county and state.

Why would the legal, tax paying residents who own STRs need to be penalized while the other illegal ones are left operating with no enforcement??

HB-1838-HD-1

Submitted on: 2/27/2024 2:39:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Weiping Dou	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1838 for the reasons below:

1. Revenue Loss - Vendors wouldlose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation -Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities woulddecline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

HB-1838-HD-1

Submitted on: 2/27/2024 2:41:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela M Ransfield	Individual	Oppose	Written Testimony Only

Comments:

Will cause a lot of job lay offs for a sector of the society who can least afford to lose employment income.

HB-1838-HD-1

Submitted on: 2/27/2024 2:44:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Larsen	Individual	Oppose	Written Testimony Only

Comments:

Why would you want to cut out a small business revenue generator? Plenty of businesses promote their expertise at short term rental locations. Plumbers, electricians, landscapers. Additionally, short term rental locations EMPLOYEE HAWAIIAN RESIDENTS. I guess you don't want Hawaiian residents to enjoy the beauty as well as earn a living? Figure it out

HB-1838-HD-1

Submitted on: 2/27/2024 2:45:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Kohara	Individual	Oppose	Written Testimony Only

Comments:

This proposed bill takes away our right to rent our property, use it for our family visits, and helps us pay our mortgage and fixed property expenses. It is unfair to homeowners.

The city coucel tried to change to 90 day minimum, which was also highly questionable, but this goes beyond this and must not be passed. We require the ability to rent for a minimum of 30 days.

HB-1838-HD-1

Submitted on: 2/27/2024 2:45:31 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debra Michels	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Debra Michels and I live on Oahu.

I am writing in opposition of this bill because it will threaten my ability to make a living as an older woman. This will also stop the living of all those I employ to help me like the cleaners, electricians, maintenance workers, and small businesses, who live and work in my community.

This bill will hurt me and my family and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 2:56:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Mueller	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

<<Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.>>

<<Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

John E Mueller

February 27, 2024

To whom it may concern:

We are writing this letter to express our OPPOSITION to HB1838. Our family has been long time visitors to the Hawaiian islands for over 20 years. We love the Hawaiian islands and people.

We own a condominium unit in South Kihei that we use for our family vacations. In addition, we rent the condominium for short term guests. Over the 15 years that we have owned the property, we developed many working and meaningful relationships with the locals. I think that the loss of our property would negatively impact the lives of our unit cleaners, property managers, handymen, and many more. In addition, we believe that the loss of short term rentals such as ours, will terribly impact the livelihood of MANY local businesses including but not limited to restaurants, tour operators, souvenir shops, and so forth. The loss of these jobs will have a negative impact on the Hawaiian economy and further aggravate the ability of Maui to rebuild from the recent devastating fire.

On a personal level, the loss of our rental unit would have a horrible affect on our ability to afford our second home. It has been our dream to move to Maui and live in our condominium permanently in the near future. Please help us keep our unit in the family.

Thank you for your consideration. Please vote NO on HB1838.

Sincerely,

Noel and Charito Santo-Domingo

Aloha Chair, Vice Chair and Committee:

My name is Janice Davis and I own a condo on the island of Maui.

I am writing in opposition of bill HB1838 because short-term rentals are important. This bill will threaten the income and ability of the residents I support who make their living providing services to private condo owners. Just for my one (mid-price) condo I personally contribute:

- over \$7,200 a year for local housekeepers, electricians, carpet cleaners, maintenance workers and repair/handyman services,
- \$15,000+ a year at local small businesses like grocery stores, restaurants, car rental, hardware, flooring, furniture, appliance, furnishings, crafts and artists,
- over \$12,000 to support the residents working directly for the property on administration, management, maintenance, landscaping and many other local contractors too numerous to list.

In addition, over \$18,000 goes directly to the islands in property, TAT and GET taxes.

My condo is rented approximately 75% of the time each year. The figures above do not include all the money my guests spend on tours and many of the things I have listed. I wish I had a way to calculate that figure.

Another important consideration is, many guests choose STRs because they are here in support of COVID, natural disaster support or other assistance for the island. A hotel room is not affordable nor livable to many that have families, need to prepare their own meals or need more space than one room.

This bill would adversely affect me, but more importantly it will hurt too many residents that rely on the small business income, work flexibility and close-proximity to their work that short-term rentals provide. It could also affect the ability of important visitors like Dr/nurses, first responders and other emergency relief personnel that rely on temporary, furnished, affordable housing to do their jobs, in support of the people.

I believe privately owned STRs also provide a check & balance for room rates. Without the competition hotels & resorts can and will charge more than the over-inflated rates they already charge. Guests staying there pay more money to the out-of-state corporations leaving them less money to spend on local businesses. As a premier host, I always provide my guests with a long list of suggested local businesses for food, activities and souvenirs. In addition, many request information on volunteer opportunities that I am more than happy to provide.

Please let the counties enforce the laws they already have. I ask that you please do not more this bill forward.

Thank you for your time.

Janice Davis
Maui Condo Owner

HB-1838-HD-1

Submitted on: 2/27/2024 3:01:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

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

I stand in support of HB1838..

Each county in Hawai‘i is unique and has its own set of challenges and needs that counties know would know how best to address for the betterment of their communities. The amortization or phasing out of non-conforming uses, specifically short-term rentals in residential areas will provide much needed housing, not just for the victims of the Lahaina wildfire, but for the people of Hawai‘i.

This change could be pivotal in rebuilding communities and improving the health of our people and wellbeing of our neighborhoods, as they are returned to its intended use as residential housing. Having neighborhoods filled with families, instead of short-term visitors, will rebuild our communities, strengthen our social systems, and utilize our resources (such as parks, city facilities, and neighborhood boards) in the way they were intended to be used. This will help Hawai‘i become the family-oriented Hawai‘i we remember and want for the people of Hawai‘i.

While previous testimony submitted in opposition of this bill argued that this could negatively affect Hawaii’s tourism economy, I’d argue that this bill, and the potential amortization of short-term rentals, will force tourists to book their vacations with hotels or rental units in designated and approved zoning. These areas and facilities, which have been purposefully designed to house tourists, will continue to cater to these tourists and sustain our economy. This shift in location of tourists will not negatively affect our economy, but will positively impact our communities, allowing our communities to become family oriented again, strengthening our relationships and families. If anything, the shift in a tourist paying a hotel for their stay instead an out-of-state owner of a short-term rental, would result in more of the money staying in Hawaii, as the employees of the hotel are being paid instead of the out-of-state owner taking the majority of the money outside of the state.

I appreciate the intent of this bill to support our families, communities, and neighborhoods, and by putting our residents and communities first.

Mahalo nui loa for your time and consideration.

Keoni Shizuma

HB-1838-HD-1

Submitted on: 2/27/2024 3:01:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Monton	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing to oppose this bill because it will threaten my ability to make a living.

I work for a small business that services short-term vacation rentals on my island Oahu along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

This bill will hurt me and put my ability to pay for my housing and bills at risk.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 3:04:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Carvalho	Individual	Oppose	Written Testimony Only

Comments:

This bill is taking away the rights of the individual home owner to manage his own property. I oppose this bill strongly. The cost of living has doubled in the past few years. Short term rentals have helped to pay expenses incurred as a home owner.

We are not a threat to the hotel industry. They are Big business. We, as home owners, are Not.

Mahalo, Barbara Carvalho

HB-1838-HD-1

Submitted on: 2/27/2024 3:04:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MICHAEL RANDALL	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Michael Randall. My family stayed in a short-term rental in July 2021 and January 2024 because we wanted the opportunity to explore the beautiful island of Maui. I am writing in opposition to this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals, or need more space than one room. This bill will hurt me, other residents, and important visitors that rely on short-term rentals as temporary, furnished, affordable housing. Please let the counties enforce the laws that they already have in place. I ask that you please do not move this bill forward so that families like mine can afford the opportunity to enjoy your beautiful islands.

Thank you for your time.

Sincerely,

Michael W. Randall

HB-1838-HD-1

Submitted on: 2/27/2024 3:08:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jill Fletcher	Individual	Oppose	Written Testimony Only

Comments:

Aloha State Legislators and thank you for your work.

I own two condos in Honokowai and on Aug. 19, 2023 I began renting, at a huge discount, one of my condos to displaced residents (their relative from the mainland was my vacation guest the month before the fire so they had my direct contact info). I'm now renting the condo long-term to a displaced family who lost 3 homes in the fire (I'm paying \$14,000 to have A/C installed for them, also paying my on-island property manager a 'retainer' of \$500 monthly to help soften the loss of regular housekeeping income for vacationers). Personally, I am very happy to help everyone, all while I must pay attention to my own financial standing as I'm a primary caregiver of 2 family members, including my brother with Glioblastoma (terminal brain tumor/cancer) – I had to retire from my “9 to 5” job to care for him, knowing I was having to now count entirely on my condo rental income to survive. Finally, I wanted to respectfully call to your attention the high costs I and other condo owners are facing to pay for mandatory sea wall and sinkhole repairs on our property, as well as extensive plumbing projects to replace pipes from the 1970's. My homeowner's fees increase annually (now \$2100 and \$1700) and I just can't fathom my HOA fees are now like a second mortgage payment. I just don't see how the proposed legislation will add affordable housing - condo ownership is not sustainable for me if I'm not able to rent as vacation rentals and if I had to rent as a long-term rental, the monthly rent would be astronomical for me to just pay the condo bills. If I sold the unit to a current resident, it doesn't seem sustainable for them to pay a mortgage and crazy HOA fees, plus there's no storage or reliable parking. I worry about the potential look of disrepair on some of these resorts too if some upkeep has to fall through the cracks due to such high costs. Thank you for your consideration.

Mahalo, Jill Fletcher

HB-1838-HD-1

Submitted on: 2/27/2024 3:09:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jen Wells	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

This will not increase the supply of available long term rentals for local residents. Small STR's were not designed for long term living, they are small, have very little storage, and insufficient parking. If they can not be rented short term they will only sit empty as second homes for wealthy investors. Look at the results around the country from previous measures such as South Lake Tahoe. More empty, seasonal second homes will decrease state revenue, decrease employment opportunities for local residents, and hurt the local small business community.

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.>>

<<Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Jennifer Wells

HB-1838-HD-1

Submitted on: 2/27/2024 3:12:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ningjin Angelia Miao	Individual	Oppose	Written Testimony Only

Comments:

1. Revenue Loss on local government - a lot of single family houses for short term rental are owned by local residents. Local Hawaiian people like to share the local culture with tourists. That's what make our Hawaii so unique, the people and the culture. The local owners will definitely got a huge hurt from this bill. Also our local government, they could levy the high taxes on the vacation rental houses.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation -Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending, and less tourist could afford to come to Hawaii. Single family normally can accommodate a big family trip and a big group trip. It is so affordable compared to renting multi condos or hotel rooms. It has a unique way to attract large crowd of tourists.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

HB-1838-HD-1

Submitted on: 2/27/2024 3:13:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jon Wimber	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

<<Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Papakea STRs support the State of Hawai'i and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.>>

<<Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Jon M Wimber

HB-1838-HD-1

Submitted on: 2/27/2024 3:14:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M.Neil Cummings	Individual	Oppose	Written Testimony Only

Comments:

This is an unconstitutional taking of property, an illustration of government is overstepping on the rights of citizens. The only way we can enjoy our place in Maui is with the use of renters which helps us and helps Maui.

HB-1838-HD-1

Submitted on: 2/27/2024 3:14:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Morgan	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern

Papakea is a dedicated STR facility, with a 50+ year history and beloved by those who visit on a regular basis. It employs over 35 local residents, many with a long work history, (more than 15 years) in supervisory roles as well as those in entry level positions. In addition to this Papakea supports a wide variety of professionals including pest control, pool maintenance, HVAC, plumbing, electrical, tree trimming and yard maintenance.

Additionally Papakea's activity supports Maui agents, housekeepers, handymen, service providers and contractors all of whom are vital to maintaining the property

Papakea can ONLY afford to pay these people as a result of the high HOA fees - these would not be supportable in a long term rental market. Many people would lose jobs, tax contributions to the State would fall and a community economic hardship would ensue if Papakea is no longer able to offer short term rentals.

Papakea STR's support the State of Hawaii and County of Maui via payment of property taxes (primarily at much higher short term rate), Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodation Tax

Beyond this, the many visitors to Papa support many local business in the community, including restaurants, tour operators, shops, restaurants, state parks, Haleakala etc... Visitors are vital to support these people and the State and County need to tax contribution they provide

Papakea has been around for over 50 years, there are many, many returning guests. It would be a huge mistake on many levels to remove Papakea's right to offer STR's - those who are repeat visitors are loyal and likely would not return to the island at all, reducing the economic health of the community significantly.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

I am willing to offer additional testimony if requested to do so.

Respectfully submitted,

David Morgan

Owner of Papakea #D304 and former full time resident of Maui

morgad@me.com

510-334-1950

HB-1838-HD-1

Submitted on: 2/27/2024 3:16:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Magdalena Odonnell	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

<Here are a few talking points>

<<Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.>>

<<Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Magdalena Odonnell

HB-1838-HD-1

Submitted on: 2/27/2024 3:18:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Hoheb	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Fellow Mauians:

I strongly oppose legislation that would impact zoning, and reduce or eliminate short term vacation rentals, HB1838

My children, and extended family and friends all come to our lovely island annually. Without our providing a place, they would not be able to afford the hotel accomodations offered. Having alternate housing types benefits tourism, provides much needed revenue directly via GET and related taxes, and pumps billions of dollars into the economy. Tourism, except fot the issue with the Lahaina fire, has increased over the years. The govenment saw the long term need to increase the size and runway length of Kahalui airport to accomodate the increase in tourism in its future.

It would be improper for such a democratic state to take away our current rights. I have a right of ownership and peace at my property. I pay all taxes and follow the laws. I volunteer to the local charities regularly, and consider Maui my true second home. I retire withn this comng year, and will retire to Maui. But, I can't keep the place without the assistance of some short term rental income.

I believe changes in zoning is something *forward looking* so that it does not impinge upon the current homeowner rights of the poeple today. I implore you not to take our rights away. If alternate zoning is needed, place that law in a newly developed area - not in an area currently set-up as is. To uproot people, and they way they live, and how they have planned out their entire lives is not democratic or fair. Overly burdensome to us. Not necessary. The little perceived good does not outweigh the lives of us current folk.

I have 2 sons that will inherit our 2 bedroom condo in the Royal Mauian in Kihei. We all love the home, and have annual traditions like spending Thanksgiving there, and many future memories are in plans. I have collected over 2,000 photos in Maui of my family and friend experiences - our lives. Please allow our homeownership rights, including the right to allow for short term guests, to continue.

Respectully submitted with aloha,

Julie Hoheb, proud 15 year owner and short-term vacation host to tourists around the world.

juliehoheb@gmail.com

HB-1838-HD-1

Submitted on: 2/27/2024 3:18:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jesse Kramer	Individual	Oppose	Written Testimony Only

Comments:

I have owned short term rental property in Maui (Kihei) for 8 years. I understand the need for premanent housing for Maui residents, particularly for those displaced by the Lahaina fire, which was devastating. I believe that HB1838 will result in grave economic consequences for Maui residents, while at the same time not substantially alleviating the housing shortage.

First, if implimented, HB1838 will result in a substantial decrease in tax revenue to Maui...18% of the county's budget will vanish. Have the supporters of the bill offered any pollicies or ideas on how to make up the revenue shortfall? Evidently not. Much of this revenue goes to affordable housing. What revenue will take its place to help those struggling with housing on Maui?

Secondly, Maui already suffers from high unemployment, made worse by the pandemic. If implemented, the bill will drive unemployment even higher. Those jobs currently maintianing, managing, repairing, and otherwise dependent on STR's will also vanish, driving unemployment higher and creating more un-housed residents.

Lastly, how will the county legislate long term rents for those units forced from STR? These rents at market are likely to be high, and out of reach for many of the displaced residents. Can the county count on FEMA indefinitely to support these leases? Not likely.

There may be constitutional legal issues (so called "taking" of property) if legislation interferes with the rental market and imposes constraints on owners that may be found unconstitutional. Does the county really want that liability? Has the county budgeted legal expenses in advance of such litigation?

There must be a better way of helping those displaced by the Lahaina fire and those struggling with housing on Maui!

Jesse Kramer

HB-1838-HD-1

Submitted on: 2/27/2024 3:19:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Corey Wells	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

This will not increase the supply of available long term rentals for local residents. Small STR's were not designed for long term living, they are small, have very little storage, and insufficient parking. If they can not be rented short term they will only sit empty as second homes for wealthy investors. Look at the results around the country from previous measures such as South Lake Tahoe. More empty, seasonal second homes will decrease state revenue, decrease employment opportunities for local residents, and hurt the local small business community.

Papakea Resort was built in 1978 and has operated as vacation rentals for almost fifty years. It was not designed for long term living and due to the cost of maintaining an over fifty year old property it will never serve as an affordable long term housing solution.

There are now enough people who work remotely in the world to be able to pay high rents for the opportunity to live and work on Maui. Trading short term visitors for long term renters from other parts of the world will only hurt the local economy and cost the state vast amounts of revenue.

Papakea Resort employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea Resort supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea Resort can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea Resort STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea Resort STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax..

Papakea Resort guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea Resort has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Corey Wells

HB-1838-HD-1

Submitted on: 2/27/2024 3:22:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Krauchek	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

Our condo resort, Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. We rent our unit out to many repeat visitors that continue to come to Maui to support local businesses like retail shops, restaurants and local tourism businesses. Our STR also supports many companies within Maui like furniture stores, HVAC companies, pest control, housekeeping businesses, contractors, rental management companies and other local trade professionals. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years, and we can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the higher short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. This would be a huge loss to of revenue to the state if STRs are phased out.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

KAREN KRAUCHEK

HB-1838-HD-1

Submitted on: 2/27/2024 3:24:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David wilson	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern.

Hello, I'm writing in opposition of of billhb1838. My first objection stems from the fact that str pays 40 % of Mauis revenue. Without this revenue I feel many services will have to be cut and I don't know where Maui could find a replacement for this revenue. Between property taxes and nightly taxes it would not be possible to replace this income. I also feel that many locals depend on str for their livelihood. From property managers , cleaners and handyman many full time residents depend on str to survive.

I realize housing is a problem but it needs to be addressed by creating more affordable housing not putting businesses out of business. and individuals out of jobs. I believe this bill will only lead to a loss of tourist based businesses and jobs further compounding the problem . Not solving it. Thanks for your consideration. David Wilson.

HB-1838-HD-1

Submitted on: 2/27/2024 3:25:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy Steele	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

We have owned a second home (condo) on Maui for over 10 years. We currently use this home about 4 times a year for a total of approximately 12 weeks. Our long term goal is to move to Maui full time once our aging mothers (92 for me, 90 for my wife) are no longer with us – both require our presence frequently on the mainland.

We have been legally operating as a Short Term Rental since we first purchased the property and work through our on-island rental manager and their cleaning staff and maintenance/repair staff. This is the only way we can afford to maintain this second home until we eventually move here. We have become quite attached to our team, contractors that we have worked with to improve the property, and several neighbors on the west side of Maui.

Restricting our ability to have a short term rental option would change our life plans and seriously impact our team here on Maui. We saw how they suffered with the shut down of tourism during COVID and then again after the fire.

We see and understand the need for housing solutions. We also know how short term rentals in primarily residential areas can be very disruptive to family-oriented neighborhoods. Limiting single family homes in residential neighbors would have a much bigger impact than a small condo like ours in the tourist area.

Mahalo for listening to our concerns.

Randy

HB-1838-HD-1

Submitted on: 2/27/2024 3:26:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Auth and Ronald Auth	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass measure HB1838.

We're owners at Papakea. This condominium project was originally built in 1976 and has operated as a vacation rental with taxes and revenue ever since. Papakea has employed numerous residents of Maui for all these years and can only afford to continue doing so based on short-term rentals. Papakea hires a wide variety of local trade professionals such as tree trimmers, electricians, plumbers, painters, roofers, etc. All of this bolsters Maui's economy. Guests of the resort support local businesses. Guests contribute to state taxes with payments to transient accommodation tax for the state and General Excise tax for the state and the county of Maui.

We depend entirely on the income generated from our short-term rentals. We bought our unit in 1977. We love Maui! Our son has lived and worked in Maui for many years, and before that, he lived and worked on Kauai. We have children and grandchildren on Kauai.

Thank you for listening to our testimony and reasons for not supporting HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 3:27:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Monton Roeksbutr	Individual	Oppose	In Person

Comments:

1. Please think of who this bill will affect: job losses for different small business such as cleaning business, restaurants, gift shops, groceries, any tourist business, air lines, car rentals etc. All this is because there are many tourists that can't afford the hotel and resorts prices hence will go somewhere else for their vacation which will be less income for the state. Also, this bill will creat more unemployment which will create more problems for the county. This is the pebble in the pond effect. The trickel down affect will be greater than anyone can anticipate.

My name is Susan Crowson, and with my husband, am an owner of a beautiful condo in Kapalua on Maui, Kapalua Ridge Villa 2614. We bought our condo in January 2021 and have done a complete remodel of this property to make it a desirable unit for us and our family to enjoy multiple times a year and for short term rentals when we can't be on island. We have had wonderful luck in attracting a lot of high yielding short term rentals, personally very happy as well as happy for how these rentals help support Maui's economic situation through the tourism industry, Maui's main industry.

We were devastated by the Lahaina fire of August 8, 2023, as was the rest of the world. We feel very sad that so many people we know and don't know were so terribly hurt by this unfortunate catastrophe. We saw how economically challenged Maui became because of the interruption to its greatest industry. We saw how people have suffered through lack of income and housing. While we can't personally help with providing housing for unhoused people, although we did house a displaced family shortly after the fire without charging them a rental fee, we feel we can assist in increasing revenue on the island by providing a welcoming accommodation to travelers wanting to experience the magic of Maui.

If HB1838 were to pass and our short term rental would no longer be available to us, we would be forced to sell our condo as it would no longer provide us the opportunity to travel to Maui regularly. We would not be a part of the healing of Maui after this terrible occurrence, and we would deprive the State of Hawaii the tax revenue we now pay. The taxes Hawaii now receives from the short term rentals we now pay would likely go to another beautiful state where we and other travelers would love to visit. I feel that HB1838 attempts to correct a serious problem in a dangerous way for the state of Hawaii, as it would greatly reduce economic growth in the state. I have heard that short term rentals provide 40% of real property tax revenue for Maui County, and this revenue source would quickly dry up if this bill were to pass. There are quite a number of people we employ to manage our condo in our absence; were we to sell and short term rentals were discontinued in Hawaii, I feel these people now gainfully employed would also have to leave the islands in search of more beneficial employment. While I understand that there is currently a housing shortage on Maui in particular, I feel that as well meaning as HB1838 is in ameliorating this problem, it takes a short-sighted approach which will harm both Maui and the State of Hawaii in the long term.

Please take a long term approach in providing for Maui's and the State of Hawaii's future by not passing HB1838. There are other ways to fix the existing housing problems that wouldn't be so damaging to Maui's economic future.

HB-1838-HD-1

Submitted on: 2/27/2024 3:31:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theodore Wright	Individual	Oppose	Written Testimony Only

Comments:

With respect I strongly oppose this bill. Many people bought units in apartment zones on Maui because they were specifically allowed as vacation rentals. These units typically have very high operating costs that can't be covered by long term tennant rents. In my complex the average mortgage and rent are approximately \$5100 PER MONTH for a one bedroom unit. I will not be able to cover these costs if short term rentals are no longer allowed.

Also Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Please vote no on this bill.

Mahalo!

HB-1838-HD-1

Submitted on: 2/27/2024 3:31:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jena Arntzen	Individual	Oppose	Written Testimony Only

Comments:

One of my first memories of Hawaii was my grandmother and my father teaching me how to swim. I am from a small island in Alaska, the water is cold and the beaches are rocky. I was 5 years old, it was my first time in warm ocean water. My grandmother rented a small condo on Maui, we had 3 wonderful weeks of warm weather. I still go to Hawaii every few years and I take my own family. We rent a place to stay, eat out, buy souvenirs, and spend time exploring a wonderful island that is so different from my home. My company has a condo and we stay there when we can, bringing money into the local community. Grandchildren will never have these memories if rentals are phased out.

HB-1838-HD-1

Submitted on: 2/27/2024 3:34:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judy Ward	Individual	Oppose	Written Testimony Only

Comments:

I am an owneer of two short term rentals in Maui for 22 years. Short term rentals afford Maui vacation to families that cannot afford to stay at the hotels, which are super expensive. Are you supporting the hotels at the expense of the middle class? Will Maui become super elite and very poor with nothing in-between?? You speak about helping Maui residents, but yet you don't afford everyone to enjoy your beautiful Ohana of Maui? You will also loose all the tax money and the small businesses wil not survive In the long run you will have unforseen consegences. I hope you will reconsider and NOT pass this Build low income rentals with the FEMA money instead of putting up people at the expensive hotels and they prefer to be in their own homes.

Kelly A. Lee

Beachside Realty, LLC
Principal Broker
600 Queen St. #C-1
Honolulu, HI 96813
808-225-0349

The House Committee on Judiciary and Hawaiian Affairs
Hearing Scheduled: February 29, 2024 2pm State Capital
Conference Room 325 Re: SB HB1838
Relating to Zoning Testimony in Strong Opposition
Subject: Opposition to HB1838

Aloha,

My name is Kelly Lee, and I am a single mother of two boys, both of whom are 6th generation local residents. As an Oahu Realtor with over 20 years of experience, I have witnessed the unique economic landscape of Hawaii and the vital role that short-term rentals play in sustaining the livelihoods of local residents.

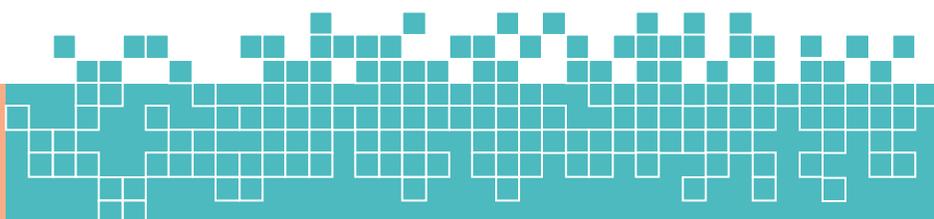
I am deeply concerned about the potential impacts of HB1838 on our community. The testimonies from local residents highlight the devastating effects this bill could have on our ability to afford living in Hawaii and the economic opportunities it provides for self-employed individuals and service providers in the vacation rental sector.

The unintended consequences of this bill could lead to inflated rents, forcing local residents out of paradise and eliminating mutually beneficial, affordable opportunities for long-term renters and self-employed individuals. As a realtor, I understand the importance of finding a balance between regulating the industry and ensuring economic stability for families like mine.

I urge you to consider the real-life impacts of this bill on local residents and the broader community. Let's work together to find solutions that preserve our unique economic landscape while addressing the concerns raised by the proposed legislation.

Mahalo for your consideration,


Kelly Lee



HB-1838-HD-1

Submitted on: 2/27/2024 3:37:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jackson mosher	Individual	Oppose	Written Testimony Only

Comments:

Greetings, please consider my testimony regarding HB1838.

I believe this bill will undermine private property owners who own Short term vacation rentals.for the following reasons.

Short term vaction rentals provide affordable options for guests visiting Hawaii. A family of 6 can stay at a vaction rental for a fraction of the comparable hotels in my area. they also allow visitors to cook and stay for longer periods than would otherwise be economical. This allows them to spend money on other activivites and support business outside of the hotels.

Vacation rentals also support management, maintenance and cleaners in their area. I pay almost \$40,000 dollars a year in transient occupncy taxes and another \$26,000. in property taxes on my two units per year. This bill could eliminate almost a half of BILLION \$\$ of income coming from Maui alone? wouldnt it be smarter to use those dollars to build affordable housing in areas where the locals live??

Of course the big hotels would love to crush the small guys, raise their rates even higher,and fleese the tourists coming to Maui. This bill will also limit the number of tourist that come to maui every day. I hear many people complaining that Hawaii is getting too expensive and they are going elsewhere.

I believe that cracking down on illegal STVRs,and elimintaing conditional use permits for STVRs in residential aeas where locals live and work can solve the tight housing market many locals are experiencing,

I have stayed at both hotels and and STVR while visiting Maui, and I really think the STVR is a much better experience for most Familys.

Please consider these issues when voting against this agridious legislation.

Jackson Mosher

Jackmosher1@gmail.com

HB-1838-HD-1

Submitted on: 2/27/2024 3:39:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Sedlic	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea, was built in 1978 and has operated as a vacation rental since 1978. The operating expenses are very high given the seawall repairs we are continually faced with. Converting to a longterm rental would not cover the costs of our HOA fees and associated loans.

Papakea employs over 35 local residents some who have worked at papakea for over 15 years starting in entry level positions and working up to managment roles.

Papakea guests support many local vendors as well as the grounds keepers, HVAC companies, handymen, cleaning companies as well as the millions of dollars collected in the transient taxes.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Lisa Sedlic

HB-1838-HD-1

Submitted on: 2/27/2024 3:41:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig R Dayman	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

1. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.
2. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
3. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.
4. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.
5. Papakea short term rentals support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.
6. Papakea short term rentals support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
7. Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.
8. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Craig Dayman

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I am an owner of Condo Unit No. J-301 at the Papakea Resort in Maui and I OPPOSE H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue

Papakea STRs (Short Term Rentals) support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Roger Risdall, Owner Papakea Unit No. J-301

Phone: (805) 682-3407

e-mail address: rgrrisdall@aol.com

HB-1838-HD-1

Submitted on: 2/27/2024 3:42:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Yuhasz	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

I have visited Hawaii and Molokai, in particular, for over 20 years. I usually visit, at least, once a year. On Molokai, I have enjoyed the sense of community and freedom that using short term rentals affords. I can live in the community, see my old friends, and meet some new friends. The island's culture is not at arm's length in exhibits or shows or museums. I am immersed in it every time I visit.

HB1838 seeks to put an end to visitors living in the community and being part of it. I do not want to be in a hotel complex, removed from the real Hawaii. Many of my friends depend upon employment at STRs and the added visitors these accommodate. My friends even depend upon the STRs to house relatives, during family re-unions. As Molokai only has one small hotel, its visitors depend on STRs for accommodation. Prohibiting all STRs will mean fewer visitors, less tax revenue for Maui County and the state, and less demand for products in local stores. With barge prices at all time highs, bringing fewer products to the stores (for locals and visitors alike) will make these items more expensive for everyone.

Lastly, you must consider that, if private STRs are bad and must be banned, why aren't hotels and other corporate STRs banned? They're all short term rentals and should be treated the same under the law.

Please vote against HB1838. It is the exact opposite of "aloha."

Thank you,

Mike Yuhasz

HB-1838-HD-1

Submitted on: 2/27/2024 3:43:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacquelin Carroll	Individual	Oppose	Written Testimony Only

Comments:

My sister and I are the surviving owners of a condo at Kuilima Estates East, which our mother purchased with us in 1975. This condo is in a resort zone and is a legal short-term rental. We oppose HB1838 because it takes away our right to use the condo as a short-term vacation rental now that our mother has passed on. Renting it out short term allows us to afford to keep our family property and use it some of the time for ourselves, other family, and friends when they visit Oahu. The condo's HOA fees and property taxes are expensive, so we need to rent it out some of the time in order to cover these and other costs. In the past, we have tried to find longer-term renters but were unsuccessful. Kahuku is far from places to work and the condo is too small for a family to live in comfortably, so we have relied on short-term rentals to defray the costs of keeping our property. We have been renting the condo out since 2015 and paying our GE, TA, and now OTA taxes faithfully. We hope that we can continue to do so, and that the ordinance that now allows short-term rentals, especially in resort zones, will be maintained.

Jacquelin Carroll

HB-1838-HD-1

Submitted on: 2/27/2024 3:43:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leyla Matsueda	Individual	Oppose	Written Testimony Only

Comments:

My sister and I are the surviving owners of a condo at Kuilima Estates East, which our mother purchased with us in 1975. This condo is in a resort zone and is a legal short-term rental. We oppose HB1838 because it takes away our right to use the condo as a short-term vacation rental now that our mother has passed on. Renting it out short term allows us to afford to keep our family property and use it some of the time for ourselves, other family, and friends when they visit Oahu. The condo's HOA fees and property taxes are expensive, so we need to rent it out some of the time in order to cover these and other costs. In the past, we have tried to find longer-term renters but were unsuccessful. Kahuku is far from places to work and the condo is too small for a family to live in comfortably, so we have relied on short-term rentals to defray the costs of keeping our property. We have been renting the condo out since 2015 and paying our GE, TA, and now OTA taxes faithfully. We hope that we can continue to do so, and that the ordinance that now allows short-term rentals, especially in resort zones, will be maintained.

Leyla Matsueda

HB-1838-HD-1

Submitted on: 2/27/2024 3:45:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Toni Spence	Individual	Oppose	Written Testimony Only

Comments:

I write in opposition to HB1838. I have lived in the state of Hawaii for over 43 years, the last 41 on Maui. My husband and I worked hard, lived sensible, made wise financial decisions and invested in Short Term Rentals as a way of supporting us in our retirement.

I am now 70 years old, retired and was widowed in 2013. If this bill passes it has the potential to severely diminish my ability to support my self. I just find it unconscionable that a bill would be passed that would have the ability to undo all the hard work and planning done for years by my husband and myself.

Please do not vote infavor of this bill.

Toni Spence

Kihei Maui

HB-1838-HD-1

Submitted on: 2/27/2024 3:48:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Moffett	Individual	Oppose	Written Testimony Only

Comments:

I am writing to esprese my opposition to HB1838. This legislation will eliminate thousands of short term rentals on Maui.If passed, the bill will destroy a huge source of tax income for Maui from GET, TAT, and Maui County TAT which owners collect and pass on to the State and Maui county. As an owner, my short term rentals allow me to own and maintain my Maui property, as well as generating some income for myself. As a retired senior citizen, Short Term Rentals allow me to visit my condo for four to five months yearly. Trust me, I am spending money dialy whenever I visit, as do my vacation renters. My rental also is a source of income for my cleaning and maintenance help. As the vacation industry is the only industry on Maui, I am shocked that this STR limit proposal is still being considered. The vacation industry will suffer greatly as most of my customers can NOT afford to vacation in the high end Hotels on Island. Some of my renters can afford the hotels, but prefer my condo because it's beautiful and relaxing. As a resident of Southern California for 70 years and having lived only 32 miles from Paln Springs, I know the negative impact the STR limitation had on tourism and property values. Just look at the state of California to see what NOT to do, unless you want to destroy Maui/Hawaii and tourism. Mahalo for your attention.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

1. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years
2. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
3. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.
4. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.
5. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.
6. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
7. Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
8. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE H.B. 1838, HD1** and urge the committee to defer it.

Respectfully submitted,

Dimitra Hnatko

HB-1838-HD-1

Submitted on: 2/27/2024 3:50:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charivy C Imperial	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Comittee,

My name is Charivy Imperial and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills. Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 3:53:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Josh McKim	Individual	Oppose	Written Testimony Only

Comments:

I politely ask that you oppose bill HB1838. My mom grew up in Hawaii and I have lived on Maui full time for over 10 years with my 4 children. 100% of our income comes from short term vacation rentals. We manage, own, and operate short term vacation rentals. We utilize a large number of cleaners, handyman services, and other trades. We pay excellent wages. Some of our cleaners are paid \$50 per hour. We follow all state and county rules. All of our rentals are in full compliance. We pay higher property taxes, TA, GE, and MTAT taxes. If this bill passes and the county reverses decades of precedent of what units are allowed to be vacation rented we would be out of business over night. Please continue to utilize a portion of the taxes we pay to help subsidize affordable housing. That makes much more sense than punishing legal vacation rental operators. Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/27/2024 3:54:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keriann Harris	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Keriann Harris. I stayed in a short term rental because it was more conducive for safety, due to my tree nut allergy. Being able to cook my own meals and make this vacation affordable was the only way this vacation was possible.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Keriann Harris

HB-1838-HD-1

Submitted on: 2/27/2024 3:57:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tom Guglielmana	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Here are a few talking points:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Thomas M. Guglielmana

Papakea F403 and B401

951-457-2546

HB-1838-HD-1

Submitted on: 2/27/2024 3:58:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Reva Uso	Individual	Oppose	Written Testimony Only

Comments:

As a senior citizen & owner of a vacation rental unit at the Waikiki Banyan since April 1985, I strongly OPPOSE HB1838 HD1. Personally being an owner of a condo at the Waikiki Banyan and having the short-term rental has helped support our family to pay our children's tuition & help pay for bills/daily living expenses that I would not have been able to pay for & be able to afford living here with the constant costs of living increases. I clean my unit and take pride & care to ensure it continues to appreciate in value. I enjoy being a part of Hawaii tourism by helping and suggesting to tourists/guests about Hawaii and where to shop, eat, etc. It's kind of being a free tour guide to help promote Hawaii tourism. Many of my guests make return trips because of my Aloha, help & guidance to enjoy what we offer here in Honolulu. I am proud to be an owner of the Waikiki Banyan and feel the Board of Directors/Owners continue to make the Waikiki Banyan an outstanding resort for short-term rentals to ensure our livelihood as a condo-hotel destination. As a retired senior citizen, I need the continued financial support that I have received with my short-term rental and strongly support that the Waikiki Banyan short-term rentals are valuable and a necessary part of Honolulu's tourism economy. I always operate my unit responsibly & within the law & am currently extremely concerned due to this bill causing unnecessary anguish and presently loss of income to help me live comfortably. Please allow vacation rentals to be rented daily and on AIRBNB. I OPPOSE HB1838 HD1

HB-1838-HD-1

Submitted on: 2/27/2024 4:03:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barb Bryson	Individual	Oppose	Written Testimony Only

Comments:

It's very unclear to me how this bill is going to help local residents of Maui. Not only will this bill kill individual property owners, it seems intent on destroying the islands delicate economy, including many jobs now held by Maui residents.

YES, something needs to be done about housing, but this bill is ill-conceived, counter productive and detrimental to Maui's economy.

Thank you - Let's do better to offer housing reprieve for local residents and property owners.

HB-1838-HD-1

Submitted on: 2/27/2024 4:05:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adrian Cable	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Evslin, Vice Chair Aiu and Members of the Committee:

Mahalo for the opportunity to write this testimony in opposition to HB1838 and present a 'reality check' to those in favor.

HB1838 grants the Counties the power to eliminate legal short term rentals via zoning ordinance. As pointed out in other testimony, if the Counties exercise this power, it will have the effect of denying rights to homeowners which are prima facie protected by the takings clause of the Hawai'i and Federal Constitutions, which have been affirmed previously in very similar situations by the Hawai'i Federal District Court, the US Supreme Court and others. It is unlikely that any straightforward amendments to HB1838 would address these issues, since they would all require compensation of impacted homeowners which (a quick calculation shows) would be unaffordable to the State or Counties. As a result, a legal challenge from affected homeowners, of which there are tens of thousands, is inevitable.

The principal beneficiaries of HB1838 will thus be the attorneys representing the State of Hawai'i and Counties in the protracted, and expensive, litigation that will follow. This money (paid by our taxes) would be better spent building affordable housing in Hawai'i, providing downpayment assistance to low-income potential homeowners, or other approaches to the pressing housing problems faced by the State.

The tragic thing, here, is that those involved in drafting and supporting HB1838 are well aware of these consequences, indicating that the motive behind its drafting is to ingenuously curry popular favor with the electorate, instead of a genuine attempt to address the State's critical housing issues. I find the number of testimonies in support of this bill on the basis that it ostensibly provides a mechanism to the State's housing situation rather depressing, especially the 'cut and paste' testimonies from those who clearly haven't thought deeply about what they are helping to set in motion by supporting this bill. I hope that, instead, both the Committee and residents of Hawai'i will take a few moments to reflect on the reality of the consequences of trying to pass magical 'silver bullet' bills like HB1838 before choosing to support them.

Mahalo for your consideration.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

This Bill could result in the phasing out of 13,744 **LEGAL** short term rentals on Maui.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Papakea was built in 1978 where I have been a homeowner since 2016 where I come 3 times a year to enjoy all the beauty of Maui with my family. This complex has been operated as a short-term rental for almost fifty years.

I want my kids and their grandkids to enjoy this as well and operating this as short-term rental provides me with sufficient income to pay all the fees, and taxes to own in this complex.

Papakea employees approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry level positions and now are in supervisory roles and play a key role in the economy of Maui as taxpayers and consumers to support local businesses.

Papakea supports a wide variety of local trade professionals ranging from plumbers, HVAC, pest control, carpenters, electrical, tree trimming and small trades and handymen.

Papakea can only support the current personnel & operational maintenance levels with high HOA dues which rely on short term rental revenue

Papakes STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, contractors that have families and call Maui home and depend on the business they get from STRs. This is important to consider.

Papakea STR supports the State Of Hawaii and the county of Maui through payment of property taxes at the short term rental rate, Transient Tax and General Excise Tax and the Maui TAT. What would be a great idea for the county and the state to do instead of banning STRs declare that all revenue from STRs will be put dollar for dollar to build new affordable housing only for Maui residents and zoned accordingly. If you shut down STRs where will the funding come from to the state for all the services they provide? Printing money and borrowing money to oblivion only goes so far before the state goes bankrupt and there are many examples in the world were running rampant budget deficits and ballooning debt catches up with the state, country or company.

Papakea has a high number of returning guests and families that are now the 2nd and 3rd generation who remember their parents and grandparents coming to Papakea over the years.

This is a family resort and has been for over 50 years so please consider all the factors carefully and all the jobs that will be lost and the impact to the local economy if STRs are shut down. I would love to see an independent 3rd party do a cost & benefit analysis of the STRs to the state and then show if the \$\$ from all STR revenue is put directly into new housing for local residents only how the impact would be.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Ron Sedlic
604 315 8866

HB-1838-HD-1

Submitted on: 2/27/2024 4:10:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Johnson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair & Comittie Members,

My family and I own a rental property in the Papakea Resort community and have had it since shortly after COVID. At that time, the economy of Maui was still recovering from the effects of the virus, both medically as well as economically. I recall coming to the property the first time and things, while beautiful, were eerily quiet with most of the businesses either still closed or permanently closed. Since then and prior to the fires, I've seen a noticeable turnaround with people and businesses recovering, showing signs of normality and even a thriving economy which in turn, supports the community. Then as if out of a horror movie, another terrible event took place in the form of fires. While certainly different in many ways, the economic outcome was the same.

We didn't visit the island for some time to be respectful to the local community and I know other non-locals did the same. I understand the need for housing but I also understand the impact that visitors have on the local economy and by that I don't mean the big business and hotel chains which by the way this law would be beneficial to. I mean the small business owners that I know we support such as Shave Ice In Paradise, The Fish Market Maui, Papi's Ohana (Linda) and the wonderful crew on the Teralani and Trilogy boats to name a few. We are over generous with our business including tips as we know it goes a long way for them. To be transparent, our rental income barely covers our expenses so we're not in it for the money, we're there to be a part of the community and create memories for our family.

Our rental is occupied more than 90% of the time in a normal year. If this law passes, where are those visitors including ourselves going to go and what would the economic loss be to the community? How much in taxes do short-term rentals create and if they are no longer, how do you plan to replace that revenue and/or what local programs will need to be cut?

It doesn't seem logically to cut an income source for a community that is in so much need of income to replace the things they've lost – housing, businesses, livelihoods. It would be adding insult to injury. Surely there's a better way.

With Respect,

Brian Johnson, owner in Papakea

HB-1838-HD-1

Submitted on: 2/27/2024 4:10:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Neil Patel	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Neil Patel. I am a co-owner of a condo at Maui Kamaole in South Kihei. I purchased here because of my love of Hawaii, the land and the people. I fell in love with Maui after my first visit, have family and friends here, and saved for years to buy a home here, so that I could continue to live out my dream of being in Maui. Renting it out short term is the only way I'm able to make this work financially that still allows me this opportunity. I love spending time here to decompress and experience Aloha. I also love sharing that with my colleagues, family and friends, to whom I rent my unit when I am unable to be on island, so they can experience the joy of Maui.

I am writing in opposition of this bill because short-term rentals are important. **Importantly, I rent my condo to many physicians, nurses, etc. who are here to work and directly give back to the people of Maui.** They too are also here for respite from very stressful jobs and are respectful to the people and island.

Therefore, this bill will not only hurt me, but in turn hurt the local residents by eliminating housing for the visitors who are giving back to the island in many ways, and rely on short-term rentals as temporary, furnished, affordable housing. This legislation would importantly affect the livelihood of our cleaning team, our maintenance teams, condo staff, etc. and numerous restaurants, vendors, tourist businesses that rely on tourism and good folks who come to Maui and spend money on island.

I ask that you **please do not move this bill forward.**

Mahalo for your time.

Neil Patel

HB-1838-HD-1

Submitted on: 2/27/2024 4:14:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Cheng	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Amy Cheng. I stayed in a short term rental because it was a more affordable option than the local hotels.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 4:18:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Connie DeBord	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

We own a unit in Papakea and if H.B 1838 passes, it will severely affect many people of Maui for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax..

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Connie DeBord

HB-1838-HD-1

Submitted on: 2/27/2024 4:20:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anthony S. Ravnik	Individual	Oppose	Written Testimony Only

Comments:

I am retired and rely on the income from my rental property. I have been supporting the Maui economy since 1999. I will be forced to sell if this bill passes and I will no longer be able to support the Maui economy. Furthermore, it will cause extreme financial hardship to the local service providers that I employ to help me manage my rental property. I will no longer be able to afford to visit Maui with my family.

HB-1838-HD-1

Submitted on: 2/27/2024 4:20:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stefan Ludlow	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Stefan Ludlow. I stayed in a short term rental because it was a more affordable option than the hotels.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 4:21:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
gregg henrikson	Individual	Oppose	Written Testimony Only

Comments:

HB 1838 is criminal theft of property rights. Our HOA and insurance have doubled this year. HB 1838 intends to steal the income that pay these fees as well as Property & TOT taxes. We intend to join any legal action available to defeat or repeal the class discrimination and prejudice being perpetrated by such a bill.

HB-1838-HD-1

Submitted on: 2/27/2024 4:22:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alia Chochol	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose HB1838 as it would severely affect my livelihood in addition to the people that my company employs. I am a property manager who works with a company that manages both legal TVUs as well as 30 day rentals. We follow all of the rules and make sure guests are respectful of the neighborhoods as well as the island itself. If the counties are concerned about illegal rental activity, please give them the tools needed to enforce the laws that are already on the books. Passing this bill will not deter those who have illegal rentals. If this bill is passed, we will lose visitors to the island and the large amount of taxes collected from these property owners. There are quite a few visiting families who cannot afford to stay in a hotel in Waikiki for a week but who would love to experience Oahu. If you require that all visitors stay in hotels, you will lose these families to other warm destinations ie Florida and the Caribbean. Our company relies on countless vendors (handymen, landscapers, pest control, plumbers, electricians, contractors, cleaners, window cleaners, laundry providers, chefs, etc) who would all lose important income if this bill passes. If this bill goes through I would lose my income and no longer be able to pay my mortgage or survive here in Hawaii. I am part Hawaiian and from Oahu. I have a big family here and would prefer to continue to raise my three children here. Passing this bill would prevent my family from staying in Hawaii. Please do not pass this bill, just enforce the laws you currently have!

Mahalo,

Alia Chochol

HB-1838-HD-1

Submitted on: 2/27/2024 4:23:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Neil Patel	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Neil Patel. I am a co-owner of a condo at Maui Kamaole in South Kihei. I purchased here because of my love of Hawaii, the land and the people. I fell in love with Maui after my first visit, have family and friends here, and saved for years to buy a home here, so that I could continue to live out my dream of being in Maui. Renting it out short term is the only way I'm able to make this work financially that still allows me this opportunity. I love spending time here to decompress and experience Aloha. I also love sharing that with my colleagues, family and friends, to whom I rent my unit when I am unable to be on island, so they can experience the joy of Maui.

I am writing in opposition of this bill because short-term rentals are important. **Importantly, I rent my condo to many physicians, nurses, etc. who are here to work and directly give back to the people of Maui.** They too are also here for respite from very stressful jobs and are respectful to the people and island.

Therefore, this bill will not only hurt me, but in turn hurt the local residents by eliminating housing for the visitors who are giving back to the island in many ways, and rely on short-term rentals as temporary, furnished, affordable housing. This legislation would importantly affect the livelihood of our cleaning team, our maintenance teams, condo staff, etc. and numerous restaurants, vendors, tourist businesses that rely on tourism and good folks who come to Maui and spend money on island.

I ask that you **please do not move this bill forward.**

Mahalo for your time.

Neil Patel

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

- Papakea was built in 1978 and has operated as vacation rentals for nearly fifty years.
- Papakea employs approximately 35 local resident employees, some of whom have worked at the property for over 15 years; some starting in entry-level positions and have worked into supervisory roles
- Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. I personally have employed contractors, tradespeople and local artisans, spending well over \$300,000 on my unit since I purchased it in 1995
- Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely upon short-term rental revenue
- Papakea STRs support the Stat of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodation Tax
- Papakea guests and owners support many small businesses on the island, including restaurants, food trucks, tour operators, state parks, the national park, and countless specialty shops
- Papakea has a high number of returning guests that have been visiting Maui for decades and have deep connections to the community. I have guess who have rented my unit annually for over twenty five years.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Susan Gene Braun, Owner

Papakea D309

HB-1838-HD-1

Submitted on: 2/27/2024 4:27:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tarek mark Antaki	Individual	Oppose	Written Testimony Only

Comments:

68-3534 Malina Street

Waikoloa, HI 96738

2/27/24

Tarek Antaki

I am a resident of the Big Island, Hawaii. I am writing to express my deep concerns about House Bill 2919 (SB2919) and House Bill HB1838, which could significantly impact my ability to sustain my family's livelihood in the unique economic landscape of Hawaii.

If it wasn't for the income from short-term rentals, my family and I simply couldn't afford to live here on the Big Island. The supplemental income from short-term rentals has been our lifeline, allowing us to meet mortgage payments and sustain our lives in this beautiful place we call home.

I urge you to consider the profound impact that these bills could have on everyday people like me who rely on the income from short-term rentals to make ends meet. The passage of these bills would not only jeopardize our financial stability but also limit the economic opportunities for self-employed individuals who provide essential services within the vacation rental sector.

Consequently, I implore you to reconsider the ramifications of these bills on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Thank you for your attention to this matter, and I hope for your thoughtful consideration and support in opposing these bills.

Sincerely,

Tarek Antaki

HB-1838-HD-1

Submitted on: 2/27/2024 4:32:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sadie Johnson	Individual	Oppose	Written Testimony Only

Comments:

To Whom it May Concern,

I am writing today to inform you of my strong opposition to HB1838. The local impact this bill would have on the local economy would be devastating. It would decrease the number of tourists allowed on the island and we saw first hand what a lower number of daily tourists did during COVID and the tragic fires of 2023. It negatively impacted industries such as fishing, horseback riding, boating, restaurants, ziplining, and retail shops, some to the point of no return. They are finally getting back up on their feet, and this would yet again tear down any progress they've made.

The particular condo complex I am representing, Papakea, was built in 1978 and has operated for nearly 50 years as a short term rental. We purchased our condo in this complex because it felt like home. Maui, specifically Papakea, has a special place in our hearts. Families across the globe look forward to their annual gatherings at this location. They gather here to celebrate life, love, and to count their blessings. Please do not take this away from all of us. With each new vacation, they support local small businesses and they have established deep connections within the community. Some of our favorites are Papi's Ohana, shaved ice, Trilogy sailing tours, handmade cutting boards, local handmade clothing, Pizza Paradisio, and Mala Tavern.

Papakea employs 35 full-time local residents, some who have worked on these grounds for over 15 years. They can only support the salaries of these individuals through the high short term rental fees and dues. Papakea supports a wide variety of local industries such as cleaning/maintenance, HVAC, plumbing, pest control, and tree trimming. Do not take these jobs away from the locals. We have become friends with Linda, at Papi's Ohana, and are encouraged by the amount of support she provides local families, especially during the fires. Without the support of returning guests of Papakea and surrounding STR facilities, she would not be where she is today. Please do not put our friend out of business.

We support Maui County and the State of Hawaii through property taxes, which are at the high STR rate, as well as Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. The revenue generated from STR's is helping the economy get back on its feet and flourish. I appreciate that this bill appears to try to help the local families, however, as you can see, it will only harm them in the end. Thank you for your time and consideration.

HB-1838-HD-1

Submitted on: 2/27/2024 4:33:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anthony Youga	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have been coming to Maui for over 20 years. Without short term rentals, we would not have been able to make this our second home. The hotels are too expensive for us to visit here. We pride ourselves in helping the local economy and giving back. Tourism and the taxes from ST rentals support the economic health of Maui and make it a desirable place to live and visit. It is a win/win for both sides. I sincerely hope this bill is not passed. I am afraid for the economic health of Maui and this will result in more locals leaving the island to be able to support their families.

Tony Youga

HB-1838-HD-1

Submitted on: 2/27/2024 4:37:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Aloha - I am testifying in support of HB1838. As a resident of Lahaina for the past 10 years I have seen friends, coworkers and other community members struggle to find affordable and secure housing, myself included. In Lahaina, 25% of the housing units were listed as short-term rentals according to the UH Economic Research Org. South of Lahaina jumps to 41.8% and up north it jumps to 87%. We are in a housing emergency on Maui. Giving the counties the clear authority to phase out vacation rentals has been identified as a key policy tool for helping Maui residents find long term housing in the wake of the wildfires. This was an issue before and is a bigger issue now. We look forward to seeing change, putting the community first and ensuring that all people have access to fair, affordable and secure housing. Thank you so much for your consideration and allowing me the opportunity to have my voice heard.

HB-1838-HD-1

Submitted on: 2/27/2024 4:39:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Cadiz	Individual	Oppose	Written Testimony Only

Comments:

We are in our 60s. We borrowed from our retirement account to help our daughter buy a legal STR on the north shore. She was born and raised here. The property is her sole source of income. This bill could result in the loss of her job. Especially for STRs **that are locally owned and operated**, this proposal will be economically devastating. Does it make sense to take away one resident's job, and pay her unemployment, to put a displaced resident in government-rent-paid housing. Doesn't it make more sense to let her run the business, collect the property taxes, general excise taxes, TAT taxes, and use that tax revenue towards creating long-term housing solutions.

STRs represent 40% of our billion dollar county budget. Let STRs continue as the economic driver that they ARE in this time of need for recovery dollars. Remember that a portion of these property tax revenues goes to the affordable housing fund.

The ripple effect of this proposal may mean that residents who were TRV operators, cleaners, repair people, managers, etc etc will lose thier jobs and add to the economic downturn and pressure to leave Maui.

Invest the emergency funds in long term solutions as much as possible. The net effect of taking from one resident to help another is an expense to the county for both. When the emergency funds are gone, the County will have nothing left to show for it.

Please oppose this devastating Bill.

HB-1838-HD-1

Submitted on: 2/27/2024 4:40:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Rhodes	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Elizabeth Rhodes I stayed in a short term rental because providing me the security, flexibility and accommodations my family needed, which a hotel could not provide

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

To whom it may concern,

I am writing to express my strong opposition to HB1838, which would authorize counties to phase out short-term rentals in specific zoning areas. This bill threatens the rights and livelihoods of short-term rental owners in Oahu and would have significant economic and social consequences.

One of the primary concerns with HB1838 is its potential economic impact. Short-term rentals are a vital accommodation option for visitors and residents, offering a more affordable alternative to traditional hotels. With only 2,000 legal short-term rentals currently available on Oahu, further restrictions could lead to a shortage of accommodation options, driving up prices and adversely affecting both the tourism industry and the local economy.

Moreover, short-term rentals play a crucial role in providing housing during emergencies and crises, such as natural disasters or fires. By limiting these rental options, HB1838 could hinder the community's ability to respond effectively to such events, leaving individuals and families without a place to stay during times of need.

Additionally, short-term rental owners contribute to the local economy by providing income for homeowners and supporting local businesses. Restricting their ability to operate could have a ripple effect, impacting the financial well-being of individuals and businesses that rely on tourism and rental income.

Furthermore, rather than imposing further restrictions, efforts should be focused on enforcing existing regulations and ensuring that rentals comply with local laws and standards. This approach would allow for a balance between regulating the industry and preserving the rights of property owners.

In conclusion, HB1838 poses a significant threat to the rights and livelihoods of short-term rental owners in Oahu. I urge you to oppose this bill to protect property rights, preserve economic opportunities, and ensure that the community can effectively respond to emergencies.

Thank you for considering my testimony.

Sincerely, Tim Chiang

HB-1838-HD-1

Submitted on: 2/27/2024 4:44:31 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael T. Shaffer	Individual	Oppose	Written Testimony Only

Comments:

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 4:46:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DAVID EZZY	Individual	Oppose	Written Testimony Only

Comments:

TO: Chair Evslin, Vice Chair Aiu and members of the Hawai'i State House Housing Committee,

I am **against** [HB1838](#), which would authorize the counties to phase-out short-term rentals in any zoning. I am strongly opposed to the county having the ability to place a 90 or even 180 day minimum on all non-registered, non-hotel rentals as well as a potential phase-out non-conforming use certificate properties as well as TVU's.

David Ezzy

HB-1838-HD-1

Submitted on: 2/27/2024 4:47:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracey Souverein	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 for it's unreasonable considerations for the residents and business owners in Hawaii. Tourism is what employs a significant number of Hawaiians and by removing short term rentals, many jobs in housekeeping, maintenance and landscaping would be lost. With fewer short term rentals, there would be fewer tourists and restaurants, adventure tours, golf courses and shops would all lose business and potentially have to close and force workers to relocate. There would be an overall reduction of spending and the states tax income would significantly decrease. While I fully support new communities created solely for local residents, it causes more harm than good to phase out short term rentals and I oppose HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 4:47:31 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Harris	Individual	Oppose	Written Testimony Only

Comments:

My wife and I retired and own a STR. We bought it in 1999 and love this State. We have been visiting Maui since our honeymoon in 1982. I would like to support the legal STR's. The STR's bring in over 40% of the income and pay a large amount of the taxes in Maui county. Why would you cut off over 40% of income in Maui. The stopping of the STR will cause businesses to suffer and possibility shut down again. Why take that chance again, due to lack of tourism from cancelling STR's. If you are dead set on going after STR's, go after the illegal or non licensed ones. The legit STR's pay property taxes, GET and TAT and support local businesses. Why would the County and State of Hawaii take that chance on losing money and businesses again.

HB-1838-HD-1

Submitted on: 2/27/2024 4:52:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry liz	Individual	Oppose	Written Testimony Only

Comments:

这不有吗，抄一下. Aloha,

If your livelihood depends on the rental market, the passing of Bill 1838 will have a significant impact on your business.

An important piece of legislation, Bill 1838, is scheduled for Committee review this Thursday, February 29th at 2:00 pm. Your testimony is crucial in preventing the advancement of this Bill. If passed, it would empower Counties to phase out or amortize nonconforming single-family transient vacation rental units.

We urge you to submit testimony in opposition to this resolution. Share your personal experiences and how further reductions in mid and short-term rentals would affect you. Your input matters. You can easily submit your testimony using this [LINK](#). It only takes 5 minutes of your time.

SUBMIT TESTIMONY

A live stream link of all House Standing Committee meetings will be available online shortly before the scheduled start time. [Click here](#) for the live stream of this meeting via YouTube.

DEADLINE to register for verbal testimony and/or submit written testimony is Wednesday, February 28th at 2:00 PM HST

We strongly encourage you to make your voice heard in opposition to this legislation. In your testimony, remember to be direct, concise, and respectful. Please focus on your personal story and what would happen if your services were no longer needed.

Talking Points to Oppose HB1838:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation - Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.

5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

HB-1838-HD-1

Submitted on: 2/27/2024 4:53:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Holz	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern, We own a beautiful condo on Maui. My mom and both of my siblings and their families live on Maui, and we spend as much time on Maui as we can. When we are not present, we short-term rent our condo. This rental income is *essential* for us to be able to pay the mortgage. It would be catastrophic for us financially if this were no longer possible. We strongly oppose this bill. Thank you for allowing us to voice our thoughts on this important matter. Daniel Holz.

HB-1838-HD-1

Submitted on: 2/27/2024 4:54:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

Please support this bill that allows a phase_out of our short term rental housing. We have a critical shortage of housing in this state; each short term rental house is a dwelling that is not available as a home for our local residents.

The housing shortage is endangering our community. The state’s chief economist has said Hawaii’s population has decreased for the past seven years with 15,000 people moving away in 2022. According to the U.S. Census Bureau, on average almost 20 people left the state every day last year.

As Governor Green has said: “Our state is such a desirable destination, and such a profitable investment for many, that people from around the world have purchased property to hold as investments or rent as short-term rentals to visitors — making on average four times what they would if the property was simply rented to a local family,” Green said. “Right now, 52% of all short-term rentals in Hawaii are owned by non-state residents, and 27% of short-term rental owners own 20 or more units.” <https://www.civilbeat.org/2024/02/a-statewide-ban-on-vacation-rentals-the-idea-is-gaining-steam-after-the-maui-fires/>

“Currently, 5.5% or 30,000 of Hawaii’s 557,000 total housing units operate as short-term rentals, according to the University of Hawaii Economic Research Organization’s “Hawaii Housing Factbook.”

A 2023 UHERO analysis shows how short term rentals are raising our housing costs:

“The median sale price across all housing units on Oahu (house or condominium) in 2022 was \$860,000. Based on the estimated price effects from these studies, removing all STRs would push the median price down to the \$810-\$820,000 range. As for rents, the LA study implies that eliminating all STRs would decrease Oahu’s rents by 2%. Estimates from Barcelona suggest a 6% drop and estimates from London suggest an 8% drop. The median rent paid on Oahu is currently \$1,880. According to prior studies, removing all STRs could lower the median monthly rent by anywhere from \$35 to \$160.” <https://uhero.hawaii.edu/short-term-vacation-rentals-and-housing-costs-in->

HB-1838-HD-1

Submitted on: 2/27/2024 4:54:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
leslie lam	Individual	Oppose	Written Testimony Only

Comments:

Once again , I stand by the Legal and Affordable Vacation Rentals . I would also like to see our counties enforce their existing Laws against illegal Vacation Rentals . This is an on going issue for Locals and Residents who need temporary housing . I have been in the Travel industry for over 44 years and I can not afford the \$800. Plus Hotel rooms a day .

HB-1838-HD-1

Submitted on: 2/27/2024 4:54:34 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fred Kilby	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838, which is currently under consideration. As a frequent visitor and vacation rental owner on Maui, this bill directly affects my livelihood and the well-being of my community.

Our vacation rental serves as a crucial source of supplemental income during our retirement years. Its loss would have a profound impact on our financial stability. Additionally, it affords us the opportunity to enjoy time on the island throughout the year, which would not be possible if we were forced to rent out long-term.

Upon reviewing the bill, I feel compelled to address certain aspects of Section 1, which appears to provide the background rationale for this legislation. One assertion claims that Maui and Kauai are experiencing an annual decline in housing stock due to the conversion of resident-occupied homes into short-term rentals. However, this seems dubious, considering Maui has already implemented limitations and caps on such conversions. It is unlikely that there is a net loss of housing stock due to short-term rentals.

Another point suggests that vacation rental phase-out is necessary to address housing shortages exacerbated by events like the Lahaina Fire. However, Governor Green himself proposed utilizing existing short-term rental units to house displaced families, indicating that there is no need for such drastic measures. Enforcing laws against illegal units would better serve the community without disrupting legal short-term rental operations.

It's worth noting that short-term rental owners have played a crucial role in providing furnished housing for displaced residents during crises like the Lahaina Fire. Further restrictions on short-term rentals could severely limit this vital resource for temporary housing in future emergencies.

HB1838 could potentially phase out thousands of legal short-term rentals on Maui. These rentals are not only essential for the local economy, providing jobs and substantial property tax revenue, but they also serve various critical needs within the community, including accommodating displaced residents and supporting sustainable tourism.

Maui's short-term rentals contribute significantly to the county's property tax revenue, funding essential services like affordable housing initiatives. Eliminating or severely restricting these

rentals would create a substantial budget shortfall and hinder the county's ability to address housing needs and provide essential services.

In conclusion, I urge you to oppose HB1838 and protect existing short-term rentals, including mine. Thank you for considering my perspective on this matter.

Mahalo,

Fred Kilby

HB-1838-HD-1

Submitted on: 2/27/2024 4:58:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael K Flowers	Individual	Oppose	Written Testimony Only

Comments:

Michael K. Flowers
1412 Sprucewood Drive
San Jose, CA 95118
408-307-8258

February 27, 2024

Opposing HB1838

I am writing in strong opposition to HB1838.

I oppose this bill because it could potentially negatively impact my income as a retired senior citizen and a US Army veteran. I have owned and operated our Maui condo as a short-term rental for over 20 years and we depend on the revenue it produces to support ourselves in retirement.

I think this proposed Bill is an attempt at a vast power-grab and unwarranted overreach on the part of the Hawaiian State Government. Such a potential restriction on my property rights is uncalled for and produces no net benefit for the people of Hawaii. Rather, the potential elimination of short-term rentals would severely reduce tourism to Hawaii, and it is tourism upon which most the Hawaiian economy depends.

Operating my condo produces a great deal of General Excise and Transient Accommodation Taxes both for the State of Hawaii and the County of Maui, as well as Maui County property taxes. I pay commissions to my Agents and Property Managers, to my cleaning crews, to maintenance, repair, pest control and landscaping contractors.

Additionally, the guests who visit Maui and stay in our condo bring thousands of dollars to Hawaii to spend in local businesses all across the island. Most of our guests are attracted to Maui by our comfortable and welcoming condo. If we are not permitted to operate our property as a short-term rental, these guests will not come to Hawaii, and their economic contributions will be lost to the state.

Maui's short-term rentals provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. Our short-term rental property tax

revenue represents 18% of the county's 1.7-billion-dollar budget. Where will that revenue come from if short term rentals are eliminated?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

I have owned and operated our Maui condo as a short-term rental for over 20 years. I have invested money and my blood, sweat and tears into it to make it a going enterprise.

By what right does the State of Hawaii now propose to revoke my rights to operate my business and make illegal the use of my property? Not only would the proposed HB1838 work against the interests of the greater majority of the Hawaiian people, but it is also clearly un-American in its intent.

Do not further consider nor advance this deeply flawed Bill, HB1838.

I oppose HB1838 in the strongest terms possible.

Michael K. Flowers
San Jose, CA

HB-1838-HD-1

Submitted on: 2/27/2024 4:58:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alison and Bob Hall	Individual	Oppose	Written Testimony Only

Comments:

Many tourists renting short term condos outside of the resort areas support the mom and pop businesses such as food trucks, takeaways, casual bars, restaurants and stores. Many of these tourists will be unable to afford hotels and condos in the resort style areas and therefore will find somewhere else to vacation adversely impacting these businesses. In addition the lost revenue attributed to the tax placed on condo accommodation, the property taxes paid by non resident owners and the downturn in associated goods and services purchased by these tourists will surely impact budgets for schools, fire, police and other services. How will that revenue be replaced?

HB-1838-HD-1

Submitted on: 2/27/2024 5:00:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pamela Small	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposing HB1838 - Protecting My Ability to Make a Living

Aloha,

My name is Pamela S., and I am a local resident of Hawai'i. I am reaching out to express my strong opposition to House Bill HB1838. As someone who is 100% disabled, my vacation rental is not just a source of income but also a lifeline that allows me to pay my bills, cover my mortgage, and manage significant medical co-pays.

My guests also play a vital role in supporting the local economy. They shop at farmer's markets, dine at local restaurants, participate in local activities, and contribute to the livelihood of our community. Without the ability to continue offering my vacation rental, my financial stability and the local economic support provided by my guests would be jeopardized.

I am deeply concerned about the potential impact of HB1838 on my ability to maintain my livelihood and support the local economy. This bill could have far-reaching consequences for individuals like me who rely on vacation rentals as a means of financial stability.

I urge you to consider the significant impact that this bill could have on local residents like myself, especially those who are disabled and rely on the income from vacation rentals to make ends meet. I hope that you will take into account the stories of individuals like me when making decisions about HB1838.

Thank you for considering my perspective and for your attention to this important matter.

Mahalo, Pamela S.

Aloha,

My name is Charles D. Graham. My wife Joyce and I moved to Maui in 1978. We plan to retire here so we purchased our Kamaole Sands Condo in 2004 in South Kihei. Our daughter lived there before she moved to the mainland, and our families come here to vacation and use the condo for pleasure. When available, the condo is rented to tourists or workers from outer islands or visiting local families. We also donated the condo rent-free to Lahaina fire victims for the month following the fire.

We will rely on the rental for our supplemental retirement income. The taxes we pay for the rental help “keep the light on” for our Maui County yearly budget, contributing 18% of the 1.7 billion dollar main budget.

The short-term rental provides a “financial bridge” for the average tourist and visitor who cannot afford the high-end hotel nightly charges. A great number of supplemental local businesses thrive supporting the short-term rental industry and thus provide income stream into the economic engine on Maui. Maui County cannot afford to lose this vital industry.

This “status quo” symbiotic relationship with the 13,744 legal short-term rentals begs to be nurtured and maintained, not subject to any special interest or lobbies at the local County level.

We ask that you please do not move this bill forward, for the betterment of the residents of Maui and its future generations.

Thank you for your time.

Charles and Joyce Graham

HB-1838-HD-1

Submitted on: 2/27/2024 5:03:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Mercer	Individual	Oppose	Written Testimony Only

Comments:

Aloha!.. HB1838.

highly oppose this bill !!

would ruin economy for the locals with no tourists being able to secure a spot to stay. food and beverage community would dry up.

HB-1838-HD-1

Submitted on: 2/27/2024 5:05:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kawika Sullivan	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838. As a local resident, tax payer, community volunteer and someone that works in property management, this bill is not designed to solve the current housing problems. Instead, this bill is yet another attempt to circumnavigate constitution rights of property owners. Wake up Hawaii, stop attacking local homeowners and those that work for and with local homeowners and small businesses and focus on what will make a difference. Make more affordable housing with developer land and tax incentives, close developer loopholes that allow units to be converted to market price after project completion due to appreciation, reduce the red tape of permitting and incentivize small businesses to generate work, growth and stable employment. Tax foreign owners/entities and vacant homes that sit and drive up prices with no benefit to the community. Or deny these purchases all together. How many unknown foreign LLC entities own property in Hawaii that are used as a way to disguise the source of funds and true ownership? Why are you not addressing the problem with these folks and only coming after long established, legal, licensed properties? Stop special interest and political desires and draft bills that actually will make a difference. My family of five makes a living from managing short, long, and legal TVU properties. We volunteer in the community, we go to school here, we have family, friends, and other small business owners that depend on this business. This bill hurts local families, plain and simple. It will drive more native Hawaiian families, like mine, to the mainland. Not to mention this bill will undoubtedly be met with more legal challenges, costing taxpayers even more money. Wouldn't that money be better spent on the housing crisis, more efficient permitting and social services? Instead, this could end up in appeal for years or at the Supreme Court, ultimately being deemed a taking under the 14th amendment. Strike this bill down.

HB-1838-HD-1

Submitted on: 2/27/2024 5:13:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Paganelli	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as a vacation rental for almost fifty years.

Papakea supports the local economy employing approximately 35 local resident employees, some have worked at Papakea over 15 years. Papakea supports a variety of local businesses from pest control, HVAC, cleaning companies, plumbing, locksmith, tree trimming, etc. The list is long.

Without the short term rental revenue we would not be supporting these business or maintaining all current staff.

Papakea STRs support the State of Hawaii and County of Maui through taxes such as GET, TAT and property taxes. Our rental GET and TAT tax alone was over 10k in 2021. (the last year I have easy access to at this moment). Multiply that times even just the 200 or so likely rentals at Papakea and it is substantial.

If the problem is illegal rentals in neighborhoods than go after those not following the rules. Papakea is not a reasonable place for full time resident's to live with families long term. It was not built for that purpose.

For these reasons I oppose this bill.

Respectfully submitted, Kathleen Paganelli

HB-1838-HD-1

Submitted on: 2/27/2024 5:18:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise & William Michels	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. There is minimal storage for personal items, no outdoor storage.

Papakea currently employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. These are on a continual basis, channeling well needed funds into local businesses. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. In an effort to continually keep stay on top of maintenance of my rental I source all my supplies on island, using local businesses and contractors for all work. Without the use of short term rentals I would not be able to utilize regular maintenance schedules with local businesses.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Without the rentals the maintenance dues would be staggering.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. I use an on island agent (My Perfect Stays) which is providing employment for booking agents, housekeepers, handymen. They have managed to keep their employees retained, eliminating short term rentals would essentially eliminate their jobs and the established on-island agent business.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, car rentals, state parks, the national park, and shops. Without their support of the small businesses on the island those businesses would die off. Making it even harder for employment on the islands.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. They understand the importance of spending their money on island to support the local businesses.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

William & Denise Michels

Owners B101

Papakea Resort

HB-1838-HD-1

Submitted on: 2/27/2024 5:19:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JAG	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838

Dear Members of the Hawaii State Legislature,

I am not putting my name as I have seen firsthand political bullying when we locals oppose something but this HB1838 is going to hurt so many of my family and friends who have lived here for generations..

As a resident of Hawaii, I am deeply concerned about the potential impact of HB1838 local businesses and services like housekeeping, landscaping, and maintenance of a majority are us local Hawaiians and their families who depend on short-term vacation rentals for their livelihood.

Operating a short-term rental has been a vital source of income for a multitude of families, allowing us to sustain our lives in this unique economic landscape. If HB1838 proceeds, it would make the operation of my short-term rental impossible and jeopardize our ability to remain in our home as support other families that are dependent on my success and their ability to remain living here as their ancestors have before them.

Tourism is the backbone of Hawaii's economy, and for many citizens like myself, it is the sole industry through which we can make a living. HB1838, with its restrictive measures, creates insurmountable challenges for ordinary local families to engage in this vital industry. The bill's potential impact on my ability to provide for so many people is daunting.

I implore you to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Sincerely,

A local resident of Hawaii

HB-1838-HD-1

Submitted on: 2/27/2024 5:19:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jean Keating	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Short Term Vacation Rentals (STV): I have been a full time Maui resident since 1989. My husband and I have owned a vacation rental condo in Kihei, Maui since 2003. This is an investment and has assisted in providing a retirement avenue for us.

Our current unit is legally zoned to allow short term rentals. We pay very high property taxes to the County. The revenue that our visitors bring to both the County and State coffers should not be overlooked.

Why should the current legal STV rentals be disrupted and their underlying zone changed to ONLY allow for long term rentals? They were permitted by our planning department and building permits approved and have been used as short term rentals for years.

The County of Maui has historically neglected to provide affordable housing, they have put it on the backs of private developers. Why? They have deferred fire maintenance, and water infrastructure for fire fighting for our people and the visitor community. Again....Why ???

HB 1838 will result in disruption of our visitor industry in Kihei and more financial hardship of our small businesses that provide services to our community.

I do not support the intent of HB1838 and respectfully request that you as our representatives do NOT approve any form of the proposed bill.

Mahalo

HB-1838-HD-1

Submitted on: 2/27/2024 5:19:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marvin Chang	Individual	Oppose	Written Testimony Only

Comments:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation - Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

HB-1838-HD-1

Submitted on: 2/27/2024 5:23:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anabel Lapointe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairman,

I oppose HB1838 because I feel it is not fair for all middle class citizens. I bought my one bedroom condo about four years ago to help with expenses associated with retirement. The income for my condo and SSI has been able to sustain me and my immediate family.

If I have to offer my home as a long term rental, I would not be able to support myself.

Thank you for your time,

Anabel Lapointe

HB-1838-HD-1

Submitted on: 2/27/2024 5:30:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anand Mudliar	Individual	Oppose	Written Testimony Only

Comments:

As a Papakea property owner, I am against H.B. 1838, HD1 for the following reasons:

Papakea has operated as vacation rentals since 1978 and supports about 35 local residents who have been part of the property for over 15 years, some advancing from entry-level to supervisory positions.

The property contributes to the local economy by employing various trade professionals like pest control, HVAC, plumbing, electrical, and tree trimming services.

Maintenance levels and personnel at Papakea rely on high maintenance dues, which are funded by revenue from short-term rentals.

Short-term rentals at Papakea also benefit numerous small businesses in Maui, including housekeeping services, handymen, on-island agents, and contractors.

Papakea's short-term rentals contribute to the state and county through property taxes, Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Guests staying at Papakea support local businesses such as restaurants, food trucks, tour operators, state parks, national parks, and shops.

Papakea has a substantial number of returning guests who have been visiting Maui for years, fostering strong ties with the community.

Given these reasons, I oppose H.B. 1838, HD1 and urge the committee to defer it.

Sincerely,

Anand Mudliar

HB-1838-HD-1

Submitted on: 2/27/2024 5:32:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Markley	Individual	Oppose	Written Testimony Only

Comments:

We purchased our beloved Maui ohana 11 years ago. When we purchased, we knew the only way we could afford to do so was with short term rentals. We are now retired and on a limited income. We (and our family) live in our unit almost 6 months out of every year. The passing of HB1838 would devastate us financially. At this point in our age, we do not have income to fall back on and this is scary & very traumatizing for us.

Also, as you know, Maui's short term rentals provide almost half of the real property tax revenue for the county, as well as being the top funding source for affordable housing in Maui. The property tax revenue is almost 20% of Maui County's billion dollar budget. HB1838 would also be extremely detrimental to Maui County's bottom line.

I respectfully implore you to not pass HB1838. Mahalo.

HB-1838-HD-1

Submitted on: 2/27/2024 5:33:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Curtis Costanza	Individual	Oppose	Written Testimony Only

Comments:

Chair David A. Tarnes, Vice Chair Gregg Takayama and other committee members - my name is Curtis Costanza and my wife and I are residents of Kihei. I am testifying in opposition to HB1838 at this time for a variety of reasons.

First and foremost, how will the lost tax income be replaced? Maui's short term rentals provide 40% of the real property tax revenue for the county. Without a substantive plan, this Bill could have unexpected consequences. Additionally, there are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, on-island contacts, etc. This is another unforeseen or under valued negative consequence if this Bill is allowed to progress.

Are we in a housing crisis? Yes, of course. But this Bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires, the devastation of the fires cannot be under expressed. But in our haste to believe what would be a benefit to our community, may ultimately be a hindrance. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state.

Let's continue to brainstorm ways to help those that are in a housing crisis without desimating the livelihood of others. STRs do have positive contributions to our community, yet they are being treated as if they are the main underlying cause of the crisis. This is not true. I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community. Thank you for the opportunity to testify my opposition to Bill HB1838.

Mahalo, Curtis Costanza

HB-1838-HD-1

Submitted on: 2/27/2024 5:36:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Neal Halstead	Individual	Oppose	Written Testimony Only

Comments:

Aloha

While it is of importance to the hotel industry that vacation rentals be phased out, there are some facts that the hotel industry won't tell you

1. On Maui, short term vacation rentals provide 40% of the property tax revenue for the County. That is the single largest source of revenue to the county. Even more than your hotels

2. Vacation rentals are the top funding source for affordable housing on Maui.

3. Short term vacation rentals contribute 18% of the County of Maui's \$1.7 billion budget.

40% of the property tax revenue. 40%

Mahalo for the opportunity to testify

Neal Halstead

February 27, 2024

Dear State of Hawaii Legislature,

Please oppose Bill HB1838, which is attempting to authorize counties to phase-out short-term rentals in any zone. This could adversely impact the island of Maui, who truly needs tourism now. We are sending friends, family, employees and clients regularly to condo in Lahaina to help grow the economy and losing our short-term rental will remove that opportunity for this island, so in need of commerce today.

This Bill could result in the phasing out of 13,744 legal short term rentals on Maui which will devastate the tourism needed to employ so many residents on the island.

Please oppose this bill, for all the locals in need.

Thank you,
Karen Zabaneh

HB-1838-HD-1

Submitted on: 2/27/2024 5:44:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracy Denise Lee	Individual	Oppose	Written Testimony Only

Comments:

To the Honorable Members of the Hawaii State Legislature,

As a concerned citizen and advocate for balanced policies, I urge you to reconsider the implications of **HB1838**, which seeks to phase out non-conforming single-family transient vacation rental units across all zoning classifications, including legal condo-tels.

1. **Economic Impact:**

- **Property Tax Revenue:** Short-term rentals (STRs) contribute significantly to our local economy. [A 2020 study commissioned by the Hawaii Tourism Authority revealed that STRs added a staggering \\$6 billion to our state's economy and sustained 46,000 jobs](#)1.
- **Tourism Ecosystem:** STRs are not isolated entities; they form an integral part of our tourism ecosystem. Their removal could have a cascading effect, affecting businesses such as car rental agencies, restaurants, tour operators, and retail outlets. The loss of revenue would directly impact county budgets.

2. **Legal Considerations:**

- **Property Rights:** Recent U.S. Supreme Court decisions, including *Tyler v. Hennepin County* and *Timbs v. Indiana*, underscore the importance of property rights. We must tread carefully to avoid infringing upon property owners' rights.
- **Just Compensation:** If HB1838 moves forward, I recommend adding language that ensures **just compensation** for owners of phased-out units. This would align with constitutional principles and protect property owners from undue hardship.

3. **Community Livelihoods:**

- **Jobs at Stake:** STRs provide employment opportunities for local residents. From cleaning and maintenance to property management, these jobs sustain families and communities.
- **Tourism Diversity:** STRs offer diverse lodging options, attracting a wide range of travelers. Removing them could limit choices for visitors and impact overall tourism numbers.

4. **Balanced Solutions:**

- **Collaboration:** Let's engage stakeholders—property owners, renters, and local businesses—in a dialogue. Collaborative solutions can address concerns without jeopardizing livelihoods.

- **Phased Transition:** If necessary, a phased transition can balance conservation goals with economic realities. However, this must be done thoughtfully, considering the unique circumstances of each county.

In conclusion, I implore you to consider the long-term effects of HB1838. Let's protect our environment while safeguarding our economy and community well-being. A balanced approach—one that respects property rights, provides just compensation, and preserves jobs—is essential.

Thank you for your attention to this critical matter.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

1. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years
2. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
3. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.
4. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.
5. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.
6. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
7. Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
8. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE H.B. 1838, HD1** and urge the committee to defer it.

Respectfully submitted,

Alexandra Roda

February 27, 2024

To whom it concerns –

As an owner of an STR, we are very dismayed that the legislature is considering HB1838 and SB 2919. Our hearts break for all of those who lost everything in the Lahaina fires, but these bills will not fix the issues that Maui is facing in rebuilding. As owners of an STR, we immediately opened our home to a displaced family. Our management team was quick to work with FEMA and the Red Cross to help navigate the process and has been in constant communication with us about the needs and how we can help. We immediately committed our unit indefinitely. Unfortunately, the latest change by FEMA cancelled our contracts and removed the family. Many of our fellow STR neighbors have tried to figure out a way to make our units accessible under the FEMA Direct Housing program, but due to a large, long-term renovation project, we do not qualify under the current requirements. Many of us have wanted a work around as our units will be available for a large portion of the required time, but not the full time. To our knowledge, no one has had a response or any dialogue about how to make the situation work so that our units could be used. All any of us want is to help. But these bills won't do that.

These bills will only hurt an already struggling Maui economy. Eliminating our ability to rent our units, if they cannot be used for long term housing, will result in a loss of many jobs including our management staff, cleaners, maintenance crews. Not to mention the loss of tourist dollars spent by those who will choose to go somewhere where they can stay in something other than a hotel. It will continue to trickle down through the products we won't need or people we won't hire in keeping our unit rentable, such as household items, appliances, furniture, painters, contractors, as we won't need to replace or update as often. And while some may choose to sell their units, many of us will not, however, our property values will likely decrease, thus the county will receive less in tax revenue. This, on top of the reduction in TAT/GET tax that won't be collected.

While we appreciate the intentions to find housing options, these bills will not accomplish their intended purpose. Rather they will make an already horrible situation worse. They will not help Maui heal. We love this island and want what is best for its residents and its recovery. We have known many of the people affected for decades and want what is best for them, they are Ohana.

Sincerely –

The Vernor's

HB-1838-HD-1

Submitted on: 2/27/2024 5:47:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Hutchinson	Individual	Oppose	Written Testimony Only

Comments:

I believe this bill is too broadly written. The short term rental market allows a more affordable option for many of our tourists. If we totally do away with this option, it will have a dreadful impact on our economy. Much lower state revenues and a detrimental impact on employment for many of our residents. If the concept is to help provide more affordable housing for the residents of the state, then a more targeted approach must be found. Threatening the entire industry is not the answer. Don't start a domino effect that could spiral out of control.

Thank you for considering my opinion.

Respectfully,

Robert R Hutchinson

HB-1838-HD-1

Submitted on: 2/27/2024 5:50:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Megginn Yuen	Individual	Oppose	Written Testimony Only

Comments:

I Oppose HB1838:

- I own a one-bedroom short-term rental unit in Honolulu. I have hosted guests from all over the country and all over the world. I have a 5-star rating from 95% of the guests. While the reason for their visit varies, there's one thing they all have in common: an economic lodging so that even though they don't have a big budget, they can still afford to come to Honolulu! I have worked hard for years and this rental unit funds my retirement – this means I can be independent and live free of any government financial assistance. ***THIS BILL WILL TAKE AWAY AFFORDABLE LODGING FOR THE VISITORS AND FINANCIAL INDEPENDENT RETIREMENT FROM ME!***
-
- Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more.
-
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
-
- Events like the Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?
-
- Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

NO TO HB1838!

HB-1838-HD-1

Submitted on: 2/27/2024 5:57:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Isabel Borland	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it could potentially mess up the economy. I am a housekeeper & this will cause me to become jobless & homeless. Please do not do this as it will put thousands more without jobs.

Aloha Chair, Vice Chair and Committee:

My name is Karissa Anderson and I live in California and own a condo on Maui.

I am writing in opposition of HB1838 because it will threaten my ability to make a living as well as negatively impact the cleaners and maintenance workers who live and work on Maui. HB1838 could result in the phasing out of over 13,000 legal short-term rentals on Maui. If STRs are phased out/banned, many local residents will become unemployed due to a dramatic decrease in visitors and will need to move to the mainland; they will have no need for the housing that was once a STR, and STRs will be left vacant.

Eliminating short-term rentals benefits no one, especially the state of Hawaii. Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from? It will by default increase the tax burden on residents.

Mid- and short-term rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, and our family & friends.

I rent my condo to visitors who are unwilling to stay in hotels and have told me that they will not visit the islands if forced into hotels. Many of my guests who rent my condo have been visiting for years and put thousands of dollars into Maui's economy every year by supporting small businesses, restaurants, etc.

My condo is zoned apartment, but is located in a resort complex. Like most STRs in Maui, it is a 1 bed/1 bath unit that is unsuitable for longer term renters as there is no storage, no pets allowed, only a single parking space, and a very high HOA fee of \$800 per month. Phasing out STRs will not create more affordable housing; it will only dramatically reduce the amount of income-generating visitors. Locals will not want to purchase former short-term rentals for the reasons stated above. The default buyers of these properties will be wealthy off-island owners who can afford to purchase them and leave them empty for a majority of the year. Hosting visitors as short-term renters adds so much more to Maui's economy.

I urge you to enforce existing laws and ask that you please not move HB1838 forward.

With respect and aloha,

Karissa Anderson

HB-1838-HD-1

Submitted on: 2/27/2024 5:59:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathy Giannini	Individual	Oppose	Written Testimony Only

Comments:

Members of the Committee,

There's no doubt that the State in general and the County in particular have been, and continue to face a monumental housing crisis. You are all well aware of the multiple factors that have contributed to the current scenario. There is no doubt that you have a responsibility to support the residents of Hawaii while taking into consideration all of the downstream effects that will occur as a result of your actions.

You already know that the tax revenue from short term rentals is a very significant part of the County's annual budget. Reducing short term rental housing will obviously have an impact on that bottom line.

You are also well aware of the consequential benefit that short term rentals provide to property, managers, contractors, cleaning services, restaurants, tourist operators, and the like.

That said, you should also be aware of the significant benefit that short term rentals provide on an individualized basis. In our case, my husband and I own a single condominium on Maui. I am a retired registered nurse and my husband is a retired firefighter. We have visited Maui for well over 30 years and obviously find it to be magical. We are currently renting our unit to a contractor who is working on the debris removal project for Lahaina. Prior to this time we also have allowed our unit to be used by a cancer survivor to support her healing process and others that have needed a respite from their personal struggles.

While, there are large corporations that hold title to a number of short term rentals on Island, there are many, individual owners, such as my husband and I that are not making tremendous amounts of money and taking it off Island.

I implore you to take the time to look closely at other communities across the Country that have faced disaster scenarios, and review the best practices that are in place to best support everyone through the consequence of this tragedy.

Our single unit is working to support your cause. Elimination of this unit would do just the opposite. Please amend the legislation in a way that would avoid any negative downstream effects that may result from your actions.

Your consideration is very much appreciated.

Respectfully,

Kathy Giannini

HB-1838-HD-1

Submitted on: 2/27/2024 6:01:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Ochsenbein	Individual	Oppose	Written Testimony Only

Comments:

Please think carefully before you take away the rights of our residents to make a little extra money to pay the rent in favor of giving offshore hotel corporations the money. Housing is a crisis because of the permitting process. My neighbor has waiting over two years and is not even close to getting a permit for a rockwall. Housing is even worse. Those hurt by this bill would be the little guy, the cleaners, the maintainance people and those that are trying to pay rent in our very expensive state.

HB-1838-HD-1

Submitted on: 2/27/2024 6:05:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jill Chapman	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE HB1838.

- Maui's STRs provide 40% of the real property tax revenue for the county. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

But most importantly those of us with ShortTermRentals are being villified when the reality is that our property--in a condo-hotel, built for this purpose, is not a part of the islands housing crisis. STRs are less than 10% of the housing inventory. It is clear that STRs do not contribute to the housing shortage on Maui, in Hawaii or by stats in any other locale.

In the months following the tragic fires, officials squandered the opportunity to provide temporary housing used in other locations affected by natural disasters. Modular housing, trailers and other housing types could have been mobilized to arrive on island in days/weeks. But that opportunity has been squandered in favor of using the same time frame to make STRs the scape goat in an absolutely unjustified political scheme.

February 27, 2024

Subject: Opposition to Bill HB1838

Aloha Chair, Vice Chair and Committee,

My name is Jacqueline Sarfati. I am an owner of a one-bedroom condo at Maui Banyan in Kihei. We purchased this condo in 2021 after honeymooning in Maui earlier that year. We love the island and the people and love coming to visit every few months and for at least a month over the Christmas holidays. We love the restaurants and shops and love supporting the local economy. When we are not visiting, we rely on short-term rental income to help offset the cost of our condo.

I am writing in opposition of this bill because short-term rentals are important. It allows families and other visitors to have affordable options to hotels, providing more space and kitchen space that hotel rooms don't have. The short-term rental guests who stay at our condo love our place and are grateful to have condo options for their family travels. Having the space and kitchen allows them more flexibility on their vacation in Maui to spend more money to at rental shops, tours, etc. Short-term rentals bring a regular and steady stream of visitors that support the local economy. Short-term rentals provide jobs for small business owners in cleaning services, maintenance services and various other trades.

This bill will hurt me, other residents, business owners and important visitors that rely on short-term rentals. Please let the counties enforce the laws that they already have. I ask that you please do not move this bill forward.

Thank you for your time.

Sincerely,
Jacqueline Sarfati
2575 S Kihei Rd, H407
S Kihei, HI 96753

HB-1838-HD-1

Submitted on: 2/27/2024 6:07:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Seth A Loop	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Seth Loop. I stayed in a short term rental because I have a large family and I cannot afford to rent multiple hotel rooms and hotels do not offer areas to prepare meals.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Seth Loop

HB-1838-HD-1

Submitted on: 2/27/2024 6:10:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Marquez	Individual	Oppose	Written Testimony Only

Comments:

Our home in Maui is just that, or home. We use it legally as a short term rental to help with the cost of owning. But first and foremost we uses it as our family home. And future home to retire to. Or parents, friends, family enjoy the islands knowing they have our home to stay. Long term rental would make or family loose that. All the hard work that so many families have put into places like these would be lost. How many hard working locals will be put out of work with this change? I gladly pay sizable excise and transient taxes. Pay or amazing cleaner a healthy amount to keep our place nice for our family and guests to enjoy. What will she do? I worry about that. I am certain resorts are excited about the proposed change. But what will this do to the thousands of families that have work so diligently to earn their own piece of paradise? To my family and I, it means we will lose our home.

HB-1838-HD-1

Submitted on: 2/27/2024 6:10:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dave Zimmer	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Dave Zimmer. I am writing in opposition of this bill because short-term rentals are an important component in Maui County's thriving and tourist driven economy.

Short-term rental properties boost the local economy and thus the well-being of the Maui County residents. Rental properties are reliant on locally owned, small, often family run, businesses such as cleaning services, electricians, plumbers, carpet/upholstery cleaners, grounds keepers, and property management companies. These locally owned businesses would suffer greatly with the loss of the revenue generated by these short-term rentals, many of which would likely go out of business. Hotels and resorts do not hire local businesses and entrepreneurs for their electrical, plumbing, cleaning, grounds keeping needs etc. Limitation of entrepreneurship would be a detriment to the Maui County residents in reducing opportunities for their financial and personal growth.

Short-term rental also generate tax money that goes directly to supporting the local economy and residents of Maui County. If short-term rentals are eliminated, that tax revenue will also be eliminated.

Visitors of Maui County enjoy the option of staying in a short-term rental instead of only the option of staying in a hotel like some other destinations require, which increases the appeal of visiting Maui County and thus boosts the economy through tourism. The people of Maui County are reliant on tourism to support the local economy, we need to do all that we can to preserve that.

Short-term rentals are not conducive to month-to-month or year-to-year family living due to their small size. They are deemed short-term rentals because they are often 1-2 bedrooms with relatively low square footage and are not places that families with 4 or more people would feel comfortable living in long-term. The short-term rentals were never designed with the intention of long-term living, and they are best utilized as short-term rentals as they have been for decades.

I am requesting that you do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 6:10:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lawrence Zabaneh	Individual	Oppose	Written Testimony Only

Comments:

February 27, 2024

Dear State of Hawaii Legislature,

I urge you to oppose Bill HB1838, which is attempting to authorize counties to phase-out short-term rentals in any zone. This could adversely impact the island of Maui, which truly needs tourism now. We are sending friends, family, employees and clients regularly to our short term rental condo in Lahaina to help grow the economy and losing our short-term rental will remove that opportunity for this island, so in need of commerce today.

This Bill could result in the phasing out of 13,744 legal short term rentals on Maui which will devastate the tourism needed to employ so many residents on the island.

Please oppose this bill, for all the locals in need.

Thank you,

Lawrence Zabaneh

HB-1838-HD-1

Submitted on: 2/27/2024 6:12:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
mark Warren	Individual	Oppose	Written Testimony Only

Comments:

I have been visiting Oahu for over fifty years and rely on affordable accommodation in areas that are suitable for me, not just Waikiki but surfing areas where there are no hotels. It's difficult to imagine Oahu without affordable accommodation.

kind regards

Aloha Chair, Vice Chair and Committee,

My name is Dave Clavell. I always choose to stay in a short-term rental because they make Hawaiian vacations a possibility for me and my family. I have been going on vacations to your islands for the past 20 years and would love to be able to continue to share the experiences and memories with my family for future generations.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Respectfully,

Dave Clavell

HB-1838-HD-1

Submitted on: 2/27/2024 6:28:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Brooker	Individual	Oppose	Written Testimony Only

Comments:

When my family and I bought our property in Ko'olina we did so with long-term goals in mind - to return to Oahu full-time when our children graduate from high school. We purposefully purchased the property in a designated resort zone to conduct legal 30-day rentals. Since 2018, we have housed nurses, doctors, military personnel, and government workers. We've also housed local families in need of two or more months of temporary housing. All of this helps us pay the mortgage so that one day we can live out our retirement dreams on Oahu. Giving the counties unlimited power to take away these rights puts our future at risk, serves to undermine property values in all of Ko'olina, and further demonstrates the power of Hawaii's hotel lobby. **PLEASE DO NOT PASS THIS BILL AS WRITTEN.** Instead, enforce the laws already in place that limit short-term rentals in unintended areas. As a graduate of Hawaii Pacific University and Habilitat, I implore you to allow homeowners to retain important property rights so that they may plan their futures in Hawaii.

No for HB1838

We purchased a condo no far Papakea Resort few couple years ago and we been using of few weeks out pf the year.

Recently we rented our condo to a fire survivor through FEMA. We feel fortunate that we can can help a fire survivor

We thought we would be able to visit our Maui home couple of months a year and continue to do short term rentals when our contract is finished with FEMA, but now are informed that this part of our livelihood is at risk due to HB1838 and SB2919.

The Papakea is a resort, which rents out to tourists since it was built in the late 1970's. it has about 360 units. It was never intended to be an apartment complex. This resort generates tax revenue for the state of Hawaii, it employes dozens of local people local people , many are in management position who makes a nice living.

It supports the livelihood of handyman, cleaners , property managers and other contractors. The tourists who use our condo spend money in the local economy by going out to restaurants, renting cars, purchasing local tours etc...

We will not be able to afford our condo with w long term lease , as our cost to maintain of our condo is high (High HOA dues, property tax, mortgage, insurance , etc) and long term rent will not cover our expenses. Besides hurting our own finances, there is this greater loss of revenue to the local economy.

- Economic Contribution:** Maui's Short Term Rentals provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If Short Term Rentals are curtailed, where will the equivalent revenue come from?
Short term rentals are also pay **Hawaii Transient Accommodations Tax**, General Excise Task, and **Maui Transient Accommodations Tax**. Those tax revenue could be lost.
- Housing Options in Crisis:** In times of crisis, like the Lahaina Fire, short-term rentals serve as essential temporary, furnished housing for displaced residents. Where will residents find such housing in times of emergencies. Where will residents find temporary, furnished housing if short term rentals are severely curtailed?
- Employment Impact:** Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.
- Community Support:** Short-term rentals accommodate various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits,

traveling nurses, emergency contractors, temporary military & students, our family & friends.

5. Hotels will have less competition and they will charge much higher room rate which will discourage tourism.
6. Families who come to visit want kitchen and multiple bedrooms which found in short term condo rentals but not in hotel room. This will discourage family tourism.

I think that the State should invest in more housing for the local population, but not at the expense of eliminating short term rentals. The long-term impacts of eliminating short term rentals will severely hurt the local economy, in addition to hurting the people who invested in these properties in good faith. I ask you to vote no on HB1838 and find a better way to create more affordable housing for the local people.

HB-1838-HD-1

Submitted on: 2/27/2024 6:37:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nandini Javagal	Individual	Oppose	Written Testimony Only

Comments:

Re: Bill No: HB1838 HD1

Short-Term Vacation Rental Owner Names: Nandini Javagal and Sreehari Javagal

Dear Chair and Committee Members:

We are writing to you as a very concerned short-term vacation rental owner. We have owned two short-term vacation rental condos located in Wailea Ekolu, in Maui for almost 10 years. We oppose bill HB1838 HD1. If this bill passes we will be deeply affected financially and mentally as we would suffer huge losses as we have been relying on this income to support our family. Our vacation rentals have brought middle-class families an affordable option to visit Maui and stay with their families in a clean, safe, and quiet environment. We have also provided displaced fire victims a short-term furnished option while they figure out their futures. Our condos have also been an option for many sick, immune-compromised patients, and their families as a place to get away without being exposed to harmful viruses and germs. Aside from this, due to the high operating costs (AOAO dues, property taxes, property insurance, high utility costs, and the Wailea Community Assoc. dues) of running these condos, we would not be able to afford to run and operate our condos on a long-term rental basis. Our short-term vacation rentals have provided so many job opportunities to real estate agents/companies, cleaners, property management crew and administrators, electricians, handyman services, etc. Eliminating short-term rentals on the island will deeply impact unemployment rates and the economy in Maui. During the past ten years, we have developed a great personal relationship with our property management company and staff, and if this bill is passed that relationship will be severed and this will also deeply affect us personally. Maui holds a special place in our hearts for our family get-togethers in our condos, as well as a place for my elderly parents to relax, and if this bill passes, these special occasions will end too for us.

Over the last 10 years, we have faithfully been paying the GET and TAT taxes and have operated our condos professionally and legally. This Bill could result in the phasing out of 13,744 LEGAL short-term rentals on Maui. Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, traveling physicians, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

We oppose bill HB1838 HD1.

Thank you for your time and consideration.

Mahalo.

Sincerely,

Nandini and Sreehari Javagal

HB-1838-HD-1

Submitted on: 2/27/2024 6:40:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kilty Highfill	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing in opposition of this bill because of how it will affect all our lives. My husband and I worked hard planning for retirement. We love Maui and we purchased a short term rental to not only use part of the year but also to rent to supplement our retirement income. Our guests enjoy Maui and come from all over the world to take in a little bit of paradise. We pay taxes to support our beautiful island. We provide jobs for maintenance workers and housekeepers. Our guests fill our local restaurants and buy goods in our local shops.

I again urge you to vote no as it impact so many lives.

Thank you,

Tom and Kilty Highfill

2/27/24

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm
State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

My name is Caryl Burns. I am a Hawaii resident of Kailua-Kona. I am writing in Strong Opposition to SB HB 1838, Relating to Zoning.

HB1838 will authorize the counties to phase-out short-term rentals in any zone. It will give Hawaii County carte-blanche to strip homeowners licensed under Bill 108 of their permits, granted by legislation that we worked cooperatively with Hawaii County Council Members to adopt.

My short and mid-term rentals have provided critical housing to meet the needs of:

- Visiting military, emergency workers, and medical professionals, and resort staff
- Inter-island neighbors visiting for work, play, and family events
- Sporting event participants
- Family and friends visiting for various life events
- Off-island vacationers visiting for important life events
- People who provide incomes for local businesses and pay TAT & GET taxes

I have paid all due taxes on all rentals for years. I provide living wages for my housekeeper and landscaper.

It would be a big burden for me, as a retired government worker, and for my staff, to lose the income from short and mid-term rentals, incomes that are also spent locally. This bill will also create uncertainty for owners, renters, staff, and real estate professionals.

I believe you also will oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy, and tax revenues for Hawaii state and Hawaii County.

Please join me to OPPOSE HB8138.

Mahalo nui loa,

Caryl Burns

HB-1838-HD-1

Submitted on: 2/27/2024 6:47:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tammara Billik	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I'm writing to strongly oppose HB1838, which could serve to restrict STR's on Maui. I've been visiting Maui my whole life. My cousins grew up in Kihei and then Kula, and my greatest lifelong dream of owning a home on Maui came true during the pandemic. I saved my entire adult life- over 35 years- to be able to invest in a property on our beautiful island so that I could come and visit frequently - and eventually retire here. Unfortunately, the only way that I can continue to own my dream property is to share it with others.. by renting it on a short term basis, I am able to have the flexibility to visit as often as possible, and to participate in promoting the tourism economy of Maui. Without the STR income, I would not be able to keep my home here on Maui. As the owner of a single unit, this bill would unduly punish me and wipe out my retirement plan. We all want to see Maui have more affordable housing for full time residents and for those impacted by the fires, but HB1838 would have a highly negative effect on the county's property tax revenues, and severly negatively effect those residents who work in the tourism industry.

Please reject this bill and continue to create alternative ways of creating housing for all those who reside full time.

Mahalo for your time.

Tammara Billik

Aloha,

We are owners of a Short Term Rental (STR) in Kihei and are writing to express our opposition to HB1838. Our condo is a 500 square foot studio in the apartment district that has been legally permitted and authorized to operate as an STR.

We are fortunate enough to have had the ability to travel to many places and frequently use AirBnB (and previously VRBO) when we travel. We do this for multiple reasons – being able to interact with those with local knowledge, able to travel with a different type of experience such as a organic beef farm in Ireland or a family home in Netherlands that they are able to retain and maintain in the family through short term rentals, to being able to provide enough space for our family of four which includes a teenager that is not neuro-typical and two kids with serious food allergies. Not everyone prefers to stay in a hotel (a kitchen and laundry are key for us) and not everyone can afford 2 hotel rooms as kids (our kids need their own space to decompress) start to grow up. It gives us great pleasure to be able to provide a welcoming experience and environment for our guests, albeit a small studio.

We bought our condo in 2020 and paid a premium for it specifically because it was a STR and would allow us to afford the purchase. It was during COVID but we believe in the beauty and opportunity and that visitors would return. The condo would be worth a fraction of the price we paid if it were not permitted to be an STR. To wipe that away would have a devastating financial impact on our family.

Much of the money generated from our STR stays on island – we pay our on-island property manager, our cleaners, our maintenance team. All that money stays on island. I can assure you that our house keepers make substantially more money than what housekeeping does in a fancy resort. Additionally, we paid approximately \$15,000 in taxes (TA-1, G-45 and MCTAT) in 2022 for a single 500 sq ft condo that is limited to 2 residents per our HOA bylaws. We estimate that 50% of our rental income stays on island – before mortgage and property taxes – from the HOA, to occupancy taxes, to the management and service industries we utilize. This property wouldn't cover a mortgage, HOA and taxes in a long term rental. Legal STRs contribute 18% of the tax basis for Maui – how will that income be replaced?

While driving through Kihei today (2/27/24), we noted how many Open Houses there were and it seemed easily to be double what we have seen in many prior visits and the first thing that came to our mind was the pending legislative action is causing people to “jump” before they lost their property value.

In case you think all STR owners are terrible villains who do not care about issues that are occurring locally, I can assure you that this is not the case. This is the single property we own aside from our primary residence on the mainland. We researched being able to take the opportunity for temporary housing for FEMA for victims of the Lahaina fire, but unfortunately numerous issues prevented us from doing this. Additionally, the family has roots in the islands prior to us buying our condo such as family living on Oahu for the last 30 years and a sibling attending high school on Oahu.

If the government took away our ability to be an STR, we would be forced to sell our property and put us on the brink of financial devastation. We wouldn't be the only ones facing these types of situations and you would be putting people in a broad demographic at financial risk – retired folks, middle class families, young professionals trying to get ahead. The long-term rental market would not cover the taxes and HOA fees let alone a mortgage. Not only would we lose money in this case because the condo

will sell for a fraction of what it was purchased for, but we would also lose our dream of being able to semi-retire here.

We care about locals having housing – this is a problem, and it has only been exasperated by the tragedy of the Lahaina fire. This problem is complex and has multiple paths forward. We have read in the news that the attempts to build Accessory Dwelling Units (ADUs) to alleviate housing crisis on Maui has also been met with permitting issues and bureaucracy.

We urge you to listen to our perspective with an open mind. We hope to be able to live on-island part of the year when we retire/semi-retire but that will depend on many factors including our ability to continue to operate as a legal, tax-paying STR. Maui had approved the ability for our property to be an STR and we purchased under those conditions and statutes. To take that away from STR owners unjustly does not create justice for Lahaina fire victims or others seeking housing.

To take such a big loss on the property would bring us financial ruin.

Mahalo,

Jarrett and Meara Boling

HB-1838-HD-1

Submitted on: 2/27/2024 6:50:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Koichi Yoshimura	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I strongly **OPPOSE** H.B. 1838, HD1

I am deeply troubled by the lack of action taken since the recent fire to provide temporary housing for affected residents and to support our tourism industry on Maui. In contrast to our own inaction, countries like Japan swiftly build temporary housing after disasters.

I urge the committee to prioritize the construction of temporary housing and invest in revitalizing our tourism sector. Limiting external assistance and funding will not only worsen our situation but also risk alienating property owners, resulting in reduced tax revenue for Maui.

Furthermore, by alienating property owners, we risk failing to address the urgent need to shelter the unsheltered population effectively.

Please reconsider your approach and work collaboratively to find solutions for the well-being of Maui.

Respectfully submitted,

Koichi Yoshimura

HB-1838-HD-1

Submitted on: 2/27/2024 6:52:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chelsea Newman	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Committee,

My name is Chelsea, a young woman who has dedicated years of hard work towards purchasing my first home, a small condo situated in Waikiki's hotel district, an area zoned specifically for hotel use. This endeavor was not just an investment in property, but a deeply personal journey to establish stability and independence. However, the proposed bill to ban short-term rentals threatens the very foundation of my hard-earned stability.

The significance of my short-term rental extends beyond mere financial metrics; it is the lifeline that allows me to afford my mortgage and maintain my residence in Hawaii. As a young single woman, who has spent years working in the hospitality industry, I've leveraged every possible means to make homeownership a reality. The income generated from my short-term rental is not only crucial for covering my living expenses but also enables me to reside on the North Shore, where I rent long-term.

Moreover, my short-term rental operation supports local employment; I employ cleaners and handymen, thereby contributing to the local economy and providing jobs within our community. This aspect of my rental business underscores its role not only as a personal financial necessity but also as a source of livelihood for others, further integrating my efforts into the fabric of our community's economy.

My commitment to our community is unwavering. In the aftermath of the devastating Maui fires, I opened my home to residents in need, often at a financial loss to myself. This gesture was not about profit but about supporting our community in times of crisis. My rental has frequently been a haven for interisland guests, including those coming to Oahu for work, medical treatment, or family visits, offering an affordable and accessible option contrary to the exorbitant rates charged by hotels.

The proposed bill overlooks the critical role that legal short-term rentals like mine play in our community. With only 2,000 legal short-term rentals remaining on Oahu, excluding hotel units, the ban would not only affect homeowners like myself but also the broader community relying on these accommodations. Our ability to provide temporary, furnished housing is indispensable, especially in light of events like the Red Hill Crisis and Marco Polo fires, which displaced

thousands of our residents. These rentals serve as essential support for displaced residents, those in transition, traveling nurses, emergency contractors, temporary military personnel, students, and even our own family and friends who need a place to stay while on the island.

The repercussions of this bill are far-reaching. If passed, I will be forced to sell the home I have worked tirelessly to secure. This is not just about the loss of an investment but the shattering of a young individual's dream and the destabilization of our community's housing solutions. Where will our residents turn for temporary housing if short-term rentals are eradicated? Are we prepared to direct them to \$700/night hotels, an option far removed from the financial reach of most?

I urge you to consider the personal and community impacts of this bill. We must find a balanced approach that protects the interests of homeowners and the community's housing needs. I stand ready to engage in constructive discussions to ensure that our regulations reflect the needs of all stakeholders involved.

Thank you for considering my testimony and the broader implications of this proposed legislation on individuals like myself, the jobs it supports, and our community at large.

Sincerely,

Chelsea Newman

HB-1838-HD-1

Submitted on: 2/27/2024 6:54:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blair Schmautz	Individual	Oppose	Written Testimony Only

Comments:

rentals:

2/27/2024

Blair Schmautz
[Condo owner]
77-6469 ALII Dr. Apt 234
Kailua-Kona HI 96740-2402
United States of America

Dear legislator,

I am writing to express my strong opposition to Hawaii House Bill HB1838, which I believe poses a significant threat to my livelihood as a local resident of White Sands Village Condo #234, Kuakini building. As an owner of a short-term rental property, I have witnessed firsthand the positive impact that our rental has both on local employment and the economy of Hawaii. Short term, rental committees, like ours, provide close access to Magic Sand Beach, where there are no hotels nearby. Residents come specifically to our condominium for that purpose.

The enactment of HB1838 would not only have a detrimental effect on the operation of my short-term rental, but it would also jeopardize the livelihoods of many others who rely on this industry for their financial well-being. The proposed restrictive measures could make the operation of our rental properties impossible and lead to significant financial hardship, making it increasingly challenging to afford living in Hawaii. For many citizens like me, this industry is not just a source of income, but a vital lifeline that enables us to meet mortgage payments and sustain our lives in this unique economic landscape.

I urge you to reconsider the potential ramifications of HB1838 on the local community and the families who depend on short-term rentals as a means of economic stability. Let us work together to find solutions that balance the needs of the community while preserving the opportunities for citizens to participate in Hawaii's tourism industry. We live in Hawaii part-time and rent it out the other days so that we can afford the mortgage

In support of my opposition, I am including testimonies from other individuals who are facing similar challenges due to proposed bills regulating vacation rentals. Kris Adair, a local resident, emphasized that short-term rentals are essential for many residents to meet their mortgage payments and sustain their livelihoods. Marbella Alford, another member of the community, highlighted the crucial financial stability provided by her work in the vacation rental industry and expressed deep concerns about the potential impact of the bill on her employment and financial well-being.

I implore you to consider the voices of the local residents who will be directly affected by this bill and to engage in constructive dialogue to find solutions that do not unduly burden the families and individuals who rely on short-term rentals for their economic stability.

HB-1838-HD-1

Submitted on: 2/27/2024 6:54:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Veno	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and the honorable members of the House committee on Judicial and Hawaiian Affairs

We are in a housing emergency on Maui. The counties clear authority to phase out vacation rental uses has been identified as a key policy tool for assisting Maui residents find long term housing. We need your kokua now more than ever.

Mahalo for the opportunity to voice my support for HB1838.

I am writing to express my opposition to **HB1838**, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units. I believe that allowing me to establish and manage a short-term rental property will not only benefit my personal economic well-being but will also contribute positively to the local community.

First and foremost, I have carefully considered the impact my short-term rental business will have on the surrounding neighborhood. I am committed to maintaining the property in a manner that respects the character of the community and ensures the comfort and safety of my guests. I have implemented strict house rules and guidelines to mitigate any potential disturbances, and I am readily available to address any concerns raised by neighbors.

Additionally, the short-term rental business provides an essential service to visitors who seek a unique and personalized experience during their stay in Oahu. By offering an alternative to traditional hotels, I contribute to the diversity of accommodations available in the area, catering to a broader range of preferences and budgets.

Furthermore, the income generated from the short-term rental will not only support my family but will also contribute to the local economy. This includes spending on local goods and services, supporting nearby businesses, and potentially creating job opportunities as my business expands.

I understand and respect the need for regulations to ensure the responsible and sustainable operation of short-term rentals in our community. I am fully committed to complying with all local ordinances, paying applicable taxes, and adhering to any stipulations set forth by the licensing board.

In conclusion, I am confident that my short-term rental business will be an asset to the community, promoting economic growth, supporting local businesses, and offering a positive experience for visitors. I appreciate your time and consideration.

Thank you for your attention to this matter.

HB-1838-HD-1

Submitted on: 2/27/2024 6:56:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Steimel	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.”

The deadline to submit testimony is TOMORROW at 2pm Maui time.

Thanks a ton for your attention to this matter and I hope you take a few minutes to oppose the bill. You can also consider making a donation to MVRA at the website (www.mvra.net/Donate) as that organization has a standing legal fund that will be used to litigate with the state/county if any measures are taken to eliminate STRs on Maui. Stephanie and I made a contribution. I promise that any amount you are able to give will be far less than what we stand to lose if this measure is enacted...

Mahalo, Stephanie

HB-1838-HD-1

Submitted on: 2/27/2024 7:01:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
theresa davis	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose HB1838. Short term rentals are a solid source of income for local families, and in some cases, the sole source of income. With the high price of housing, some people would not even be able to continue to own their house without the financial help these rentals provide. I know families who rely on income from housekeeping or maintenance in short term rentals to support their families. There are local people that manage them.

There are currently 13,744 legal short term rentals in Maui. If they shut down, it would leave many local families without income. The hotel industry would not take up that slack. I know many people wish Hawaii, especially Maui, did not depend on tourism, but the reality is that it does. Many local businesses rely on the patronage of guests who choose to stay at short term rentals. The money not spent in high priced hotels enables visitors to support local restaurants, entertainers, dive shops, music stores, gift shops, farmer's markets, tours, and local rental companies who rely on business from these guests. Many of those businesses, like restaurants and markets, also serve local people, and locals will not have money to spend there if their jobs disappear. Many of these businesses would be forced to close if short term rentals were shut down. Besides losing all the tax revenue, it will strain government services having more people out of work. There will be no "pandemic money" around to help out this time. Massive loss of revenue will affect housing and infrastructure.

On Maui, short term rentals provide 40% of the total Real Property Tax collected. This represents 18% of Maui's total 1.7 billion dollar budget, and the largest source of revenue for affordable housing. If Short Term Rentals were shut down in Maui, it would create an unmanageable loss of revenue for the county.

In addition, short term rentals in Hawaii pay Transient Accommodation Tax (10.25%) and General Excise Tax (5%). Short term rentals in Maui pay an additional 3% for Maui Transient Accommodation Tax, adding millions of dollars to State and County budgets. Losing this steady and reliable revenue would deal a severe blow to county and state budgets.

Allowing counties to shut down short term rentals is very short sighted. It would severely damage the economy through major job losses, business foreclosures, and massive loss of revenue for programs, housing and infrastructure. It's an unsustainable option.

Mahalo for your time and attention to this important matter. Please keep the short term rentals. Please oppose this bill, HB1838.

Theresa Davis

HB-1838-HD-1

Submitted on: 2/27/2024 7:06:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keith and Melanie Hyde	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

Papakea, an AOA of 364 units, was built in 1978 and has offered short term vacation rentals (STRs) by individual owners for almost fifty years. If unable to continue doing STRs Papakea will not be able to support the local economy of Maui in many ways that are valuable to the local and state economy.

Papakea directly employs approximately 35 local residents. Some have worked at the property for over 15 years; some started in entry-level positions and have advanced into supervisory roles. Others have moved to positions at other resorts on Maui but learned valuable skills during their time at Papakea.

In addition to direct employees, Papakea AOA supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual owners at Papakea use the services of many, many additional small businesses in the Maui community in the maintenance of their units including housekeepers, handymen, on-island agents, and contractors. Many other people are employed by required support businesses such as our management company My PerfectStays, which employed 50 people before the fire and hopes to return to that number soon.

Without STRs like Papakea most of these people, residents of Maui, would lose their jobs or suffer a reduction in hours.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (the vast majority at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Without the revenue created by STRs, the property will most certainly decline, physically and financially, and tax revenues will also decrease.

Papakea guests generate revenue for the state when they patronize businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

A stay on Maui is already a more expensive vacation compared with other destinations. A loss of available STRs would result in an increase in the prices of the remaining properties, making Maui too expensive for a large swath of visitors resulting in an overall decrease in tax revenue.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. Our owners are also deeply connected to the community. After the fires last August, many opened their units to our ohana and they were able to stay on site at a most difficult time.

On a personal level, we have been owners at Papakea for 13 years and have not seen positive cash flow from our unit in that time. We struggled through Covid times with seven months of no revenue during which we had to continue to pay our taxes and other expenses. After the fires we grieved with our ohana and helped out as much as we could. We have stayed the course because we love Maui and feel part of the community here. However, if we are no longer allowed to do STRs, we and many like us, will have to sell our property, likely at reduced rate, and Maui's tax revenue will again go down.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to do the same.

Respectfully submitted,

Keith and Melanie Hyde

Aloha Chair, Vice Chair and Committee,

My name is Estelle Wan and I am an owner of an STR on Maui.

I am writing in opposition of this bill because our STR unit is a source of income for small local businesses around the island. Our cleaners, handymen and local management company (Rentals Maui) including their employees, all rely on the revenue from STR to make a living and feed their families.

Our unit has helped accommodate various guests including mechanical contractors, diplomats and a family living in Lahaina who had to find temporary housing immediately after the fires due to their health.

This bill will hurt the businesses we have helped support on Maui. Some of our favourite local eats in Kihei had to shut down due to low tourism last year.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 7:07:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John B	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838

Aloha,

My name is John B, and I am a permanent resident of Hawai'i and a vacation rental owner. I strongly oppose HB1838 as it threatens the very fabric of my livelihood and the ability to afford living in Hawaii. Operating a short-term rental has been my family's lifeline, allowing us to meet mortgage payments and sustain our lives in this unique economic landscape. The income generated by sharing the Aloha of Hawai'i with my guests is indispensable in paying my bills and mortgage without having to get a part-time job to supplement my full-time job.

My vacation rental business also supports local tradespeople, allowing them to earn a living. Additionally, I recommend local restaurants, shops, tour companies, and farm tours to my guests, thus contributing to the local economy.

I urge the reconsideration of HB1838 to balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Mahalo for your consideration in this matter.

Sincerely with Aloha, John B.

HB-1838-HD-1

Submitted on: 2/27/2024 7:11:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer URe	Individual	Oppose	Written Testimony Only

Comments:

I am opposing this measure. It would limit my family from visiting Maui annually. We love Maui and it is a tradition for our family. Hotels are ridiculously expensive and timeshares the same. This would be taking away our rights to have forms of housing available to us as a frequent tourist. to the island. Please do not pass this measure. We want to keep providing revenues to Maui, especially since the fires, and limiting our housing options will greatly reduce our abilities to do that.

HB-1838-HD-1

Submitted on: 2/27/2024 7:15:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven Gagliardi	Individual	Oppose	Written Testimony Only

Comments:

Hello. I am the owner of a Short-term rental property located in Kihei, Maui. In addition to the short-term rental, I also live in my condo approximately 3 months per year. In 2023, my rental provided \$16,100 in transient taxes (GET/TAT/MCT), \$20,200 to a local management company, \$17,200 to local trades-people. This total of \$53,500 in fees and services supported the local island and will be lost if this bill passes. In addition, all of the spend from tourism that resulted from the approximately 100 guests will also be lost. If we estimate \$1000 per visitor, this will put in jeopardy \$153,000 in county/local income for just my condo. This impact of converting condos that are zoned for short-term rental activity will destroy the local economy and could put the county into a revenue tailspin that can not be recovered by the hotel industry. In short, this bill will not fix issues but will result in more problems for the beautiful islands of Hawaii.

HB-1838-HD-1

Submitted on: 2/27/2024 7:16:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ann Ruff	Individual	Oppose	Written Testimony Only

Comments:

I am writing in opposition of HB1838. I have a short term rental (STR) and know how critical they are to Maui's economy, providing 18% of the county's 1.7 billion dollar budget and 40% of the real property tax revenue.

In addition, STRs provide countless jobs which are critical to the recovery from the Lahina fire. This bill will impede that recovery process by creating more confusion and uncertainty.

Let the counties enforce the laws they already have.

I ask that you please do not move this bill forward. Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 7:27:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Vega	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Angela Vega and I live on the island of Oahu.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 7:31:30 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Welcky Verso	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values and lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to the concerns.

HB-1838-HD-1

Submitted on: 2/27/2024 7:32:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harry Prince	Two Redheads Cleaning	Oppose	Written Testimony Only

Comments:

For the past 18 years, I have owned and operated a vacation rental cleaning service, Two Redheads Cleaning. I've employed dozens of local people and paid thousands of dollars in local taxes. This bill has the potential to destroy my business and the local people that rely on the income. We must do better for all the people of Maui but this bill is not the answer.

HB-1838-HD-1

Submitted on: 2/27/2024 7:34:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johannes Eksteen	Individual	Oppose	Written Testimony Only

Comments:

The proposed bill risks, the entire tourism industry, which is the main source of income and employment in Maui and collapse of the housing market. Cecks and balances are in place through appropriate permits that allows the provision of short and medium term rentals a regulated manner, and this will disrupt beyond repair the current tourism industry in Maui. This should be a very short sighted way of trying to solve the housing crisis and will lead to tremendous unemployment and poverty. Existing incentives to build affordable housing as well as a restriction on further permitting of short term. Rentals are undoubtedly the correct way forward whilst preserving the tourism industry as an employer of the individuals that occur in need of such housing.

Yours sincerely

Dr J A Eksteen

16C Ekahi, 3300 Wailea Alanui Drive, Kihei, 96753

HB-1838-HD-1

Submitted on: 2/27/2024 7:34:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather Quesada	Individual	Oppose	Written Testimony Only

Comments:

My husband and I purchased our Maui home in 2018. Our dream is to retire on Maui. We searched for five long years for the perfect place that we could see ourselves spending our golden years in.

We already were living on Maui in rentals for between 3-6 months a year for work. We owned a scuba diving buiness that unfortunately we were forced to close due to the fires and sudden drop in tourism. We put our entire life savings into the purchase of our dream home that we wouldn't ever be able to afford without being able to short term rent it while we were not on island. Which now as a result of the closure of our scuba diving business is now our only source of income. If this bill were to pass we will have no choice but to sell and find another location to retire.

One thing we have learned through Covid and now the fires is Maui's economy is almost completely depended on tourism. I am convinced Bill HB1838 will not only hurt tourism that Maui so desperately depends on but will truly hurt its economy without the 18% of Maui county's annual budget that comes from STVR's. I also believe you will also see due to no longer being able to STR to offset the continued increasing costs of owning on Maui a huge influx of business owners, part time residents and residents pulling out and selling to invest their money elsewhere. I strongly believe Bill HB1838 will cause much more damage to our already struggling Maui.

HB-1838-HD-1

Submitted on: 2/27/2024 7:37:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dunfa Xi	Individual	Oppose	Written Testimony Only

Comments:

Oppose HB1838:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation - Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

Dear Honorable Members of the Hawaii State Senate,

I am writing to you today as a single mother and a Hawaii short-term rental owner to express my strong opposition to Senate Bill 2919.

I own a condominium in Kihei, Maui. I work full-time as an administrative assistant and have worked my entire life to obtain my dream condominium on the island of Maui. I am also a single mother of two young girls. I purchased my condominium in Maui with my sister as a way to supplement my income and provide a stable and affordable living environment for my family.

I am deeply concerned that Senate Bill 2919 would have a devastating impact on my family and the many other families who rely on short-term rentals as a source of income. This bill would effectively eliminate short-term rentals in Hawaii, which would make it impossible for me to continue to own my condominium and provide for my family.

Senate Bill 2919 would make it more difficult and expensive for me to rent my home as a short-term rental. The bill would impose a number of new regulations on short-term rentals, including requiring a registration fee, a reverification fee, and an electronic verification system. These fees would be a significant financial burden for me and my family.

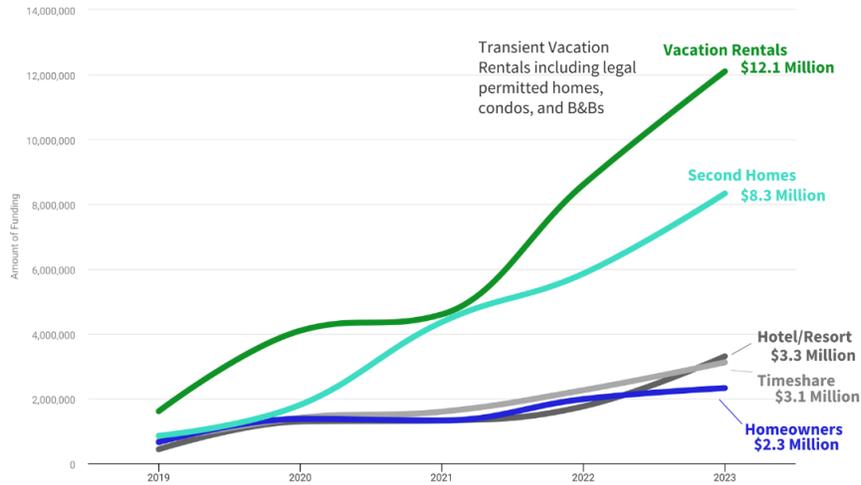
I am also concerned about the negative impact that this bill would have on the tourism industry in Hawaii. Short-term rentals are a major source of tourism revenue for Hawaii, and this bill would severely limit the number of tourists who are able to visit our state.

Short-term rentals provide a much-needed source of affordable housing for visitors to Hawaii. Many families cannot afford to stay in hotels, and short-term rentals offer a more affordable alternative. In addition, short-term rentals generate significant revenue for the state of Hawaii. This revenue is used to fund important public services such as education, healthcare, and infrastructure.

Visitor accommodations raise 82% of Maui's property tax revenue with second homes included. The below graphic shows Short term rentals are a significant contributor to the County of Maui, and a legitimate and critical part of the economic engine for Maui.

Who Pays for Maui's Affordable Housing Fund?

FY2019-2023 Review



Vacation Rentals have contributed a total of \$31.5 million from 2019-2023
Second Homes have contributed a total of \$12.3 million from 2019-2023
Timeshares have contributed a total of \$9 million from 2019-2023
Homeowners have contributed a total of \$8.3 million from 2019-2023
Hotel/Resorts have contributed a total of \$4.8 million from 2019-2023

Source: Maui County Real Property Tax

I urge you to vote against Senate Bill 2919. This bill would have a devastating impact on my family, the tourism industry in Hawaii, and the many other families who rely on short-term rentals as a source of income.

Sincerely,
 Sarah Jones

HB-1838-HD-1

Submitted on: 2/27/2024 7:38:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
THE XI-FAMILY TRUST	Individual	Oppose	Written Testimony Only

Comments:

Talking Points to Oppose HB1838:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation - Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

Opposition of Maui Property Owner to HB1838

My wife and I own a two bedroom condo in Wailea Maui and have for 11 years rented to vacationers when we are not there.

The property is zoned hotel / resort and we have paid all property taxes, at the highest rate, and all TVR taxes on all rentals. We hire only local vendors to manage and maintain it — In this way we have contributed greatly to Maui's economy – a successful TVR industry that contributes at the very least 18% of all tax revenue for Maui.

This bill, if it passes and in any way curtails our freedom to rent our property, would severely negatively impact our family business and investment in this island economy as we are retired and counting on continued ability to rent to vacation guests.

This bill cynically would punish law abiding property owners who pay taxes and fees – and benefit illegal TVR owners who would still rent and profit regardless of what any laws say, without paying a dime to local public coffers. A far better and logical solution would be to spend government funds to enforce existing laws – returning the thousands of illegal TVR / STR vacation rentals – in residential only areas - back to long term and workforce housing. Doing so would free up more than enough quality housing to meet current and foreseeable demand – including housing for those displaced by the fires.

By punishing only those who play by the rules and actually contribute to Maui's economic success, you will only create an economic disaster on this island by driving away small businesses that actually care about long term prosperity- for everyone in the community. Thank You

Phil and Jennifer T.

Natalie and Jerry Simotas
68-3840 Lua Kula Street, G203
Waikoloa, HI 96738
415-336-9538

February 27, 2024

COMMITTEE ON HOUSING

Senator Luke Evslin, Chair Senator Micah Aiu, Vice Chair
Wednesday, February 27, 2024

SUBJECT: HB1838 – Transient Vacation Rental Unit (TVRU) zoning

Aloha Chair Evslin, Vice-Chair Aiu, and honorable Committee Members,

We are writing to you to urge you to please vote against authorizing individual counties to phase out short-term rentals in any zoning.

Over the last few years, the County of Hawaii on the Big Island have continued to change zoning and regulations surrounding TVRU zoning. It seems the more Owners do to comply with these constant changes every few years, the quicker and more stringent the rules to own a TVRU become. We have done everything we were supposed to from being licensed as a short-term vacation rental, hiring a competent Property Manager doing business on the Big Island, and paying higher property taxes and Home Owners Insurance. With counties and businesses suffering to make up shortfalls from COVID having a smaller tax base may not be advantageous.

We don't feel that the tragedy on Maui makes Owners of TVRUs responsible for the housing dilemma Maui finds itself in. In addition, many of us TVRU Owners have opened our doors to help those needing shelter from the fires of 2023 as well as displaced residents due to the volcano eruptions, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students.

If the ability to own TVRUs is revoked, the housing crisis may become worse. It will allow previous Owners of TVRUs to increase monthly rental amounts to cover costs previously covered by TRVUs. Furthermore, if Owners should choose to sell their properties if they can no longer utilize it in the fashion they choose to, prices to own dwellings will also increase thus making housing less affordable to those looking to purchase property. The legislation will also severely lesson the taxes used to support the counties.

Hawaii and its people are so beautiful and we realize that some people who own TVRUs do not appreciate the cultural value that should be shown to the islands, but we do. And, we believe that there are many like us. Please reconsider passing HB1838.

Thank you for your consideration.

Natalie and Jerry Simotas

HB-1838-HD-1

Submitted on: 2/27/2024 7:43:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kawena Cabrera	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kawena Cabrera and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

<html><head></head><body style="overflow-wrap: break-word; -webkit-
mode: space; line-break: after-white-space;"><div>To the Esteemed Members
of the Committee on Judiciary and Hawaiian Affairs—
Aloha,</div><div>
</div><div>As a responsible owner of a legally
permitted short-term rental in Hawaii, I implore you to reconsider of
House Bill 1838 and its implications. This bill not only threatens the
vibrant tourism sector and the broader economic stability of the islands
but also undermines the core values of Aloha Spirit. By potentially
phasing out 13,744 legally permitted short-term rentals on Maui, HB1838
introduces a suite of potentially unintended consequences that extend far
beyond the immediate confines of the tourism
industry.</div><div>
</div><div>Economic Contributions and Property
Values</div><div>
</div><div>Short-term rentals have been a linchpin
in Hawaii's economy, contributing significantly to local tax revenues
that support essential public services. The proposed bill risks
eradicating these contributions, leaving a void that would challenge the
county's ability to maintain its budget without identifying viable
alternative revenue sources. Moreover, the potential phasing out of legal
short-term rentals could adversely affect property values across the
islands, creating a ripple effect that would hurt all Hawaiians, not just
those directly involved in the short-term rental market. A decline in
property values would diminish the wealth of homeowners and could lead to
broader economic instability.</div><div>
</div><div>A Fair and
Equitable Approach</div><div>
</div><div>It is fundamentally unjust to
single out one class of property owners for crushing regulation,
especially those who have adhered to the law, invested in their
properties, and contributed positively to the economy and community. This
approach not only undermines the principles of fairness and equity but
also deviates from the very essence of the Aloha Spirit, which emphasizes
kindness, unity, agreeableness, humility, and
patience.</div><div>
</div><div>The Aloha Spirit and Housing
Solutions</div><div>
</div><div>The proposed legislation seems to be a
short-sighted reaction to broader housing issues, rather than a
thoughtful, reasoned solution that represents the interests of residents
and all property owners. The Aloha Spirit teaches us to approach
challenges with mutual regard, affection, and a collective sense of
existence. Penalizing legal and legitimate short-term rental owners, who
have added significantly to the economic vitality of the islands,
contradicts this philosophy. A more constructive approach would involve
collaborative efforts with owners and others to address illegal
rentals and explore sustainable housing
solutions.</div><div>
</div><div>While we recognize the challenges
facing Hawaii's housing and tourism sectors, we believe that HB1838 is
not the answer or in keeping with the Aloha Spirit or the best interests
of the islands. We advocate for a balanced and fair approach that targets
illegal operations without unfairly penalizing, over burdening law-
abiding short-term rental owners. By working together, I am sure we can
find mutually beneficial solutions that uphold our shared values, protect
the economy, and ensure and enhance the welfare of all
Hawaiians.
</div><div>
</div><div>Thank you for considering our
perspective on this critical issue. We respectfully urge you to oppose
House Bill 1838 and seek better alternatives that embody the Aloha
Spirit, promote fairness, and ensure the long term prosperity of
Hawaii.</div><div>
</div><div>Mahalo,
</div><div>Burgess

HB-1838-HD-1

Submitted on: 2/27/2024 7:50:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maile Kohn	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Maile Kohn and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 7:51:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Awai-Tavares	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Lynn and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 7:51:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Dewit	Individual	Oppose	Written Testimony Only

Comments:

As an owner of a rental property since 1998 and as someone who has vacationed on Maui since 1998 I oppose this bill for three reasons.

1. I purchased my comdominium for retirement income and the reduction of my retirement income due to not being able to rent out my condominium will be devistating to me and my wife due to the dramatic reduction in my spending ability.
2. Maui's tourist industry and the income this industry generates for Maui and the residents of Maui will will be devistated. Many people who rely on the tourist industry, from the cleaning staff to the remodelers and the retail industry who specifically cater to the tourist trade will see their business almost evaperate over night which inturn will mean a dramatic reduction to the Maui govnrment coffers.
3. The room capacity of hotels is only a fraction of that of condiminiums and will be completely unable to cope with the visitors who would normally have stayed in a condominium..

HB-1838-HD-1

Submitted on: 2/27/2024 7:52:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aprille Xi	Individual	Oppose	Written Testimony Only

Comments:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation - Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

HB-1838-HD-1

Submitted on: 2/27/2024 7:57:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Mair	Individual	Oppose	Written Testimony Only

Comments:

Hawaii State Legislature,

I am writing to OPPOSE the proposed Bill 1838 that will effectively shut down my income and business as a LEGAL STR owner. This bill will eliminate the short term rentals that have proven so valuable for our island, giving jobs to many and creating legal income for us seniors. The prior bills that have limited STR's so three areas in Oahu and certainly a blessing to the hotel industry as we have seen with the astronomical increase in hotel room rates. STR's have become valuable, affordable places to stay across the country and the world and are a rising industry especially here in Hawaii. Please continue to support small business and capitalism and allow those that want to work and survive that opportunity. Please do not fall for the hotel industry line about STR's being bad for the island, it's furthest from the truth. Please do the right thing for the people of Hawaii!!

Thank you,

John Mair

HB-1838-HD-1

Submitted on: 2/27/2024 7:58:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jenny Parker	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My husband and I first visited Maui in 1993, shortly after graduating from college. We used a 50%-Off coupon from the old Entertainment book, and stayed at the Sands of Kahana in West Maui. This is how we humbly fall in love with Maui.

We purchased our first condo in Kamaole Sands in Kihei in 2008, then a second unit in 2010. Our two condos are managed professionally by Rentals Maui, a local property management company. We have also used the same cleaning crew for the past 5 years, a local small family-owned business based in Wailuku. We have hired 3 local contractors and did 4 major renovations since 2008.

We take great pride in the ownership of our two Maui condos. We have welcomed countless vacationing families into our Maui home.

Many vacationers prefer a holiday stay in a condo where they have the space to sit and relax after a long day at the beach. Beach condos also present a budget-friendly way for families to travel, as Maui hotels are becoming increasingly expensive, and cost prohibitive for average American families.

While we are not lucky enough to live on Maui yet, we have invested our hard-earned money on our beloved Maui, and we have been contributing solidly to the Maui economy since 2008 through our purchases, dining, and entertainment when traveling there or when improving our properties, and especially through taxes.

In February of this year, we paid \$13,580.69 for six-months worth of property taxes. Also, on Feb 20th, we paid \$6,630.66 for the GE, MCTAT, and TA taxes for just one month (January 2024) on our two condos. We pay these transient taxes on a monthly basis.

We urge you to please vote no on HB1838, as this bill threatens the Maui short-term vacation rental market.

This bill creates uncertainty for the short-term vacation economy, and will certainly bring Maui property values (and therefore property taxes) down with it. This will negatively impact not just us as individuals, but will negatively impact Maui's tax revenues, and all of the many residents

that work and serve in the short-term vacation rental industry, as well as all of Hawaii's tourist industry and related industries like restaurants, tours, water-sports, etc.

Please vote no on HB 1838.

Mahalo,

Trent and Jenny Parker

HB-1838-HD-1

Submitted on: 2/27/2024 8:00:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lantana K Hoke	Individual	Support	Written Testimony Only

Comments:

Aloha Chair,

I am a teacher and non-profit employee who was born and raised on Maui. I am writing in strong support of HB1838.

I applaud you for hearing this sensible legislation. This is a reasonable measure that will simply allow the counties to make decisions that are best for the citizens of those counties. We all know what Maui County is facing in terms of housing in the next few years, with more and more local families priced out of this untenable market. The dire situation resulting from the Maui fires and this small but significant and reasonable step make this piece of legislation a no-brainer.

Thank you for your time and attention to this.

Mahalo,

Lantana Hoke

Attention JHA

Bill: 1838 HB

Feb 29, 2024 at 2:00PM

I am writing in opposition for bill 1838 HB

As a member of OSTR A I am testifying against Bill 1838 HB

As a short term rental owner of my property I oppose this bill. This bill would jeopardize my ability to maintain and own this property. Due to the rising cost of living due to inflation and a living on a fixed salary I rely on my property as a short term rental to be able to afford costs in maintenance of the property and mainly the ability to be able to pay for my mortgage in owning this property. Passage of this bill would cause me to be unable to own and maintain my own property. This bill would also displace short term rentals regarding residents, tourists traveling nurses, emergency contractors, temporary military and students from being able to visit the island to do their jobs to better Hawaii and also decrease the overall Hawaii economy. Oahu is already down to 2,000 legal short term rentals and cannot afford to lose more in order to help maintain and further the growth of the overall economy of our state. Please take into consideration all of these consequences that may arise if this bill is to pass.

Sincerely,

Katrina Tabije

Member of OSTR A

707-344-6793

HB-1838-HD-1

Submitted on: 2/27/2024 8:06:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
R Wulf	Individual	Oppose	Written Testimony Only

Comments:

We purchased a studio condo in a building that has very few permanent residents so that we could visit Hawaii and also cover expenses by setting up a short-term rental. We bought it with this purpose and paid a high price based upon our assumption. Changing the rules now will not only severely impact our condo value but limit our ability to cover expenses and we will be in a really poor financial situation regarding it. We donated money during the Lahaina fire and we promote Hawaii with friends and family. We came over and personally volunteered. We feel connected to Hawaii and Maui specifically.

Our understanding is that HB1838 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui.

Economic Contribution: Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?

Employment Impact: Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.

I do not understand how you can make such a short-sided decision. Not only will it have far-reaching consequences but it will create ill-will and I don't know if people who formerly would have gone to Maui will even go anymore or choose another destination, like Mexico.

also, I had extreme difficulty getting the website to work so many people are likely unable to submit testimony.

HB-1838-HD-1

Submitted on: 2/27/2024 8:06:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bryant	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

My name is Lisa Bryant and I live on the island of Maui. I am writing in opposition of this bill because it will threaten my ability to earn a living along with many cleaners, electricians, maintenance workers, and employees of small businesses who live and work in my community.

I work for a small business that services short-term vacation rentals on my island. I am paid a decent working wage. This bill will hurt me and put at risk my ability to pay for my own housing and bills.

I was born and raised in Hawaii, been living on Maui for 37 years, and I understand the predicament we are in with the limited housing available for our children and grandchildren. We have three generations living in our home in Wailuku. Something needs to be done for sure. More affordable homes need to be built for both buyers and renters. I would like to see affordable land available to the many local people who could build their own homes. But shutting down the entire short-term rental industry is going to make it even more difficult for those of us who earn a living from it. Let the counties enforce the laws that they already have and go after illegal short-term rentals. I ask that you please do not move this bill forward.

Mahalo for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 8:08:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
YAN HE	Individual	Oppose	Written Testimony Only

Comments:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation -Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

HB-1838-HD-1

Submitted on: 2/27/2024 8:09:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jenaya Rockman	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838 – Protecting Livelihoods and Economic Opportunities

Aloha,

My name is Jenaya Rockman, and I am a local resident of Kailua Kona, Hawaii. I am writing to strongly oppose HB1838.

The bill itself states that “five per cent of local housing units in the State, operate as short-term vacation rentals.” This is surely not a significant enough percentage to be the cause of the shortage of long-term housing. And proposing further restrictions on this five percent is not the solution to the shortage of long-term housing in Hawaii.

The State needs to allow and encourage development of more affordable housing on the islands rather than hinder it. They need to look at the countless second (and even more) properties that sit empty for a majority of the year (as Vancouver, Canada did, imposing a tax on properties that sit empty).

Many residents depend on the income of short-term rentals and additionally without short term rentals, the accommodation available to visitors is limited (there are not many hotel/resort rooms in Kona)!

It's crucial to recognize the impact that HB1838 will have on people like me and the community at large. I urge the reconsideration of this bill and the exploration of solutions that balance the needs of the community while preserving income generating opportunities of individuals and families.

Mahalo for your time and consideration.

Warmest regards,

Jenaya Rockman

HB-1838-HD-1

Submitted on: 2/27/2024 8:17:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Canfield	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill. Taking away the right to short term rent hurts all of us. I am not in a position to go back to COVID times where we were not allowed to rent. I had to work 2 part time jobs to support the time I was not here. I am an owner who spends 5 months out of the year here and very involved in my community. My property taxes have doubled since COVID, association fees have increased along with utilities and food. Not everyone can come to Maui and stay at the 4 Seasons, Grand Wailea, Ritz Carlton etc. we provide a service that benefits us, the state and county in revenue and small business's. Most people that stay at vacation rentals venture from their accomodations and spend money in the community. What happens to the doctor's and nurse's that stay at short term rentals. Most are here less than 6 months? I don't think any of you have thought of the consequences of this bill. Get the temporary housing for Lahaina in here and move on like anywhere else and don't displace people from their rental properties to accommodate victims. Yes, evictions are happening under your nose for short term gains.

2/27/24

Testimony in Opposition of HB1838

To Whom It May Concern,

I am sick to my stomach writing this testimony. I am in extreme OPPOSITION of HB1838. Not only am I concerned with my family's future if this bill passes, but I can't imagine the thousands of other families and individuals this will greatly impact and potentially put out of business or even onto the street. You may think Hawaii has a housing crisis now, well if this bill passes, hold on to your hats! As the owner/operator of a hosted short term rental in the lower side of Puna on The Big Island for the last 5 1/2 years, I shake my head and wonder what in the hell is really going on? You cannot use Maui as an example because our state is paying \$15,000 a month for one hotel room to house one Maui fire survivor. Shame on any system that gives so much to businesses that already have too much while pointing the finger at real people and small businesses that barely make ends meet. If this bill passes, you will give the hotels more money and power by removing any competition they have, and look how much they are already willing to bloat prices and take advantage of such a horrific event.

Currently -and for over a year now- here on the Big Island we have already been fighting the passage of Bill 121 which threatens our family business and ability to financially survive, and now this, a bill that would grant the power to do just that, even if we stop Bill 121.

We have barely financially survived a volcanic eruption. We have barely financially survived a lengthy lockdown on travel/tourism. We have barely financially survived inflation and 5 dollar+ gas prices...and now we battle these bills that will simply grant the ability to finish what all those other hardships could not. That will be the legacy of HB1838. It will be the final nail in my young family's ability to survive in already difficult times. And why? What is it we have done? We invite traveller's onto our property and share the spirit of aloha for a fee that is far more affordable than any greedy, parasitic hotel can offer.

Do we try to shut down the hotels? No. Why? Because we believe in a free market. We do not believe that anyone has the right to the entire pie and/or control the laws of the land via buying votes and pushing hard working people off of their land via bias legislation.

How can anyone that believes the slightest in democracy, or the right to have a fair shake at making it as a small business, or just property rights in general, even consider for a moment to make it law that an entire industry can be shut down with the stroke of a pen?

We keep hearing that vacation rentals are somehow heavily impacting the housing crisis. I can only speak from our experience here on the Big Island, but I have not seen this in action even once, nor have I ever seen a document proving this to be the case. I can also guarantee you that our rental will never become a long term rental. First off, it is not equipped for long term tenants, and secondly I would never risk a squatter situation on the land my small children live on.

Maybe you who are reading this now doesn't quite understand the realities of running a hosted vacation rental, but let me tell you that it is not easy money. Not only that, but it isn't even a lot of money. Besides the heavy taxation that is already taken from our modest earnings, we are constantly fielding bookings, answering the questions of travelers, keeping the rental clean and working, and dealing with the ever present threat of a bad review affecting our business. Do you really think we need another blade to our necks?

Besides the fact that here on the Big Island Bill 121 might shut us down, HB1838 would simply hang a guillotine over our security to do business in the future. We have put everything we have into this. Our blood, sweat, tears, and finances. Do you really think we could continue moving in such a direction in good faith knowing full well that our right to do business could be taken away at any moment? I have 2 nine year old children. I cannot gamble on their future like that.

If HB1838 passes, the housing crisis will not be solved. If HB1838 passes, the hotels will not be satisfied. If HB1838 passes, jobs will not be created. Rather, if HB1838 passes, tens of thousands of people across the entire state will lose their income and be faced with incredibly hard choices.

We pay our taxes. We do not receive complaints. Our rental does not force anyone to live on the street. We earn enough to survive and we reinvest it back into the island. Our renters spend their money at local restaurants, at local markets, at local gas stations and local grocery stores. Not only that, we spend our money there too. How can anyone think this bill would do any good for the people of Hawaii, not just those operating short term rentals, but rather a ripple effect within communities that need tourism the most to keep a web of small businesses and others afloat? There are no hotels where we live. There is no possible way for tourists to spend the night in our area without businesses like ours.

Please use your hearts as well as your minds when making your decision on HB1838. Please act with the highest law of the land. Please act with Aloha.

Sincerely,

G. de Bruyn

TESTIMONY FROM CHERYL HANKS
OPPOSING HB1838

To whom it may concern, committee chair and members of the HOUSE.

My name is Cheryl Hanks. I own a short term rental condominium with my partner. We live in the condo 6 months of the year, and rent it out the other 6 months. The other 6 months of the year I care for my mother, taking turns with another sister. The rental unit is a large portion of my retirement income. I am a former physical therapist who needed to retire from my job because the job became too physical for me. As you probably know, physical therapy pay is about the same as a school teacher, but without the pension. As much as I tried to save for my retirement, I was unable to save enough money to solely live on my saved retirement proceeds.

Not only will I be personally affected, I have a manager, a housekeeper and a handyman who work for me. If this bill is passed, they will all lose their jobs.

Our condo is in the Waikiki Banyan condominium complex. The passage of this bill means that I will have to change management of the rental and give it back to Aston. This will reduce my income, reduce my employees income, and give it to the hotel. The return of the condo back to Aston will not help the housing shortage. It will just change who will make the income.

I would reiterate that most owners of these small time rentals are much like me. Just regular people trying to survive. We are not wealthy or greedy. We are just doing what we can to not rely on the system for our sustenance.

Again, I formally oppose HB1838.

Thank you for the opportunity to testify.

Cheryl Hanks

HB-1838-HD-1

Submitted on: 2/27/2024 8:21:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanmalis Hodak	Individual	Oppose	Written Testimony Only

Comments:

My name is Chanmalis Hodak. I am writing this to oppose the Bill HB1838. The reason that I oppose it is because my husband and I depend on this TAR business income to support our family of 3. My husband is retired and I am a half time vacation rental cleaning. Without our TAR business income we cannot afford to live here and I would lose all my income because of my work. This would affect all of us. I hope you understand my circumstances.

HB-1838-HD-1

Submitted on: 2/27/2024 8:21:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rene Bourque	Individual	Oppose	Written Testimony Only

Comments:

- My unit alone provides Maui with almost \$20,000 in property taxes and another \$40,000 in rental taxes from GET and TAT a year! It's only a small 2 bedroom condo in South Kihei.
- This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui.

- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/27/2024 8:21:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ron Gittel	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill for many reasons. I can't imagine taking someone's property and changing the rules after the fact. We have a condo that has been a short-term rental property since it was built. We have an enormous investment in this property. I would never have bought this if this was a long-term rental. I owned rentals for many years, and I will never do it again. I am also wondering how you will replace all the tax revenue that short term rentals create? As I see it, the tax loss will have to come from somewhere. Is this going to be passed onto local homeowners, who currently enjoy some of the lowest property taxes in the country, not to mention the loss of get and tat? I also resent the fact that hotel lobbyists are pushing for this bill to get rid of competition. Competition and a free market system is what this country was built on. Please don't take our rights away to try and solve a problem the entire country is facing . Affordable housing is not just a Hawaii problem. Please consider the enormous long term ramifications from this drastic decision.

Mahalo

Ron Gittel

HB-1838-HD-1

Submitted on: 2/27/2024 8:22:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Choi	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as the short term rental being much needed job and revenue to the county of Maui. I believe it is wrong to limit the ability of the local people of Maui to make an honest living. My rental unit, which I use often is rented out to others who want to enjoy the beautiful island of Maui and experience the culture - uniquely provides through short term rental vs hotels. When my guests use My unit, this unit generates tens of thousands of taxation to the State of Hawaii and the County of Maui in terms of GE and TA taxes My unit also provides the local housekeepers who make a living by providing a clean venue to those visiting the island. I respectfully request this HB 1838 be terminated and seek a much more stringent enforcement of illegal short term rentals on the island.

HB-1838-HD-1

Submitted on: 2/27/2024 8:29:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason de Bruyn	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing this testimony in strong OPPOSITION to HB1838. As the owner/operator of a hosted short term rental in the lower side of Puna on The Big Island for the last 5 1/2 years, I shake my head and wonder what in the hell is really going on?

Currently -and for over a year now- here on the Big Island we have already been fighting the passage of Bill 121 which threatens our family business and ability to financially survive, and now this, a bill that would grant the power to do just that, even if we stop Bill 121.

We have barely financially survived a volcanic eruption. We have barely financially survived a lengthy lockdown on travel/tourism. We have barely financially survived inflation and 5 dollar+ gas prices...and now we battle these bills that will simply grant the ability to finish what all those other hardships could not. That will be the legacy of HB1838. It will be the final nail in my young family's ability to survive in already difficult times. And why? What is it we have done? We invite traveller's onto our property and share the spirit of aloha for a fee that is far more affordable than any greedy, parasitic hotel can offer.

Do we try to shut down the hotels? No. Why? Because we believe in a free market. We do not believe that anyone has the right to the entire pie and/or control the laws of the land via buying votes and pushing hard working people off of their land via bias legislation.

How can anyone that believes the slightest in democracy, or the right to have a fair shake at making it as a small business, or just property rights in general, even consider for a moment to make it law that an entire industry can be shut down with the stroke of a pen?

We keep hearing that vacation rentals are somehow heavily impacting the housing crisis. I can only speak from our experience here on the Big Island, but I have not seen this in action even once, nor have I ever seen a document proving this to be the case. I can also guarantee you that our rental will never become a long term rental. First off, it is not equipped for long term tenants, and secondly I would never risk a squatter situation on the land my small children live on.

Maybe you who are reading this now doesn't quite understand the realities of running a hosted vacation rental, but let me tell you that it is not easy money. Not only that, but it isn't even a lot of money. Besides the heavy taxation that is already taken from our modest earnings, we are

constantly fielding bookings, answering the questions of travelers, keeping the rental clean and working, and dealing with the ever present threat of a bad review affecting our business. Do you really think we need another blade to our necks?

Besides the fact that here on the Big Island Bill 121 might shut us down, HB1838 would simply hang a guillotine over our security to do business in the future. We have put everything we have into this. Our blood, sweat, tears, and finances. Do you really think we could continue moving in such a direction in good faith knowing full well that our right to do business could be taken away at any moment? I have 2 nine year old children. I cannot gamble on their future like that.

If HB1838 passes, the housing crisis will not be solved. If HB1838 passes, the hotels will not be satisfied. If HB1838 passes, jobs will not be created. Rather, if HB1838 passes, tens of thousands of people across the entire state will lose their income and be faced with incredibly hard choices.

We pay our taxes. We do not receive complaints. Our rental does not force anyone to live on the street. We earn enough to survive and we reinvest it back into the island. Our renters spend their money at local restaurants, at local markets, at local gas stations and local grocery stores. Not only that, we spend our money there too. How can anyone think this bill would do any good for the people of Hawaii, not just those operating short term rentals, but rather a ripple effect within communities that need tourism the most to keep a web of small businesses and others afloat? There are no hotels where we live. There is no possible way for tourists to spend the night in our area without businesses like ours.

Please use your hearts as well as your minds when making your decision on HB1838. Please act with the highest law of the land. Please act with Aloha.

Sincerely,

J. de Bruyn

HB-1838-HD-1

Submitted on: 2/27/2024 8:30:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John B Davoren	Individual	Oppose	Written Testimony Only

Comments:

Honorable Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

As an individual owner of a resort-based condominium on Maui, I OPPOSE H.B. 1838, HD1 based on the following observations:

One of the primary reasons for the submission of this bill is to try to rectify the impact of the devastating fires in Lahaina. As is known, a huge number of residents lost their homes, belongings, loved ones, and their sense of community. Rebuilding that community is critical, but I would submit that attempting to do this in many established resort areas and properties is very unlikely to succeed.

There are many reasons for this, but one is simple infrastructure. Our resort (Papakea) was built to cater to travelers who need only a place to put a single week’s worth of clothing and a few supplies away during their stay. There are no garages, outdoor storage spaces, assigned parking spots, and very limit indoor closet space. There is limited room, if any, for wardrobes and chests of drawers. Kitchens are functional but also small. Clothes washers and dryers are not capable of being used every day as expected in a family apartment.

It's also critical to acknowledge the large number of Maui residents who support small, individually owned short-term rentals, by acting as our legally-required on-island managers, housekeepers, handymen, and of course the resort gardening, security, and other maintenance staff who would all be adversely impacted by the removal of short-term rentals in resort areas.

As many others have stated, of course the fees that we pay to support the State of Hawaii and County of Maui through payment of substantial property taxes (many at the short-term rental rate), and the highest tourist taxes in the world (Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax) would be lost and would adversely impact Hawaii.

Lastly, at least for our condominium, we have a high number of returning guests – including ourselves – who have been visiting Maui for years, becoming a part of both our guest community and Maui’s friends and support community. Many of them rescheduled their vacations and donated money to support the Lahaina fire victims. We hope that they can continue to count on the unique experience that our short-term rentals can provide.

For the reasons stated I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully,

John B Davoren

HB-1838-HD-1

Submitted on: 2/27/2024 8:33:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Penny Lee	Individual	Oppose	Written Testimony Only

Comments:

With this bill they are trying to legislatively weasel themselves out of judgements they already lost. The district judge already stated that the existing law is very clear on protecting property rights. But they actually think they can just change that very law and undermine the judge's ruling and any future challenges by people like you and me, the people who own property in this state. They are trying to take away our fundamental property ownership rights and hand the tourism accommodation market exclusively to large corporate hotels and resorts. In the process they are trying all kinds of angles like raising our TAT taxes to 25% (why not 99% or 125%?) or trying to classify stays in private homes under 180 days as non-residential uses, or just look at other recent bills and you will find all kinds of other shenanigans.

Unfortunately those over the top careless regulations have real damaging effects on local residents trying to make a living in this state. On the Big Island the resort zoning is very limited (<2%) and concentrated in very few areas and very much in corporate developers ownership. Several districts on the Big Island, the largest island, have no resort zoning and also no hotels. This means that almost every locally owned vacation rental requires a NUC to operate and are the only visitor accommodations in those areas. This is clearly a violation of fair government practices.

When owners purchased real estate fee simple in Hawaii State, they entered a contract purchasing a bundle of property rights protected by the laws of the State of Hawaii and the United States. These are not rights that can easily be reneged on later and taken away. The number one economy in Hawaii is tourism. Owners purchased Real Estate in Hawaii at a premium, with the expectation to participate in the tourism economy in Hawaii and have been relying on the financial income for many years. The legislators can not just rewrite select property rights out of the existing laws. The current laws are very clear on protecting those very same property rights. The legislature is trying to pretend that vacation rental owners do not have any property rights.

HB-1838-HD-1

Submitted on: 2/27/2024 8:33:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
karin omahony	Individual	Oppose	Remotely Via Zoom

Comments:

I am a Hawaii resident and I am urging you to **oppose HB 1838**. This bill will further hurt Hawaii residents and the state and county budgets, and will only benefit the hotel industry. The hotel industry doesn't need your help. Hawaii residents do. The legal rental I operate helps my family afford to live in Hawaii. My family moved to Mililani Town when I was 4 when the Navy transferred my Dad here.

Now, my husband and I both have full time jobs and with the addition of our rental, we can pay our mortgage. If you take away our 30 day rental we will have to sell our house. It will not be purchased by a local family, it will simply be sold to someone wealthy enough to pay cash for it. We rented, each worked two jobs and saved and got owner financing to be able to purchase our house 5 years ago.

Not only do we need the income from the 30 day rental, we also need the flexibility to have our children live here when they need. Some of the renters we have are visitors but the bulk of them are medical workers, construction workers, grandparents here visiting children and grandchildren who live on Oahu. We've had military workers, university professors, and a diplomat's family who was transitioning from China to Africa and wanted to give their family a break. We've had other residents whose houses were flooded or otherwise damaged and needed temporary housing. We've housed families here to care for aging relatives, and families transitioning on or off the island.

Forcing the remaining 30 day rentals on the island out of business will increase costs for residents:

1) homeowner's insurance costs

2) temporary housing costs for military, construction companies, medical workers. So this will mean higher medical costs, taxes and construction costs.

Our homeowner's insurance has increased significantly as the short term rentals have decreased. Every time an insurance company has to house a displaced family, they already have to pay for a 30 day rental even if they only need a week or two, now the hotels want you to increase that cost further. The insurance companies pass the higher costs on to residents.

The current federal and military daily housing stipend does not cover a hotel cost, but it does cover some 30 day rentals. This bill will set up the federal government to have to increase its costs for temporary housing in Hawaii, which we the taxpayers then have to pay.

Forcing residents to lose their income and sell their homes will not reduce pricing or increase housing availability

The vast majority of short and mid term rental houses would sell for 1.5M, 2M or more. This does not equate to affordable housing - for rent or purchase. And selling prices will not come down even if you force every one of the 2000 short and midterm rentals on Oahu to sell. There are always plenty of people from the mainland or other countries happy to buy up any house at any price.

If you want to make more affordable housing, do what's necessary to get the 85,000 housing permits already issued built. Reduce the longest permitting wait time in the country to get a house built.

Passing HB 1838 will cost taxpayers even more money

The unconstitutional 90 day bill passed on Oahu cost taxpayers hundreds of thousands of dollars. Nearly \$300,000 paid to the rental owner's lawyers and who knows how much was paid to the government lawyers, the courts and judges. Those lawyers should be working on stopping sex trafficking, organized crime financed by illegal firework sales and other dire problems that actually harm Hawaii's residents.

Passing another bill which treads on the rights of citizens will just cost us taxpayers more money in unnecessary legal bills.

I understand it's easier to just vote to move it forward instead of taking a stand for the citizens of Hawaii now, but taking that stand now is what I'm requesting you do. Vote NO on HB 1838.

Mahalo

HB-1838-HD-1

Submitted on: 2/27/2024 8:36:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sung Kim	Individual	Oppose	Written Testimony Only

Comments:

Eliminating short-term rentals will not solve affordable housing issues facing Hawaii. Some solutions can be:

1. Local and state governments can buy vacant parcels and build high density housing
2. Mandate luxury developers to include affordable units or offer more affordable units; a 500 sq ft condo for \$650,000 is not affordable
3. Encourage local companies to pay their employees more; salaries in Hawaii are too low

If taking property from mom & pop owners is a solution - why not require owners of empty mansions to rent one of their many bedrooms? This doesn't make sense; it is clear why local leaders want STRs eliminated - they want votes and don't really care about affordable housing. Local leaders are too afraid to actually go after the moneyed interests who can make a significant impact.

HB-1838-HD-1

Submitted on: 2/27/2024 8:36:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
George Vierra	Individual	Support	Written Testimony Only

Comments:

Please we need this my son moved to Buffalo because he could not afford to live here anymore. I am a beneficiary and still waiting on the DHHL waitlist. The commodification of our local housing through Airbnb, VRBO, etc, etc has enriched off island owners, the government and the platforms but we the residents of Hawaii still do not have enough housing, because our limited resources are being taken up to house yet more and more tourist, there will not be anyone to serve these tourist soon.

Please move this bill forward

Mahalo,

George Vierra

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

As a long-time property owner in Maui, I submit my testimony to OPPOSE H.B. 1838, HD1. For over 25 years I have been an owner at the Papakea resort, which was built in 1978 and has operated as vacation rental condominium property for nearly fifty years.

Not only is the Papakea a beloved and special place to me, my family and friends, but the property supports the economy and the local residents of west Maui. A wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming are all regularly employed at the property. As well as many small business owners – housekeepers, handymen, on-island agents, contractors, plumbers, etc. I personally hire and rely on the services of many small business professionals on a weekly to monthly basis to maintain our condo.

The Papakea also employs approximately 35 local resident employees on site. Many of which, I have gotten to know and have had the privilege to see work from entry-level positions into supervisory roles.

The Papakea support the State of Hawaii and County of Maui through payment of property taxes, such as Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Many guests at the Papakea have been returning guests for years. They come back year after year to share it with their growing families, as I have. And while the Papakea is a visitor destination, it allows guests to explore and enjoy the true, quaint beauty of Maui – without the hustle and bustle you might find at a hotel. Visitors seek the solace that the Papakea provides.

Furthermore, the visitors of the Papakea support the many small businesses in the area, including local restaurants, shops, food trucks, tours, etc. our guests explore the area and support local businesses. We enjoy sharing our list of local family favorites with each of our guests and hearing about their visits.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully,

Judy Guglielmana

HB-1838-HD-1

Submitted on: 2/27/2024 8:47:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelle Bali	Individual	Support	Written Testimony Only

Comments:

To Chair Tarnas, Vice Chair Takayama, and the members of the House Committee on Judiciary and Hawaiian Affairs,

I am testifying in support of HB1838.

In Lahaina, 25% of the housing units were listed as short-term rentals according to the UH Economic Research Org. South of Lahaina jumps t 41.8% and up north it jumps to 87%. We're in a housing emergency on maui. With 1500 fire affected families having left Maui, this would allow the counties the clear authority to phase out vacation rental uses and would be a key policy for keeping Maui residents on island and in long term housing.

Mahalo for the opportunity to voice my support for HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 8:50:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Standke	Individual	Oppose	Written Testimony Only

Comments:

It is simply unfair that a person can be put out of business because the government decides to do so. There isn't a business in America that is subject to such a government taking. Building a property designed to house vacation renters is not the same as building standard housing for long term renters. The business of housing tourists is completely different than having investment property.

I can say with certainty that any reduction in price due to greater supply of housing will likely be bought by mainland retirees, or simply used part time for the owners. The economic damage done by fewer tourists far offsets any small supply in housing.

HB-1838-HD-1

Submitted on: 2/27/2024 8:53:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
heidi kreul	Individual	Support	Written Testimony Only

Comments:

Aloha,

I strongly support HB1838. It is extremely important as a first step to protect our residential neighborhoods. To insure that there are homes for our long term residents.

Too many friends and family members have been forced to relocate to the continental US. As homes are converted into STVR.

Mahalo,

Heidi

HB-1838-HD-1

Submitted on: 2/27/2024 8:54:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn Smith-Theodore	Individual	Oppose	Written Testimony Only

Comments:

My family has owned condos at Maalaea Kai for 35 years. During that time, my family and myself have had the opportunity to enjoy Maui and share that aloha spirit with guests from around the world. My husband and I currently own a two bedroom condo in Maalaea Kai that we have owned for 20 years. During that time, we have rented the condo as well as had the opportunity to visit Maui multiple times per year. I was a flight attendant for 34 years for United Airlines where I flew to Maui multiple times per month bringing thousands of visitors to the island. My mother moved to Maui for 14 years where she worked at multiple restaurants and taught dance on the island. Maui is my second home.

Many families cannot afford the high prices to stay at a hotel or to eat out for all meals. A condo allows those who could not otherwise afford a trip to Maui to visit the beautiful island. I have always believed that Hawai'i's main source of income was and is tourism. If you do not allow Short term rentals, it will cut your tourism and restrict the number of visitors who could afford to visit the beautiful islands. The hotels are so highly priced that it is difficult to afford to stay at a hotel for even a few days. I have had to stay at hotels when my unit is rented and the rates are so high that I could only afford a 2-3 night stay at the most. I also believe that restricting short term rentals, owners would be forced to sell their units, which could impact the real estate market in Hawai'i.

When the Lahaina fire devastated the island, my husband and I opened the condo to a family who had been displaced due to losing their home in the fires. We try to show the aloha spirit and help others in need.

I hope that you explore all areas before deciding to restrict short term rentals as it could have long term effects on visitors, owners, real estate, and people's ability to make a living on Maui with reduced tourism.

HB-1838-HD-1

Submitted on: 2/27/2024 8:55:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donato Pompo	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a homeowner and small business owner in the vacation rental industry in Kona, Hawaii, I am deeply concerned about the potential impact of HB1838 on our community and economy. The proposed legislation introduces restrictive measures that could have detrimental effects on the livelihoods of residents who rely on short-term rentals to sustain their lives in this unique economic landscape.

Tourism is the backbone of Hawaii's economy, and for many citizens, including myself, it is the sole industry through which we can make a living. The bill's potential impact on the ability to operate short-term rentals could create insurmountable challenges for ordinary citizens to engage in this vital industry. Moreover, it could jeopardize the financial stability of individuals and families who rely on income from vacation rentals to afford living in Hawaii.

The bill could also have unintended consequences, such as pricing local residents out of paradise and displacing long-term renters from the mainland who are willing to pay inflated rents, further limiting the opportunities for average local residents.

I echo the sentiments of others in the community who have expressed similar concerns. One individual, Karen Anderson, shared how the bill's narrative fails to consider situations like hers, where hosting rentals provides mutually beneficial, affordable opportunities for long-term renters and self-employed individuals within the vacation rental sector. The proposed legislation could lead to job losses for cleaners, gardeners, site managers, and handymen, and ultimately price local residents out of paradise.

I urge the reconsideration of HB1838 and the exploration of solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine and those of other residents who rely on the vacation rental industry.

Mahalo for your attention to this matter, and I kindly request your consideration of my perspective and the perspectives of others who will be impacted by this legislation.

Sincerely,

Donato Pompo

HB-1838-HD-1

Submitted on: 2/27/2024 9:02:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hye Sun Hong	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee on Judiciary and Hawaiian Affairs,

I am writing to express my strong opposition to House Bill 1838, which proposes to authorize counties to phase out short-term rentals in any zoning area. As an owner and operator of a legally permitted short-term rental property, this bill directly threatens my livelihood and the financial stability of many others like me.

Personal Impact:

My short-term rental business not only supports my family but also contributes to the local economy by accommodating tourists who prefer a more personalized and home-like environment than what hotels can offer. The potential phase-out of short-term rentals as proposed by HB1838 would not only deprive me of my income but also reduce the accommodation options available to visitors, impacting the overall tourist experience on Oahu.

Economic Contributions:

Short and mid-term rentals play a crucial role in our community, especially in times of crisis. For example, during the Red Hill Crisis and Marco Polo fires, short-term rentals provided a temporary home to displaced residents. Limiting or eliminating these rentals would leave a significant gap in our ability to support both locals and visitors in times of need.

Limited Legal Rentals:

With only 2,000 legal short-term rentals remaining on Oahu, excluding hotel units, our community cannot afford to lose more. These rentals accommodate not just tourists but also residents in transition, medical patients, emergency workers, and others who rely on the flexibility and convenience that short-term rentals offer.

Conclusion:

I urge you to consider the negative implications of HB1838 on property owners, the local economy, and the wider community. We need regulations that support the responsible management of short-term rentals, not legislation that threatens their existence.

Please oppose HB1838 and work towards solutions that recognize the value and contributions of short and mid-term rentals to our community.

Thank you for your attention to this matter.

Sincerely,

Hyesun Hong

HB-1838-HD-1

Submitted on: 2/27/2024 9:07:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I live on Maui and I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

HB-1838-HD-1

Submitted on: 2/27/2024 9:08:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
dale chappell	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Dale Chappell

HB-1838-HD-1

Submitted on: 2/27/2024 9:08:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Mariko

HB-1838-HD-1

Submitted on: 2/27/2024 9:11:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leianah Kahahawai	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-1838-HD-1

Submitted on: 2/27/2024 9:11:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Konane Pokipala	Individual	Support	Written Testimony Only

Comments:

I support this Bill and hope to God it passes.

HB-1838-HD-1

Submitted on: 2/27/2024 9:11:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kellyala Maniti	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

With great hopes,

Kellyala Maniti

HB-1838-HD-1

Submitted on: 2/27/2024 9:11:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Trayline Kiesel	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-1838-HD-1

Submitted on: 2/27/2024 9:12:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaila Wilkinson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kaila Wilkinson

HB-1838-HD-1

Submitted on: 2/27/2024 9:13:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mara Garcia	Individual	Support	Written Testimony Only

Comments:

[HB1838](#) presents a critical opportunity for Maui County to gain more authority in regulating the excessive number of short-term rentals. By supporting this bill, we can work towards creating a more balanced housing landscape that prioritizes the needs of our local community.

HB-1838-HD-1

Submitted on: 2/27/2024 9:13:34 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimberly Smith	Individual	Support	Written Testimony Only

Comments:

I strongly support **HB1838** and I believe it is crucial that this bill is passed to help residents of Lahaina, Maui, and Hawaii at large.

Housing is our biggest crisis and the short term rentals harm all residents when they are able to take up a majority of suitable lodging.

Please pass this bill to ensure housing can be available and affordable to all residents now and in the future.

Mahalo,

Kimberly Smith

HB-1838-HD-1

Submitted on: 2/27/2024 9:15:43 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Lindsay Ranieri

HB-1838-HD-1

Submitted on: 2/27/2024 9:16:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandi Chun	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Brandi Chun

HB-1838-HD-1

Submitted on: 2/27/2024 9:17:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mae Ballano	Individual	Support	Written Testimony Only

Comments:

I fully support this bill. It's about time we prioritize taking care of our own people instead of allowing non-residents to take over our island. If you look at our beaches, you'll see that's where our people are living.

HB-1838-HD-1

Submitted on: 2/27/2024 9:17:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Chimera	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Melissa Chimera

Honokaa, HI

HB-1838-HD-1

Submitted on: 2/27/2024 9:17:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaiko Anderson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kaiko Anderson

HB-1838-HD-1

Submitted on: 2/27/2024 9:18:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cassie	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Cassandra Hastu

HB-1838-HD-1

Submitted on: 2/27/2024 9:19:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mariko Kurita	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Mariko Kurita and I live on the island of Oahu.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 9:19:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Billy woods	Individual	Support	Written Testimony Only

Comments:

Help the people of Lahaina we need more housing for the residents that bin their 3,4 generations. Same thing hear north shore of Oahu we getting pushed sick of it enough is enough!!!!!!

HB-1838-HD-1

Submitted on: 2/27/2024 9:19:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carlos Lamas	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Carlos Lamas, a West Maui resident. I am writing to express my strong support for HB1838 HD1, a bill that addresses the critical issue of zoning in relation to single-family transient vacation rental units.

The escalating conversion of residential homes into short-term vacation rentals has significantly impacted our communities, contributing to a housing shortage and driving up the cost of living for local residents. This bill provides a much-needed solution by allowing counties to enact zoning ordinances to phase out nonconforming single-family transient vacation rental units over a reasonable period of time.

As a West Maui resident, I have witnessed firsthand the strain that the proliferation of short-term rentals has placed on our housing market, especially in the wake of the devastating 2023 Maui wildfires. It is imperative that we take action to preserve our residential areas for long-term residents and ensure that housing is available to those who contribute daily to the fabric of our community.

HB1838 HD1 represents a crucial step towards achieving a balanced approach to housing and tourism, ensuring that our communities remain vibrant and sustainable for generations to come. I urge you to support this bill and help protect the rights of local residents to affordable and accessible housing.

HB-1838-HD-1

Submitted on: 2/27/2024 9:20:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Bruch	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

James Bruch

HB-1838-HD-1

Submitted on: 2/27/2024 9:20:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Stayton	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Susan Stayton, Lawai, Kauai, HI

HB-1838-HD-1

Submitted on: 2/27/2024 9:20:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B. Keahi Tajon	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Every community will face these challenges when the time comes, and for some, it's already passed. There is wisdom in not repeating ones mistakes as we all have or will learn in our lifetimes. We have the opportunity at this juncture to set a prescient on how we deal with these situations now and in the future. Please vote in favor of the people who make Hawai'i Hawaiian. Phase out short term rentals and acknowledged the fact that the people who found the beauty in its simplicity and excellence made Hawai'i what people all over the world, still visit to find.

No Hawaiian's, no Hawai'i.

Know Hawaiian's, know Hawai'i.

Mahalo,

B. Keahi Tajon

HB-1838-HD-1

Submitted on: 2/27/2024 9:22:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alberta Lono	Lahaina Strong	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

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Mahalo,

Alberta Lono-Morolt

HB-1838-HD-1

Submitted on: 2/27/2024 9:23:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Darcel Gilbert	Individual	Support	Written Testimony Only

Comments:

When I moved to my street 20 years ago it was a single family residential neighborhood . Now 8 of 35 homes are short term vacation rental. I want families as neighbors , not businesses.

Please enforce the laws.

we need kamaainas in our neighborhoods, not more investors.

HB-1838-HD-1

Submitted on: 2/27/2024 9:25:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aja Toscano	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I am submitting testimony today to share that I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires. Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Aja

HB-1838-HD-1

Submitted on: 2/27/2024 9:26:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randall	Individual	Support	Written Testimony Only

Comments:

Do da right thing

HB-1838-HD-1

Submitted on: 2/27/2024 9:27:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tiffany Teruya	Individual	Support	Written Testimony Only

Comments:

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

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Mahalo,

Tiffany Teruya

HB-1838-HD-1

Submitted on: 2/27/2024 9:32:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

Lorena Martinez (resident of West Maui)

HB-1838-HD-1

Submitted on: 2/27/2024 9:34:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

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I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Richard Ho

HB-1838-HD-1

Submitted on: 2/27/2024 9:36:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Felisa Agbayani	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

HB-1838-HD-1

Submitted on: 2/27/2024 9:38:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Summer Yadao	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Chair, Vice Chair and members,

This is one step that needs to be taken in order to gain control of our housing market, especially for those that have been impacted by the fires in Lahaina.

Another vital piece, is that Hawai'i needs to have funds ready and steadily coming in dedicated to true affordable housing for people from and living in Hawai'i. There are many conveyance tax bills, however HB2629 HD2 is the most comprehensive and takes all the necessary steps to increase funding to the affordable housing fund (the only revenue source for affordable housing) and benefits various housing programs, from homeless services to affordable home ownership.

Only when the state and county use funds collected from the conveyance tax, property tax or other means, can we take control of our housing market so it is not just given to the highest bidder, who are usually people living outside of Hawai'i as investment properties, as our people are left negatively impacted by those purchases.

Mahalo for looking at various ways to provide housing for the people and please continue to be open to other innovative ways to make positive change for Hawai'i.

HB-1838-HD-1

Submitted on: 2/27/2024 9:39:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Foley	Individual	Support	Written Testimony Only

Comments:

I am in support of HB1838

Name: Jennifer Gile

Resident: Waiohuli Beach Hale, Unit D124

Testimony: I oppose Bill HB1838 for multiple reasons:

- This bill will personally impact my family's ability to provide Short-Term Rentals (STRs) to people that seek housing in Maui.
- This bill could result in the phasing out of 13,744 LEGAL STRs on Maui, our property potentially being one of them.
- Events like the Lahaina Fire will displace thousands of Maui residents; for these displaced residents, where will they find temporary, furnished housing if the STR Industry is further restricted and reduced?
 - Mid & Short-Term Rentals accommodate the following:
 - Displaced Residents
 - Newly Housed Residents
 - Residents in Transition
 - Inter-Island Residents, coming for medical treatment and/or family visits
 - Traveling Nurses
 - Emergency Contractors
 - Temporary Military & Students
 - Our Ohana (Our family & friends)
- Presently, Maui's STRs provide 40% of Maui county's real property tax revenue, as well as being the top source of funding for affordable housing for Maui.
 - This STR property tax revenue represents 18% of the county's \$1.7 Billion budget. Where will that revenue come from?

Please know that I would have liked to be present for this hearing, however the short notice left me unable to appear at this time. As such, the most I can leave is this detailed, written testimony explaining my full and irrevocable opposition to Bill HB1838.

HB-1838-HD-1

Submitted on: 2/27/2024 9:40:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dasha Alvarado	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Dasha Alvarado

HB-1838-HD-1

Submitted on: 2/27/2024 9:41:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachelle Yongvanich	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair and Committee,

My name is Rachelle Yongvanich. I stay in a short term rental because it helps the local economy and is much more comfortable than a hotel. I have been coming to Maui for years and have made friends with all the lovely people who clean, manage and maintain the short-term rentals I stay in. They are like my Maui Ohana. I frequently visit the island and I love Maui. I know how important tourism is to the livelihood of my Maui Ohana. Short-term rentals bring in a lot of money to the state through tax dollars and jobs for the local economy and it will be foolish for this Chair, Vice Chair and Committee to penalize short term rental owners. The county has the means to create new housing that would be more conducive to the needs of the the Maui people than to take away from other Maui people - the owners of short-term rentals. This act of trying to get rid of short-term rentals infringes on Maui home owners' rights as well. This is not Cuba... This is not China... This is America.. We have rights. Do not oppress lawful home owners. The county needs to stop targeting short-term rental owners who are a very necessary part and contributor to the Maui economy. This mentality is detrimental to the community and not a solution to this housing problem.

There are many more constructive solutions to this housing problem:

- 1. Hire more planning department employees to expediate the building of new homes. Bring them in from other islands or the mainland until this problem is solved.**
- 2. Contact Boxabl to create temporary and or permanent housing using high quality, prebuilt homes. They are offering TWO HUNDRED FIFTY (250) HOUSES that are FREE to help Maui.**
- 3. Use the Lahaina Shores hotel on Front street to house the unhoused.**

Why haven't the Chair, Vice Chair or Committee responded to Boxabl?

These Boxabl homes are much better than the makeshift tents that have been set up by the airport.

Are you catering to hotel lobbyists? Did you forget to call them back? Please call them and utilize this resource.

Why are you not exhausting every resource available to the Maui community?

There are a lot of questions that need to be answered and our public servants need to be held accountable for their decisions, actions and lack of action.

I am writing in opposition of this bill because short-term rentals are essential to the Maui economy. Maui residents rely on short-term rentals for income and also for tax dollars that help fund a high percentage of the budget.

I encourage the Chair, Vice Chair and Committee to vote no on this bill. This bill is a mistake for Maui. It will penalize Maui workers and take away Maui property owner's rights while deterring tourism - the bread and butter of the Maui economy. This will be lose-lose for everyone involved. If short-term rentals are gone, the jobs that belong to my Maui Ohana will be gone too. Please have compassion and help them keep their jobs. Save their jobs. They have families and are working hard to support them and survive too. This bill will negatively effect a lot of good, hard working Maui residents.

Let the counties enforce the laws that they already have.

Vote NO. Vote NO. Vote NO.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/27/2024 9:42:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Carter	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Paul Carter

201 River Rd, Waihe'e

HB-1838-HD-1

Submitted on: 2/27/2024 9:43:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Telina Sonoda	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

Telina Sonoda

HB-1838-HD-1

Submitted on: 2/27/2024 9:43:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cecilia Ortiz	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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As a health care worker employed at a local non-profit organization and a single parent I live with the constant anxiety of losing my rental housing and being unable to provide for my keiki as there are very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Cecilia Ortiz

Haiku, HI

HB-1838-HD-1

Submitted on: 2/27/2024 9:45:23 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stacey Alapai	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Stacey Alapai, Makawao 96768

HB-1838-HD-1

Submitted on: 2/27/2024 9:46:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

Ravi Bugga

Lahaina

HB-1838-HD-1

Submitted on: 2/27/2024 9:46:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kuuiipo Kekahuna	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

Ku'uipo Kekahuna

HB-1838-HD-1

Submitted on: 2/27/2024 9:47:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikhil Khurana	Individual	Support	Written Testimony Only

Comments:

Short term rentals are just profit for homeowners that sells out to out of state and vacation people. Long term housing supports locals and Hawai'i. At this moment especially: Lāhaina victims and displaced Maui families are the priority. Not homeowners selling their spaces to college kids on vacation. It is imperative that the state have the power to convert short term rentals to long term and support families to be housed!

HB-1838-HD-1

Submitted on: 2/27/2024 9:47:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Naomi Holokai	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

Naomi

HB-1838-HD-1

Submitted on: 2/27/2024 9:50:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Stephens	Individual	Oppose	Written Testimony Only

Comments:

As a Maui Resident who purchased a short term rental unit years ago I am opposed to the bill phasing out short term rentals.

These units have been purchased for prices higher than normal due to their short term rental potential, we also pay higher HOA and Lease hold fees not to mention the amount in tax both GET and property tax at a much higher rate. By forcing these units into long term rental there is no way to break even on the property while renting them long term at a "reasonable" rate.

The small profit over cost that is made by short term rental is used to buy my groceries; therefore, changing it into long term rental essentially is telling me that some other resident is more important than myself as a resident. I have worked hard and invested in such a property and should not be punished for such.

By all means we all know there is a housing crisis. It is understandable to stop any new short term rental approval; however punishing those of us who have been bought units for premium for short term rental is unreasonable.

HB-1838-HD-1

Submitted on: 2/27/2024 9:50:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Sahara	Individual	Oppose	Written Testimony Only

Comments:

There are many businesses and individuals who live in Hawaii, who rely on the hospitality industry. STR are a huge party of that industry benefiting many businesses and employing thousands of people and their families. There is enough business inclusive of STR for all to benefit. No one sector of the hospitality industry should be a monopoly. The county should not have the power to phase out all STR rentals. Once a ruling is put into law, by the city or state, the county should not be able to cancel or over rule.

I rely heavily on the income I receive from STR to support myself in my retirement. Many people on fixed incomes need to supplement their income. Why would the city of Honolulu want to eliminate all the revenue generated from STR's, that contribute to livelihood of so many.

HB-1838-HD-1

Submitted on: 2/27/2024 9:50:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim McNee	Individual	Oppose	Written Testimony Only

Comments:

There are many businesses and individuals who live here in Hawaii, who rely on the hospitality

industry. STR's are a huge part of that industry benefitting many businesses and employing thousands of people and their families. There is enough business with STR's for all to benefit. No one sector of the hospitality industry should be a monopoly. The county should not have the power to phase-out all STR rentals. Once a ruling is put into law, by the city or the state , the county should not be able to cancel or overrule.

I rely on the income I receive through my STR's, and to pay condo fees, all taxes and provide a income through my retirement years. Why should the City of Honolulu want to eliminate all the revenue generated from our STR's, that contribute to the livelihood of so many.

HB-1838-HD-1

Submitted on: 2/27/2024 9:51:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amber	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Amber Dagupion

HB-1838-HD-1

Submitted on: 2/27/2024 9:52:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Becker	Individual	Support	Written Testimony Only

Comments:

We have too much short term rentals in west Maui. I will use my neighborhood as an example. I live in Kahoma Village which is one of the few neighborhoods still standing after the fire. What is sad is many people who reside in this neighborhood is that this is their second home. This should be home for the locals. Sell to the locals. No more short term rentals!

HB-1838-HD-1

Submitted on: 2/27/2024 9:53:31 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabriela	Individual	Support	Written Testimony Only

Comments:

I support this.

HB-1838-HD-1

Submitted on: 2/27/2024 9:53:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pamela Reader	Individual	Oppose	Written Testimony Only

Comments:

Aloha. My name is Pamela Reader.

On August 8, 2023, my family lost our beautiful home in Lahaina. We are long time Lahaina residents (23 years!) and owned our home for over 13 years. Our daughters are born and raised in Lahaina and that is the only home they have ever known.

I am writing today to oppose legislation HB 1838. This bill does not solve the housing crisis. These short-term rental units are small. Most of them would not house a family. For example, on Lower Honoapiilani Road where most of the West Maui short-term rentals are, more than 70% of those units are 1 bedrooms. Most of these units do not have storage, and minimal parking per unit. They were built to have people stay there for short periods of times.

West Maui families need real, respectable housing. I feel focusing on short-term rentals is short-sided and not focusing on the real problem. My husband and I put our name on the list for Pulelehua in West Maui almost 20 years ago! It is just in the process of possibly being built now. What is the hold up? This should not be.

Create homes that can fit families, with parking and space for families to grow. Stop focusing on short-term rentals. And lets not forget most of the economy of West Maui is based on tourist dollars. LEss tourists will be less jobs and if people have nowhere to live and have no jobs, people will leave.

One more point. My daughters want to live on Maui as adults, especially now after they have lost so much. They want to be a part of rebuilding Lahaina. My daughter wants to go to the University of Hawaii for business and open a business on Front Street. Where will she live? We need real housing! Young people cannot come back to Maui and build real lives without real housing for them.

Thank you for your consideration.

With respect and aloha,

Pamela Reader

HB-1838-HD-1

Submitted on: 2/27/2024 9:55:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
amy r craig	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Amy Rose Craig

HB-1838-HD-1

Submitted on: 2/27/2024 9:55:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Mariko Higashi

HB-1838-HD-1

Submitted on: 2/27/2024 9:55:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Nooney	Individual	Support	Written Testimony Only

Comments:

I support Bil HB1838

HB-1838-HD-1

Submitted on: 2/27/2024 9:55:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Vaverko	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838, which poses a significant threat to our local short and mid-term rental industry here in Hawaii. As a resident, I see firsthand the value and importance of these rental options for our community and our economy.

HB1838 carries the potential to shut down short and mid-term rentals, even if they are currently permitted and legal. The proposed legislation includes provisions full government power to phase out the very permits they initially granted, heavy fines (much more than some violent criminal offenses) for non-compliance, and the creation of a banned address list that could prevent owners in certain buildings from operating. Furthermore, it grants counties the ability to phase out non-conforming use certificates, which would have a widespread impact on our local rental industry after having to jump through beacratric red tape to have gotten them in the first place. I do not trust nor have seen any good faith from the county to regulate STVR's honestly and fairly.

This bill presents a significant threat to the economic rights of property owners and the livelihoods of many local families who depend on income from vacation rentals. The proposed fines are disproportionately high and inconsistent with violations listed, an unjust burden on rental operators. Moreover, in areas where vacation rentals are already heavily regulated, HB1838 is unnecessary and only serves to create further hardships for local residents.

The implications of this bill on our local community are profound. Thousands of families, including housekeepers, maintenance workers, local contactor companies. and working-class families, depend on the vacation rental industry for their livelihood and to offset the already hight cost of living im Hawaii. The passage of HB1838 would undoubtedly lead to significant financial hardship, job losses, and a decline in our local economy.

Thank you for your attention to this important matter. By standing together and speaking out against HB1838, we can protect our community and the families and individuals who depend on it.

Mahalo,

Daniel Vaverko

27 February 2024

Aloha Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Me ke Aloha pumehana,

Tristen Daniel

HB-1838-HD-1

Submitted on: 2/27/2024 9:58:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn Lewis	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawai'i.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

DawnLewis

HB-1838-HD-1

Submitted on: 2/27/2024 9:59:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Support	Written Testimony Only

Comments:

I support this bill. It will help the displaced residents of Lahaina and created more of a balance in housing.

HB-1838-HD-1

Submitted on: 2/27/2024 9:59:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alexander K.D. McNicoll	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Alexander McNicoll

HB-1838-HD-1

Submitted on: 2/27/2024 10:02:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ann williams	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Ann Williams

There are many businesses and individuals who live here in Hawaii, who rely on the hospitality industry. STR's are a huge part of that industry benefiting many businesses and employing thousands of people and their families. There is enough business with STR's for all to benefit. No one sector of the hospitality industry should be a monopoly. The county should not have the power to phase-out all STR rentals. Once a ruling is put into law, by the city or the state, the county should not be able to cancel or overrule.

I rely on the income I receive through my STR's, to pay my condo fees, all taxes, and provide an income through my retirement years. Why would the city of Honolulu want to eliminate all the revenue generated from our STR's, that contribute to the livelihood of so many.

Chair Tarnas, Vice Chair Takayama, and committee members,

I am writing to support HB1838. Maui had a housing shortage before August's tragic wildfires. Since the fires, many families are still without dignified long-term housing. Giving the county the power needed to decrease the prevalence of short-term rentals in neighborhoods means more options for long-term renters. I wish that there was a bill that offered a bolder solution. Using zoning ordinances to encourage short-term rental owners to do the ethical thing does not seem to match the urgency of the situation. However, it is action and a step in the right direction. For that reason, I encourage you to support HB1838.

Mahalo for your time,

Melissa Roderick

HB-1838-HD-1

Submitted on: 2/27/2024 10:10:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lilyana Koa	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group. I believe it is a crucial step in addressing our housing crisis in Lahaina and across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. This number rises to 41.8% in neighboring areas and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Lilyana Koa

HB-1838-HD-1

Submitted on: 2/27/2024 10:10:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christina Sanchez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. I wish to see more housing for Kanaka Maoli and all of our ohana that resides in Hawaii rather temporary vacation homes. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are heart shattering. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires. It's devastating to see so many displaced while tourists visit comfortably.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our local communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Housing is a human right. We must not forget who's land we stand on and to remember that it is our kuleana to protect our indigenous and local communities. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Christina Sanchez

HB-1838-HD-1

Submitted on: 2/27/2024 10:10:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Miriam Keo	Individual	Support	Written Testimony Only

Comments:

Aloha, I am in support of this bill but please amend it to apply to non conforming apartment buildings as well. Mahalo!

HB-1838-HD-1

Submitted on: 2/27/2024 10:12:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Devine	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

*Mahalo,
Melissa Devine*

HB-1838-HD-1

Submitted on: 2/27/2024 10:14:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Traci Silva	Individual	Oppose	Written Testimony Only

Comments:

I'm opposed to a bill to authorize the counties to phase-out short-term rentals in any zoning. I was born and raised in Hawaii, and I am a Hawaii resident who owns a STVR in a hotel district. I chose a hotel district specifically for its zoning and flexibility. I manage and prep my own STVR unlike most others. I am not a mainland resident trying to make a buck at the expense of locals, I am a local, and I'm doing what I can to support myself so I can stay in Hawaii and keep my money here and continue to give back to my community. Please think about who a bill like this can hurt, it's not just mainland residents looking to grab up investments and make a buck while locals suffer, it's actually locals running legitimate businesses and trying to survive out here. Do not punish established locals just so you can try to help displaced locals. It's a vicious cycle with no positive outcome. And FYI - I did offer my property to help fire victims for a while, and recently, FEMA wasn't interested in my smaller place. I also own other properties in Hawaii that are dedicated to long-term rentals. So I am doing more than my share to kokua. I am not the typical STVR owner, but there are probably others like me out there that get overlooked and passed over. Please consider that when presenting and supporting bills such as this one.

HB-1838-HD-1

Submitted on: 2/27/2024 10:24:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Gallivan	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Matthew Gallivan

HB-1838-HD-1

Submitted on: 2/27/2024 10:24:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sabrina Murphy	Individual	Support	Written Testimony Only

Comments:

Please do the right thing. Every decision will affect thousands of people and all the generations into the future. Remind yourselves of why you chose positions of leadership, why your spirits came into this world. Is it not to lead with divine light and raise the frequency of this planet? Each person that is a representative of what the local community wants, has a massive karmic responsibility to do what's right.

Supporting this bill is a step in the right direction for stopping the commodification of transient housing. Enough is enough. As someone who lost their rental 3 years ago in Kahana Manor to a person who bought my unit and turned into a short term rental, this is definitely a sore subject. A man sold off at least 10 units in Kahana Manor (my place was one of them). My roommate and I and countless families found out they had 55 days to move out. They kicked out long term residents. I had a neighbor that lived with her kids for 23 years there and she had not even 2 months to come to terms with it and find a place. The units were sold and now many and maybe all of them are short term rentals I then moved to Lahaina to the tiniest attached ohana because there were very little affordable options left. All my possessions are now ashes and rubble from the fire. I am living in the Westin Hotel and will heartbreakingly be permanently leaving Maui after 7 years at the end of next month. I wanted to say SOMETHING in strong opposition for this transient housing. The workforce has and will continue to leave if this keeps up. The rich people will barely have anyone to serve them anymore (eyeroll). I truly wish there was a law that someone had to be a resident renter for at least 7 years before they could buy housing. I honestly wish all Polynesian people could only be homeowners of Hawaiian lands. This open arms approach to people with money buying Hawaiian land is destroying the true local communities and their heritage. It's like the Native Americans being forced off their lands and given a shitty piece of property and they are supposed to be ok with it. Why allow laws to cater to the oppressors? Please do the right thing.

Mahalo if you actually read this

Sabrina Murphy

HB-1838-HD-1

Submitted on: 2/27/2024 10:29:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cambria Moss	Individual	Support	Written Testimony Only

Comments:

Aloha, I have good friends, many of them are native hawaiians, good people who had good jobs, such as native Hawaiian kahu cultural practitioners of renown in the wedding industry here (which has collapsed since the fires, by the way) who are still staying in crowded rooms in hotels for months with no kitchens, being kicked out and moved around while FEMA takes forever to match them up with other good friends who have given up their vacation rental condos to FEMA. But for some reason FEMA is taking forever and WILL NOT ALLOW THEM to rent to people that they know and care about. But that is not what this bill is about. This bill is about equality and human dignity. And about my extreme anxiety that will not allow me to sleep at night because of my fear that I will become one of the homeless soon, pushing what little I can around in a stolen shopping cart, because my rent for a tiny ohana cottage may go too high to pay for with no more wedding music work. Or my landlord from the states will let me go when the eviction moratorium expires, so he can rent to visitors for double the rent. And my fear that my native hawaiian friends will have to move away from their ancestors' homelands, that is unbearably sad. I should give up my cottage for them, but he will put it on vrbo and get double the rent.

According to [recent research](#) from the [University of Hawaii Economic Research Organization](#), a staggering 25% of housing units in Lahaina are listed as short-term rentals. To the south of Lahaina, this percentage rises to 41.8%, and to the north, an alarming 87%. With such a high concentration of short-term rentals, only 13% of housing remains available for the Lahaina community to secure long-term housing in West Maui, where displaced families aspire to reside. They cannot find anything in south Maui either, I've been trying to find a studio for one friend for six months. It is such a terrible disgrace to good people!

You know that you need to move this bill forward. Do the right thing. Ho'oponopono. Make it so. Mahalo.

HB-1838-HD-1

Submitted on: 2/27/2024 10:37:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elana Campbell	Individual	Support	Written Testimony Only

Comments:

Support

HB-1838-HD-1

Submitted on: 2/27/2024 10:38:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimberley Harper	Individual	Support	Written Testimony Only

Comments:

HB1838

Short term is destroying everything that the our Kapuna built!!!! The Hotels are sinking, every day this continues, you might as well hand it all over to the rich. Please do something asap before the indigenious lose their islands. Mahalo, Kimberley Harper

HB-1838-HD-1

Submitted on: 2/27/2024 10:38:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Xiang	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Lisa X.

HB-1838-HD-1

Submitted on: 2/27/2024 10:41:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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 support of Bill HB1838

HB-1838-HD-1

Submitted on: 2/27/2024 10:47:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diana Tevaga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state of Hawaii.

HB-1838-HD-1

Submitted on: 2/27/2024 10:50:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Candace Vizcarra	Individual	Support	Written Testimony Only

Comments:

I strongly support giving the community the power to relate regulate rentals.

Concerned citizen

HB-1838-HD-1

Submitted on: 2/27/2024 11:00:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Strider Kerrick	Individual	Support	Written Testimony Only

Comments:

I support this bill as a displaced head of family from Lahaina fire. We are in a clear housing crisis and need county officials to be given the power to solve this issue.

HB-1838-HD-1

Submitted on: 2/27/2024 11:02:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rowan Adara	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

We need to prioritize our displaced residents above all else after the fires. Families that have been here for generations are leaving the island because they have nowhere to go. This bill could be a solution and allow them to stay in their communities, where they will find the most healing after this extremely traumatic event. Families need to stay together, with their extended families, in their communities. The best thing we can do is to keep these families here.

Whatever decisions are made now in the wake of this disaster will shape Mau's future. Maui is not an amusement park. People live here. We need to prioritize the residents and find a way to address the housing crisis that was already bad before the fires. There is housing here... we just need to free it up for the people who live here.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Rowan Adara

HB-1838-HD-1

Submitted on: 2/27/2024 11:10:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Luke	Individual	Oppose	Written Testimony Only

Comments:

When I retired 30 years ago, I started renting two rooms in my house to supplement my income. This bill is very harmful. It impacts my ability to remain in my home and I do not want to sell and leave Hawaii again. When I was young, I had to leave for education and job opportunities, but returned because there's no place like home.

I've hosted so many different people in my home. It's been a cultural exchange as much as a financial one. I live on the beach, but I don't notice many outsiders, so it's difficult to believe the numbers UHERO puts out. I have noticed the rise in costs to rent and number of people in my neighborhood who have sold and moved to the mainland. In their place, we have a migration of military people and management companies cycling people through our neighborhood.

I truly believe the service I provide is also a big help to local people who need temporary accommodations, people who want a staycation, and workers. I recently hosted a group of young men who installed the solar farm above Kapolei.

Long-term tenants have not been easy for me because I live in the same house. The old saying that familiarity breeds contempt, has occurred too often, and I suspect my age is a contributing factor to the increase in financial exploitation by long-term tenants. Short-term tenants don't quit their jobs and try to live off the ocean, fix multiple cars in the yard, or sell whatever they can get their hands on.

Please consider that Hawaiians have been hosting families before the hotels came. This has been a means of support for generations of us.

Please oppose HB1838.

Mahalo,

Karen in Ewa Beach

HB-1838-HD-1

Submitted on: 2/27/2024 11:12:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M. Llanes	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

MeleLani Llanes

Makakilo, O'ahu

HB-1838-HD-1

Submitted on: 2/27/2024 11:13:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Rutter	Individual	Oppose	Written Testimony Only

Comments:

I am writing against the new legislation for the increase of property taxes and/or additional fees for visitors coming into Maui. The taxes for vacation rentals are already at 17.9%, the highest rate of any state in the country. We just had an increase of visitor taxes in January 2024. Our property taxes increased 40% last year before the Lahaina fires even occurred. The increase of property taxes and visitor fees has to stop or we will see an imploding of Hawaii's economy. We are already struggling to support those that are unemployed and targeting taxes and fees (penalties) to short term rental owners as a solution is simply discrimination. It will reduce tourism and GET revenue to the state. Currently, the short term market provides the government with hundreds of millions of dollars, much more than the revenue from property taxes derived from single family owner-occupied homes. Continued financial pressure and change will evolve into less tourism. You will then have fewer jobs for the people who work in and benefit from the tourism industry.

Last year, we had offered our condo in Wailea through our condo association to house displaced residents and never received one inquiry to rent. We were told that Wailea is too far from Lahaina to accommodate residents. Now, you want to penalize us, even after we did the "right thing". To this end, you will potentially see a mass reduction of tourism, which supplies large revenues for the state. This will leave you with seriously reduced tax revenue and fewer residents to support our economy. Please recognize the negative spiraling effect your taxations will have on tourism, short term owners, our local economy and the related tax revenues you require to effectively run our beautiful state of Hawai'i.

I understand that the hotel lobbyists are pushing hard for this bill to pass because it clearly benefits them. The elimination of short term rentals eliminates their competition. If this bill passes, it will now allow the hotels (a virtual monopoly) to raise prices as they wish. Look at what happened in New York City when local law #18 passed, banning short term rentals. Last year, New York City lost 46% of their visitor demand and hotel rates are projected to increase next year. There has already been a drop in tourism to Hawaii because of the high prices. This will only be exacerbated by additional fees and increased taxes on short term rentals.

Mahalo for your time and consideration,

David & Regina Rutter

HB-1838-HD-1

Submitted on: 2/27/2024 11:26:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arna Lahela Johnson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I am writing to express my **strong support for HB1838 HD1**, a bill that empowers counties to establish zoning ordinances aimed at gradually phasing out short-term vacation rentals in residential areas. This legislation, recommended by the House of Representatives shelter working group, represents a critical measure in combatting our housing crisis, not only in Lahaina but throughout the entirety of our state.

The data regarding short-term vacation rentals is concerning. In Lahaina alone, a staggering 25% of housing units are currently listed as short-term rentals. In neighboring areas, this figure escalates to 41.8%, and in some cases, reaches an alarming 87%. Such statistics severely limit the availability of long-term housing options for our residents, particularly in the aftermath of recent calamities such as the wildfires.

By passing HB1838 HD1, we would grant counties the necessary authority to confront this issue head-on and pave the way for more stable housing solutions within our communities. This legislation is a pivotal stride towards ensuring that every individual has access to dignified housing, not just in Lahaina but across the entire state of Hawaii.

I implore you to lend your support to this crucial bill and join us in addressing the housing emergency that looms over us. Your attention to this matter and dedication to the well-being of our community are deeply appreciated.

Thank you for your consideration.

Mahalo me ka ha'aha'a,

Arna Lahela Johnson

Elizabeth Edmonds
75 Piialii St
Haiku HI 96708

27 February 2024

Committee on Judiciary and Hawaiian Affairs
Hawaii State Legislature
415 South Beretania St
Honolulu, HI

Dear Judiciary and Hawaiian Affairs Committee,

Re HB1838

I write to oppose HB1838. I oppose this bill because it could lead to the reversal and elimination of a fundamentally good STVR law that is best placed to manage the demands of and issues around visitors' short-term accommodation, including the potential conflict with affordable housing availability.

As quick background, my name is Elizabeth Edmonds and my husband and I have owned a home on Maui's north shore since 2007. We obtained an STR licence in 2013 to enable us to rent the home rather than it sitting empty while we visited our children and family back in Australia. We grow flowers and various fruit, including lots of coconuts, which we sell at local markets on Maui.

Maui's short-term vacation rental (STVR) law is a good policy. The STVR law achieves numerous benefits for the County and its residents. First, it provides the county with a way of managing the scale of the vacation rental industry by limiting the total number of STVRs and the number within specific neighbourhoods. Second, it protects communities where STVRs operate by giving neighbours the opportunity to comment/complain through the initial application process, by requiring an on-island property manager whose contact details are prominently displayed and by rental restrictions on potential annoyances such as parties, noise and parking. Thirdly, the law removes any financial incentive for home purchases for short term renting purposes by requiring a minimum 5 year wait before applying for a licence. Finally, and importantly, the law ensures that the county and state benefit from the vacation rental revenue earned. We support and abide by the STVR law despite the fact that its requirements greatly increase our expenses, including liability insurance, paying for a property manager and paying the various short term rental taxes (GET, TAT, MCTAT). The STVR law is a balanced rule that should be applauded rather than potentially disregarded.

The importance of the STVR sector to Maui and the State should also not be ignored. As I understand from the Maui Vacation Rental Association, Maui's STVRs account for 40% of the real property tax revenue for the county and the STR property tax revenue represents 18%

of the county's \$1.7 billion budget. In addition, the short-term rental market supports an important industry of workers, including managing agents, cleaners, house and lawn maintenance teams. The proposed HB1838 has the potential for Maui County to irresponsibly shut-down this industry at the cost of significant revenues and livelihoods for many residents currently working in the industry.

I am assuming HB1838 is being considered to allow counties the flexibility of eliminating STVRs if deemed appropriate. I believe a primary argument for this is the need for more affordable housing. Maui in particular is under considerable pressure given people displaced by Lahaina fires. However, revoking an existing, good system for managing short term rentals is not a solution to providing affordable housing. At least three reasons are evident. First, phasing out **LEGAL** short term rentals will be unlikely to significantly address the housing shortage. Many owners will not rent long term or sell their house. We, for example, would not rent our house long term – we live there and manage our farm. Our home is also of a size and in a location that is quite likely to be unappealing to many previous Lahaina residents. Second, while the phase-out may not help the housing situation, it **WILL** reduce revenue to the county and destroy the livelihoods of those currently involved in the short-term rental industry. The revenue currently received helps fund county projects, including affordable housing. Finally, banning vacation rentals will simply foster a larger **ILLEGAL** rental market. Any lawmaker who believes outlawing short term rentals will eliminate them is dreaming. The whole process will just go underground.

It is horrid what happened in Lahaina and the State is dealing with quite a difficult situation. But setting the stage for revocation of a truly good STVR policy is not the solution. I ask you to oppose HB1838 and instead consider ways to work with policies such as Maui's STVR law to manage the short term rental situation.

Thank you for your consideration.

Regards,



Elizabeth Edmonds

HB-1838-HD-1

Submitted on: 2/27/2024 11:35:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yasuyo Kohara	Individual	Oppose	Written Testimony Only

Comments:

My parents have been visiting Hawaii to see my family for almost 30 years. They always stayd at a legal mid-term condo for one month at a time. The reason to stay at a condo is not only more affordable than staying at a hotel, but also they can cook specific meal since my dad needs a special diet. If HB1838 is approved not only my parents, but also many people with similar situation won't be able to vist Hawaii any more.

HB-1838-HD-1

Submitted on: 2/27/2024 11:35:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Shay Chan Hodges

Haiku, Maui

HB-1838-HD-1

Submitted on: 2/27/2024 11:45:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yvonne Bosch	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

We are writing in opposition to this bill HB1838 because it threatens our ability to make a living along with the other workers and small businesses like ours, who live and work in my community.

We have owned a short-term vacation rental on Maui since the spring of 2016. For a little over 2 years, we managed it from the mainland.

In October of 2018, we moved to Maui full-time and purchased a small local business and have lived on-island ever since.

We live in North Kihei and our STR is in central Kihei. It is how we supplement our income.

We have lived through the COVID years, the shutdown of the vacation rentals and our business - we survived it all, thanks to all of the safeguards that were put into place quickly to help folks like us.

We have lived here during many floods and brush fires including the worst one of all; the Lahaina fire which has affected our business more than the COVID shutdown, we are still feeling the effects on our small business and at first on our STR. But after the narrative changed from "Visitors, Stay Away" to "Visitors, Maui Needs You", we are very lucky to have the extra income from our STR to allow us to keep going.

Short-term rentals are how Maui receives an influx of money, whether it comes from all the taxes that the state and county collect to all the visitors that frequent all the businesses around the area, including ours. Good or Bad, It is the lifeblood.

2 years after we purchased our little condo, my brother and his wife purchased theirs in N. Kihei. They come every year for a couple of weeks. They were just here and spent thousands of dollars locally during their time. They enjoyed what the island has to offer; whale watches, restaurants, golf courses, shopping, beaches and they love their place. We took a little trip to Oahu and enjoyed Kualoa Ranch, stayed at an Airbnb in Honolulu, visited Pearl Harbor, Diamond Head, Punchbowl to give respects to the fallen. When they aren't staying at their

place, they rent out their unit to visitors and locals alike. They pay some large taxes, cleaners and handymen and on-island contacts and so much more.

Not only would phasing out LEGAL STRs be devastating to people who rely on them for income, but it would also be devastating to Maui's economy, small businesses and workforce.

We have rented our place out to residents in transition, newly housed residents, inter-island residents coming for family visits and weddings, military on leave, travel nurses, essential construction workers, emergency contractors, our family and friends.

HB-1838-HD-1

Submitted on: 2/27/2024 11:49:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jerome Bosch	Individual	Oppose	Written Testimony Only

Comments:

As a Maui Resident, an owner of a STR and a small business owner, I oppose Bill HB1838

I am confident that my STR which I have been operating legally since 2016 has had a positive impact by bringing in funds to the state through taxes, to local businesses through purchases from our guests and to individuals who maintained and cleaned the unit. Taking away the opportunity for me to operate my investment as it was intended to when I purchased it and obtained all necessary documents and approvals from the State will not only impact MY bottom line and impact how I will be able to continue living here on Maui if that part of my income is diminished/eliminated, but it will have an instantaneous and disastrous impact on everyone else that benefits from this legal activity. It is very clear that affordable housing is a necessity in Maui, Hawaii and many other communities around the country and I am not disputing it. Some STRs that operate out of houses in neighborhoods might indeed be taking away housing for local families and some stronger regulations should be put in place to address such situation, but a very generic bill that seems to be attacking any and all STRs around the islands is wrong. Most STRs are located in complexes that were designed for the very purpose of being used for transient accommodation. Thinking that the same places can now all be converted to LTRs is purely and simply NOT the answer to the housing crisis. The current situation with displaced families from the wildfires is clearly exposing the fact that those families are not willing to stay in Vacation Rental places for an extended period of time. That's why there are now many STRs, mostly in South Maui I believe that have been converted to LTRs and part of the FEMA program to house fire victims but are sitting empty while still being paid for by the government. The owners of the STRs have done exactly what they were asked/begged to do: convert their STR to LTR and offer them to displaced families. They are getting paid very generously, but yet, the units are not occupied. The cleaning personnel and local businesses around them are not seeing that income anymore, the state is not getting any tax \$ out of them anymore, all while still paying for hotel rooms for the families to live in. This is completely opposite of what was supposed to happen. The housing crisis is not going to be fixed by taking away STRs, it will actually be made worse by financially impacting the local families. And for these reasons, I strongly oppose a bill that would facilitate the phasing out of STRs.

HB-1838-HD-1

Submitted on: 2/27/2024 11:52:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Luis Banto	Individual	Support	Written Testimony Only

Comments:

I'm a 30 year resident of Lahaina, I'm a homeowner but my home is inhabitable due to the contamination in Lahaina. I have not been able to find a Long Term rental on the Westside.

My work and kids school are on the Westside, renting, if any available, has gone through the roof due to lack of long term rentals and an extrem high demand.

The housing situation was out of balance before the fire. If we do not address the situation we will loose most of the working force here in Maui and then who is going to clean and maintain these many short term units.

I have lost lots of friends already that cannot afford to live in Maui anymore, something needs to be done and I believe it starts with temporal and hopefully indefenetly reducing the amount of short term rentals.

Sincerely,

Luis Banto

Thank you

HB-1838-HD-1

Submitted on: 2/27/2024 11:53:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Albert Suh	Individual	Oppose	Written Testimony Only

Comments:

Eliminating short-term rentals benefits hotels, monopolizing the market and limiting choices for travelers who ultimately support Hawaii's local economy. Of course, the hotel industry is all about eliminating short-term rentals - they can't compete with some of the STRs that are currently being offered to travelers. The hotel industry does not care about affordable housing; they see getting rid of short-term rentals as a way to increase their revenue per night and monopolize the tourism industry. STRs allow people from all over the world to be able to make a trip to Hawaii, instead of skewing only towards the luxury traveler(s) who can afford the high rates that the hotels charge. Furthermore, there are hundreds of residents who work as cleaners, maintenance, and everything in between that would be out of work. This bill unfairly disadvantages residents who have purchased property to enhance their economic situation and depend on their real estate for their livelihoods.

HB-1838-HD-1

Submitted on: 2/27/2024 11:56:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amey Hempel	Individual	Support	Written Testimony Only

Comments:

I work at Royal Lahaina with people waiting for housing. There will come a time when FEMA will stop paying and people will be at a FEMA cliff. The county will need these powers since we cannot create actual buildings out of thin air.

Please, for the sake of the people of West Maui, pass this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 12:04:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Isikeli Tafea	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Isikeli Tafea

February 27, 2024

Honorable Members of the Hawaiian Senate,

I am writing to express my **strong support for House Bill 1838**, which seeks to address the issue of short-term vacation rentals in apartment-zoned areas. As a resident of Molokai, I have witnessed firsthand the impact of these rentals on our communities.

It is alarming to note that nearly half of the short-term vacation rentals on Molokai are currently operating in apartment-zoned areas. These areas are designated for residential use, not for commercial activities such as short-term rentals. However, these rentals have been allowed to operate for years, thanks to the Minatoya opinion and inclusion on the Minatoya list.

This situation is unjust and detrimental to our communities. Apartment-zoned areas are meant to provide housing for residents, not to be turned into de facto hotel zones. The proliferation of short-term vacation rentals in these areas has led to increased noise, traffic, and other disruptions that impact the quality of life for residents.

Passing HB1838 would be a significant step towards addressing this issue. By restricting short-term rentals in apartment-zoned areas, we can ensure that these areas remain true to their intended purpose of providing housing for residents. It is time to prioritize the needs of our communities over the profits of short-term rental operators.

I urge you to support HB1838 and take action to end short-term vacation rentals in apartment-zoned areas. Our communities deserve better, and it is time to put an end to this harmful practice.

Thank you for your attention to this important matter.

Sincerely,
Mitchell Moore

Molokai Resident

HB-1838-HD-1

Submitted on: 2/28/2024 12:20:36 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shantelle Morgan	Individual	Support	Written Testimony Only

Comments:

We have urgent news regarding [SB2919](#), a bill aimed at giving more power to the county to phase out short-term rentals. Unfortunately, [SB2919](#) will not receive a second hearing. However, there is still hope with its companion bill, [HB1838](#), which has advanced to a second hearing.

Why is this important? According to [recent research](#) from the [University of Hawaii Economic Research Organization](#), a staggering 25% of housing units in Lahaina are listed as short-term rentals. To the south of Lahaina, this percentage rises to 41.8%, and to the north, an alarming 87%. With such a high concentration of short-term rentals, only 13% of housing remains available for the Lahaina community to secure long-term housing in West Maui, where displaced families aspire to reside.

[HB1838](#) presents a critical opportunity for Maui County to gain more authority in regulating the excessive number of short-term rentals. By supporting this bill, we can work towards creating a more balanced housing landscape that prioritizes the needs of our local community.

WHY IS THIS AN ISSUE? Where are our leaders? What are they doing? What is there purpose if not for the people? These are questions I ask myself as a community member (life long, born and raised). I have no faith in the system or the government because of things such as this. Cut these numbers down, way down! House the locals, put out a law forbidding renters to kick out and displace individuals renting regardless if contract just because they want to rent to fema to get more money!!! Stop outsiders, and what I mean by that is someone who doesn't have generational ties by ancestors and residency to purchase land or move here. Right now we need to fix what is broken, keep Hawai'i.. HAWAII.

We're tired, over worked under paid and starving for permanent shelter. Some place to call home. Allow us to purchase, bring the costs down. MAKE IT HAPPEN!!

Trust was given to you all at some point. Prove it wasn't in vain.

HELP US!!! Make Maui better for us, the community not the tourist and the visitors. Make it better for our keiki.

Vrbo's, or town homes and use

HB-1838-HD-1

Submitted on: 2/28/2024 12:21:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brooke Holderbaum	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state. My son cannot afford to return home to live because of the high cost of living, and he cites housing as the main reason. My neighborhood does not feel safe due to the constant turnover of strangers living in vacation rentals.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Mahalo for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Brooke Holderbaum

HB-1838-HD-1

Submitted on: 2/28/2024 12:23:03 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

me ke aloha ‘āina,

Nanea Lo, Mō‘ili‘ili, O‘ahu

HB-1838-HD-1

Submitted on: 2/28/2024 12:34:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Brashear	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838

Aloha,

We are Chris and Masha Brashear, residents in Kona with our two girls and our beloved dog Luna. As homeowners who operate short-term rentals, we have made substantial contributions to the local economy, employing cleaners and keeping various trades busy. Our short-term rental has been a lifeline, allowing us to meet mortgage payments and sustain our lives in this unique economic landscape.

I urge you to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. This bill has the potential to make the operation of my short-term rental impossible and jeopardize our ability to stay in our home. It creates insurmountable challenges for ordinary citizens to engage in this vital industry, threatening our ability to provide for our family and meet our financial responsibilities.

The unintended consequences of this bill will not only impact our ability to sustain our livelihood but also have a ripple effect on the local community, denying opportunities for citizens to participate in Hawaii's tourism industry and jeopardizing the economic stability of families like mine.

I kindly request your reconsideration of HB1838 to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry.

Mahalo for your consideration.

Warm regards,

Chris Brashear

808-657-2940

HB-1838-HD-1

Submitted on: 2/28/2024 12:59:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathy JJ DiazBian	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill because this will damage the tourist business and consumers have to pay higher cost for their stay in Hawaii

thus they will come less and this will reduce the working opportunities for the locals citizens

it is a total lose bill on either side

HB-1838-HD-1

Submitted on: 2/28/2024 1:04:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christina Stetenfeld	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Christina

HB-1838-HD-1

Submitted on: 2/28/2024 1:12:07 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Crystal Dombrow	Individual	Support	Written Testimony Only

Comments:

I would like to see any pathway possible to rehome fire survivors on Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 1:18:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Camille Barcoma	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

I would like to add that I was able to purchase my home through a self help project in, Kihei, Maui back in 2001. It was to make homes affordable for Maui residents. My home was \$176,000. Our children today are purchasing affordable homes at \$775,000, only because they are competing with investors who are buying homes continuously in Maui and other islands in Hawaii that are driving our real estate market out of control.

Homes throughout the islands are over 1 million dollars because outside investors are willing to pay that price to generate income for themselves to buy more properties. They are not living in these homes, that's why multi generational families are homeless, and priced out of Hawaii, period. We need this bill so that there is some kind of control to our housing market.

Mahalo,

Camille Barcoma

[Submit Testimony](#) today in **Support of this critical legislation** and join us via Zoom or in-person.

Mahalo nui loa,

Lahaina Strong

HB-1838-HD-1

Submitted on: 2/28/2024 1:22:22 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lei K Ayat-Verdadero	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group. I believe it is a crucial step in addressing the housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In neighboring areas near Lahina there are 41.8% short term rentals, and other neighborhoods have short term rental composition as high as 87%. Affordable housing was an epidemic in Hawai'i prior to the disaster, but add the price of what the rentals are and it is simply price gouging and akin to sugar baron greed.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide stable housing options for your constituents and Lahina survivors. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help local ohanas tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our communities.

Mahalo,

Lei Ayat-Verdadero

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are incredibly alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Lara Emery

HB-1838-HD-1

Submitted on: 2/28/2024 2:02:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nadira Fidance	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Nadira Fidance

HB-1838-HD-1

Submitted on: 2/28/2024 2:26:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gayle M Shufeldt	Individual	Support	Written Testimony Only

Comments:

As a 35 year Lahaina resident I support this Bill. We NEED more Control on STRs especially those in residential neighborhoods. The STRS have caused housing shortages For years, now super elevated prices so now Im officially priced out of Lahaina in my neighborhood alone (shark pit area of lahaina) there were 5 legal STRs amd 7 illegal ones. i adamantly oppose STRs in residential areas. Having to get up at 4am For Work daily , was difficult having Loud, partying tourist next Door while Im trying to sleep For Work . please support this Bill

HB-1838-HD-1

Submitted on: 2/28/2024 2:44:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Fazio	Individual	Oppose	Written Testimony Only

Comments:

Dear sirs:

I only purchased my short term rental at Kihei Akahi in March of 2023 for the purpose of short term rental until my wife and I move in and make it our principal residence in the next year or 18 months. Our monthly expenses are about \$5,500 per month. With only one bedroom and only 655 sq ft I would not be to collect near enough to cover the expenses with long term rental.

It seems very unfair to make this dramatic change especially when my investment was made to do short term rentals and that is in the bylaws of the condo complex. This would be a hardship on my wife and I and we strongly oppose this bill.

Sincerely,

James Fazio

Hawaii Bill HB 1838

My wife and I have been vacation rental owners on Maui since May of 2022. Our 1st trip to Hawaii was 40 years ago for our honeymoon. The reason we purchased our vacation rental was so we can visit Maui on a regular basis so we could determine if we would be able to retire on Maui. The vacation rental option for the unit has enabled us to do that. If this option was not available, then we would not be able to realize our dream of retiring on Maui. Therefore, we are against HB 1838.

We feel this bill would be a detriment to the economy of Maui. Vacation rentals give visitors the opportunity to visit without paying the super high prices for a hotel room. Visitors are the life blood of the businesses of the island and keep them thriving. Also, without vacation rentals how is the county going to make up for the income it receives from taxes (property, GET and sales) associated with vacation rentals?

Why isn't the Legislation looking for ways to incentivize developer to build more affordable long-term housing for the citizens for Hawaii?

We do not see the value of Bill HB 1838 and we are against it.

Thank you,

Aaron and Jayne Mednick

Owners of a Vacation Rental

Kihei, HI

HB-1838-HD-1

Submitted on: 2/28/2024 3:17:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lori Brodeur	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Lori Brodeur

HB-1838-HD-1

Submitted on: 2/28/2024 3:36:24 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoelani Delatori	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kanoelani Delatori

HB-1838-HD-1

Submitted on: 2/28/2024 3:37:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ke'ala'iliah Ford	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Ke'ala Ford

HB-1838-HD-1

Submitted on: 2/28/2024 3:58:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandra Lundborg	Individual	Support	Written Testimony Only

Comments:

Good morning,

Lahaina's housing crisis can be solved by banning Short Term Rentals. Period. Lahaina residents need housing. Visitors have hotel options. Keep our neighborhoods residential.

Jobs provided by STR are largely unregulated and under the table. STR's need to be converted to long term rentals. Help us solve our housing crisis and allow our county council to do what is right for their constituents.

Sandra Lundborg

Napili, Maui

February 27, 2024

Aloha Chair, Vice Chair and Committee,

My name is Sharon Shallow. I recently visited your beautiful islands and had the great fortune to stay in a short-term rental with my two adult children, their spouses and my 20-month-old granddaughter. I have to say that, but for our ability to stay in a short-term rental, we would *never have been able to afford* to stay in separate hotel rooms. One of the best parts of our experience was our ability to stay in one place, as it allowed us to spend a lot of quality time together. My little granddaughter needed the extra space to run around, and we were able to let her rest when she needed to, and to feed her upon her whim.

I am writing in opposition to Bill **HB1838** because, as a satisfied user, I believe short-term rentals are important. The short-term, temporary, and furnished housing is a boon to the local economy.

This bill will hurt people like me, other residents and visitors who rely on short-term rentals as the best way to be able to enjoy your beautiful islands.

Let the counties enforce the laws that they already have.

I ask that you please use your veto power to not allow this bill to move forward.

Mahalo no kou manawa a me kou noonoo.

Very truly yours,


Sharon B. Shallow

Narberth, PA 19072

HB-1838-HD-1

Submitted on: 2/28/2024 4:13:50 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

*Mahalo,
marissa Godinez*

HB-1838-HD-1

Submitted on: 2/28/2024 4:14:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Collier	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing in opposition to HB1838. I am not a local, but I lived and worked on Maui in the 1980's, and now own a condo on the West Side. Maui has been a part of my life for four decades. Year after year, it has been a home away from home for me, my wife, and our son. Every time we were able, we'd come and spend time on the island, always staying in one short term rental or another, probably 20 or more different locations. Many were destroyed in the fires, along with the neighborhood we felt at home in. We have a strong empathy for all who have suffered losses from the fire.

The STR places we stayed gave us the opportunity to experience the island and its culture in a more intimate, respectful, and authentic way than in a hotel or resort.

Hotels and resorts do not provide the depth of experience we seek, and we would not have kept returning to Maui if they were our only option. I would assume that a large percentage of repeat STR visitors feel the same way.

About 2 years ago, we were able to buy our own place on Maui. A place for us to spend time in our retirement, a place to share our Maui love with our family and friends. This was a lifelong dream, not a greed motivated financial move. The only viable way for us to own it is if we rent out much of the time between our visits. Our condo is managed by a local company that employs many people. Our condo gives guests a chance to experience Maui in a more intimate, respectful, and authentic way than staying at a hotel or resort. It brings people to Maui that would not come if they only could stay in a hotel or resort.

Our condo and other STR's contribute to the local economy in multiple ways. Property taxes, other taxes, employment, etc. STR guests create a ripple effect on the economy by spending on dining out, buying groceries, activities, souvenirs, etc.

One reason that I believe HB1838 is a bad idea is that it opens the door for county zoning officials to inadvertently and irreparably damage Maui, the thing they are trying to protect. STR's, owned by individuals like me, who genuinely love and care about Maui, are the only counterbalance to the hotel and resort corporations, whose only goal is to satisfy shareholders. The corporate goal of maximizing profit by seeking to eliminate all competition is the reason these entities support HB1838. Please do not sell the soul of Maui to corporations. A

legislative path to a future Maui that is beholden to a few, powerful corporations is not the solution to Maui's affordable housing problem. Please do not pass HB1838.

Also, the economic consequences of phasing out STR's will greatly harm Maui. The economic reality is that phasing out STR's will cause property values to plummet. Unable to cover the high expenses of HOA dues, property taxes, and mortgages with long term rent revenues, most owners will be forced to sell. The supply/demand principle will cause a crash in property values, certainly with ripple effects that will harm the entire economy.

The financial damage to thousands of owners is likely to be extensive, and likely will result in a storm of litigation.

Currently, the high tax rate paid by STR's effectively is a subsidy for all other property owners who pay less. To make up for the loss in property tax revenue that results from the loss of STR's that have been phased out, and the drop in property values of the remaining STR units, the county will need to raise tax rates for everyone else. How will this bring Maui any closer to solving the problems that HB1838 claims to address?

Please do not pass HB1838.

Mahalo for your consideration.

I am opposed to HB 1838.

As a tourist who has been visiting Maui (and all the other islands) for 42 years, I would like to have you review the benefit to Hawai'i from visitors like me, who stay one or two weeks at a time:

1. We add to the economy of the State and County when we stay in a condo or house for one or two weeks at a time:

The local property management company, who hires local employees, benefits from our short term rental- from accounting personnel to maintenance people (using only local companies); from house/condo cleaners to the managers, the money we spend is spread out to a large number of people who rely on this income from 1-2 week at a time visitors.

There are property taxes paid to the county where we are staying, as well as the transient taxes, general excise taxes and other taxes I see on my housing bills- ALL of which goes into the economy of Hawaii, providing services to the people of Hawaii.

The owner also benefits from the dollars we pay to stay in the unit or house, paying property taxes to the State of Hawai'i.

2. When we are on island we spend LOTS of money on eating: both in grocery stores and in restaurants- all of which provides employment to Hawaiian business people: from servers and chefs to check-out people and stockers, utility companies, managers and bartenders. I have no way to count how many Hawaiian people the "ripple effect" of 1 short term visitor (defined as 1 or 2 week stay) has on the economy, but it is Substantial! Because tourists like me stay only a week or two at a time we tend to "cram" a lot of eating out and entertainment expenses into a short period of time; if the 6 month stay was required, there would NOT be an equivalent amount of money spent in the same amount of time.
3. And then there are a myriad of Hawaiian people that provide services that short term guests are looking for- snorkeling gear rental companies, whale watching and boating trip companies, shopping for Hawaiian art and clothing, Hawaiian adventures (like biking, zip lining, etc.) which employ a Lot of local people. See #2- the Hawaiian income in intense with short term rental visitors.

If you picture me-the short term tourist- as a pebble thrown in a pool of water, the impact of that One Pebble on the water as it ripples out is great. I, as the short term visitor, provide a Lot of Money to provide employment to a great many citizens of Hawai'i. I am grateful for all the experiences and visits I have had on the islands of Hawai'i and I would like to have those continue- 2 weeks at a time!

Thank you for considering my opposition to HB 1838,

Elizabeth/"Betsy" Christensen

theshome@gmail.com

*scott and vicki kemp
4474 lawai road
koloa, kauai, hawaii 96756
808-742-0169
sandvkemp@msn.com (email)*

2024-February-28

Hawai'i State Legislature
Via Testimony Website

Re: HB 1838

Dear Legislature:

I have been a land and homeowner on Kauai for over 20 years. I am opposed to HB 1838 as that bill alters my fundamental rights of property ownership that our country is based on.

Sincerely

A handwritten signature in black ink, appearing to read 'L. Scott Kemp', with a stylized flourish at the end.

L. Scott Kemp

*2217 ridgepointe court
walnut creek, california 94596
925-934-1597 (voice) 925-934-3481 (fax)
sandvkemp@msn.com (email)*

HB-1838-HD-1

Submitted on: 2/28/2024 4:38:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Schnitt	Individual	Oppose	Written Testimony Only

Comments:

I own a home on Kauai that I rent out as well. I bought this house over 10 years ago as a retirement home and renting it to guests is vital for my wife and I to pay our mortgage.

We employ numerous people to maintain our home. Last year we spent about \$100,000 locally on painting and other refurbishing. We employ directly and indirectly dozens of people on island from maids to gardeners to support staff. We also hosted our home to numerous families that brought much needed spending on local restaurants, tourism venues, other services and tax revenue.

Because it is a vacation home, our property tax rate is double and we pay tens of thousands of dollars a year in GET, TAT and other taxes.

This bill will do nothing except destroy local jobs, reduce tax revenue and ruin the sense of Ohana we were all trying to achieve.

HB-1838-HD-1

Submitted on: 2/28/2024 5:00:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Webb	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Peter Webb and Vickie Webb

TRACEY BUCK-WALSH

1007 Westside Road
Healdsburg, California 95448
916-761-9277
Email: tracey@tbwlaw.com

February 28, 2024

Committee on Judiciary and Hawaiian Affairs
State of Hawaii

Re: Opposition to HB1838

Esteemed Members:

My husband and I oppose HB1838. We own a home on Maui in a four-home compound that was developed in 1972 to serve as vacation rentals. Our compound is fenced and self-contained for parking, unnoticeable by neighbors, and has been generating TAT and GE taxes since its creation—and more recently it generates Maui County STR taxes. We have rental brochures dating back to 1972, with rules of conduct. Notably, in the over 50 years of operation, no complaint has ever been lodged against the short term rentals in our compound.

We provided Maui County with our historical use as a vacation rental, providing 50 year old guest books, declarations from our valued vendors and STR tax payment records. Based on our history, Maui County confirmed our property is a legal non-conforming use under its short term rental ordinance.

Our home, and the 3 other homes on our compound, are unsuitable for “regular” or affordable housing stock. We are served by one water meter, we have no interior fencing, and share the costs to maintain the grounds: landscaper, coconut removal, tennis court maintenance, garbage, water, pest maintenance, etc. The costs are considerable and, if divided equally, would place the houses out of reach for any long-term rental market. Instead, we rent them and our families can enjoy the homes and grounds as we did before —free from crowded condos or expensive hotels where paid parking is the norm and the only food available is through restaurants.

Visitors to the Hawaiian Islands like a choice in vacation accommodations. HB1838 threatens to eliminate choice such as our humble home, which gives visiting families a taste of old Hawaii at an affordable price. For these reasons, I respectfully, I urge a no vote.

Kind regards,
Tracey Buck-Walsh
Tracey Buck-Walsh

HB-1838-HD-1

Submitted on: 2/28/2024 5:09:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine R Collier	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing in opposition to HB1838. I am not a local, but I have been visiting Maui every year for the past 30 years and now own a condo on the West Side of Maui. Year after year, it has been a home away from home for me, husband, and son. Every time we were able, we'd come and spend time on the island, always staying in one short term rental or another, probably 20 or more different locations. Many were destroyed in the fires, along with the neighborhood we felt at home in. We have a strong empathy for all who have suffered losses from the fire.

The STR places we stayed gave us the opportunity to experience the island and its culture in a more intimate, respectful, and authentic way than in a hotel or resort.

Hotels and resorts do not provide the depth of experience we seek, and we would not have kept returning to Maui if they were our only option. I would assume that a large percentage of repeat STR visitors feel the same way.

About 2 years ago, we were able to buy our own place on Maui. A place for us to spend time in our retirement, a place to share our Maui love with our family and friends. This was a lifelong dream, not a greed motivated financial move. The only viable way for us to own it is if we rent out much of the time between our visits. Our condo is managed by a local company that employs many people. Our condo gives guests a chance to experience Maui in a more intimate, respectful, and authentic way than staying at a hotel or resort. It brings people to Maui that would not come if they only could stay in a hotel or resort.

Our condo and other STR's contribute to the local economy in multiple ways. Property taxes, other taxes, employment, etc. STR guests create a ripple effect on the economy by spending on dining out, buying groceries, activities, souvenirs, etc.

One reason that I believe HB1838 is a bad idea is that it opens the door for county zoning officials to inadvertently and irreparably damage Maui, the thing they are trying to protect. STR's, owned by individuals like me, who genuinely love and care about Maui, are the only counterbalance to the hotel and resort corporations, whose only goal is to satisfy shareholders. The corporate goal of maximizing profit by seeking to eliminate all competition is the reason these entities support HB1838. Please do not sell the soul of Maui to corporations. A

legislative path to a future Maui that is beholden to a few, powerful corporations is not the solution to Maui's affordable housing problem. Please do not pass HB1838.

Also, the economic consequences of phasing out STR's will greatly harm Maui. The economic reality is that phasing out STR's will cause property values to plummet. Unable to cover the high expenses of HOA dues, property taxes, and mortgages with long term rent revenues, most owners will be forced to sell. The supply/demand principle will cause a crash in property values, certainly with ripple effects that will harm the entire economy.

The financial damage to thousands of owners is likely to be extensive, and likely will result in a storm of litigation.

Currently, the high tax rate paid by STR's effectively is a subsidy for all other property owners who pay less. To make up for the loss in property tax revenue that results from the loss of STR's that have been phased out, and the drop in property values of the remaining STR units, the county will need to raise tax rates for everyone else. How will this bring Maui any closer to solving the problems that HB1838 claims to address?

Please do not pass HB1838.

Mahalo for your consideration.

Catherine Rahn Collier

HB-1838-HD-1

Submitted on: 2/28/2024 5:12:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dara Suzuki	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Dara Suzuki

Subject: Opposition to HB 1838 - Negative Impact on Maui's Short-Term Rentals

I am writing to express my strong opposition to House Bill 1838 and its potential consequences for Maui's short-term rental (STR) industry. This bill could result in the phasing out of 13,744 legal STRs on Maui, which not only affects property owners but has broader implications for the local community.

Maui's STRs contribute significantly to the county's financial stability, providing 40% of real property tax revenue and serving as a crucial funding source for affordable housing initiatives. The proposed changes could jeopardize 18% of the county's budget, raising concerns about the sustainability of essential services and affordable housing programs.

Moreover, mid and short-term rentals play a vital role in accommodating various groups, including displaced residents, those in transition, inter-island visitors for medical treatment or family visits, traveling professionals like nurses, emergency contractors, temporary military personnel, and students. These accommodations are essential for the well-being and convenience of our community members and their visiting family and friends.

In times of crisis, such as the Lahaina Fire, short-term rentals have proven invaluable in providing temporary, furnished housing for thousands of displaced residents. If the STR industry faces further challenges, residents may struggle to find suitable alternatives during emergencies or unforeseen events.

I urge you to reconsider the potential ramifications of HB 1838 on Maui's short-term rental industry and, by extension, the well-being of our community. Collaborative solutions that balance the needs of both residents and visitors are essential to maintaining the unique character and economic stability of Maui.

Thank you for your attention to this matter.

Sincerely,

Scott and Rebecca Scherr
500 Bay Drive Unit 28G2/30G2
Lahaina, Maui 96761
Sascherr@me.com
(702)289-9698

Aloha Chair, Vice Chair and Committee,

HB1838 will tear apart my Ohana for generations to come.

My name is Monique Auyong Speake. My four (4) sisters and I are daughters of Nicholas Auyong (born on Oahu, raised in Kalihi, buried at Mililani) who is the son of Stephen and Evelyn Auyong of Aiea (Grandpa – Navy Painter at Pearl, Grandma – Teacher and Librarian).

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room. HB1838 will make it so only the wealthy can visit Hawaii.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

We (my sisters and I) are families of more than 5 and hotel rooms only accommodate 4. We depend on short term rentals to visit with and maintain a relationship with our Aunties, Uncles and Cousins (and their families) as well as show our respect for our family at Mililani Cemetery. As my Father's generation passes, these short term rentals are the only way we can afford to keep our relationship with our Ohana.

Please do not sever our Ohana and please allow the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Kindest Regards,

Monique Speake

moniquespeake@gmail.com



(Mainland Neice (leis) w/island family)



My Father

HB-1838-HD-1

Submitted on: 2/28/2024 5:26:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lara Bitar	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Lara Bitar, I stayed in a short term rental because of tourism.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Lara

HB-1838-HD-1

Submitted on: 2/28/2024 5:30:05 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Bell	Individual	Oppose	Written Testimony Only

Comments:

HB1838 is counterintuitive to economic recovery and health of Maui and Hawaii. As an individual citizen, this will hurt many individual property owners' livelihoods and only benefit the big corporate hotel entities that service the tourism industry. While I am sensitive to the overall housing needs of less advantaged, limiting economic opportunity to individuals is not going to solve the lack of affordable housing for those who need it most - it will only reinforce the expanding wealth gap in the state.

HB-1838-HD-1

Submitted on: 2/28/2024 5:34:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Camille Peterson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Camille Peterson. I was born and raised in Manoa Valley on Oahu. My dad Charles Lydgate was born and raised in Makawao on Maui. My grandfather was born and raised on Kauai, as was my great grandfather who came over to the Hawaiian Kingdom in 1865 from Canada with his parents. As you can see, we have a lot of history here on the islands.

In 1962, my grandparents purchased a small lot and built a cottage in Makena where very few people lived. It was mostly a fishing town filled with Kiawe trees, cactus and cows. When my grandmother was in her late 80's and living in Kula, the family started renting the Makena house to pay for her nursing care. When my Puna passed away in 2001, we continued to rent the house so that we could afford to keep it in the family and visit it from California, where I now live with my husband, kids and grandkids. When the county introduced a permitting process, we were one of the first to apply for and receive a permit in south Maui.

The fires in Lahaina were devastating and our hearts and support go to all those affected. Shutting down our permitted short-term rental will not help the victims, on the contrary, it would hurt them due to the lost revenue generated by guests and the taxes we pay. We love Maui and visit every three months. My children have been coming to Maui since they were little, and now their kids visit. My oldest grandchild is named Makena. Since we are retired and want to visit often, we will not be renting long term. There are many other ways that we can and do support the people of Maui. My brother, sister-in-law, and niece (who live on Oahu) as well as family on island also enjoy visiting the property and would no longer be able to stay there if we turned it into a long-term rental.

We pay over \$68,000 a year in property taxes. They are high since we are permitted as a STRH. Last year, we paid a total of \$76,632 in GE, TAT and MCTAT taxes. That would be lost revenue to pay for affordable housing and other county needs. That doesn't take into consideration the amount of money our guests spend at restaurants and small businesses and all the folks we employ on island to keep the rental in great condition.

Our little property alone paid \$144,632 in 2023 in combined taxes. The county would still get the \$68,000 in property taxes, although presumably the amount would be lower as we reclassify to second home. Maybe not though. Maybe the county will increase our property taxes to where we

end up selling the property. That is something we do not want to do. If we did, it would not become affordable housing and all that revenue would be lost.

I pray the council does not pass HB1838 that will inflict harm on us and all the citizens of Maui.

Mahalo for your consideration and for reading my testimony.

Camille Peterson

HB-1838-HD-1

Submitted on: 2/28/2024 5:34:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Kim	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Dean Kim and I own a short term vacation rental unit at the Waikiki Banyan. I've owned the unit for about 12 years now.

I am in opposition of this bill, because I feel that it will be a detriment to both resident and visitor to our islands. I purchased this unit because I wanted to have an additional form of income, being that wages in Hawaii, cannot keep up with the cost of living. Having this unit allowed me to also stay in Waikiki when I needed to find a place temporarily. In addition, I have allowed many visitors and family and friends who visit to stay at this unit for free. It was a way of blessing people who I know with a stay in Waikiki without having to pay exorbitant hotel or accommodation fees.

I feel that this bill will take away my rights as a property owner and as a local, kamaaina resident. I do not feel that any government entity has the right to dictate and determine how I should use my personally own property.

I truly hope that the future and long-term effects of this bill will be seriously thought out and opposed. Mahalo for your time, and let's all work together to find a reasonable resolution to this problem.

HB-1838-HD-1

Submitted on: 2/28/2024 5:47:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Renee Pandit	Individual	Oppose	Remotely Via Zoom

Comments:

I vehemently Oppose Bill HB1828 for the following reasons:

1. The State of Hawaii (instigated by big hotels and corporate tourism) is infringing upon personal property rights. This has been going on for years...shoreline properties, rental properties, etc.
2. I recently relocated to Texas for a better job opportunity and purchased this rental in late 2021 for the purpose of returning to visit home often. I sold my Ewa Beach property so I could make the move to Texas for better employment, better wages and affordable living. Having a 30-day rental out at Koolina allows me the convenience of visiting home often to see my grown kids, family and friends, without having to stay at an expensive hotel that lacks any resemblance to local living. Hotels are for tourists...I'm not a tourist...my family members are not tourists. We are Kamaaina. I was born and raised in Hauula, my family line goes back generations.
3. My 30-day rental business allows me to keep and utilize my home part time, and to also have an income to pay expenses until I return one day for retirement.
4. I purchased in Ko'olina in 2021 specifically because it's a resort area and 30-day rentals are allowed. I paid a premium price for my condo because 30-day rentals are allowed.
5. It disgusts me that Hawaii politicians are owned by big hotel and tourism.
6. Vacation rentals aren't a problem...the governments' inadequacy is the problem. I've worked in legal for years and can't believe the stupidity and incompetence that I had to deal with at ALL LEVELS of GOVERNMENT. I mean those disrespect, but it's the honest truth. And where we are at today with this Bill is just another example.
7. Hawaii has been allowing for investors from China, Japan, Korea, etc., to buy up Hawaii real estate for years. Not to mention allowing celebrities to purchase large pieces of land...land that should be kept for local residents.
8. The government created this problem, and now they want to punish local homeowners who have managed to get ahead and gain a little wealth.

9. I truly believe that the goal is to keep local residents stupid so that the government can continue taking advantage of the population. Keep them stupid and control the narrative, right?!?

10. If there is a housing problem, why do you continue to keep building hotels? Why do you keep allowing for an investors to buy real estate and drive up the housing market knowing that it's going to displace local families? I don't think you're trying to solve the problem, I think you're trying to take away from Peter to give it to Paul!

11. Do the right thing and work for the people instead of always trying to rip them off and take take take!

HB-1838-HD-1

Submitted on: 2/28/2024 5:47:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lori Saucedo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

I would also like to add that I'm a family of six and finding a place is being more difficult to find. I've been offered places that isn't in Lahaina and I can not accept due to I have 2 seniors about for graduate and my other half works 2 jobs on the west side. I won't jeopardize my kids scholarship that they were granted, and I also won't have my other half risk his life with 1 hour of sleep. Plus the amount of the rent is getting more ridiculous to afford for just a temporary stay. We going be back where we started homeless cause rent is out of control and being ridiculous with restrictions.

DO SOMETHING AND FIX THIS. THIS AINT RIGHT. WE'VE BEEN HAVING THIS ISSUES FOR FAR TO LONG THIS GATTA STOP. STOP THE GREED AND JUST THINK AS IF THIS WAS YOU IN OUR POSITION. WHERE YOU DONT HAVE THE PEOPLE IN POWER BACKING YOU UP. WAKE UP AND REALIZE WHAT IS GOING ON WITH THE PEOPLE IN LAHAINA. TALK TO THE PEOPLE INSTEAD OF TALKING TO PEOPLE WHO LIVE THE OTHER SIDE. THEY DONT FEEL THE PAIN. WHILE A LOT OF US DONT HAVE A PILLOW TO LIE ON AND A PLACE FOR CALL HOME, YOU STAY LIVING COMFORTABLY WHILE WE SUFFER. WHEN YOU GOING REALIZE WE LOVE OUR LAHAINA HOME AND YOU FORCING US TO LEAVE LAHAINA FOR THE OTHER SIDE OR OFF ISLAND AINT RIGHT. OUR VOICES NEED TO BE HEARD. STOP IGNORING US AND LISTEN.

I AM ONE, WE ARE ALL LAHAINA STRONG

Mahalo,

Lori Saucedo

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I oppose Bill HB 1838, HD1 for the following reasons:

1) We own a condo at Papakea in Maui and it supports many local individuals. Most of these individuals would lose their jobs if this wasn't a short term rental property.

- Papakea employs approximately 35 local resident employees.
- As owners we also support a local management company, housekeepers and contractors.
- Papakea guests support many local small businesses and their employees on Maui including restaurants, tour operators and shops.
- Guests also support employees at the airport, car rental companies, national parks, and state parks.

2) Papakea was never an owner occupied complex. It has been a vacation rental property for almost 50 years. It isn't a desirable property for permanent residents, our unit and many of the other units are only one bedroom.

3) Papakea supports the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Tax revenue for the state and county would decline if Papakea wasn't a short term rental property.

HB-1838-HD-1

Submitted on: 2/28/2024 5:49:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jenelle Morella	Individual	Oppose	Written Testimony Only

Comments:

As a long-time owner of a condominium at Papakea, I strongly oppose HB1838.

Papakea has operated as a vacation rental property for its entire existence--over 47 years. We have owned our condo for 26 years using it for our family's vacation home as well as a short-term rental.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local and trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenues.

Papakea STRs support several small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors.

Papakea STRs support the State of Hawaii and the County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax. Our condo rentals provided over \$50,000 in taxes in 2023 alone, and that was in a year when occupancy was down due to the tragic fires.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests who have been visiting Maui for years and have deep connections with the community.

Eliminating STRs would have a catastrophic impact on Maui's budget and operations, especially at a time when tremendous challenges are on the horizon.

STRs provide support to Maui in many ways as I have noted. Doing away with them will hurt the tax base and employment of residents.

Please vote to oppose HB1838.

Sincerely,

Jenelle Morella

HB-1838-HD-1

Submitted on: 2/28/2024 5:51:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry P Heitmann	Individual	Oppose	Written Testimony Only

Comments:

.I respectfully oppose this HB1838 bill.

Aloha Chair, Vice Chair and Committee,

HB1838 - Hawaii for the Wealthy

My name is A.G. Speake

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room. HB1838 will make it so only the wealthy can visit Hawaii.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

We (my wife and I) own a STR in Waikiki. We purchased it to have a place to stay on the island when visiting her family (Mililani, Makakilo, Hawaii Kai, Aiea) to keep that connection with her family. Our family, of modest means, are allowed to stay at our STR for free so they can stay in connection with their Ohana.

When family is not staying, we rely on the rent from the STR to pay the mortgage, utilities, HOA and taxes. We follow all of the rules of the County of Honolulu and keep our STR up to date.

Please allow the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Sincerely,

A.G. Speake

spedlot@gmail.com

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **STRONGLY OPPOSE** H.B. 1838, HD1 for the following reasons:

This Bill could result in the phasing out of 13,744 **LEGAL** short-term rentals on Maui.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Before you consider this Bill, please take a look at what has happened in the town of South Lake Tahoe. South Lake Tahoe is a tourist destination and most of its economy is derived from tourism. Once South Lake Tahoe banned STRs, the prices of real estate increased with most of the houses that were once used for STRs sitting empty all year except for the few weeks the homeowners come to visit South Lake Tahoe. In a few years, the local restaurants and businesses have started to close. The jobs have disappeared and even the residences that live there cannot find a local plumber or electrician.

I own at the Papakea resort. The Papakea was built in 1978 where I have been a homeowner since 2013. The Papakea is located oceanfront and was built as a resort and not as permanent housing as the units are fairly small and geared towards visitors. The monthly HOA dues for a 1br at Papakea are over \$1,200 per month. We come to the Papakea with our family 4 times a year. This complex has been operated as a short-term rental for almost fifty years.

Operating a STR at the Papakea allows our family to enjoy Maui and we are able to pay for property taxes and HOA dues.

Papakea employees approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry level positions and now are in supervisory roles and play a key role in the economy of Maui as taxpayers and consumers to support local businesses.

Papakea supports a wide variety of local trade professionals ranging from plumbers, HVAC, pest control, carpenters, electrical, tree trimming and small trades and handymen.

Papakea can only support the current personnel & operational maintenance levels with high HOA dues which rely on short term rental revenue

Papakes STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, contractors that have families and call Maui home and depend on the business they get from STRs. This is important to consider.

Papakea STR supports the State Of Hawaii and the county of Maui through payment of property taxes at the short term rental rate, Transient Tax and General Excise Tax and the Maui TAT. There are other ways to support housing such as using Transient Taxes and General Excise Tax and Maui TAT to be used to fund new affordable housing only for Maui residents and zoned accordingly. The state can mandate a faster permitting process and allow for smaller ADU units to be built. If you shut down STRs where will the funding come from to the state for all the services they provide?

Shutting down revenue sources and printing money only goes so far before the state goes bankrupt and there are many examples in the world were running rampant budget deficits and ballooning debt catches up with the state, country or company.

Papakea is a destination resort and has been operating as such for over 50 years so please consider all the factors carefully and all the jobs that will be lost and the impact to the local economy if STRs are shut down. I would love to see an independent third party do a cost & benefit analysis of the STRs to the state and then show if the tax dollars from STRs is used for new and subsidizing housing for local residents would be a better solution than to shut down small businesses who actually provide jobs for the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Greg Cheatham

HB-1838-HD-1

Submitted on: 2/28/2024 5:57:09 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jan Stahl	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 for the following reasons:

Papakea was built back in 1977 and has run as a vacation rental ever since.

Papakea employs approximately 35 local residents who work on the property in many different positions. Some started in low paying jobs and have worked their way up to management.

Papakea supports a wide variety of local trades: plumbing, cleaning, electrical, gardening etc.

Papakea STRs support a number of small businesses in the area housekeepers, handymen, on-island agents and contractors.

Papakea can only support the current personnel and operate with the high maintenance dues by relying on short term rentals.

Papakea STRs support the state of Hawaii and County of Maui by paying very high Property taxes, Transient and excise taxes.

Papakea guests support many small businesses on island such as food trucks, tours, state parks, the national park and shops and restaurants.

Papakea has a high number of returning guests that have very deep connections with the community.

For the reasons stated I OPPOSE HB1838.

Respectfully submitted

Jan Stahl

HB-1838-HD-1

Submitted on: 2/28/2024 6:00:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Smith	Individual	Oppose	Written Testimony Only

Comments:

We purchased our home in 2005 as a legal short-term rental. We feel that removing the legal status is a violation of our property rights.

Many families visiting Hawaii report that if there was not a home or vacation rental option during their stay in Hawaii, they would not have made the trip.

We feel, the removal of STRs from the vacation unit inventory could have a cascading effect, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well as grocery and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.

Over the years, we have grown to know many of our guests. They return every year to see the friends they have met on Maui. They do not want the hotel experience. They want to be more connected to the culture, local people and the environment. They often walk to restaurants and shop locally. They adore the small and family-like atmosphere and setting of our Maui condo community.

We hire a wonderful family to clean our unit and use local tradesmen for updates and maintenance. We use an Island property management company. We feel connected to the community. We donated to the Lahaina Fire relief funds and volunteered to help rebuild that community.

HB-1838-HD-1

Submitted on: 2/28/2024 6:01:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn Tessmer	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to HB1838

First, it is unconstitutional. Secondly, it will have a profoundly negative financial impact on thousands of innocent individuals and will also have a negative financial impact on the state. Thirdly, it is simply unfair. Why is there no attempt to reduce the number of hotel rooms across Hawaii?

Of course the hotels would like STR to go away, but more and more travelers prefer short-term rentals over hotels. If they cannot stay in one, they will simply vacation somewhere else.

You will create a whole set of new housing problems if you give the Counties authority to phase-out short-term rentals. Hawaii's housing problem will not be solved by forcing some homeowners to give up their homes in order for others to have them.

I oppose HB1838 because it is NOT the right time to give the counties more authority in the short-term rental industry.

Mahalo

HB-1838-HD-1

Submitted on: 2/28/2024 6:02:15 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colleen Sutton	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Colleen Sutton. I stayed in a short-term rental in Maui because hotels do not meet my needs when traveling.

Hotels do not allow my family to purchase food and eat safely because of our allergies and sensitivities. When we stay in Maui, we purchase local food, when possible, and we check ingredients lists on all of the food we buy. We have to make sure to avoid the foods my husband and daughter are allergic or sensitive to. This is simply not possible eating at hotels. We need to have our own kitchen.

We need to have access to laundry. Hotels may provide this service, but it's very expensive and we have had clothes ruined from washing practices that didn't match the clothing. When we stay in Maui, we regularly visit the beach and we have to wash all our SPF shirts along with our bathing suits and hang them to dry. We have never found a hotel that has room enough for this.

Please consider that these "little things" actually make the trip to Maui better. We regularly visit Maui and if there were no short-term rentals, we simply would not be able to come back. Hotels are not an option for us.

I am writing in opposition of this bill because short-term rentals are important. Hotel rooms are simply not affordable nor livable. I'm sure that many other families are like ours, people need to prepare meals and need space for other things (like laundry after a day visiting the amazing Maui beaches).

This bill will hurt me and prevent me from future visits to Maui. I know that tourism is important to Hawai'i in general, and Maui especially. I spoke to residents working in the tourism industry and they were so happy that we came to visit after the devastating fires. I am confident that other visitors also rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time. Mahalo and aloha.

HB-1838-HD-1

Submitted on: 2/28/2024 6:02:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruth Erdei	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Ruth E.

HB-1838-HD-1

Submitted on: 2/28/2024 6:03:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Miller	Individual	Oppose	Written Testimony Only

Comments:

I am submitting my strong opposition to HB1838. Legislation now being considered is wrong for rental unit owners, wrong for island residents and wrong for the economy of Maui. As a resident of the Palm Springs area I can testify that similar legislation enacted here has created a downward spiral in property values, tourism, city revenues and the overall housing market of Palm Springs. Please do not allow Maui to follow in these footsteps as the island struggles to recover. It would ruin the critical progress we all hope for moving forward.

HB-1838-HD-1

Submitted on: 2/28/2024 6:04:43 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
gabriel manriquez	Individual	Support	Written Testimony Only

Comments:

You heard Josh Green, it's bull shit

HB-1838-HD-1

Submitted on: 2/28/2024 6:05:42 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Roberts Stupich	Individual	Oppose	Written Testimony Only

Comments:

As owners of a Bay Villa at Kapalua, we are against HB1838! Due to the negative impact on us personally and the absence of funds to rebuild Lahaina. The revenue generated by our Villa support us. We are senior citizens.

We also understand a percentage of revenue helps re build Our Lahaina.

Respectfully,

Mary and Mark Stupich

HB-1838-HD-1

Submitted on: 2/28/2024 6:06:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Tait	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to HB1838

First, it is unconstitutional. Secondly, it will have a profoundly negative financial impact on thousands of innocent individuals and will also have a negative financial impact on the state. Thirdly, it is simply unfair. Why is there no attempt to reduce the number of hotel rooms across Hawaii?

Of course the hotels would like STR to go away, but more and more travelers prefer short-term rentals over hotels. If they cannot stay in one, they will simply vacation somewhere else.

You will create a whole set of new housing problems if you give the Counties authority to phase-out short-term rentals. Hawaii's housing problem will not be solved by forcing some homeowners to give up their homes in order for others to have them.

I oppose HB1838 because it is NOT the right time to give the counties more authority in the short-term rental industry.

Mahalo.

HB-1838-HD-1

Submitted on: 2/28/2024 6:08:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Agdeppa	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Lisa Agdeppa

HB-1838-HD-1

Submitted on: 2/28/2024 6:13:22 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
sherri curry	Individual	Support	Written Testimony Only

Comments:

Please, allow the local people to have a chance to rent in Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 6:13:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Botello	Individual	Oppose	Written Testimony Only

Comments:

Oppose the bill as stated. Will produce undue hardship.

February 28, 2024

Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice Chair
Rep. Luke A. Evslin Rep. Greggor Ilagan
Rep. Sonny Ganaden Rep. Sam Satoru Kong
Rep. Daniel Holt Rep. Tyson K. Miyake
Rep. Linda Ichiyama Rep. Kanani Souza

RE: **Opposition to HB1838**

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I am an owner of a 450 square foot studio condominium in West Maui that is on the so-called Minatoya List. The condo property was built in 1978 as a vacation rental property and has operated as a vacation rental property continuously for nearly 50 years in an area near hotels and other resorts. Directly next door is a series of hotel-zoned properties. The vast majority of the units at our property are under 600 square feet, have limited parking, no storage, minimal kitchens, and the governing documents do not allow companion pets. Our property never served as local resident housing or any sort of workforce housing, so this is not a situation where long-term housing was converted to short-term rental property reducing the supply of available housing units. Small condos work well for those staying for a week or so, but are not conducive for long-term living. Some community members have gone so far as to say the such small spaces are not dignified housing for long-term purposes. While regulation of short-term rentals is certainly appropriate, authorizing the counties to phase out short-term rentals at a property that has been lawfully operating as such since inception for nearly fifty years is the wrong direction where Governor Green estimates 25,000 illegal short-term rentals currently operate without paying any TAT, GET, or county TAT.

Community Impacts of HB1838

Our property employs 35 local residents for administrative, maintenance, and security operations. Some members of our team have worked at our property for over 15 years. There are many examples of people that started in entry-level positions and have been promoted to supervisory roles. These are good jobs with benefits. Our property is able to sustain such a large workforce through extremely high maintenance dues. If this bill passes, our property will no longer be able to support seven-figure personnel expenses for such a large workforce.

Additionally, individual owners utilize a variety of service providers including property managers, housekeepers, on-island agents, handymen, contractors, and other local trade professionals. Local residents are employees of all these small-businesses. Owners patronize many other local businesses to purchase furnishings and supplies for short-term rental operations. I hope the

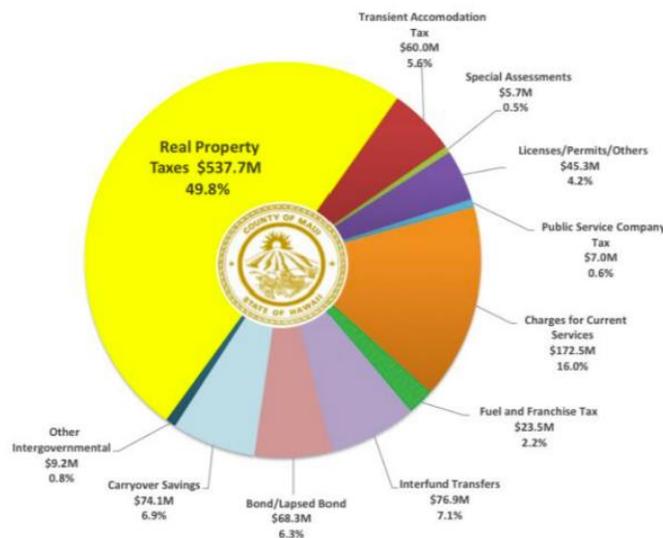
committee will consider that this bill will put many local residents out of work and destroy the small businesses they have worked hard to build.

Personally, we interview each guest before accepting a booking to ensure that we are not bringing the wrong type of visitors to the island. We have declined bookings where we had concerns. We encourage all visitors to volunteer time to local organizations, to come with compassion and patience, we do not provide single-use plastic products, we educate our guests about use of reef-safe sunscreen, and promote local businesses. For just my small unit, our local team includes a woman and minority-owned housekeeping business formed and operated by a local resident of West Maui, a licensed real estate broker from West Maui to act as our on-island agent, and local handyman from West Maui. We do what we can to encourage sustainability and productive tourism while supporting local businesses. If short-term rentals are phased out, we would sadly have no further need for the services provided by our local team.

Fiscal Impacts of HB1838

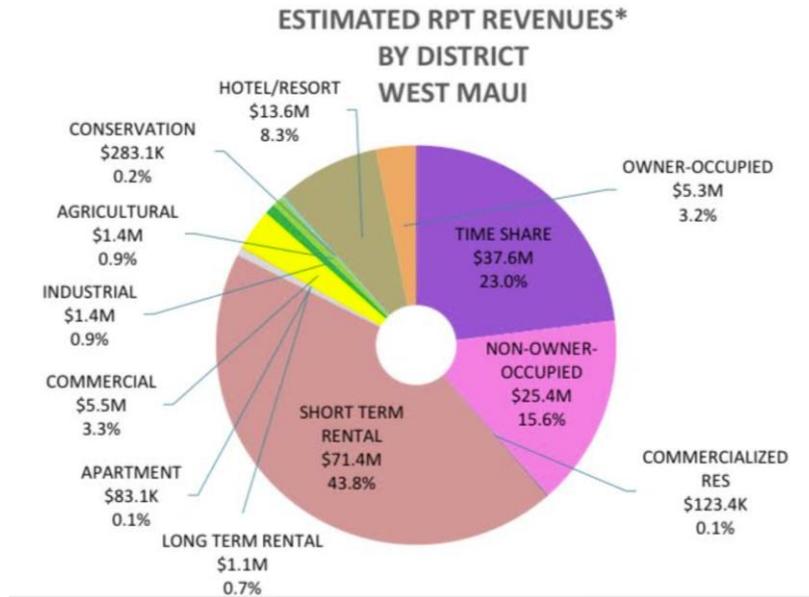
By passing HB1838, the Legislature will be relinquishing control over a significant portion of the general fund to the counties. According to the DOTAX State of Hawaii Annual Report 2022-2023, the Transient Accommodations Tax was the third largest source of tax revenue for the State, raising \$865mm in 2023 with \$756mm going to the general fund.

Maui County's largest source of revenue is real property taxes:¹

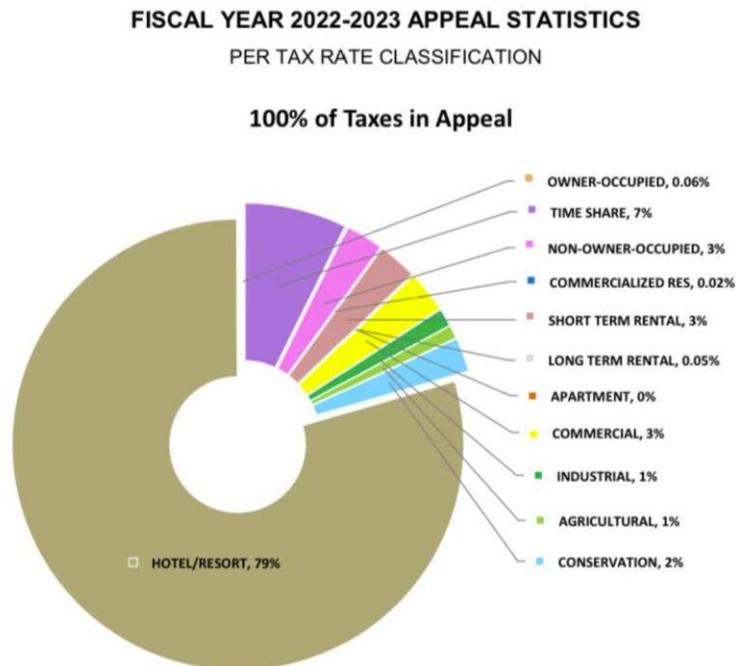


Short-term rentals provided well over \$200mm of county's real property taxes. Short-term rental properties are the most significant source of property tax revenue for Maui County:

¹ See Maui County Selected Real Property Statistics for Budget Consideration for fiscal year 2023-2024. <https://www.mauicounty.gov/DocumentCenter/View/139896/2023-Selected-Real-Property-Stats-for-Budget-Consideration-handout-for-Council-Mayors-Proposed-Rates?bidId=>



HB1838 oddly champions the hotel industry, despite the fact that the hotel industry objects to its tax responsibility more so than any other property type as demonstrated by the number of tax appeals:



While passage of HB1838 will promise decreased revenue at the State and County level, the State has no assurance regarding the amount of long-term rental units that will actually become available, as nothing about this measure forces owners to make units available for long-term rental. If additional long-term rental units are not made available, the State will likely incur both a revenue decrease and additional expenses to fund housing from other sources. A better use of State and

County funds would be investing in programs that deliver certainty regarding: the number of long-term units that will be created, the timing of delivery of long-term units, and the fiscal impact. With the budget pressure at the State and county level, enhanced focus on needs-based programs may help ensure that State and County funds are not utilized for those residents that are capable of paying for at least some portion of housing expenses.

Maui County's proposed action to decrease its largest sources of revenue while the County is requesting over \$400mm from the State is inherently contradictory. The Senate Ways and Means Committee spent hours inquiring about how Maui County is going to improve its financial posture to increasingly support the relief efforts due to the fact that the State is already forced to cut programs. While the State is forced to cut programs, Maui County seems positioned to cut revenue while asking the State for money.

Rather than allow the counties to phase out a lawful short-term rental property with fifty years of historical use, the State should insist that the counties regulate what Governor Green estimates to be 25,000 illegal short-term rental operations that are not paying any TAT, GET, or MTAT. Regulation of even a small portion of those illegal short-term rentals could have a more meaningful impact on the housing crisis than HB1838 without the side-effects of decreasing the State and County revenue, destroying small business, and creating more unemployment. The illegal short-term crisis could have only reached such epic proportions because the counties are either unwilling or unable to enforce existing short-term rental law. Giving the counties dramatically more authority in an area where the counties have not been able to effectively enforce to-date is irrational.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Scott James

February 28, 2024

Dear Representative, Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

This Bill could result in the phasing out of over 13,000 **LEGAL** short-term rentals on Maui.

Maui's STRs provide a substantial amount of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. If you eliminate the STR property tax revenue, where will the replacement revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Papakea was built in 1978 where my wife and I have been a homeowner since 2018 where we come 3 - 4 times a year to enjoy all the beauty of Maui with our family. This complex has been operated as a short-term rental for almost fifty years.

Papakea employees approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry level positions and now are in supervisory roles and play a key role in the economy of Maui as taxpayers and consumers to support local businesses.

Papakea supports a wide variety of local trade professionals ranging from plumbers, HVAC, pest control, carpenters, electrical, tree trimming and small trades and handymen.

Papakea can only support the current personnel & operational maintenance levels with high HOA dues which rely on short term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, contractors that have families and call Maui home and depend on the business they get from STRs. This is important to consider.

Papakea STR supports the State of Hawaii and the county of Maui through payment of property taxes at the short-term rental rate, Transient Tax and General Excise Tax and the Maui Transient Accommodation Tax.

Papakea has a high number of returning guests and families that are now the 2nd and 3rd generation who remember their parents and grandparents coming to Papakea over the years.

This is a family resort and has been for over 50 years so please consider all the factors carefully and all the jobs that will be lost and the impact to the local economy if STRs are shut down.

For the reasons stated herein **I OPPOSE H.B. 1838, HD1** and urge the committee to defer it.

Respectfully submitted,

Randy Hnatko
604-328-3974

HB-1838-HD-1

Submitted on: 2/28/2024 6:15:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenneth and Carol Pawlak	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

We are Ken and Carol Pawlak. We are members of the Maui community. We are Americans. We are retired and have worked our entire lives and saved and saved to reach our dream, owning a condo on Maui. We don't own multiple Maui properties, we are not foreign conglomerates. We are a family that worked hard and reached our dream. Purchasing our condo home took much of our retirement savings and we took out a mortgage on our home to purchase it. To be able to afford the extremely expensive tax and HOA bills, we must rent our condo out part time. HB1838 would force us to lose our home, and I believe this would be the case for many people. The high fixed expenses of the condo would not make it viable for workforce housing. The inability to rent short term would also weaken the housing marketing, causing us to sell at a loss. All those years of hard work and sacrifice, gone with the stroke of your pen. We are crushed and bewildered and don't know what to do next, other than to write and ask you to consider what this bill will mean to thousands of Maui families.

We feel deeply for the people of Maui who lost loved ones and/or their homes. Immediately after the fire we donated to charities and donated our condo for several months to a family that lost their home. We did this in the spirit of Aloha and a sense of Pono, we were not paid by FEMA or any other agency, we did it for our community. Maui is our home too. Passing HB1838 will have unintended negative consequences for thousands of Maui residents. Losing your home to a bureaucratic bill is not the same as losing it to fire, there is no comparison. But the outcome is the same, our homes will be gone, taken from us by no fault of our own.

Workforce housing shortages have never been eliminated by removing short term resort vacation condo rentals. Our HOA fee is more than \$14,000 a year. Our real estate tax bill, not counting the STR taxes, is more than \$13,000 a year. All of the condos on Maui have expensive HOAs and tax bills. You can see why our family needs to have some short term rental income to afford our condo. These complexes were not originally built for workforce housing. The HOA operating costs alone make it nearly impossible for a typical family to afford these expenses. Even if prices come down, the HOAs will not, it takes that much to run and manage the properties. And you will need to replace the tax revenue the condos contribute. This extra tax should not be put on the backs of the local workforce.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents

18% of the county's 1.7 billion dollar budget. Where will that revenue come from? Will you then tax locals who are already stressed. Renting our condo part time employs cleaners, restaurant workers, vehicle storage owners (a Hawaiian ohana small business), our rental agency. Hundreds of people that rely on our condo, and the condo complexes, will lose their livelihoods. After the lull in rentals following the fire, we know of cleaners who were asking for any work they could find.

Approximately 2,000 homes and businesses were tragically lost in the fire. However, this bill could result in the phasing out of 13,744 legal short term rentals on Maui. This potential legislation could unintentionally increase the tragedy from 2,000 to more than 13,000 families, and add to that the workforce service industry employees that will be impacted.

Please consider the broad unintended consequences of this potential legislation and work to find a solution that doesn't hurt so many families.

Mahalo, Ken and Carol

HB-1838-HD-1

Submitted on: 2/28/2024 6:17:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Hori	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

We are writing this letter to ask that HB 1838, which would allow counties to potentially phase out short- term rentals in any zoning, **NOT** be passed.

We are owners of a short-term rental in Kihei. While our family has enjoyed many vacations and created wonderful memories using our unit, we also have letters from those that have stayed there expressing their gratitude in having a family friendly unit that allows them to visit Maui at a substantially lower cost than staying in a hotel. For many visitors, especially those with families, a short-term rental fills many needs. Without short-term rentals, there is no doubt that tourism will be reduced substantially.

For residents in Maui, short-term rentals are used to take care of displaced residents, residents that may be transitioning to other housing, or even coming to visit the island from another island. These are just a few of the ways that short-term rentals help residents.

For that work in the short-term rental industry, passing this bill would be devastating. Think about construction, finance, restaurants, cleaners, maintenance, landscape, property managers and their companies, all would be looking for jobs that are not going to be there.

For the county, 40% of the property tax revenue would be hit. Property tax revenue accounts for 18% of the county's budget, this is not funding that can be easily replaced, especially with unemployment escalating.

In summary, please consider other options rather than banning short-term rentals. While it may achieve some very short-term goals, the long-term effects to Maui, it's economy, and most importantly to it's people will be devastating. Maui has gone through enough, short-term rentals can be a part of the solution to bringing Maui back, banning them will only cause more hardship.

Sincerely,

Jim and Kari Hori

HB-1838-HD-1

Submitted on: 2/28/2024 6:19:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Silvia Thein	Individual	Oppose	Written Testimony Only

Comments:

Hi,

I'm against the HB1838 as a hospitality service person. I think this bill will discourage travelers to visit Hawaii, that will impact my job and income. The STR is option for more tours as the hotel room are limited and expensive. The STR certainly can prevent the hotels to monopolize the room prices.

Please vote no on HB1838.

Thank you,

Silvia

HB-1838-HD-1

Submitted on: 2/28/2024 6:29:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl hendrickson	Individual	Support	Written Testimony Only

Comments:

Aloha- Please support phasing out of short term rentals in residential areas. This bill will help give our communities much needed housing and restore our neighborhoods to the local people. The county needs more authority to address the short term rental problem and HB1838 is a start in the right direction to provide stable housing.

HB-1838-HD-1

Submitted on: 2/28/2024 6:31:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Froerer	Individual	Oppose	Written Testimony Only

Comments:

I am a retired postal worker.

living on a fixed income is not easy for my wife and I. As we age new unexpected expenses come up regularly.

we depend on the income we currently derive from the rental of our unit in the Waikiki Banyan.

we have an original NUC that we have faithfully kept current by paying the annual fee and are shocked to learn that the state legislature intends to phase out this agreement the state made so many years ago.

we vehemently oppose the termination of short term rentals. Please consider people who need what little income they derive from these rentals as well as the tourists/workers etc who benefit from the ability to have more choice in housing.

thank you

Michael Froerer

HB-1838-HD-1

Submitted on: 2/28/2024 6:42:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gretchen Froerer	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My husband and I are retired and living on a fixed income. The income we get from our unit at the Waikiki Banyan is vital to our making ends meet. We pay the state of Hawaii taxes from that income as well as the rental generating tax income for the state. Also many people are employed at the Waikiki Banyan who need employment and also pay income taxes to the state.

we have the old, original NUC and have kept it current by paying the fee every year. The state deciding to do away with this agreement feels like a breach of contract after we held up our end by paying the fee annually.

we oppose the elimination of short term rentals. Tourists and workers from the mainland and displaced Hawaiian residents all benefit from greater choices in accommodation

sincerrly

Gretchrn Marie Froerer

HB-1838-HD-1

Submitted on: 2/28/2024 6:45:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Suzanne Marston	Individual	Oppose	Written Testimony Only

Comments:

Hello,

My family has owned a vacation rental in Kihei for over 20 years. The primary industry supporting Maui's economy is tourism and vacation rentals are the more desirable choice for staying in Hawaii. Those who live in Hawaii also need income to be able to afford housing which is supported by tourism. I believe that there is plenty of housing for everyone but the cost of living is too high for most locals to be able to afford it. I don't believe eliminating short term rentals is the answer. When I choose to visit the islands, my choice is to stay in a short-term rental because it is quiet and relaxing. I do not like the crowds and noise in hotels or resorts. Please vote against eliminating short-term rentals.

HB-1838-HD-1

Submitted on: 2/28/2024 6:49:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Locey	Individual	Oppose	Written Testimony Only

Comments:

HB-1838-HD-1

Submitted on: 2/28/2024 6:49:41 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Low	Individual	Oppose	Written Testimony Only

Comments:

There should be more protections in this bill for resorts and other establishments that have existed for a long time. As it is written I am opposed- Please add a fair compensation clause.
Thank you

HB-1838-HD-1

Submitted on: 2/28/2024 6:51:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Natalie Henderson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Natalie Henderson, I stayed in a short term rental because my daughter has severe food allergies and intolerances that require medication refrigeration and access to a kitchen for preparing safe meals.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 6:53:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jackie Sonney	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill in its entirety.

HB-1838-HD-1

Submitted on: 2/28/2024 6:55:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Maguire Smith	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Kevin M Smith, owner Kihei Parkshore Unit #5

HB-1838-HD-1

Submitted on: 2/28/2024 6:55:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Devon Steck	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Devon Steck

HB-1838-HD-1

Submitted on: 2/28/2024 6:58:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Faucher	Individual	Oppose	Written Testimony Only

Comments:

Big mistake to disallow short term rentals. I oppose this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 6:58:42 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carl Brandes	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I oppose H.B. 1838 HDI for the following:

We have owned at Papakea since it was built in 1978 and have operated our condos as vacation rentals for almost 50 years since Papakea was first established.

Not only do we provide employment for our Papakea staff but we support other significant small businesses and restaurants, shops, etc as support services on the island of Maui which is considerable employment on the Island.

In addition, Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes at short term rental rate, Transient Accommodations Taxes, General Excise Taxes, Maui Transient Accommodations taxes as well as State Income taxes on our rentals. This is a prodigious sum of income to the State and Maui from our single condo alone. Multiply this by the thousands of condos this measure is potentially impacting and it seems doubtful there is alternative state income from other sources that would replace these taxes (which are some of the most aggressive in the industry)

The impact of losing tourists seeking STRs for their vacation is also an important loss of spending to the tourism and restaurant businesses and ultimately the employment in the service industry.

For the reasons above, I believe this initiative should be abandoned as the negative impact on State Income and Tourism is prodigious.

Sincerely

Carl Brandes

HB-1838-HD-1

Submitted on: 2/28/2024 6:59:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James D Liming	Individual	Oppose	Written Testimony Only

Comments:

My family has been a responsible and supportive property owner at Kuleana for over 25 years. We voluntarily and temporarily removed our condominium from STR status to long term rental to help a fire displaced family. But in the future we will need to again open the condo for short term rentals because it is a major part of our own retirement income. Please oppose HB1838

HB-1838-HD-1

Submitted on: 2/28/2024 7:00:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Chong	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it would harm the tourism industry in Hawaii. Not all travelers to Maui want to stay at a resort but want to experience Maui in a manner that fits their travel desires. This would negatively impact historically grandfathered short-term rentals that fit that tourist profile.

It would also negatively impact my finances and the residual value of my property.

February 28, 2024

Committee on Judiciary & Hawaiian Affairs

Rep. David A. Tarnas, Chair

Rep. Gregg Takayama, Vice Chair

Rep. Luke A. Evslin

Rep. Greggor Ilagan

Rep. Sonny Ganaden

Rep. Sam Satoru Kong

Rep. Daniel Holt

Rep. Tyson K. Miyake

Rep. Linda Ichiyama

Rep. Kanani Souza

RE: **Opposition to HB1838**

Aloha Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I am an owner of a 450 square foot studio condo in West Maui. The ocean front resort property where my condo is located was built in 1978 as a vacation rental resort. Despite the property having been developed and approved for vacation use, and having operated in such manner for almost 50 years, it is on the Minatoya list. This property is not in a "neighborhood" and has never been long-term or work-force housing, rather it is a resort that is bordered by commercial properties and is flanked on one side by a hotel zoned property, and a STVR resort on the other.

Our tiny condo directly supports the businesses of no less than five West Maui residents - some of which lost their homes in the fire. These individuals have stressed the importance of maintaining their businesses and creating some normalcy post fire. Our resort property also employs 35 local residents for a variety of functions. Many of the staff have worked at the property for over 15 years. As an example, in December 2023 our resort community celebrated a staff member that retired after 23 years as an employee. If this bill were to pass all of the individuals that directly support our condo as a vacation rental and many of the resort employees will no longer be needed.

The negative fiscal impacts (reduced tax base, increased litigation costs, reduced economic viability of West Maui tourism, increased unemployment claims, etc.) of this bill combined with the unknown housing outcomes make it incredibly ill thought through. Many owners have expressed that they will not engage in long-term renting even if this bill were to pass. Other housing solutions that are better fiscal stewardship should be explored. As one example, Governor Green has pointed to the approximately 25,000 illegal short-term rentals that are not paying TAT, GET, or MTAT. The regulation of even a fraction of illegal short-term rentals is a logical place to start.

There is already increased unemployment and uncertainty in the Maui community. The increased disruption to businesses, the local economy, and lives as the outcome of this bill is inhumane. I can't imagine the pain of being someone that lost their home and who would now lose their business as a result of this bill. For the reasons stated above I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Mahalo,

Jeanie O'Kane

HB-1838-HD-1

Submitted on: 2/28/2024 7:04:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Catherine Velasquez

HB-1838-HD-1

Submitted on: 2/28/2024 7:08:28 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shierlyn Arzaga	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Shierlyn Arzaga

HB-1838-HD-1

Submitted on: 2/28/2024 7:08:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JULIE LARSEN	Individual	Comments	Written Testimony Only

Comments:

I would encourage you to truly think about the economic impact this bill will have on the entire State of Hawaii. The loss of property values decreases the property tax income. The loss of vacation rental taxes decreases the taxes collected to repair roads and infrastructure. This will also have long lasting negative impacts on the real estate market that effects the over all health of the states economy. From what I have read a partial solution is sitting on Maui with 100's of tiny homes sitting empty. Cut through that red tape and bring in more temporary homes while Maui county rebuilds! Please think this through. People need housing but they also need JOBS and an INCOME. Too many jobs will be effected by this decision.

HB-1838-HD-1

Submitted on: 2/28/2024 7:09:50 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shu Scott	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am wrting in opposition of Bill HB1838!

We love Hawai'i, especially Maui. Maui has been our 2nd home for the last 10+ years! We comply with the existing laws and regulations. We received our Transient Accommodation and Business licenses and pay all the taxes accordingly.

This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui.

LEGAL Short term rentals in Maui provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, new residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Event like the Lahaina Fire is devastating and displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

The LEGAL Short term rentals employes locals, supports other small businesses, contributing significant revenue to Maui county and the state of Hawai'i.

I ask that the counties enforce the laws that they already have. I ask that you please do not move this bill forward!

Thank you for your time.

Sincerely,

Shu Scott

HB-1838-HD-1

Submitted on: 2/28/2024 7:12:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
J Christopher Hagan	Individual	Oppose	Written Testimony Only

Comments:

I oppose the government's over reach into the lives and possessions of private citizens, limiting the use of their property as they see fit. Each family is different and their financial needs are different. Government interference in individual families financial decisions is a violation of their rights to self determination as set forth in both the Constitution and the Bill of Rights. Hawaii needs to come up with other solutions that do not infringe on the rights of the individual to do what they see fit to do with their own property.

HB-1838-HD-1

Submitted on: 2/28/2024 7:13:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelekona Maielua	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kona

HB-1838-HD-1

Submitted on: 2/28/2024 7:14:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawn Xu	Individual	Oppose	Written Testimony Only

Comments:

I'm a real estate owner in Oahul. I acquired the units in the resort zone Waikiki beach with pretty much all of my saving. Those units are used for short term rental. This bill will not only reset the my income to zero but also significantly decrease the real estate's value. It will literally makes me bankrupt.

Written testimony for HB1838

I currently work in the vacation rental industry and have for over 15 years. You will destroy my ability to support my family if you allow counties to just eliminate vacation rentals. We are part of the tourism industry which Hawaii is so dependent on.

Allowing large hotels and resorts to be built is what adds to the housing shortage. They need to import large numbers of workers to support the large facilities which adds to the housing shortage. You should also allow hotels and resorts to be put out of business with this legislation as well as well, not just vacation rentals.

I strongly appose this legislation and it takes away property rights from individuals.

Simone McCaffrey

HB-1838-HD-1

Submitted on: 2/28/2024 7:16:13 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Eckert	Individual	Oppose	Written Testimony Only

Comments:

Dear House Members,

At this time, I oppose this bill. I request that the board consider the long term impacts of this bill specifically on how it impacts disparity in the long term. By decreasing the number of short term rentals, in Hawaii, the overall cost of visiting Hawaii will only increase. This will create circumstances where only the exceptionally well off can afford trips to Hawaii and not increase the wages of local islanders because the total number of people visiting will simultaneously go down so that overall economic prosperity for all is not obtained. This will contribute to wage stagnation for locals. This is bad public policy.

Please go back to the policy makers who conducted the research and address this economic possibility and all of its impacts. Thank you.

HB-1838-HD-1

Submitted on: 2/28/2024 7:17:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeremy Broughton	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee,

Kindly receive my notice of opposition to HB1838, HD1. I am an owner at Papakea Resort, which was built in 1978 and has provided short-term rentals for nearly 50 years. It was built as an oceanfront resort, with resort-style amenities and relatively small units geared primarily to tourist visitors. Papakea Resort employs roughly 35 local residents. HOA fees significantly exceed typical long-term housing fees in order to maintain these resort-style amenities and pay resort staff, and these fees are possible only through short-term rentals. Visitors to Papakea Resort drive significant economic benefits to Honokowai and surrounding communities - bringing customers to local businesses of all kinds. Loss of this revenue and risk of degradation of the Papakea Resort services and amenities would negatively impact the Papakea Resort and the Honokowai community as a whole.

Papakea Resort was built to support short-term rental visitors to Maui and has been a benefit to Maui operating as such. It will continue to benefit Maui and Honokowai to maintain Papakea Resort as a short-term rental resort available to Maui visitors.

Respectfully submitted,

Jeremy Broughton

HB-1838-HD-1

Submitted on: 2/28/2024 7:17:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather Smith	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please do not lead Hawai‘i down this same path.

Mahalo for your attention to my concerns.

Heather Smith

HB-1838-HD-1

Submitted on: 2/28/2024 7:20:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sally Holzinger	Individual	Oppose	Written Testimony Only

Comments:

We have owned our house in Kailua/Lanikai for over 20 years. Living on the East Coast now it is difficult to get to HI more than once a year at the holidays. Renting the house out for 30 day periods when we are not using it is not only better for the maintenance of the house but also consistency of occupancy for our street neighbors. In addition, as a recent widow, the income from mid and short term rentals allows my children and I to feel secure that the house can stay in our family.

We firmly oppose this legislation and look forward to many more years in lovely Lanikai.

Best regards,

Sally Holzinger

HB-1838-HD-1

Submitted on: 2/28/2024 7:20:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bob Douglas	Individual	Oppose	Written Testimony Only

Comments:

It makes no sense revoke zoning for Waikiki Sunset condo hotel. It is perched in Waikiki adjacent to a Marriot, Hyatt, other hotels and several condo buildings. This is not a small residential community afflicted with poorly managed temporary rentals. The building operates as a hotel but offers more reasonable rates for contractors, military and others visiting Hawaii. The bill should be amended to allow short-term rentals between the Ali Wai canal and Kuhio Street because that area has functioned well offering short-term rentals. Thank You.

Bob Douglas 3104 Waikiki Sunset, 229 Paoakalani Avenue, Honolulu

HB-1838-HD-1

Submitted on: 2/28/2024 7:20:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelei Tancayo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama and the honorable members of the House committee on Judiciary and Hawaiian Affairs. I am writing in support of HB1838. We are in a housing emergency, especially on Maui due to the Lahaina Fire. It has opened our eyes that the short term rental industry has significantly, been one of the main contributing factor at 87% the cause of the housing crisis. Therefore, giving the counties the clear authority to phase out single family and apartment vacation rentals uses will help Maui residents and return long term housing back into the long term rental pool.

Mahalo!

HB-1838-HD-1

Submitted on: 2/28/2024 7:22:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mali Hawes	Individual	Oppose	Written Testimony Only

Comments:

Over regulation and foreign 'Safe Haven' real estate buyers are the real cause of our unaffordable housing crisis. Look around - this is happening all over the country. This is where your attention belongs.

STRs are about the only way retirees can meet Hawaii's ever increasing cost of living or enable young people to purchase a home. People have been 'home hosting' since the beginning of time - it is a homeowner privilege recognized in common law. There are simple ways to address neighborly concerns and put a stop to investment 'hotel homes'. You should be supporting a workable compromise instead of pursuing a course that will end up in another losing legal battle.

It's time for you to think about protecting the property rights of residents instead of pandering to unions and global corporations.

BTW, property owning retirees vote in high numbers. See you next November!

HB-1838-HD-1

Submitted on: 2/28/2024 7:23:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jodi Robinson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Jodi Robinson, Honolulu

HB-1838-HD-1

Submitted on: 2/28/2024 7:24:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William minikel	Individual	Oppose	Written Testimony Only

Comments:

Legal and built specifically for short term rentals are not, by design, suitable for local families as long term housing solutions. They are too small, equipped to handle luggage for a short stay but little more.

Legal STR's in resort zones give families a more affordable option to visit. Eliminating them gifts the entire market to the hotel industry, which spends massive amounts on lobbying and will result in much higher prices for visitors. Is this the desired effect?

Cleaners work for hotels and STR's. Hotels have regular hours, STR cleaners work mid day typically, allowing them to help their children get to school and to be home when kids return. Both have advantages, and cleaners can select which is best for them. Eliminate STR's and you eliminate choice.

Cleaners, handy persons and property managers will lose jobs, but so will many businesses in Kihei and elsewhere face ruination as visitors congregate at resorts rather than locally owned restaurants and shops. Will folks drive from Wailea to eat breakfast at Kihei Cafe when they have options right on site? Currently, many guests in Kihei walk there.

STR's built specifically for that purpose in resort zones are not the demons we are being scapegoated as. Why so many special exemptions were given in residential neighborhoods is a mystery, unless viewed from the increased tax revenue they produce for the county. STR's in resort zones are not taking residential opportunities away from locals. Special exemption STR's in neighborhoods, as well as illegal STR's, do.

As a 65 year old retiree, if I lose the income from my STR, I will be forced to return to the workforce, an unwelcoming place for folks my age.

I opted in to house fire survivors in December. I have saved two persons lives, one on Kauai, one on Maui, with hands on CPR-I do what I can to help others whenever I can.

eliminating all STR's in a single, broad stroke will devastate me and countless others.

i'll leave the statistics of STR's contributions to the tax revenue, subsidized housing and local economy to others, but this measure is draconian and will drastically alter Maui and Hawaii's economic viability.

Mahalo for your consideration.

William Minikel, owner of 1 STR

HB-1838-HD-1

Submitted on: 2/28/2024 7:25:50 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bob Rankin	Individual	Oppose	Written Testimony Only

Comments:

As the owner of a condo, on Maui, I am against this bill for a number of reasons-

- What will be the impact, to the community, for the massive reduction in tax revenue? With the loss of Lahaina, and its revenue to Maui, this additional loss would place an undue burden on Maui residents

- How would the loss of tourists- which would most surely happen, as these condos are utilized by tourist on a short term basis- impact local economy? The service industry would be severely impacted and we would see a loss of tax revenue on car rentals and receipts from restaurants and shops.

- This would dramatically reduce the value of these condos, and likely lead to selling- at likely losses- for those owners who rely on the STR income. What would this do to the real estate market? This is likely to lead to foreclosures and short-sales...and an impact on the local banks who have financed these properties

This bill looks to be purely based on political expediency and not in the long-term interest of Maui.

Thank you

HB-1838-HD-1

Submitted on: 2/28/2024 7:28:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raul Nohea Goodness	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Raul Nohea Goodness

Wailuku, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 7:29:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Tia Lee Klug-Wessell

HB-1838-HD-1

Submitted on: 2/28/2024 7:31:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Fitzpatrick	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

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Mahalo,

John Fitzpatrick

Aloha Chair, Vice Chair and Committee,

Maui has always been a favorite vacation spot for me and my family. We try to make it there every year with our 3 children and have always stayed in a short term rental. Our family is too large to stay in a single hotel room, and if we have to book more than one room, our family is not together and it no longer feels like a family vacation. This is the case for many families that are visiting the islands- short term rentals give a more affordable option to visit and build lasting memories with their families.

Since we have been visiting for the past 12 years it had always been a dream of mine and my husbands to purchase a condo on Maui that I would be able to visit frequently, and eventually pass along to my children. We were finally able to purchase our dream condo that we had worked so hard for last month. Without short term renters, we will not be able to afford to keep our condo that we have worked so hard to purchase. The initial purchase prices of condos that allow short term renters are higher than those that do not allow short term renters, so in many ways these short term rental complexes are financially supporting the Maui community. Our visitors are spending money locally at restaurants, grocery stores, local shops/vendors, tours, etc. Every visitor is supporting local businesses that make Maui the incredible place it is.

Last month, we spent over \$13,000 at local stores for our condo renovations. We have an on island agent, a cleaner, a plumber, a handyman, and many other locals who we contact to repair/maintain our property. These individuals make their living through short term rentals on Maui. They are able to start their own businesses where they create their own work schedule, set their own wages, and work close to where they are living!

Aside from the money we spend locally, we are also paying quite a bit of money in taxes. Maui's short term rentals provide 40% of the real property tax revenue for the county. They are the top funding source for affordable housing on Maui. The revenue from short term rental property taxes provides 18% of the county's \$1.7 billion budget. Being a short term rental owner, we accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students, and our family and friends.

Please let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Ashley Hollamby

HB-1838-HD-1

Submitted on: 2/28/2024 7:31:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Cook-Gauthier	Individual	Oppose	Written Testimony Only

Comments:

Good afternoon.

I am opposed to this bill as I feel it hurts many locals who rely on the short term rental business .They support the economy in many realms from providing food and entertainment for the tourists that utilize short term rentals to those who support the every day management, maintenance, cleaning, etc. Has Hawai‘i calculated the economic loss that will be incurred by the implementation of this Bill? Specifically revenue loss for the state and Hawai‘i residents.

Before a shutdown in short term rentals please calculate the losses; hotels cannot and will not make up the losses. Hotels and short term rentals are like apples and oranges. The loss of one cannot fill the gap because of their differences.

I am an owner of a very small Maui property. My late husband and I spent/spend several months a year in Maui; and we letnd our condo to friends and also rent sporadically. Post fire in Maui I was there supporting victims via several thousand dollars and personal support. My friends, family and guests followed suit with \$\$ support. Why - because they, as frequent short term rental visitors are intimately conneted to the islands. It is personal. Whatever way HB1838 goes I will continue to come to Maui; but others will not have the opportunity.

Bill HB1838, which aims to allow counties to enact zoning ordinances to phase out short term rental (STR) units could affect **13,744 LEGAL STRs on Maui**. Opposing this bill can be based on several key reasons:

1. Property Rights: HB1838 could infringe upon the property rights of homeowners who rely on short term rentals as a legitimate source of income, especially for retirees. Homeowners who have invested in such properties may face *significant financial losses and diminished property values* if forced to phase out their rental units.

2. Economic Impact: *STRs contribute to local economies* by generating income for property owners, supporting small businesses, and attracting tourists who spend money at local establishments. Phasing out these rentals will result in job losses and decreased revenue for communities dependent on tourism.

Maui's STRs provide *40% of the real property tax revenue for the county*, as well as being the top funding source for affordable housing. This STR *property tax revenue represents 18% of the county's \$1.7B budget*. If STRs are phased out, where will that revenue come from? Will this require raising additional taxes to make up for the huge revenue this loss that will be self-inflicted?

3. Housing Shortage & Availability: Just like in many other States, there is a housing shortage in the State of HI, especially Maui due to the unfortunate Lahaina fires. Prohibiting STRs will not effectively address housing availability issues. The impact on long-term housing availability may be minimal, as many vacation rental properties are not suitable or intended for long-term occupancy. Moreover, vacation rentals often occupy a niche market segment distinct from long-term rentals.

The **BEST SOLUTION** for addressing the housing shortage is to *BUILD AFFORDABLE NEW HOMES* for low income families, especially for those affected by the Lahaina fires!

4. Short Term Rental Benefits: Mid and Short Term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students, our family and friends.

5. Regulatory Overreach: Granting counties the authority to phase out STRs sets a precedent for *excessive government intervention* in property rights and private enterprise. Such measures could deter investment in the housing market and stifle entrepreneurial activity in the hospitality sector, thereby negatively affecting Maui's economy.

6. Tourism Industry: The tourism industry plays a vital role in many local economies, supporting jobs and infrastructure development. Restricting STRs may deter tourists from visiting certain areas, leading to a *decline in tourism-related businesses and tax revenue*. The fact is that Maui's economy is heavily dependent on tourism.

7. Housing Diversity and Choice: STRs provide travelers with alternative lodging options and contribute to the diversity of accommodations available in tourist destinations. By restricting STRs, *HB1838 could limit consumer choice* and force tourists to seek accommodations in traditional hotels, potentially increasing prices and reducing availability. Currently, *STRs provide a significantly cheaper alternative to high priced hotels* that attract and provide visitors who are seeking an affordable and fulfilling experience found in actual homes. By eliminating STRs, *hotels will have a MONOPOLY and could result in charging more exorbitant prices*.

8. Community Engagement: The decision to phase out STRs should involve comprehensive community engagement and consideration of diverse perspectives. HB1838 may bypass meaningful stakeholder input and exclude affected property owners from the decision-making process. *This is not a healthy democratic process.*

CONCLUSION: While addressing concerns related to short term rentals is important, *Bill HB1838 may not represent the most effective or equitable approach.* Alternative strategies that balance the interests of property owners, communities, and the tourism industry should be explored to achieve sustainable solutions.

Eliminating STRs is not the solution in an effort to provide housing availability. The main issue is a significant shortage of affordable homes. I highly suggest that the government explore a solution that will encourage the development of new homes, by obtaining funds from the public and private sectors. Encourage investments that will benefit the local communities from new homes built. As a concerned citizen, I would like to volunteer my services in exploring the best solution for resolving the housing shortage in Maui and helping the local communities (especially the Lahaina fire victims), who are in need of this assistance. Let's eliminate this housing problem and not create new ones if Bill HB1838 is passed. Together, let's build a better Maui!

HB-1838-HD-1

Submitted on: 2/28/2024 7:33:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Lawnsby	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Mike Lawnsby and I have lived on the island of Oahu for over 20 years

I am writing in opposition of bill HB1838 because it will threaten my ability to make a living along with my cleaners, electricians, maintenance workers, and other small businesses like me, who live, work and make this wonderful community what is is, filled with Malama and Aloha to serve and support one another.

I own a short-term vacation rental business in Waikiki .

This Income is my families primary source of income which puts food on the table, and allows us to survive here as active members of the Hawaiian community. To impose such a bill to eliminate short term rentals would absolutely be devastating to myself and my family and will put at risk my ability to pay for my own housing and bills.

The creation of this bill would also substantially reduce the large influx of state opertaing revenue of 18% Short term Rental taxes that are currently collected severly impacting the state itself to operate effectively with current fiscal responsibilities.

There are many other ways to create affordable housing in Hawaii but to continue to propose bills limiting or restricting short term rentals is not the way to do so, especially in a commercial zone like Waikiki.

Let the counties enforce the laws that they already have and work with the community to make adjustments as necessary to create a win win agreeable situaiton for all.

I ask that you please do not move bill HB1838 forward.

Respectfully
Local Community Member
Mike Lawnsby

HB-1838-HD-1

Submitted on: 2/28/2024 7:33:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joy Dillon	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Legislators.

I am submitting testimony strongly opposing HB1838. HB1838 takes away private property rights and suppresses a form of income for local residents as well as providing local accommodations that most tourists prefer. A 2020 study commissioned by the Hawaii Tourism Authority found that short term rentals added **\$6 Billion** to the state's economy and sustained 46,000 jobs. The survey also found that 30% of respondents reported that if there was not a local home vacation rental option for their stay in Hawaii that they would not have come here. I urge you to vote NO on HB 1838.

HB-1838-HD-1

Submitted on: 2/28/2024 7:34:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas Welch	Individual	Oppose	Written Testimony Only

Comments:

I have 3 homes in my Oceanfront property in Makaha and use 2 as long term local renters and 1 is used by my family and also as a legal 30+ night vacation rental for retired families visiting Hawaii. I pay all taxes properly as well as my personal home in Makakilo. I am retired and the use 1 as a legal 30+ night rental allowing me to use the property during holidays and birthdays and to survive the high price of living in Hawaii. I worked for 30+ years to be to own & enjoy a piece of paradise for my children, grand children,& great grand children to enjoy after I die.

Pleas allow legal 30+ night vacation rentals to continue.

HB-1838-HD-1

Submitted on: 2/28/2024 7:35:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roger Sample	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have owned a vacation rental condominium in Wailea, Maui for 20 years. We have enjoyed visiting Maui approximately 40 times during that time period. We enjoy hosting our family while there to play golf, dine at many of the fine restaurants and participate in many of the Maui activities.

We have been able to do this in part through our ability to share our condo with other visitors. In addition to giving assistance to us to afford the property, it also benefits Maui County with additional taxes. In 2023, our condo generated \$15,744 of TAT, GET and Maui TAT taxes. Additionally, our property taxes were \$12,797. We are happy to benefit the local governmental entities with these taxes because of the joy we receive from visiting and feeling welcome in Maui.

We encourage the legislature to defeat HB 1838. We believe that both Maui and us benefit from the ability to rent our condominium on a short-term basis.

Respectfully submitted,

Roger Sample

HB-1838-HD-1

Submitted on: 2/28/2024 7:36:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bruce Magnuson	Individual	Oppose	Written Testimony Only

Comments:

Short term rentals are extremely important to the tourism industry in Hawaii. It is an important aspect to bringing people back to Hawaii. The short term rental population spend lots of money not only on tours and restaurants but in grocery stores and car rental. People bought these rentals with long term commitments to Hawaii and its economy. It would be a huge mistake to eliminate this profitably aspect of the tourism industry.

HB-1838-HD-1

Submitted on: 2/28/2024 7:37:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kitty Rue	Individual	Oppose	Written Testimony Only

Comments:

We've been vacationing and owning real estate on Maui for over 50 years. The only way to afford both vacationing and owning is the ability to rent our unit on a short term basis to subsidize the expense. We've supported the Island in many ways from hiring cleaners, construction workers, enjoying activities such as dining, golf, etc. We won't be able to continue if we are unable to rent our unit on a short term basis. Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 7:37:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are extremely alarming! In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Janice Herrick

HB-1838-HD-1

Submitted on: 2/28/2024 7:38:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Akamu	Individual	Support	Written Testimony Only

Comments:

Support

HB-1838-HD-1

Submitted on: 2/28/2024 7:38:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kent Mannina	Individual	Oppose	Written Testimony Only

Comments:

Aloha my Name is Kent Mannina I am a simple person who decided to invest my life's savings to purchase my retirement home in Oahu 7 yrs ago. I am still working on the main land and retire in 3 yrs. I rent my home for 30 to 90 days when I am not enjoying beautiful Hawaii. My guests are from all over the world and they contribute to Hawaii's Economy. None would be able to afford staying in hotel for that amount of time.

I am opposed to bill HB1838 because I feel that the local government's goal is to ban any thing other than hotels for our visitors accommodations. Please keep Hawaii diverse when it comes to visitor accommodations and allow those who can't afford a long Hotel stay to enjoy Aloha and continue to contribute to Hawaii's economy.

Mahalo Nui Loa

Kent Mannina

HB-1838-HD-1

Submitted on: 2/28/2024 7:38:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Krystle Omlan	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Krystle

HB-1838-HD-1

Submitted on: 2/28/2024 7:40:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Aulani Dusenberry

HB-1838-HD-1

Submitted on: 2/28/2024 7:40:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shaun Allen Stibora	Individual	Oppose	Written Testimony Only

Comments:

Quit meddling in peoples personal business.

Written testimony in opposition to HB1838 by Michael J. O'Neill, an individual citizen.

- This Bill HB1838 will personally impact my wife and I along with all the hard-working cleaners, property managers and service contractors that support our condominium. It will directly impact us because we were planning to retire in Maui and convert it to our long term residence. If this measure passes we could not afford to do that as it is too expensive to own without renting short term.
- We have owned for 5 years a small condominium at the Luana Kai Resort on Maui which has been a **LEGAL** short term rental on Maui since 1979. We have always **EMBRACED AND RESPECTED** the Hawaiian people and their rich culture. We have always followed all the rules regarding operating a short term rental and we have always communicated to our guests to respect and honor the Hawaiian people as they visit their beautiful home island.
- We don't understand how Maui could put at risk **40% of the real property tax revenue for the county**, as well as the top funding source for affordable housing for Maui. This STR property tax revenue represents **18% of the county's 1.7 billion dollar budget**. Where will that revenue come from?
- Mid and Short-term Rentals accommodate and **support a very large Hawaiian worker population** of cleaners, local businesses, tour operators, property managers and contractors in every trade. Eliminating STR's will have grave economic impact on them. **STR's support displaced residents**, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. We have had many guests that fall into this category.
- STR's Tragic events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/28/2024 7:42:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rocco Neil April	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Rocco Neil April, and I am a local resident of Hawaii deeply concerned about the potential impacts of House Bill HB1838 on our community. The stories shared in the recent testimony against Hawaii County Bill 121 reflect the very real and personal realities faced by many individuals like myself who are part of the vacation rental industry.

The experiences of individuals such as Kris Adair and Marbella Alford, who rely on the income and stability provided by their work in the vacation rental industry, echo the fears and uncertainties that many of us share. The proposed legislation, if enacted, could jeopardize the livelihoods of numerous hardworking residents and have adverse implications for the economic well-being of families across our community.

I stand in solidarity with the concerns expressed by Karen Anderson, Quentin Parker, Philip Andriano, and Bill Babbitt, who have all highlighted the unintended consequences that such legislation could bring, potentially pricing local residents out of paradise and limiting economic opportunities for small business owners. These narratives demonstrate the profound impact that the vacation rental industry has on the lives of individuals and families, and the potential threat posed by legislative measures such as HB1838.

I therefore urge the council to carefully consider the implications of House Bill HB1838 and to seek equitable solutions that balance the needs of our community with the challenges faced by those reliant on the vacation rental industry for their livelihoods.

Mahalo for your attention to this critical matter.

Rocco Neil April

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee: Ehameha

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Maui has been a part of me for more than 50 years. I first came to Maui as a child with my parents. We spent several months of the year in Maui from when I was age 5 forward. I attended King Kamehameha III school in Lahaina for 6th grade.

While I have never been a full time resident, Maui is still a home for me.

A few years ago we purchased a unit at Papakea. We (myself, husband, children and grandchildren) spend as much time as we can there, and rent it out the rest of the time as a short term rental. We purchased at Papakea because it was the right mix of local restaurants and shops nearby and nicely set up as a vacation rental property.

The governor of Maui calling my ownership of a vacation rental in Maui “Bull Shit” is a terrible way to treat someone like myself who feels a deep connection to Maui.

Papakea was built in 1978 and has operated as a vacation rental for almost 50 years. They employ many local residents and support a wide variety of local trade professionals. These current personnel will only be able to be employed with the high AHOA dues we currently pay and the nightly resort fee collected by Papakea from short term renters. I also directly employ a cleaning crew and maintenance workers to help me with our home in Papakea. If you disallow short term rentals many people will lose their jobs and the high amount of taxes I and other STR hosts help contribute to Maui will no longer be paid. I worry about Maui and the harm this will cause.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,
Kim Snorsky

Written testimony in opposition to HB1838 by Tami N. O'Neill, an individual citizen.

- This Bill HB1838 will personally impact my husband and I along with all the hard-working cleaners, property managers and service contractors that support our condominium. It will directly impact us because we were planning to retire in Maui and convert it to our long term residence. If this measure passes we could not afford to do that as it is too expensive to own without renting short term.
- We have owned for 5 years a small condominium at the Luana Kai Resort on Maui which has been a **LEGAL** short term rental on Maui since 1979. We have always **EMBRACED AND RESPECTED** the Hawaiian people and their rich culture. We have always followed all the rules regarding operating a short term rental and we have always communicated to our guests to respect and honor the Hawaiian people as they visit their beautiful home island.
- We don't understand how Maui could put at risk **40% of the real property tax revenue for the county**, as well as the top funding source for affordable housing for Maui. This STR property tax revenue represents **18% of the county's 1.7 billion dollar budget**. Where will that revenue come from?
- Mid and Short-term Rentals accommodate and **support a very large Hawaiian worker population** of cleaners, local businesses, tour operators, property managers and contractors in every trade. Eliminating STR's will have grave economic impact on them. **STR's support displaced residents**, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. We have had many guests that fall into this category.
- STR's Tragic events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/28/2024 7:46:01 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Heath	Individual	Oppose	Written Testimony Only

Comments:

Testimony

My husband and I are fortunate to own a small condominium in Kuilima Estates West, Turtle Bay. We are not residents, but do have strong ties to the islands that span many decades. My grandmother was born and raised in Kukuihaele on the Big Island, later moving to Hilo. My mother was born in Hilo and the family later moved to Honolulu. My mother and father met when he was stationed there during WWII. He was a Pearl Harbor survivor. Both have their final resting place in the Punchbowl. In their retirement, they purchased a condominium in the Kuilima Estates West community which allowed them to visit often and also use the rental income to supplement their retirement. We enjoyed visiting them when they were there. I don't remember exactly when they sold their condo. After they passed, my brother and I sold their California home, allowing us to purchase our condo and feel like we were in some way continuing their legacy. We thoroughly enjoy visiting a couple of times per year and operate it as a short term rental the rest of the time. To keep our condo renting and renting well, we employ two property managers, a house cleaner, a pest control company, contractors for both small and large jobs. We purchase all furnishings, linens, supplies, etc locally. We serve a significant percentage of guests (local or visiting) who either can't afford hotel prices or prefer to stay in an accommodation where they can prepare their own meals and feel more a part of a community. While we are visiting, we spend locally - grocery stores, hardware stores, restaurants, etc. Please oppose HB1838.

HB-1838-HD-1

Submitted on: 2/28/2024 7:46:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheylah Uyeda	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Cheylah Uyeda

HB-1838-HD-1

Submitted on: 2/28/2024 7:50:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Mahealani Medeiros Criste

HB-1838-HD-1

Submitted on: 2/28/2024 7:50:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Keesler	Individual	Oppose	Written Testimony Only

Comments:

<<Papakea was built in 1978 and has operated as vacation rentals for almost fifty years>>

<<Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

<<Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming>>

<<Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue>>

<<Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on>>

<<Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.>>

<<Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops>>

<<Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community>>

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully

Mike Kessler

Owner Papakea resort condo

And living full time in Maui

HB-1838-HD-1

Submitted on: 2/28/2024 7:52:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Guadalupe Quintana	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill, if passed, it would have a heavy impact on my financial well-being. I rely on this income to be able to pay my debt in the mainland, property taxes in CA as well as HI, it would be a big negative impact on my overall financial well-being.

Additionally, I think it would impact Maui, since short-term lease/rentals contribute to 40% of the real property tax revenue for the County. This would be a loose/loose bill. Not to mention the employment we create for the residents of Maui and surrounding areas. My condo was actually used by a family of 5 (at no expense to them) during the August fire in Maui. We're in this together, please don't allow this bill to pass, it's bad for the owners, the county and the residents of Maui. Thank you.

HB-1838-HD-1

Submitted on: 2/28/2024 7:56:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Jorgensen	Individual	Oppose	Written Testimony Only

Comments:

Not allowing us to rent our home would be financially devastating to us. We depend on rental income to cover part of the cost of ownership of our wonderful Kauai home. Property taxes and insurance premiums are extremely high. We'd have to sell at a great loss because lack of rental income would significantly decrease the value of our home.

Your truly,

The Jorgensen family

HB-1838-HD-1

Submitted on: 2/28/2024 7:57:36 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charlene Tollner	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

In am an individual who opposes this bill because I frequently visit Kihei, Maui and stay at my parent's owner rental unit at Kamaole Sands. My father recently passed away and my mother is aging. We have been helping to manage a remodel and will eventually inherit their unit. Not only does the income from this rental help to sustain my mother now that my father has passed but it has provided a home away from home for our extended family who have come to love and cherish Maui. My parents have been generous with their unit to help residents who were displaced in the Lahaina Fire. Please do not jeopardize these opportunities. Charlene Tollner

HB-1838-HD-1

Submitted on: 2/28/2024 7:58:22 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zachary Johnson	Individual	Oppose	Written Testimony Only

Comments:

Dear Dedicated Public Servants,

I humbly submit this testimony to implore you to oppose SB2919. This type of legislation terrifies me and my Wife. We fear that our financial future and Hawaiian dream could be in jeopardy.

My Wife began her Hawaiian love affair in college when she became roommates with multiple Hawaiian Native Students. They shared their Aloha and Culture and she quickly immersed herself into it. And then when we met, she shared this amazing experience with me and I too quickly fell in love.

I proposed to her atop of Haleakalā during the final sunrise of 2010, it was simply magical in so many ways. Since then, we've been able to visit more Hawaiian Islands and we have always been undoubtably certain that Maui is where we wanted to be.

Over the years, we worked very hard, saved and sacrificed and we were fortunate enough to be able to purchase our Maui dream condo in Kihei in early 2021. It was still an uncertain time within the COVID19 Pandemic, there were still economic difficulties and uncertainties, but we had dreamt about this for years and everything else fell into place so it was meant to be, the name of the building that our unit was in is even named Haleakalā!

In order for us to afford this condo, we had to place and huge amount down and we have to be able to rent it out as a vacation rental. Renting it out allows us to cover our expenses and even allows us to visit each year and enjoy this beautiful paradise that we love so much. Our goal is to use the vacation rental income to help may off the mortgage and then be able to retire in Maui.

If we are no longer able to rent as a vacation rental, it would be devastating. We would not be able to afford the expenses, we would not be able to use the condo for our visits and it would decrease the resale value. We would be stuck in the water with no viable option to go forward that wouldn't greatly impact us, both financially and personally.

We are definitely in favor of improving housing for our Maui Ohana, that should be a top priority. But this is not the way to do it, there are much better ways to address this very important issue.

Thank you for your time and your service, respectfully, Johnson Family.

HB-1838-HD-1

Submitted on: 2/28/2024 7:58:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kent stafford	Individual	Oppose	Written Testimony Only

Comments:

This bill will affect all short term rentals and give government the power to change existing laws in the books. The revenue and jobs are needed at this time and the economy needs the money from short term rentals!

HB-1838-HD-1

Submitted on: 2/28/2024 8:00:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ken Winslow	Individual	Oppose	Written Testimony Only

Comments:

There are 250 condos listed for sale in Lahaina right now. Prices start at \$350,000. Less than 10% are in escrow. Why? Locals don't want to live in hotel-type lodging! No parking, small kitchens, no storage, no privacy, no yard and no pets. Who would want to live there long term? The housing shortage on Maui has existed for decades. LEGAL short term rentals have existed for decades. Stop pandering to the hotel lobby and making STR's the scapegoat. They were built to be vacation rentals. Their highest and best use is vacation rentals. They provide the highest tax revenue for the state-BY FAR! Our housekeeper supports a family of 6 cleaning short term rentals. She makes triple what she would working for a hotel. This bill passes, she and countless others will be out of job and forced to work minimum wage for the hotels. Use the tax revenue from STR's towards affordable HOUSING that locals can own and take pride in. Not apartment complexes. The economy on Maui will absolutely crumble if this bill passes. Crack down on illegal vacation rentals and leave the legal ones alone! They don't take away housing, they provide good paying jobs and are a massive source of your tax revenue. Stop this insanity and make a real, sustainable plan for real affordable housing.

HB-1838-HD-1

Submitted on: 2/28/2024 8:01:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stay Kunkel	Individual	Oppose	Remotely Via Zoom

Comments:

As a resident of Maui for 23 years, I understand both the importance of housing and the importance of tourism and the short term rental industry to fuel our economy, drive business growth, and provide critical income to all the people involved. I worked as an ER nurse for 13 years, working over time to save money for down payments on real estate. I have a couple long term rentals and a vacation rental. After retiring from my career, I completely depend on the income I receive from my vacation rental. Without that, I would struggle to pay my expenses. Not only will my income be massively impacted but my cleaner's business will also be severely affected. She is a local born and raised Maui woman who has built a cleaning company employing several other cleaners. They are dependent on the vacation rental industry for their business. Moreover, I know that the newest apartment complex in KeaLani took 7 yrs from land purchase to construction due to significant red tape. Providing a plan for more multifamily affordable housing is a much better solution. This will provide jobs to hundreds of construction workers, affordable housing and will not destroy a huge part of the vacation rental and tourism industry that our economy depends on. I oppose this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 8:03:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven gbgatchell	Individual	Oppose	Remotely Via Zoom

Comments:

Testimony for Bill HB1838, March 1, 2024.

Aloha,

My family moved to Honolulu in 1969. I was just 10 years old. My father had a history here in Hawaii and served for Admiral Radford during the Korean War from 1952 to 1955 as his personal aid. I grew up in Waikiki in a very middle-class family; attended public schools, Jefferson elementary, Washington, intermediate, and McKinley high school. In December 1983 I graduated from the University of Hawaii at Manoa with a bachelors degree and one year later in August of 1984, moved to Maui and it's been my home since. My son was born here on Maui. I raised a stepdaughter and two Hanai daughters in our home that is now a vacation rental. My father developed early dementia and lived in our home for eleven years us until he passed in 2016.

My upbringing was much like "Rich dad Poor dad" and I was "Robert Kiosaki", son of an educated dad who had little. My father was a hard-working and college educated with a Law degree that worked for an Insurance company. My father earned enough money to make ends meet and pay rent, but was never able to purchase a home, we all felt the economic struggle. My best friend's father dropped out of school at 11 years old and worked construction until he was in his 20s and eventually bought a fishing boat. He worked as a fisherman for several years and then started a construction company, and went on and went on to become a very successful builder in Honolulu. My buddy's family had two beautiful homes, one on Portlock beach, and the other on Tantlus drive. They had love and passion for their homes. It was obvious to me at this very young age that having a place to call home was a blessing beyond measure.

When I moved to Maui, I worked two full-time jobs as a waiter. My days were spent at the Grill and bar in Kapalua and my nights were spent at the Lahaina yacht club. I worked double shifts

for over a year and saved some money in an effort to start my own Limousine service. in 1985 I was blessed and when one of the owners of TS restaurant offered to be my business partner in the limousine business I had moved to Maui with the dream of. Silver cloud Limousine was a struggle, but in one tear I saved some money, sold my car and purchased my first home, a condo at the Napili Bay for \$59,000, the down payment was \$12,000, and it was every penny I had. Just two years later I sold my condo for \$125,000 and purchased a duplex in Napili. The increases in the cost of homes is, it is nothing new to Hawaii, it has been happening for generations. Along the way I have been fortunate to have owned a few homes on Maui that lead me to owning the home at 41 Holomakani PL., where my children grew up. By 2016, my children and Hanai daughters had moved away, and later that year, my father, who lived with us for 11 years with dementia had passed. This large home that we love so much, was too much for my wife and I, and too costly to care for. Now we were faced with a decision to sell our home or keep it for our Ohana to enjoy for generations to come. At this time, our expenses exceeded what we could get renting our home long-term, so we explored the opportunity to rent our home as a Vacation rental. In December 2017 we received our STRH license and began renting our home as a Vacation rental. Our home has been one of the largest blessings in our life, it is the source of our retirement income, and also provides our Ohana with a place to gather for special occasions.

My story is not uncommon, there are many of us who share the same story. Our vacation homes represent our lives, what we have worked so hard for, our income and retirement, and our legacy to our Ohana. A home like ours has become too expensive for us and for most folks on Maui to live in. below is a breakdown of the monthly cost associated with our home:

1. Property taxes: \$2000 as a Vacation rental (Would be perhaps \$670 long term rental)
2. Insurance: \$1200
3. Ongoing maintenance: \$2000
4. Electric: \$2500. Half this amount is an energy surplus charge since Covid.
5. Yard service: \$870
6. Pool service: \$450
7. Water: \$400 (Private water, Hawaii water service)

8) Mortgage is currently 6.995 Jumbo; every \$1M costs \$6,623. I purchased our home for \$1,040,000, it is now valued at approx \$4,000,000. If someone was to purchase this home for \$4M with 20% down, the monthly payment would be \$21,043 per month.

I am fortunate, I have paid off my mortgage. If I had a mortgage based on my original sales price, my monthly expenses would be \$12,213. Who on Maui has an income of three times that to be able to afford such an expense? (36,000 per month). Not me, not anyone I associate with.

If Bill 5B2919 passes, it will not make the vast majority of these Vacation rentals available to Maui residents, the rents would not support the expense in most cases. Mainlander's and Foreigners will benefit from this Bill, Locals that have worked all their lives to own these property our income, our legacy will be forced to sell, to move somewhere on the Mailand where we can afford a home. Mainlanders that have these properties as income sources will also sell to even wealthier Mainlanders who will purchase these homes and condos as second or third homes...

Maui desperately needs several thousand HOMES, not condos. Our Keiki who are now young adults need homes with yards where their Keiki can safely play, they need a community, not a condo. We need our Legislatures to work with big AG to provide incentives for them to give lands or sell reasonably, and to work with developers that will agree to build communities for a fixed profit amount (10%). Maui desperately needs homes between \$300,000 and \$600,000. Our children are moving away and have been for generations.it's time to stop the insanity with real measures that are meaningful.

Other fall-out to consider is the loss of tremendous income to our county from these Vacation rentals. In addition to this, we will forever lose a large segment of travelers, who rent homes with the sole intention of having their families under one roof. Without the ability to rent such places, people opt to vacation in places that allow them to vacation under one roof as a family. Hotels are not designed to accommodate families.

Taking Vacation licenses away from 1500 people will not benefit Maui Residents with affordable rentals, that is not a reasonable thought. The fall-out will result in folks like myself, losing their homes to wealthy Mainlanders, and the loss of income for so many maid services and support workers that rely on these rentals as their primary source of income. These Vacation homes and condos will become 2nd, 3rd, 4th, 5th vacation homes for very wealthy Mainlanders and Foreigners. The Vacation homes will DEFINITELY N O T BECOME "AFFORDABLE" RENTALS FOR MAUI RESIDENTS.

Mahalo, nui Loa for your consideration on this matter,

Steven G Gatchell

Owner 41 Holomakani Pl. Lahaina HI. 96761

HB-1838-HD-1

Submitted on: 2/28/2024 8:04:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michiyo Thompson	Individual	Oppose	Written Testimony Only

Comments:

Maui county needs to continue short term rentals because if we loose them so many people can't afford pay their loans, loose jobs(cleaning business, property managing, handyman businesses etc.) and if less place to stay means less tourists to come to Maui. It will affect whole Maui like restaurants, tour companies, rent a car companies etc. Eventually Maui county will loose those tax income...so I don't think it will be a good idea to loose short term rentals.

HB-1838-HD-1

Submitted on: 2/28/2024 8:04:33 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Louis Kocsis, Jr.	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I oppose HB1838 because it will negatively impact Maui and it's residents. First, the tax dollars generated by higher short term rental rates will be reduced and negatively impact local budgets. Second, the significant influx of real estate properties hitting the market will reduce values of all residential real estate on the island. This will result in the loss of equity for all local existing residential owners; a reduction in personal wealth for local owners. Third, this reduction in short term rental availability will reduce the volume of tourists and the associated tourism revenue. A reduction in the size of the economy will be detrimental to locals and their families. Please vote no to HB1838!

HB-1838-HD-1

Submitted on: 2/28/2024 8:05:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul D Crawford	Individual	Oppose	Written Testimony Only

Comments:

Taking property rights away, doesn't encourage the growth of new housing stock. You need to look at your Planning Dept. and Building Dept.s rules, and bring about reform to do that.

Paul Crawford

HB-1838-HD-1

Submitted on: 2/28/2024 8:05:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Barnfield	Individual	Oppose	Written Testimony Only

Comments:

Dear Council Persons

I appose the bill HB1838. There needs to be balance and this bill tips the scales so vastly that it is an injustice to every citizen in the state of Hawaii. When has it become legal to strip away the rights of any homeowner to earn income and pay the taxes to the state? This will not solve the hotel industries problems . People will quit coming to Hawaii. Quit saying "NO" to everything and figure out a way to say "YES". This will benefit the state at large. There is an assumption that those who own TVU or STR are getting too much of a good thing and it is not so. TVU's and STR's create jobs, brings in tourism who in turn spend their money in the state of Hawaii for all to benefit. Please do not support HB1838. I appose this bill. Thank you for your time.

Wendy Barnfield

HB-1838-HD-1

Submitted on: 2/28/2024 8:07:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynette Bennett	Individual	Oppose	Written Testimony Only

Comments:

Aloha Resrepresentative Tarnas, Chair Representative Takayama, Vice Chair and Members of the Committee:

I OPPOSE H.B.1838, HD1 for the following reasons:

My husband and I have been owners of our Papakea Resort condo for over 13 years we have been blessed to share our condo with hundreds of guests over that time. These guests helped the economy of Maui by dining at local restaurants, purchasing items from local businesses, participating and booking ocean activities and renting cars from local agencies. On average we figure one family will spend over \$8500 a week assisting our Maui community. Our guests chose Condos over Hotels for the value. Hotels are not a good choice for families who need a kitchen for food prep for food allergies or sensitivities. Our guests appreciate the space a condo provides and could not afford the high expense of local hotels and the fees associated.

Our Papakea resort was built in 1978 and has operated as a vacation rental for almost 50 years with countless of return guests.

Papakea employs over 35 local residents, many have worked at our property over 15 plus years, who depend on this income to support their family.

In addition to the full time Papakea employees, each owner employs cleaning, management and maintenance staff to keep our condos in tip top shape for guests. If these reliable workers lost their source of income the economy would crumble. Sadly, the effects are being felt as tourism is being directed away from Maui.

Our Papakea Resort supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical , tree trimming and pond and pool services on a regular basis.

The expense of the current personel and the operational Maintenance of our resort can only be supported with high maintenance dues which are generated with robust short term rental revenue.

Individual Papakea STRs Support countless small businesses in the Maui community. Housekeepers, handymen, on island agents, and contractors.

Papakea STRs contribute to the State of Hawaii and county of Maui through the payment of property tax(most at the short term rental rate) Transient Accommodation Tax, General Excise Tax, and Maui County Transient Accommodation Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, both state and national parks as well as shops.

Papakea has a high number of return guests who are entrenched in our local community and highly value the time spent at our resort.

Many owners who purchase their condos at Papakea qualified for loans based on revenue that would be generated from short term rental income. If this ability to rent out their condos was taken away, our fear is that owners could not pay their mortgages or our high monthly maintenance fees and could cause the Hawaiian banks to collapse. The trickle down effect of this decision would be devastating for our Maui community.

For the reasons stated herein . I OPPOSE H.B. 1838, HD1 and I urge the committee to defer it.

Respectfully submitted,

Lynette K. Bennett

HB-1838-HD-1

Submitted on: 2/28/2024 8:10:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barry Schmitt	Individual	Oppose	Written Testimony Only

Comments:

HB1838 2/28/24

Aloha.

I am writing to voice my objection to HSB1838.

County governments should not be allowed to take away the rights of homeowners who have been legally using properties that they have bought for their own enjoyment and to rent as TVR's when they are not being used as vacation homes in order to help make mortgage payments.

I love Maui and I love my condominium that I bought in in 2005 at Kaanapali Plantation. I have been visiting Maui and using my condominium about six weeks a year and of course paying all taxes related to rentals, and have been contributing to local economy and employment by renting it to visitors who also contribute to the economy.

If the rights of TVR owners are overturned, then many of us will be forced to sell our properties which will result in a potentially huge loss of tax revenue for the County and also the loss of many jobs that are dependent on tourism.

Please vote no on HSB1838

Mahalo,

Barry Schmitt

Kaanapali Plantation #57

HB-1838-HD-1

Submitted on: 2/28/2024 8:11:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Katrina Galvan	Individual	Oppose	Written Testimony Only

Comments:

This bill poses a threat to the livelihood and sustainability to our community members and homeowners alike.

Throughout the course of my property management career I have been entrusted to secure good tenants in homes owned by various homeowners. Homeowners who hold onto their only retirement asset. Homeowners who are not out of town/country investors - but have lived here their entire life.

In some cases, more often than you can imagine, its a trustee in charge of their parents hospice care and rely heavily on being able to rent their home through at least the end of their parents needs. At which point their family home will be removed from the rental market and listed for sale. Having satisfied hopefully the brunt of the heaviest of burdens a family can go through.

Homeowners who find themselves quickly in need of relocating but holding on to their home they intend to return to.

In the last 12 years, many bills have been passed to increase property taxes on out of state homeowners and/or homeowners that do not hold a “personal exemption” on their home.

Many homeowners property taxes doubled and in some cases tripled. Causing an increase tax burdens to financially cover the property taxes and rising costs of living. Adding on top hospice care, what income does the state think these homeowners are enjoying? It is matter of trying to make ends meet.

There is no denying that greater financial benefits derive from Vacation Rented homes (30 days or more) vs. Long Term rentals (180 days or more). There are also greater risks of vacancy loss in a Vacation Rented home. In a world of uncertainty, it should be at a homeowners discretion to choose their level of risk to satisfy theirs or their loved ones financial needs and livelihood.

The Vacation Rental community is comprised of not just the homeowners but every single person that works at a property. When a home is on the vacation rental market and rented (30 days or more) there is more work opportunities for cleaners, maintenance crew members, landscapers, pool technicians, florists, personnels that offer concierge or tailored services, swim/surf instructors, trainers, AC technicians, chefs, fitness instructors, welcome package providers, inspectors, baby equipment rentals, drivers, etc, etc. The community is vast and these

people depend on 30+ days or more rentals to cover their heavy costs of living in a place we call paradise.

These are the people that embody the Aloha Spirit by first hand serving the visitors that these islands depend on.

I cannot speak on their behalf but I implore you listen to their testimonies. They are some of the hardest working individuals I've ever encountered. It will be heavy on so many hearts including my own if this bill is passed and the livelihood and ability to sustain in an already overtly high cost of living becomes unbearable. Do not pass a bill that will oppress so many of our community members.

If this bill is passed the properties I manage that are Vacation Rentals account for 11% of my overall property management portfolio. That 11% provides 75% of my annual income. Working alongside my husband this is a combined income effort. We stand to lose a very large portion of our income and will also lose our home.

As property managers we work around the clock nearly every day regardless of holidays. It is a thankless position but we enjoy the work we do and the people we work with. We strive on providing excellent services for our owners, tenants, and guests.

With our current portfolio we are near capacity for the number of properties we manage before we would need to hire someone to help. If we stand to lose 75% of our income (based on losing only 11% of our portfolio) we will not be able to recover the loss in income, nor be able to afford someone to help. Long Term rentals account for 89% of our portfolio and 90% of our work is comprised of managing those properties. We already don't have the quality of life where we get to spend time with family without the many interruptions of calls from tenants and guests of repairs that will occur.

Many years ago I was laughed at and warned by other real estate agents, DO NOT go into property management. Their warnings were heard and understood. It is understood that people do not want to bother with the in between of renters and owners. They don't want to be the ones called on. As a majority of the calls we receive are problems.

But I had a drive to provide a service for home owners where I felt there was a lack of quality control. I wanted to provide a service to owners to help maintain their most precious asset, their home. Taking the time to familiarize with a property, notate the short and long list of maintenance items. To tackle the care of their home to ensure their asset will be in good standing order for them when they return. Or while there is a need to continue to rent until it is time for their home to sell.

A home is an ever changing breathing place in constant need of oversight and managing. If there is a problem there will also be a solution. Some solutions vary in degree, usually in costs, but nonetheless there is a solution.

If you pass this bill and ordinances are changed to extend 30 days to 90 or 180 days or more the problems that will occur in tens of thousands of homes striving to survive will be detrimental to everyone. This bill is not a solution to whatever you believe the housing crisis consist of. Legally operated vacation rentals are not the problem. Taking the rights of homeowners is not the solution. Restricting job opportunities for tens of thousands of people is not the solution.

Find another solution.

HB-1838-HD-1

Submitted on: 2/28/2024 8:13:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
johannes a Wunderl	Individual	Oppose	Written Testimony Only

Comments:

Aswell professional work papakea was built in 1978, i feel there should be some leverage.

They also employ approx of 35 people today as a professional workforce, and all the additional workforce outside

Our stays here with the property taxes (for short term) supports maui

HB-1838-HD-1

Submitted on: 2/28/2024 8:15:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Williamson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Andrew Williamson, and I am writing to express my strong opposition to HB1838. As a local resident of Hawaii, my vacation rental has been instrumental in providing me with financial independence for the first time in my life.

I have witnessed the immense impact of short-term rentals on the lives of local residents, including myself and others I know in my community. These rentals have not only supported our livelihoods but have also enabled us to contribute to the community and pursue our passions. I feel more and more that Hawaii is bent on punishing local homeowners. The law already strips us of any ability to deal with toxic tenants and thus makes it very unattractive to take on long term renters. Now They are stripping our ability to use just a portion of our house for short term rentals.

The restrictive measures proposed in HB1838 jeopardize our ability to maintain our financial stability, impacting our ability to support ourselves and our families. Additionally, the bill may lead to the elimination of numerous jobs and opportunities for local residents, exacerbating the already challenging economic landscape in Hawaii.

I implore you to reconsider the potential ramifications of HB1838 and to seek solutions that balance the needs of the community while preserving opportunities for local residents in the vacation rental industry.

Mahalo for your consideration of my concerns.

Warm regards,

Andrew Williamson

HB-1838-HD-1

Submitted on: 2/28/2024 8:16:09 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnman Lee	Individual	Oppose	Written Testimony Only

Comments:

In Opposition to HB1838: Protecting Maui's Economy and Diverse Tourism Options

To Hawaiian State Legislators and Representatives,

I am writing to express my strong opposition to House Bill 1838, which proposes the significant reduction of short-term rentals (STRs) in Maui. While I understand the desire to address concerns regarding housing availability and potential impacts on local communities, I believe HB1838 would have unintended consequences with significant negative economic and social impacts that Maui may never recover from.

Supporting Maui's Cottage Industries:

HB1838 would severely harm the livelihoods of countless individuals who rely on the STR industry to support themselves and their families. This includes:

- **House cleaners:** Many independent house cleaners depend on income from maintaining and preparing STR properties. Eliminating these rentals would result in significant job losses and economic hardship for these individuals. These dollars STAY on the island and let people provide for their families. Where will they get replacement income for this?
- **Rental management companies:** Numerous small businesses offer management services for STRs, handling tasks like booking, guest communications, marketing and maintenance. HB1838 would force these businesses to close, further impacting local employment. Again, where will these people find replacement income in an economy that is already devastated?
- **Handymen, Repair and Maintenance Businesses, A/C maintenance companies, etc.:** These again are mostly small businesses, locally owned and operated that help to support the operation of short-term rentals.

Impact Upon Tourism and Related Businesses:

Maui's tourism industry is its economic lifeblood. 80% of the revenue for the state of Hawaii comes from tourism, and without a plan to replace that revenue, the state will sink into an even more dire situation. The raising of taxes and fees that tourists are asked to bear is becoming unfathomable, pushing costs to visit Maui beyond the reach of many families and tourists. The recent passing of a \$50 per night additional fee for any lodging is imply insane and terribly short sighted. I have already heard of many families who have ruled out going to Maui simply because it is too expensive. If HB1838 were to pass, it would significantly reduce the available accommodations for many tourists.

If only faced with hotel options, the likely impacts would be:

- **Reduced tourist traffic to Maui:** Tourists will choose to visit other destinations that are more affordable and offer a wider range of accommodation options, leading to a decline in tourism that will have a deadly impact on the state's revenue.
- **Maui residents will be forced to relocate:** Without tourism, many Maui residents will be forced to relocate to find jobs that will allow them to support themselves and their families. Ironically, despite all of the talk of protecting the people of Hawaii, this bill will do the exact opposite.
- **Negatively impacts upon related businesses:** Hotels, restaurants, tour/adventure companies, car rentals and other businesses that rely on tourist spending would experience a significant financial impact due to a decrease in visitors. Many will not survive, leaving reduced options for those visiting, which in turn makes it less appealing. It is easy to see how this downward spiral can end up literally killing the island's economy.

Finding a Balanced Solution:

Instead of an outright ban, I encourage lawmakers to explore alternative solutions that address legitimate concerns while preserving the economic and social benefits of STRs. This could include:

- Implementing stricter regulations and permitting processes for STRs.
- Establishing clear guidelines for responsible hosting and neighborhood interactions.
- Investigating alternative solutions like increasing affordable housing options for long-term rentals.

I urge you to reconsider HB1838 and work towards a solution that protects both the unique character of Maui and the economic well-being of its residents.

Sincerely,

Johnman Lee

E: shamusjon@yahoo.com

HB-1838-HD-1

Submitted on: 2/28/2024 8:16:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Kelley	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to HB1838

Our vacation rental provides us supplemental income in our retirement years. The loss of such income would have a significant impact to us. It also allows us the ability to enjoy time on island throughout the year, something we would not be able to do if forced to rent out long term.

In reading of the bill, I have to make some comments on Section 1 that I assume is the background supporting this bill.

On part reads, “The counties of Maui and Kauai are facing an annual decline in total housing stock as formerly resident-occupied homes are converted to short—term rental units.” I find this highly dubious as Maui has put in place limitations and caps on the number of “formerly resident-occupied homes” that can become short-term rentals. Those that are in existence have been so for many years. Any new construction homes would not be short-term rentals. So to say there is net loss does not seem feasible.

Another reads, “The house of representatives shelter working group recommended giving counties the clear authority to phase out vacation rental uses as a key tool for helping Maui residents find adequate rental housing in the wake of the wildfires.” This would seem to be overkill as Governor Green had stated “There are 27,000 short-term rental units on Maui alone, and if we can dedicate just 10% of these homes to displaced Lahaina families, we can house them all.” I believe that enforcing existing laws on illegal units (estimated at over 5,000 units) would more than satisfy the need here. As you can see, there is no need to “phase out” vacation rental use.

Events like the Lahaina Fire displaced thousands of residents. It is the short-term vacation rental owners who are stepping up to provide furnished housing. If short-term housing is further decimated where will residents find temporary housing in the next crisis? Maui's short term rentals pay one of the highest property tax rates which provides 40% of the real property tax revenue for the county. This makes it the top funding source for affordable housing for Maui. And let’s not forget that this property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

According to Hawaiian Life, "...vacation rental properties are vital to Maui. They provide many jobs for local people, are the single largest property tax contributor to Maui County, help to fund our affordable housing fund, and are a leader in sustainable tourism."

I ask that you oppose HB1838 and protect existing short-term rentals, including those falling under Minatoya.

HB-1838-HD-1

Submitted on: 2/28/2024 8:18:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Suzanne Mitchell	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

Thank you for allowing me to testify in this very important matter before the legislature.

As a part-time resident and vocal advocate for Maui, this is an extremely important part of my life. Purchasing two condos in Kihei has allowed us to share this beautiful island with our family, friends, and guests from around the world.

As Maui's STRs provide 40% of the real property tax revenue for the county, we are also providing a sustaining source of income for all those on the island.

There is no greater example of the ripple effect than the recent shutdown of Hawai'i during the recent pandemic. When 80% of your income is a result of tourism everyone suffers when it disappears. Maui was still recovering from the effects of a long travel ban when the devastating Lahaina fire struck.

We need visitors more than ever.

Knowing that STR was legal made purchasing property a viable option for us. In doing so, we have created a wonderful family place where we, and many others, stay- providing economic support for all the local businesses.

We also employ on-island managers, handymen, repair people, and most importantly- housekeeping companies. Without STRs all these locally owned businesses would suffer.

Please consider the whole cost of your actions. Many restaurants, shops, adventure tours, and other entrepreneurs would suffer. What makes Maui such an amazing place is the Aloha. There is no Aloha without the local population and we need to provide a steady source of income for all.

Mahalo nui loa, Suzanne Mitchell

HB-1838-HD-1

Submitted on: 2/28/2024 8:20:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kelly bernadette tyler	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kelly Tyler



ReplyForward

You can't react with an emoji to a group

HB-1838-HD-1

Submitted on: 2/28/2024 8:28:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa M Evanow	Individual	Support	Written Testimony Only

Comments:

Regulate the amount of short term rentals on Maui so the workforce can actuqly live in houses instead of on the beach and remain on Maui.

HB-1838-HD-1

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

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karina Ball	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee: I oppose Bill HB 1838, HD1 for the following reasons:

1) My husband’s family owns a condo at Papakea in Maui. We often get asked about short term rentals, and we have included the condo on a management program to provide that option to travelers. We feel it supports many local individuals as well. Many of these individuals would lose their jobs if this wasn’t a short term rental property.

- Papakea employs approximately 35 local resident employees.
- As owners we also support a local management company, housekeepers and contractors.
- Papakea guests support many local small businesses and their employees on Maui including restaurants, tour operators and shops.
- Guests also support employees at the airport, car rental companies, national parks, and state parks.

2) Papakea was never an owner occupied complex. It has been a vacation rental property for almost 50 years. It isn’t a desirable property for permanent residents, our unit and many of the other units are only one bedroom.

3) Papakea supports the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Tax revenue for the state and county would decline if Papakea wasn’t a short term rental property.

HB-1838-HD-1

Submitted on: 2/28/2024 8:29:07 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Bianlou	Individual	Oppose	Written Testimony Only

Comments:

Dear Sir/Madam:

I am exercising my right to freedom of speech.

Please reject HB1838.

I have been a property owner in Honolulu, HI, since 1999. I have hired many individuals as independent contractors to help me maintain this property. These individuals counted on their income to feed their families and put their children through school, as I counted on the rental income to feed my family. Limiting the property owners' ability to generate rental income is not only, in my opinion, un-American, but it is damaging to the trust that we should have in the City of Honolulu. You are also missing out on the tax revenues generated by rental revenues. This bill will cause less tourism and negatively affect other businesses that count on income from tourism. We should be able to do what we want with our property. This is the United States of America, not the Soviet Union or the United States of Hawaii. One of your inspectors, Karlee Krishner, not sure if this is her real name, 808-768-8168 told me I must give her the list of family members who may visit me in Hawaii and stay at my property so she does not penalize me with a \$10,000 per day penalty, thinking they are renters. Is this American? I have to get permission from Karlee Kirshner if my sisters, nieces, and nephews are visiting me in Hawaii. This city should not favor hotels. Hawaii does not belong to hotels with big pockets. We are more hospitable than hotels. Please remove all the limitations and let us be free. For God Sake! This is the United States of America.

Sincerely,

Sherry

To: The House of Representatives The Thirty-Second Legislature Regular Session of 2024,
Committee on Housing

WE STRONGLY OPPOSE HB 1838 AS WRITTEN. If modified, we would support the state's efforts to shut down **ILLEGAL** short-term rentals. If the committee decides to move this bill forward, we recommend that it add this wording at the end of the proposed change to the section: "*except that any county that phases out single-family transient vacation units must provide just compensation to the owners of such units.*"

In 2023, we sold two condos with the idea they could be used as long-term rentals; 1 is now a long term residence, the 2nd unit appears to be empty. In 2024, we kept our proceeds in-state and purchased our one remaining Wailea, Maui condo. Profits continue to pay our long-time support team of local car rental agencies, cleaners, handymen, electricians, plumbers, and a few dollars are used to supplement our retirement income.

Our Short-term Rental (STR) is sanctioned as legal businesses via our approved county business license (since 2016) and via the use of Hawai'i state realtor approved purchase forms with clear above the board enforcements. Both the State and County accept our monthly tourism-related payments as continued reinforcement which confirms our good legal standing.

This Bill could result in the phasing out of 13,744 LEGAL short-term rentals on Maui. The Governor states the housing shortage has existed since 1935; therefore, why would the County or the State permit us to purchase properties as recently as 2023, if that is true?

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7-billion-dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

These are legally operating short-term rentals. We have complied with all the requirements of the laws. We have held up our end of what is required by your office. Please do not pass this Bill and allow the counties to destroy what we as hard working, legally operating people have come to rely upon for income.

Mahalo for the opportunity to testify,

Karan and Stephen Marsh
3300 Wailea Alanui, 6B
Wailea, HI 96753
(916) 752-7735 (PST)

To the Hawaiian State Legislature,

Maui is our 2nd home. When our kids were 3 and 5, we enjoyed our first family vacation, and have been coming to Maui ever since. We purchased a timeshare and eventually our own 2-bedroom condo, and we come to Maui at least once a quarter, often for 2-3 weeks at a time. We have seen our children grow up over countless vacations, and plan to make Maui our permanent residence when we retire.

We have enjoyed the natural beauty of Maui throughout the years, and we have gotten to know many people on the island. We have supported and gotten to know local businesses, have "shopped locally" at The Times Market and the Farmers Markets near Kaanapali, and have supported many local restaurants. We actively look for new local businesses or businesses we have not tried yet to support the economy. We avoid nonlocal businesses as much as possible. We pick up litter on the beaches and promote saving the reef system. When not visiting Maui on our quarterly trips, we rent our two-bedroom condo to other visitors. Our guests receive a welcome packet highlighting our favorite local restaurants, activities, and businesses. This is one way we can encourage the support of island-owned businesses.

We feel so passionate about the people of Maui that we donated our unit rent-free to first responders and others in need of a place to stay until Maui "reopened." We have volunteered on every trip at the GEM Kahana Gateway food distribution center multiple times a week for each visit. We have been touched by the stories of people directly impacted by the devastating Lahaina fires. Their aloha spirit is a reminder that they are strong, and they thank us for coming to Maui, supporting the economy, and spending our time volunteering. When we came back for the first time after the fires in late October, we volunteered almost every day. The resounding, unsolicited feedback we got from local people was their relief that visitors were returning so that they could go back to work. We are well aware that a subset of local residents want to end tourism in Hawaii and we understand their frustration, but the people we have helped in Kahana and met at their places of work, have told us they need tourism for their livelihood. Taking away short-term rentals without a plan to employ these people removes some of the vital support that Maui needs to get back on its feet.

In January, we attempted to apply to FEMA to rent our unit to a displaced family for 1-2 years and were told that they were not accepting any further applications because they had all the homes they needed. But the governor's recent speech in February said he was still interested in requiring short-term rental owners to give up their units for displaced residents. There appears to be a serious lack of communication between FEMA and the Hawaiian government as we are getting mixed messages. There also seems to be a serious lack of communication between the government and the countless local people who rely on tourism and the short-term rental business for their income. The people who lost their jobs when the fire stopped tourism want nothing more than visitors back so they can get back to work and support their families. The Hawaiian government seems to be fixated on the idea that short-term rentals are the root of the housing problem. They are wrong. Taking away vacation rentals in resort condominiums targeted to tourists will not help the housing crisis as these are not where local residents live (or can afford) for the most part. The only solution to the housing problem is building more affordable housing for the island. Removing short-term rentals will only decrease revenue from taxes, decrease the number of people supporting the local economy, and leave second homes sitting empty.

Thank you for your time,

John and Stacy Tribble

HB-1838-HD-1

Submitted on: 2/28/2024 8:32:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Morts	Individual	Oppose	Written Testimony Only

Comments:

My wife and I own a house in Kihei which we purchased in 2013 as our retirement home. We are not an investment company. We would not rent our house to long term renters because that is not why we own it--it's our home.

We understand the frustration people have with corporate real estate investors and absentee owners, but not everyone who owns a short term rental is a faceless business.

We rent it out as a vacation rental for the times that we are not on island. We have good relationships with our neighbors and they support us when we are not there. We find that having short term rentals to be a good way to make sure our house is well maintained and occupied year round.

Our house is a permitted short term rental in Maui County. We must comply to a thorough and strict set of regulations to create a safe place for guests and happy neighbors. Our permit is renewed through a review process periodically.

Most of our guests are multigenerational families who appreciate the opportunity to stay together in a single family home with all the conveniences of home and frankly better prices than a hotel. It is easy to understand how the hotel industry might feel threatened by such an attractive accommodation option.

We also have an ohana in the back where we have housed first responders, nurses, and others who need a short term rental to stay. They are not on vacation and prefer to feel more comfortable with the amenities of home.

It goes without saying that we hire local people to keep our house well maintained and pay competitive, living wages for their services. We are constantly improving and maintaining our house and therefore the neighborhood in general.

Eliminating our permit will not add more housing for Maui. It is still our home where we love to spend as much time as we can and it will never be a long term rental.

We have been following the rules, paying higher property taxes (even during covid when it was unrented), paying GET & TAT, and have been good neighbors.

Mahalo for taking to our testimony.

Aloha,

Dave & Jenni Morts

HB-1838-HD-1

Submitted on: 2/28/2024 8:32:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keila Paahana	Individual	Support	Written Testimony Only

Comments:

I am in support of HB1838. We are in a state of emergency when it comes to housing, we need to phase out these short term rentals and give long term house to the local people.

Thank you

HB-1838-HD-1

Submitted on: 2/28/2024 8:32:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna J.Brett	Individual	Oppose	Written Testimony Only

Comments:

I have been an owner of a condo in The Waikiki Banyan for 40 years.I have vacationed there many times and also many members of my family.My husband of 63 years passed away and it would be a great hardship for me if short term rentals were not allowed.I do not want to sell my condo, but not haveing the rental income might force me to sell.I hope you reconsider how many people will be hurt by this change.Thank you for your time.

Donna J.Brett

3509 T-2 Waikiki Banyan

Home address

7320 Ober Lane

Chagrin Falls, Ohio 44023

HB-1838-HD-1

Submitted on: 2/28/2024 8:33:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin Boolukos	Individual	Oppose	Written Testimony Only

Comments:

Aloha for All, please do not take away our small business of renting our condo in a resort zoned area. We bought this as it has a legal license. Also, have you noticed the price of hotels? Ridiculously high in Hawaii, we could barely afford to visit Maui as was close to \$500 a night with all the fees, parking etc for mid level hotel in wailea to watch tennis a for a night. Please support the little guy instead. Thank you very much, mahalo Robin

HB-1838-HD-1

Submitted on: 2/28/2024 8:34:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Vohaska	Individual	Oppose	Written Testimony Only

Comments:

Elected Officials and Participants,

First point: If this proposed Bill is passed, would this not allow the rezoning of Lahaina? If not, this is not equal application under the law. I don't think your constituents from Lahaina would be happy to know you could decide any time to rezone Lahaina.

Does the committee and public understand the concept of "vested rights?". If so we would not be having this hearing.

I want to believe the committee is not this ignorant and this Bill and hearing is for the purpose of intimating owners of short term vacation rentals and planting false hopes in the ears of your constituents.

Vested Rights of a property owners to use property in a certain way may not be infringed upon by the adoption of zoning ordinances which prohibit such use.

Does the State even have counsel? If so, they are participants in putting forward false information.

See W.M.M. Properties, Inc. v. Cobb County , 255 Ga. 436, 339 S.E. 2d 252 (1986).

How about Banks County v. Chambers of Georgia, Inc., 264 Ga 422, 444 S.E. 2d 783 (1994)?

This Bill if 'passed' it will be met with litigation that will last years that the state cannot afford and to accomplish what? This will destroy tax revenues from the tourism industry and from the property tax standpoint, with STR property taxes accounting for 40% of all property tax revenues in Maui County. Not only that but unemployment numbers will skyrocket.

Does anyone believe with all the wealth in the world these (hypothetically) previous short term rentals will ever be affordable to locals?

For those interested in legal precedent, familiarize yourself with the term "vested interests". These are constitutionally protected interests which are both proper and legal for the State to recognize and protect US citizens and cannot be deprived arbitrarily.

Our property has been legally zoned H1 for short term vacation rentals since it was built in 1969. It is comprised of primarily one bedroom units under 600 square feet. Our parking lot allows for one car per unit and many times there is nowhere to park. Street parking is full as well. Laundry facilities are not sufficient for family living. The thought of converting these units to residential zoning is absurd based on the parking situation alone.

Please stop with this charade. Unless you are prepared to take this matter to the Supreme Court where you would lose, quit playing games with people.

Sincerely,

Bill and Cheryl Vohaska

HB-1838-HD-1

Submitted on: 2/28/2024 8:35:50 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Brown	Individual	Oppose	Written Testimony Only

Comments:

I have been a West Maui property owner at Papakea resort and am concerned about the future for owners, businesses and residents of West Maui if HB 1838 is passed. The local community relies on the short term rental vacationers for their jobs and revenue for their businesses. As short term rental owners we pay higher taxes and occupancy taxes that are significant for the local economy. Local businesses depend on the vacation renters for their survival - restaurants, tour operators, property managers, housekeepers, maintenance personnel, landscapers, etc. Without short term rentals many of these people and businesses cannot and will not survive. Maui County and the State will lose revenue from occupancy taxes, sales taxes, and income taxes. Personally, I cannot survive without the revenue generated from short term rentals and would need to default or sell if this bill is enacted. This, at a time when the cry is "Maui and Lahaina are NOT for sale". Please reconsider and realize that HB1838 is BAD for the residents, property owners, government entities, business owners, workers, property owners, and the general economy as well. NO ON HB1838 !!!

HB-1838-HD-1

Submitted on: 2/28/2024 8:38:42 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Grace Bertolozzi-Pierce	Individual	Oppose	Written Testimony Only

Comments:

My Husband is 12th generation Portuguese Mauian. My MIL family came from the Azors in the 1800's to work the plantations and generations of her Ferriera family is buried on Maui. We are strongly opposed to HB1828! We live in California now and use the income from our condo at Kamaole Sands to fund my husbands retirement; we also use the condo so he can return home during low season to visit our Ohana as well as our ancestors buried at St. Anthony's with tombstones so old and worn we only know some of them are Ohana by talk story. I am a working RN and I also use the condo during low season to take on travel assignments into Maui which is badly in need of my services. Given I can earn so much more in California, I would not be able to do this without our vacation condo subsidising our income. So while we use the rental income to survive now that my husband is retired, we also use the condo to contribute to the community. I was one of the first volunteer RNs on scene after the fires to reconnect fire victims to Kaiser medical care and medications they had lost. To call all us mom and pop ondo owners as greedy and not local would be a mistake. To take away the options to short term rental our condo--which was always intended as a condo hotel property when it was built is both short sighted as wrong. Our vacation condo is lovely but it is not set up for family life. It has only one parking space, small kitchen, loft bedroom, no storage, no pets allowed, tiny lanai with no grilling allowed. Clearly it is not conducive for family life-. By not allowing us to STR, you would harm not only our retirement income, but you would harm our on island housekeeper and property management company and the people they employ. You would harm the local food and beach activity and rental businesses my vacationers utilize. By not allowing me to continue to STR my condo would be a fools errand in that you would deny Maui the large taxes we STR owners pay. While an ocean front condo is a nice place to stay for vacation, it is NOT conducive for family life. Our leaders should have been working on Long term houseing needs to be built in the non tourist areas all along; do not ask the STR owners to provide this now when we have been renting our condos to tourists for years and depending on this income, and also note that we have been feeding into the Maui economy for years. We have set up our lives around being STR owners. Sure, The big hotels are all for taking away the small vacation condo owners rights to short term rent; But those big hotels have big accountants who will continue to make sure Maui does not get to keep as large a portion of the money you guys get from us mom and pop STR owners. By voting for HB1838, You will be hurting Maui and making sure it is only a destination for the rich if you take away our ability for the common man (some of us with generations deep roots on Maui) to short term rent our condo. I would take it off the market completely and just keep it for family use if this is the direction you choose to go--and many of us long term owners will probably do the same. It will be your loss as my vacationers bring in a lot of money. I strongly feel HB1838--prohibiting STR vacation condos some of which were not

ever built for long term use --is the WRONG direction. I hope and pray you don't give into the hotel lobbies and you see this too.

HB-1838-HD-1

Submitted on: 2/28/2024 8:38:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pamela Whitman	Individual	Oppose	Written Testimony Only

Comments:

I approve of "legal" and affordable vacation rentals that benefit not only visitors but local residence. I disapprove of illegal vacation rentals. Especially one's in neighborhoods that disrupt the quality of life and the community.

HB-1838-HD-1

Submitted on: 2/28/2024 8:44:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Dachtler	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838 - Protecting Essential Industries in Hawaii

Dear Members of the Hawaii State Legislature,

My name is Jason Dachtler, and I have been a property owner in Hawaii since 2011. My wife and I are planning to retire to Hawaii after our youngest son goes to college. We currently use our property to provide monthly furnished rentals for traveling medical professionals, returning kamaaina, Military, DoD, and people in transition while trying to buy or sell a home.

I am deeply concerned about the potential impact of HB1838 on my ability to continue providing essential housing for various groups of individuals in need. This bill unfairly targets single-family residential properties, which are best suited for monthly or temporary housing due to their space and appropriate facilities for temporary living. It could have a devastating impact on the ability of ordinary citizens to engage in this vital industry, jeopardizing their ability to make a living and provide for their families.

Moreover, HB1838 would create insurmountable challenges for individuals like me who rely on the tourism industry as the backbone of our economic stability. The potential impact on my ability to continue providing for my family is daunting, and the restrictive measures outlined in the bill could make the operation of my monthly rentals impossible.

I urge you to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on the tourism industry for their economic well-being. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's vital tourism industry.

Thank you for considering my perspective on this important matter.

Sincerely, Jason Dachtler

HB-1838-HD-1

Submitted on: 2/28/2024 8:45:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie LaMonaca	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838 as a complete overreach with individual property rights and excessive measure when other options to address any concerns about short term rentals are available and not fully implemented.

Our family business on Oahu involves furnishing and renting rental units for traveling medical, government officials, military families and others in a period of transition to bring services to our communities. Our leases are a minimum of 90 days and our tenants pay local taxes, support local businesses, schools, and other programs in the community.

HB1838 is not in the spirit of aloha to welcome professionals and families that enrich, enhance and support our communities on island. There is no justified public benefit or rational basis for enacting this measure when other options are fully available and not utilized. This measure has serious constitutional impact on property rights, and right to engage in commerce activities.

I strongly oppose this bill and will continue to support any efforts to enact it.

HB-1838-HD-1

Submitted on: 2/28/2024 8:45:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
karina	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Hawaii State Legislature,

My name is [Karina Smith], and I am a resident of Hawaii. I am writing to express my strong opposition to HB1838, which imposes heavy regulations on vacation rentals. As a local resident who relies on the income from my short-term rental property, I am deeply concerned about the potential impact of this bill on my livelihood.

The operation of my short-term rental property has been a lifeline for my family, allowing us to meet mortgage payments and sustain our lives in this unique economic landscape. If HB1838 proceeds, it would make the operation of my short-term rental impossible and jeopardize our ability to stay in our home. Tourism is a vital industry for many citizens like myself, and this bill, with its restrictive measures, creates insurmountable challenges for ordinary citizens to engage in this industry.

I urge you to reconsider the repercussions of HB1838 on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Thank you for considering my concerns and for your attention to this important matter.

Sincerely, Karina Smith [8086708539]

HB-1838-HD-1

Submitted on: 2/28/2024 8:46:02 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DIANA L BERINOBIS	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii. It is a very important issue as our children and grandchildren are being pushed out of Hawaii due to lack of housing resources.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Diana L Berinobis

HB-1838-HD-1

Submitted on: 2/28/2024 8:46:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Aloha everyone, thank you for being here today.

After years of having issues with housing and hoping it would balance out it has not. After the Lahaina fire there has been an even bigger housing crisis! I hate to see family and friends having to move from where they grew up... the very fabric of the community and true aloha.

I am testifying in support of HB1838. It is time to phase out vacation rentals as it is an emergency on Maui.

I can't imagine staying at a rental when the very community I would be visiting doesn't even have adequate housing for their community.

How do we have visitors when Lahaina residents aren't being supported?

We need to support our community first and allow the cup to runneth over instead of denying our own ohana's a glass to drink from and a roof over their heads.

Thank you for allowing me to voice my concern and support of bill HB1838

Lana Albright

HB-1838-HD-1

Submitted on: 2/28/2024 8:47:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Melling	Individual	Oppose	Remotely Via Zoom

Comments:

I work as attorney for a client that owns property the big island. I have stayed as a guest at the property myself and have come to know the people who live there full time. My client and surely countless others are so fearful of the ramifications of HB 1838 that they are hesitant to testify themselves. HB 1838 would allow uses that are legal today to be phased out by their county government, leading to the displacement of those who live on the property and use rental income to make ends meet.

As a policymaker in an area frequented by travelers and tourists myself, I understand that the politically-expedient approach to solving a problem is not always the best--or even the constitutionally-permissible approach. Having shelter over one's head is a basic human right, but enabling counties to phase out historically-legal uses of homes will displace more residents through foreclosure as their homes become liabilities instead of assets.

In recent litigation against the city of New Orleans regarding short-term rental regulations (46 F.4th 317 2022), the United States Court of Appeals offered a number of alternatives to their housing shortage and neighborhood disruption concerns that would pass constitutional muster. Those included enforcement measures on existing regulations, requiring operators to live on site, placing a cap on the number of permitted short term rentals, reducing housing regulations, or creating incentives for homebuilders to build more housing.

It is my belief that the number of dwellings in this state that never were or are permitted is evidence that a more streamlined and predictable building process for residences is not only a more constitutionally-sound approach to the housing crisis, but also results in less displacement and foreclosure than HB 1838 would create. The fear that my client and others have is already limiting public input, please do not let those fears become reality. Thank you for your time and consideration on this matter.

HB-1838-HD-1

Submitted on: 2/28/2024 8:50:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deanna Vukosav	Individual	Oppose	Written Testimony Only

Comments:

To Whom it may concern,

After coming to West Maui for 35 years, we were finally able to purchase a condo at the Valley Isle Resort in 2021. We do visit often, but are reliant on short term rentals to pay the high HOA dues, Mortgage and taxes.. If this bill passes, We would not be able to afford to keep our Maui home..

The passing of HB1838 would have a detrimental affect both our personal finances and the local Maui economy. Without short term rentals, Maui shops and restaurants would suffer as well as any tax revenue received from our short term guests..

Please take these devastaing consequenses into consideration when voting on this bill.

Deanna Vukosav

HB-1838-HD-1

Submitted on: 2/28/2024 8:52:05 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
fred hofer	Individual	Support	Written Testimony Only

Comments:

Short term rentals need be shrunk in favor of long-term rentals

HB-1838-HD-1

Submitted on: 2/28/2024 8:53:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theodore Miller	Individual	Comments	Written Testimony Only

Comments:

Building such as the Waikiki Banyan and Waikiki Sunset have been doing short term rentals since they were built and in fact were built for that purpose. They should be exempted from this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 8:53:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John R Lacher	Individual	Oppose	Written Testimony Only

Comments:

We have been coming to Maui since 1985 and renting a registered STR until 2007...that is 22 years. In 2007 we purchased a condo in Kihei. That is now a total of approx 40+ years we have enjoyed Maui, our vacation Paradise. Paradise does not come without a price. We have paid TAT taxes, we have collected TAT taxes and paid them religiously, have paid property taxes, almost as much as on our residence in Seattle. Shutting down good landlords/owners like ourselves will mean loss of billions of tax dollars. How are you going to replace that? We contribute to this community in other ways: we routinely give HUNDREDS of dollars to Maui Food Bank and have for decades. We tip GENEROUSLY to servers when we go out to dinner to the rate of 25% or more. Always extra. During the pandemic we sent money to our cleaning lady, our handyman, our painter, etc. Those Maui residents who depended on US for income. It is owners such as ourselves, good owners, who are also going to suffer if this Bill is passed. Do you really want to drive away those that are supporting and propping up the Maui economy. That is like killing the chicken that laid the golden egg. This kind of punitive action will affect all of us and perspective of Maui. This Bill borders on being dictatorial, and dispossessing us, illegally of our property rights. How many owners do you think will be FORCED to sell? We know of one local attorney who routinely represents disadvantaged Maui people. They cannot pay her, she can no longer afford her condo unit, which she rents and pays all appropriate taxes. She is forced to sell. But when owners like us who rent are FORCED to bail out, just who is really going to be able to buy, to afford these condo units? Who is going to pay that mortgage. Who is going to pay that special assessment to renovate this aging building We just paid nearly \$30,000 for structural renovations and we expect that much more at least for this aging building. Just WHO is going to be able to afford to do this in the future?

Even this morning there was an article in our local newspaper written by the Washington Post: "For displaced Maui fire survivors, getting into a home is a waiting game". Forcing current owners of STR property to sell is not the answer. The answer, as stated in this article, lies with the Hawaii/Maui government itself. "Subject to restrictive zoning laws and legendarily long permitting waits" As a Maui consultant said: "If we would have done what we could have done from the get-go, we would have at least 3000 homes on the ground today...they didn't move forward". The Government needs to move forward on expediting more building for these displaced people. Stealing the vacation homes of off-island owners is not the solution...well, maybe the short term solution, but then you've ruined your future and set up circumstances that will plague the Hawaii tourism industry and Maui owners who are dependent on these off-island owners for income, for decades. Please reconsider. Find the RIGHT solution. Doing

something, just anything, just for the sake of doing SOMETHING, JUST ANYTHING is clearly not the RIGHT SOLUTION. Repectfully submitted. 2/28/24

HB-1838-HD-1

Submitted on: 2/28/2024 8:57:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Jenness	Khana Reef Maui rental	Oppose	Written Testimony Only

Comments:

Dear Committee of Hawaiian Affairs,

I am a MN resident who travels to Maui with my family. Please do not phase out short term rentals.

My family needs small air bnb /vrbo type rentals with my teenager who is disabled. We can not be in a hotel with lots of people or lots of spaces where he can get lost or injured. He also gets extremely overwhelmed around big crowds which leads to meltdowns.

Maui is also a very peaceful and therapeutic place for not only my son but for my whole family. It helps with our seasonal depression in cold winter months of MN.

This will deeply impact my family and many others who can not stay in crowded hotels and need the quiet setting of small short term rentals.

HB-1838-HD-1

Submitted on: 2/28/2024 8:57:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven Casillas-Jones	Individual	Oppose	Written Testimony Only

Comments:

If the counties are concerned about illegal rental activity, please give them the tools needed to enforce the laws that is already on the books.

Passing new law will not deter illegal rentals.

We have always followed the laws on the books, but enforcement of the laws has always been an issue.

HB-1838-HD-1

Submitted on: 2/28/2024 8:58:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
PAUL KATZ	Individual	Oppose	Written Testimony Only

Comments:

Dear Representatives,

I tried but was not successful at contracting with FEMA's off Island Contractors to use our furnished condominium for the FEMA Direct Rental Program. The address of the unit is 3300 Wailea Alanui Drive #53D Kihei HI 96753.

I offered the unit by email to all three of the FEMA contractors for the FEMA one to two year Direct Rental Program. This would require us to find other accommodations for already booked short term rentals, which we were willing to do. I received a response from 2 of the firms, and was rejected by one of them. Nothing further from the other two FEMA firms.

Current gross annual revenue for the condominium in the short term rental market is over \$90,000, which includes all taxes and fees paid by short term rental tenants.

I offered FEMA Contractors \$78,000 per year (\$6,500 per month) plus the actual electrical bill cost. Rejected by Fedcology, no response to our offer from Aesthetic Home Investments.

Respectfully

Paul Katz

560 14th Street

Santa Monica CA 90402

310-927-3500

HB-1838-HD-1

Submitted on: 2/28/2024 9:00:03 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry & Jeannie Lawrence	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

We oppose house bill 1838.

Maui County needs the state revenue of short term vacation rentals.

Mahalo!

HB-1838-HD-1

Submitted on: 2/28/2024 9:00:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Monique L LeBlanc	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-1838-HD-1

Submitted on: 2/28/2024 9:03:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Virginia Dudden	Individual	Oppose	Remotely Via Zoom

Comments:

I am writing to express my strong opposition to HB1838 and its potential negative impact on my ability to continue providing short-term and 30+ day rentals in Hawaii. As senior citizens, my husband and I rely on our single 30-day rental, which we self-manage, to support ourselves and to positively contribute to our community.

Our vacation rental home has been a source of comfort and support for families and individuals during sensitive and important times in their lives.

For example, a few months ago, a family rented and stayed in while they lovingly spread their Mother. Their mother was born and raised in Kailua and loved spending time on Kailua Beach.

Other parents rented our home for 30 days while their son retired and transitioned out of a high-ranking naval post.

During the Marco Polo fires, a family lived in our home for free for months while their apartment was repaired.

These meaningful connections by respectful adults demonstrate the profound impact that our vacation rental has had on families during difficult or significant times in their lives.

If HB1838 is passed, it will not only affect us personally but will also have widespread repercussions for residents and visitors alike. The bill could potentially disrupt the housing options for displaced residents, newly housed residents, individuals in transition, inter-island residents seeking medical treatment, traveling nurses, emergency contractors, temporary military personnel, and students.

Moreover, events like the Red Hill Crisis and the Marco Polo fires have previously displaced thousands of residents. Further decimating the vacation rental industry would severely limit the availability of temporary, furnished housing for those in need. As a result, residents would face significant challenges in finding suitable accommodations during these critical times.

Our rental housed a family displaced by the Marco Polo fire free of charge to the family. Giving back to our community is important to us.

The bill's proposed restrictions and regulations would have a detrimental impact on my livelihood, as well as that of many other families who depend on the vacation rental industry for their economic well-being. The woman who helps me clean is a prime example. She formerly cleaned hotel rooms but finds the flexible hours of STR cleaning allow her to be available for her school-age children. **Cleaning for me and other owners pays much better than cleaning for hotels. This is especially important now that she is the sole family support since her husband is receiving chemo treatments for cancer.**

I urge you to consider the far-reaching implications of HB1838 and to recognize the essential role that legal and compliant short-term rentals play in supporting families, enriching the lives of residents and visitors, and contributing to the local economy. I urge you to work towards finding solutions that support the community's needs while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability and support for local families.

Thank you for considering my testimony and for your attention to this crucial matter. **Oppose HB1838.**

Respectfully,

Virginia Dudden

HB-1838-HD-1

Submitted on: 2/28/2024 9:06:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Kennedy	Individual	Oppose	Written Testimony Only

Comments:

I have owned my property on South Kihei since 2003. It was purchased as an investment to supplement my retirement income. I rent my property to families , short term, as a vacation rental. I chose a condo for the added benefit of my family being able to join me for vacations while staying together in my unit.

I need to continue this plan and this bill would Destroy my income and my opportunity.

This is not just about my personal impact, however.I know tourism is Hawaii's primary source of revenue.. The majority of visitors are families ...we families need Affordable lodging with extra living space and amenities not offered by Hotels or Resorts.If this bill is past onto law, Maui as a vacation choice for most if not all family units would no longer exist. Many small businesses that serve the tourism market would fail. Many residents of Maui would be without jobs. Local business would suffer...Maui business, Maui economy would be bankrupt

I plead with All mmembers f the legislature to vote no and defeat Bill 1838.

HB-1838-HD-1

Submitted on: 2/28/2024 9:07:07 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JENNIFER Fernandez	Oceans Cleaning	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jennifer Fernandez and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own a small business that services short-term vacation rentals on island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 9:08:15 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gina Corella	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE HB 1838!

I am a former 26 year resident of Hawaii. I spent 20 of those years on Maui serving the mentally ill and substance abuse population on the island. I am now retired and living on the mainland. I was fortunate enough to prepare for retirement and create passive income through short term property rentals. I strongly oppose the passing of HB 1838; this would devastate me personally and everything that I have worked hard for all of my life. I resent being villainized as a short term property owner! How can you justify wiping out an entire sector of income for people? You are not only threatening the lively hoods of property owners. You are also threatening the lively hoods of all of the auxiliary help in the short term vacation rental market. You are threatening to take away or negatively affect the jobs of all of the local people that work at property mangement groups, housekeepers, handimen....etc. You would also be impacted tourism with which the island relies on by giviing visitors fewer choices on where to stay. Many people seek out places to stay that mimic more of a home atmosphere. Many people would be negatively affected by the passing of HB 1838. I personally would be devastated by the passing of HB 1838. Please consider other options to reach your desired outcome; PLEASE!

Sincerely,

Gina Corella

HB-1838-HD-1

Submitted on: 2/28/2024 9:09:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth ray	Individual	Support	Remotely Via Zoom

Comments:

Aloha and thank you all who introduced and will pass this bill. This is necessary in reconstructing our housing crisis on the island of Maui for its local residents that help to self-sustain the aina and their community. Many threats to our aina posted on the government website about Maui Land and the threats to it included westside traffic congestion as our highway is at overcapacity to locals and tourists, the threat of outside state home buying relating to the affordability of homes to local workers in the community and the preservation of agriculture lands owned by the state. I propose to amend this bill and make it into effect immediately to phase out STRs and provide less tourism westside as our families rebuild, educate our children, work self-sustaining jobs to our aina and community. Hotels are for the tourists, homes should be long-term rentals or family dwellings / multi-family dwellings. 26 suicides, no healthcare clinics remain, no funding to rebuild them and heal our people mentally, no grief response, we NEED to take care of our Hawaiians our stewards of this land the land that was stolen 100 years ago and to this day there is no treaty! Call it mercy, call it love, call it God but please amend and pass this bill.

Mahalo

HB-1838-HD-1

Submitted on: 2/28/2024 9:10:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Grogan	Individual	Oppose	Written Testimony Only

Comments:

Please accept the following testimony:

As retired persons desiring alternate income to continue to pay our mortgage and taxes, my wife and I opened a licensed bed and breakfast in our home. Since opening, both the State and County have been working very hard to make our business unsustainable by ever increasing taxes and regulations. Soon, it will no longer be feasible for us to continue our business (as seems to be your intent). This will immediately end our GET and TAT contributions. It will also result in a major reduction in our disposable income, which will reduce our local spending, which will impact other local businesses and, in turn, further reduce your GET revenue. Presumably, you would have to increase “somebody else’s tax” to make up for this short-fall.

We oppose this bill as it institutes a “Phase out” process which will close our home business with the resultant negative results mentioned above

HB-1838-HD-1

Submitted on: 2/28/2024 9:12:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Kapu	Individual	Support	Written Testimony Only

Comments:

I am in Support of HB1838 which allows our County officials to make Laws regarding there own County and no one else.
mahalo

Uilani Kapu, supports HB1838

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HB-1838-HD-1

Submitted on: 2/28/2024 9:12:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margo Brower	Individual	Oppose	Written Testimony Only

Comments:

I am a resident of Oahu and my job depends on the short term rental industry. If this David vs Goliath scenario of HB1838 were to be approved and vacation rentals banned, I and many other local people would be unemployed. Anyone who needed furnished living quarters for less than 90 days would have no recourse except for expensive hotel rooms which are not living quarters and are beyond most people's means, especially for longer than a week or two. If vacation rentals were banned, you would be wiping out tax revenue by discouraging many visitors from coming here and decimating the local incomes that depend on this industry. Simply enforce the laws and zoning currently in existence in each County and you will solve any problems related to short term rentals.

Dear Legislature Officials,

I am writing to express my strong opposition to House Bill 1838, which could have severe negative impacts on the short-term and mid-term rental industry in Hawaii. As a property owner and active participant in this industry, I am deeply concerned about the proposed changes and their potential consequences for me and my community.

My family and I have been spending time regularly on Maui for over 30 years. It was our dream to one day own property here, and we finally were in a position to stretch to purchase our island home in 2019. We were able to do so with a combination of a large mortgage loan and knowing that we would be able to afford the very large carrying costs (mortgage, HOA dues, prop taxes etc) with the help of short-term rentals when we weren't using our home. Having renters using our place, also supports the local economy when we are not there, as opposed to it sitting empty.

We managed to barely survive financially through the very costly and painful Covid shutdown. Understanding the terrible tragedy of the fires, we have been renting to fire victims via the Red Cross since mid-August as a means to help the community. Despite what the Governor portrays in the media, there are many of us who want to help and have been helping! That said, we are told that the Red Cross may not need our unit anymore, and so it will be essential for us to resume short term rentals or we will risk losing our property in foreclosure due to an inability to otherwise pay the large monthly carry costs. Despite what the Governor seems to think, renting long-term to locals is not a financially viable option for us, nor many others in our complex. Just our monthly HOA dues alone are \$2400/mo. for a small 2 bedroom unit, on top of a \$6,000/mo. mortgage. The Governor and media seem to imply that everyone who owns vacation rental property has an endless supply of funds – the reality is that this is not true, and banning short-term rentals will force many people into bankruptcy, not to mention irreparably damage the Maui economy, cause a loss of tax revenues etc. Well-employed Maui locals will not be in a position to buy a \$2M condo, and if STR's go away, they will lose job opportunities when the economy tanks. The Governor's approach borders on lunacy, and he's painting off-island property owners as the evil group, when in fact it's been a failure on the part of local governments to get in front of the housing crisis a decade or more ago!

HB1838 specifically allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time. This bill revises state statutes to enable counties to amortize or phase out non-conforming single-family transient vacation rental units over a reasonable period. It removes non-conforming transient vacation rental units from the 'residential use' exclusion of the statute, allowing counties to retroactively change the rules and potentially eliminate all transient vacation rentals based on whatever definition the County chooses to use to define transient vacation rentals.

The implications of this bill are deeply concerning for several reasons:

1. Unfairly targets single-family residential properties for phase-out, which are best suited for short-term or temporary housing, providing space and appropriate facilities for temporary living.

2. Allows counties to take away property rights from their community, creating a precedent for revoking non-conforming uses and causing uncertainty for investors and builders at a crucial time for new construction.
3. Poses a threat to an industry that pays \$740M in taxes and generates \$4.8B in visitor spending each year, potentially decimating the local economy.
4. Punishes individuals who have followed the rules, navigated the process, and paid their dues, creating unjust hardships for law-abiding citizens.

I urge you to consider the devastating impact HB1838 could have on property owners, local businesses, and the overall economy. It's essential to protect property rights and support industries that contribute significantly to the community and economy. I strongly oppose HB1838 and respectfully request your careful consideration of this matter.

Thank you for your attention to this critical issue.

Sincerely,

Scott Gillespie

scottg@thesandboxstudio.com

530-448-4712

HB-1838-HD-1

Submitted on: 2/28/2024 9:12:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vicky Ho	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members,

I am writing to express my strong opposition to HB1838 as it deeply impacts our retirement plan and our ability to live in Hawaii. Retirement is a long term plan and we cannot setup a retirement plan in just days or weeks. As a resident who depends on operating a short-term rental to meet our income during retirement, I am deeply concerned about the restrictive measures outlined in this bill. If passed, HB1838 would negatively impact the operation of our short-term rental which ruins our entire retirement plan and drives us out of Hawaii due to the extremely high living costs.

Short term rentals have gone through many different bills and resolutions in the past few years. For each bill that has passed, short term rentals has been tightened even more, and the time since each bill was passed was too short to evaluate the effectiveness of the bill or to enforce the bill, then new bills were proposed and passed. This have put us in constant fear and the uncertainty in our short term rental operation. HB 1838 if passed allows counties to retroactively change the rules, which will constantly create fear among property owners like ourselves.

I urge the committee to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. The causes and solutions for the shortage of housing in our state do not come from legal short term rentals, but they have to be a combinations of enforcement from the government regarding illegal short term rentals and other measures from the government in building infrastructures, expanding residential areas etc.

Mahalo for considering my testimony and the impact that HB1838 could have on people relying on short term rental like myself.

Sincerely,

Vicky Ho

HB-1838-HD-1

Submitted on: 2/28/2024 9:13:55 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Eksteen	Individual	Oppose	Written Testimony Only

Comments:

I'm so disappointed to discover that the state of Hawaii has tabled a bill to completely eliminate short term rental licenses on Maui.

Some years ago, my family visited Maui on vacation and stayed in a short term vacation rental, rather than a hotel. Beyond the fact that the hotels were charging more than double the nightly rate of most short-term rentals, making this the only affordable way to make the trip, we had the comfort of more space, and our own kitchen which allowed us to not only prepare many meals 'at home', but allowed us to socialize with other guests and residents that also used the communal BBQs and kitchen on offer at the rental resort that we stayed at. It was these experiences on this visit where we fell in love with Wailea and Maui and eventually bought a Short term rental property of our own that allowed us to come to Maui and stay in 'our place'. We are able to recoup a significant portion of our costs by running 'our place' as a short term rental business, however our business isn't profitable, nor does it break even. But it makes the difference to allow us to spend our vacation time and vacation dollars on Maui.

For the past 6 years we have invested tens and tens of thousands of dollars into our local, on-island business partners. My (now) husband and I chose to get married in Wailea, and we shared the splendor of our Maui home with 40 of our family and friends. We have built a routine around the recreation that we participate in on Maui; we have made friends with those employed within the travel and tourism industry and make a point of returning again and again to thier businesses. We seek out small and new businesses lauched by local entrepreneurs and support them. We have educated ourselves on the flora and fauna on both land and in the waters of Hawaii as well as the ecological threats. We have made changes to food and products we consume and purchase so as to be the most responsible and respectful custodians of the land and the people she supports. We lobby our guests and friends to make similar changes.

We are extremely attached to our Maui home, and we aspire to eventually reside here permanently. However, in these pre-retirement working years, we are limited to taking vacation time only. If the loss of our short term rental license were to become law, it would mean the loss of our ability to recoup our costs associated with our 2nd home, and we would have shut down our business and to sell our condo, very likely at a significant loss. This would also mean a permanent loss of access to, and appetite for spending any time in Hawaii.

We understand the dilemma of law-makers and politicians in a time of widespread shortage of affordable housing. This is not unique to Hawaii. If you believe that history is a

demonstrative guide, it will tell you that eliminating short term vacation rentals will not solve the housing shortage. But it will most certainly demonstrate that once this source of tax revenue has been eliminated, and the space for tourism to exist has also been eliminated, and the businesses that exist because of this tourism can no longer survive, the job of politicians' and lawmakers will not become easier, and life will not become better for anyone living in Hawaii.

Sincerely,

Janice Eksteen

HB-1838-HD-1

Submitted on: 2/28/2024 9:14:09 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharon Sasser	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha,

I am writing to express my urgent opposition to House Bill 1838, which directly threatens the livelihood of my family and other local individuals and families who depend on short-term vacation rentals to make ends meet in Hawaii. As a former Marine Corps Officer and now a homeschooling mom, my husband and I own a condo in Waikoloa Beach Resort on the Big Island. This property is not just a vacation rental, but also represents our hope of retiring in Hawaii and continuing to contribute to the local community. We personally worked so hard throughout our lives to arrive at this moment. This is no different than Governor Green as an example of a non native Hawaiian. The only difference between the governor and us is that he has the benefit and luxury of finding employment on the island that is tied to his career choice to settle for retirement before the rest of us. My husband once lived on the islands for a few years working in private industry as a scientist before joining the Marine Corps following 9/11 attack. He didn't want to leave Hawaii as what he considered his forever home, but he had a sense of duty to follow before rounding us as a family back to his and now my favorite place on earth.

If HB1838 is passed, it unfairly targets single-family residential properties and allows counties to phase out short-term use. This will not only impact our ability to continue renting out our property, but it will also set a precedent for taking away property rights from homeowners and revoking non-conforming uses. Additionally, it creates uncertainty for investors and builders at a time when our community needs new construction and could potentially decimate an industry that pays millions of dollars in taxes and generates billions in visitor spending each year.

The impact of this legislation extends beyond financial implications. It affects individuals like me and my family, as well as hardworking community members. I have seen the testimony of Marbella Alford, who relies on her job in the vacation rental industry to support foster children and contribute to their well-being. Kris Adair, Karen Anderson, Quentin Parker, and Philip Andriano have also shared their stories, emphasizing the detrimental effects of such legislation on their livelihoods. I hope you all are actively listening to those voices as much as I am. I am more worried about their ability to survive than I am our ability to thrive.

Moreover, it is important to recognize that our vacation rental business supports the local economy, contributing to the livelihood of mom-and-pop vendors and small businesses in our community. Our turnover team consists of a family based out of Hilo. They can not make the same amount of money working for the hotels like they can working with us as independent

operators establishing their earning power as we can't operate effectively without them. Our turnover team and vendors are our life force. Additionally, our guests regularly support local businesses, including ChoiceMart, Kealia Ranch store, South Kona Fruit Stand, Kona Boys, Oshima Surf, various farm tours and many more. The symbiotic relationship between vacation rentals and local businesses is crucial for the overall economic health of our community. Furthermore, vacation rentals play a key role in ensuring fair and competitive pricing for visitors, including local Hawaiians visiting their families. By providing an alternative to hotels, vacation rentals allow visitors to access accommodation options that suit their needs and budget, ultimately promoting equitable access to our beautiful islands for all. This bill has the unintended consequences of creating an even further divide between the HAVES (ex. hotel lobby) and HAVE NOTS (ex. low income workers) in the state. It is very apparent the legislature has not adequately addressed the 3rd and 4th order impacts of such a bold and ill informed bill.

It's also vital to note that the revenue generated by our TAT (Transient Accommodations Tax) contributions should be used to address the critical need for affordable housing. Our condo, situated in a resort area, is far from something a local family could afford to purchase, given the pricing of properties in resort areas which is why we have to rent it out as vacation rental because we want to enjoy our beautiful condo and the long term rental income would only cover half of the expenses owed on the property. A mortgage in our condo community in today prices and interest rates is over 7K and our HOA expenses are over 2K! What average family can afford that? Of note, our condo was sitting on the market from 2018 to 2020 for half the price it is today and no one could justify purchasing it at those lower prices back then without vacation rental income to offset costs. Given all that math, redirecting the TAT to support affordable housing initiatives would be a more effective approach to addressing the housing needs of local residents than eliminating ALL vacation rentals. This is truly tied to government restriction on building and allowing NIMBYism to flourish. We encounter much of the same policy breakdown and activism efforts in California. The the government is much the same there as it is in Hawaii where refuse to admit they are part of the problem. It is much easier to place blame on short term rentals than push local governments to incentivize building affordable housing and push back on rich, elite landowners with deep pockets and polictical connections who fight against dense housing projects in their backyard. Deep pockets and political connections are something my husband and I don't have. We welcome affordable housing for all.

My husband and I are not a wealthy or entitled family. We come from very humble beginnings and have worked very hard to achieve our current circumstances. This vacation rental is not only a means of supporting our livelihood, but it is also the only way we can afford to realize our dream of owning property in Hawaii. Like many others, we've worked hard to overcome financial obstacles and build a better future for our family. We also have try hard to use our position to help others trying to better their circumstances.

This bill seems designed to serve the special interests of the hotel lobby, potentially forcing hardworking families like ours to become reliant on the hotel industry instead of building our own independent businesses. It is imperative that our elected officials consider the voices of ordinary families like ours, the small businesses we work with and the impact this bill will have on the ability for all of us to thrive in Hawaii. It seems apparent this bill hasn't accounted for the 3rd and 4th order imapcts. There needs to be more balance in understanding this issue and not

just the state versus vacation rentals. The state should treat us as a valued partner in finding a solution to critical problems like housing affordability. I do not like how the state demonizes what it does not fully understand nor seem interested in understanding.

I respectfully ask you to reconsider and vote against HB1838. Let's work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Mahalo for your consideration.

Warm regards,

Sharon Sasser

HB-1838-HD-1

Submitted on: 2/28/2024 9:15:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nalani	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

nalani Abellanida

HB-1838-HD-1

Submitted on: 2/28/2024 9:16:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Helena Von Sydow	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Hawaii State Legislature,

Subject: Opposition to HB1838

As a local resident of Hawaii, I am writing to express my strong opposition to HB1838. I share the sentiments of my fellow residents who have already voiced their concerns about the potential impacts of this bill on our community.

I have seen firsthand how short-term vacation rentals have provided essential financial support to families, allowing them to meet mortgage payments and sustain their lives in Hawaii's unique economic landscape. The operation of these rentals has served as a lifeline for many, including myself, in affording the high cost of living in our beautiful state.

The restrictive measures outlined in HB1838 pose significant threats to the livelihoods of ordinary citizens who rely on short-term rentals for their income. If this bill proceeds, it could make the operation of these rentals impossible, jeopardizing the ability of families to stay in their homes and maintain economic stability.

Moreover, the bill's potential impact on the ability to provide for our families and the local community is daunting. It fails to consider the ripple effect on essential workers in the vacation rental industry, such as housekeepers, maintenance workers, and small business owners, who rely on these rentals for their livelihoods.

I urge you to carefully consider the unintended consequences of HB1838 on local residents and their families. Let us work together to find balanced solutions that preserve opportunities for citizens to participate in Hawaii's tourism industry while also ensuring economic stability and support for working families like mine.

Thank you for your attention to this critical issue. I kindly request your reconsideration of HB1838 in light of its potential adverse effects on our community.

Mahalo for your time and consideration.

Sincerely,

Helena von Sydow

808-349-9167

HB-1838-HD-1

Submitted on: 2/28/2024 9:17:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Mitchell	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to the current bill on short term rentals in Maui. It seems to me that eliminating illegal short term rentals should be the direction that should be considered first. Many of these people are not paying GE, TA, or Maui County taxes and contribute to the housing problems that currently exist. Legal short-term rentals contribute greatly to the economy of Maui. First of all, they contribute a large base of the property taxes currently paid to the county. Secondly, short-term rentals purchase goods and services from the local economy Thirdly, our guests also contribute greatly to the economy. It seems to me that taking away legal short-term rentals will devastate the economy of the island.

Aloha Chair, Vice Chair and Committee,

My name is Peter Crook. I am part owner of a condo on Maui. We stay there several times a year and then open to short-term rentals for the remainder of the year.

I am writing in opposition to this bill because short-term rentals are important.

They provide affordable alternatives to hotels. Besides promoting tourism, it also sustains a healthy service industry here.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Mahalo!

Peter Crook

HB-1838-HD-1

Submitted on: 2/28/2024 9:17:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bryce Buchanan	Individual	Oppose	Written Testimony Only

Comments:

We are writing about the proposal to eliminate short term vacation rental permits on Maui. We have a home with a permit and have had years of experience offering our home for vacation rentals. We live part of the year in Maui and part of the year on the mainland. Rather than leave our home vacant, we become part of Maui’s important travel industry.

Here are 4 key reasons why vacation rental homes are valuable additions to Maui’s economy.

1. A vacation rental home like ours offers a unique experience for travelers. For a family get-together or for a group of friends, having a home to yourselves is not at all like renting rooms in a large hotel or condo. It is private, intimate and better in many ways. Maui’s travel industry benefits from offering this type of rental.
2. Our guests fly into Maui, spend money all around, and then fly home. It is the “spending money all around” part that employs restaurant workers, car rental companies, grocery store employees, shop owners and all tourist related businesses. Our guests absolutely support the incomes of all of these people.
3. We directly employ people who would lose part of their income if we did not have a STRH permit. Our cleaning crew counts on this income. Our yard and home maintenance people count on this income.
4. The government is our silent partner in this business. Approximately 18% of our rental charges support government as TAT and GET and County taxes. Our property tax is **much** higher as a vacation rental property. We pay income tax on profits from the business. **All of this government income would disappear** if our rental permit disappeared. Why would the government want to give up this income?

To us, it is clear that many people are helped by this clean, sustainable business. But, **many people would be harmed by their elimination**. I am not just speaking of the homeowners. There is a wide circle of people who would be harmed. Government revenues would be harmed.

Please keep permitting short-term rentals.

Thank you for considering our opinions,

Bryce and Diana Buchanan

HB-1838-HD-1

Submitted on: 2/28/2024 9:18:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erika Kuhr	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a long-time resident, farmer, and advocate for our community, I am deeply concerned about the potential impacts of HB1838 on our ability to provide housing and generate income through short-term vacation rentals and agri-tourism in Hawai'i. This bill, if passed, would allow counties to phase out non-conforming single-family transient vacation rentals in any zone over time, potentially jeopardizing the future of our rentals and our livelihoods.

The short-term vacation rental industry plays a crucial role in providing temporary housing for displaced residents, emergency contractors, traveling nurses, and our family and friends. It also contributes significantly to our local economy, generating substantial tax revenue and visitor spending. It would be unfair and detrimental to our community if this bill were to unfairly target single-family residential properties and permit the retroactive changing of rules that would negatively impact our ability to provide these essential accommodations.

Furthermore, the bill sets a concerning precedent for the revocation of non-conforming uses and could create uncertainty for investors and builders at a time when new construction is greatly needed in our community.

We must come together to protect our homes, our livelihoods, and the well-being of our community. Mahalo for your support and commitment to safeguarding our way of life.

With deep aloha,

Erika Kuhr

Hawai'i Resident and Advocate

HB-1838-HD-1

Submitted on: 2/28/2024 9:18:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Shelton	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I am writing to express my strong opposition to bill HB1383, which would allow counties in Hawai'i to phase out nonconforming single-family transient vacation rental units. As a long-time homeowner in Kailua, Oahu, and an active member of the community, I believe this bill would have detrimental effects on both local residents and the economy.

My family and I have owned our home at 100 N Kalaheo St in Kailua for many years, and we have responsibly and legally rented it out to short and medium-term renters, including military personnel, traveling medical professionals, and even staff members of prominent figures such as Barack Obama. We take great care to vet our renters and ensure they are quiet, respectful professionals who contribute positively to the local community. Many of our renters have become familiar faces in Kailua, patronizing local shops and restaurants and providing essential services to the area.

If this bill passes, it would force us to stop renting out our home, resulting in it sitting vacant for most of the year. This would not only be a loss for us as homeowners but also for the community as a whole. Our home is not, and will never be, an addition to Oahu's housing stock, as we use it ourselves for part of the year. If we are unable to rent it out, it will simply remain empty, contributing nothing to the local economy or community.

Furthermore, removing short-term rentals such as ours would not simply mean that people would still come to Hawaii for business or vacation and stay in hotels in Waikiki. Rather, it would cause higher-end tourists, who spend more per capita and are more peaceful and law-abiding, to choose other vacation destinations such as Mexico or the Caribbean where their accommodation preferences can be met. Traveling professionals such as nurses and doctors, likewise, would look for engagements in other locales where they can comfortably find a short term home that allows them to experience the location like a local. This would have a significant negative impact on the local economy, as these tourists and traveling professionals bring substantial revenue to the area through their spending on dining, activities, and local goods and services.

Furthermore, if we are forced to sell our home, it is likely to be purchased by wealthy non-US nationals who will also leave it vacant for most of the year. This trend is already evident in our neighborhood, where homes are increasingly bought as investment vehicles rather than

residences. Our home has always been a vibrant, welcoming space for visitors to Kailua, and it would be a shame to see it become just another empty investment property.

In conclusion, the passage of bill HB1383 would not only affect homeowners like myself but would also have a detrimental impact on the Kailua community as a whole. Short and medium-term rentals contribute significantly to the local economy, supporting small businesses, providing employment opportunities, and generating tax revenue for essential services. Removing these rental options would limit tourism in the area and result in decreased revenue for local businesses and organizations. I believe there are better solutions to address housing availability and affordability without unfairly penalizing responsible homeowners and harming the broader community.

Sincerely, Amy Shelton, 100 N Kalaheo St, Kailua, Hawai'i

HB-1838-HD-1

Submitted on: 2/28/2024 9:19:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Welch	Individual	Oppose	Written Testimony Only

Comments:

I consider Hawaii my home. I live elsewhere much of the year only because I currently must work to afford the very high property taxes and mortgage on my single one bedroom condominium in Maui.

I rent out my condominium short term while I am away only for that reason. I must to afford it. I visit as often as I can afford to.

ST rental owners are not all ultra wealthy land Barron's. We are often just like resident Hawaiians, struggling to meet the cost of living.

We are just as saddened by the fate of Lahaina fire survivors as residents. Many have donated significant time and money to the cause. Many will continue to do so.

This bill however will not make life better for anyone on Maui.

Revoking the ST rental ability for legal rentals will remove a huge source of income for the County. This is money that is used to assist with housing low income and displaced residents.

And families that wish to visit Maui would lose the only affordable option for visiting Maui. Most families cannot afford to stay in hotels, as they must then go out for every expensive meal. ST rentals offer the opportunity to feed a family reasonably at their accommodation.

And families that visit Maui- their children become the next generation of visitors to Maui! Maui needs this constant flow of visitors to maintain the excellent services it provides residents.

Please realise the long term implications of this bill. Please do not demonize ST rental owners. We care about Maui and Maui residents deeply.

This proposed short term stop gap measure will make finding accommodation for Maui residents worse. Unemployment will jump for all the tradespeople and service providers that support ST rentals. It will remove a huge source of revenue for the County.

Respectfully I request you cancel this bill. It is not a solution to the problem. Maui County displaced residents will suffer more in the long-term. Visitor numbers will plummet, and along with that collapse the economy. Maui needs short term rentals.

Mahalo,

HB-1838-HD-1

Submitted on: 2/28/2024 9:19:36 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Kay Strike	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

We are recent purchasers of a condominium in Wailea. We bought our condominium as a future retirement home. Until we retire however, we need to rent our condo to vacationers that want to visit this beautiful island. Without our rental income, we will not be able to maintain ownership of our condo. We also believe that discontinuing short term rentals will adversely affect the island's economy. Please do not pass this bill. Many owners depend on this rental income.

Respectfully,

Sally and Barry Strike

HB-1838-HD-1

Submitted on: 2/28/2024 9:22:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Duchene	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposing HB1838 - Protecting Our Rights as Property Owners

Aloha,

My name is Tim Duchene, and I am a resident of Hawaii. I am writing to express my strong opposition to HB1838. This bill unfairly targets single-family residential properties, allowing counties to phase out short-term rentals in a way that could harm our community.

Here are a few key points that I believe are important to consider in opposing HB1838:

1. Unfairly selects only single-family residential properties, allowing counties to phase out short-term use. Unlike higher-density areas, these properties are well-suited for short-term or temporary housing because they provide space and appropriate facilities for temporary living.
2. Allows counties to take away property rights from their community.
3. Allows the counties to retroactively change the rules, creating uncertainty for property owners and investors.
4. It sets a precedent for taking away other rights from homeowners and revoking non-conforming uses, potentially destroying the value of properties.
5. HB1838 can potentially decimate an industry that pays \$740M in taxes and generates \$4.8B in visitor spending each year, impacting the local economy.
6. Punishes people who have followed the rules, navigated the process, and paid their dues, creating unnecessary hardships for law-abiding citizens.

I urge you to consider the negative implications of HB1838 and its impact on local residents, property owners, and the overall economy of Hawaii. It is crucial to protect the rights of property owners and ensure a fair and balanced approach to any changes in legislation.

Thank you for your attention to this matter, and I hope for a fair consideration of my opposition to HB1838.

Mahalo, Tim Duchene

HB-1838-HD-1

Submitted on: 2/28/2024 9:22:55 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cecelia Kilpatrick	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Committee Members,

We lived had on Oahu for ten years before moving to the Mainland... our heart and love has always been for Maui. We own two rentals, one houses a local resident who has a year to year lease. The other we purchased for our own use as we like to spend as much time as possible on Maui. Staying in an hotel is basically unaffordable and does not allow us as senior citizens to vacation on the islands. Our own unit affords us, as seniors to be comfortable in our own home on Maui. We employe a local housekeeper, as use all local services while we are there. We have done two remodeling jobs which employed local contractors as well as repair services. We totally Support the Local Residents and Services. They only way we can afford to maintain our residence is by doing some short term rentals to pay our property taxes, fees etc. Our guests love Maui and do much to support the local economy while they are there and also could not afford to stay at the extremely expensive hotels. We have offered our home to visiting Priests and other people who have limited means to stay elsewhere as well as our family.

Many of the owners accommodate residences in transitions, short term housing for students, medical personnel and military. We oppose the passage of HB1838 and feel that it will have a urge negative impact on the economy of Maui and all the islands.

Sincerely Cecelia and Michael Kilpatrick

HB-1838-HD-1

Submitted on: 2/28/2024 9:24:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

*I urge you to **support** this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.*

Mahalo,

Cory Nojima

My 87 year old mother lost her home and car on August 8th and still does not have a permanent place to call home, she's sleeping on a friends couch in Honokowai because she doesn't want to leave the West Side of Maui!

HB-1838-HD-1

Submitted on: 2/28/2024 9:25:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
snow2136@netzero.net	Individual	Oppose	Written Testimony Only

Comments:

Jane Moy and family **Opposes** HB 1838 and wholeheartedly agree with Alicia Humiston, President of Rentals by Owner Association. Who testified as follows:

“This Bill would give Hawaii counties the authority to enact ordinances to amortize or phase out *“nonconforming, or otherwise allowed short-term rentals”* in any zoning classification.

This Bill is not to stop illegally operating short-term rentals - this Bill goes after operators who are in full compliance of the law, operating legally within their particular location, either by their nonconforming use certificate or by being legally entitled to operate by zone. Again, this Bill is not a regulatory act to eliminate an illegal use - it is focused on those who have fully complied with all aspects of regulation to be in compliance.

This Bill is not necessary. Short term rentals have operated legally in Hawaii for decades. STR's are not new. What is new, is the counties now want to do away with short term rentals in people's homes and individual operators. These are what are known as "mom and pop" operations. There were volumes of testimonials last year when HB 84 was proposed, that if this Bill were to pass:

It would cause tremendous hardship on people who have operated legally.

They have held up their responsibility to operate legally, and now the county wants to make what was legal - illegal.

There are many people, on all islands, who rely upon their ability to be able to rent short term to make extra money to pay their expenses. They should have a right to continue to be able to rely upon that income.

A recent economic study was published stating that over the past two years of inflation, the average family has suffered the real loss of \$7,400 of spending value. The inflation our country and state have experienced is significant and compounding that with additional loss of income that people could depend on from short term rentals will be a real hardship.

3550 L. Honoapiliani Rd, #215 PMB 453, Lahaina, HI 96761

These are legally operating short term rentals. These folks have complied with all the requirements of the laws. They have held up their end of what was required of them. Please

do not pass this Bill and allow the counties to destroy what hard working, legally operating people have come to rely upon for income.

Thank you for the opportunity to testify. Sincerely,

Alicia Humiston, President
Rentals by Owner Awareness Association “

We feel terrible about the many displaced people from the Lahaina fires and currently our short-term rental is being used by them until a more permanent solution can be found. However, as stated above we are of the many conforming individuals and families who have been in compliance and need the income. Short term rentals (STRs) are a great part of the economy too that many people rely on for income from the owners to maintenance, to rental managers to the person at the grocery store who rely on visitor traffic or short-term professionals who need a place for a few months. Of course it will take time to rebuild Lahaina but islanders can all work to help out until we get it rebuilt but go after those illegal rentals to free up more housing in the immediate future. Do not punish the legal STRs by wiping them out in order to force immediate housing availability.

Mahalo,

Jane Moy and Family

Committee on Judiciary & Hawaiian Affairs & Honorable Representatives,

My wife and I first visited Maui in 1997 and instantly fell in love with the island. We've visited many times since with our family. My dream was to someday own a home in Maui. After spending 27 years as a firefighter and surviving throat cancer, I was finally able to fulfill my dream of owning a vacation home on Maui in 2018. I hope to eventually make it my retirement home. This was all made possible because I was able to share my home as a short term vacation rental.

As an STR owner, I've been able to make some lifelong connections with some amazing people on the island. Our cleaner is a hard working mother of 3 and relies on the income generated from our reservations to help support her family. Our handyman is a local scuba instructor and tour guide and uses the income from repairs and maintenance to help support his business ventures. We use local companies for any contractor work needed in our condo. We frequently recommend local restaurants as well as activities in the Kihei area to all of our guests and do whatever we can to support the kama'aina and the local businesses.

After the Lahaina fires, we housed a displaced family for a month at no charge. We visited the island as well and donated clothing and household items to Hope Chapel in Kihei to help those affected. Our family volunteered in preparing meals and handing out food. Even though we're not permanent residents yet, we feel very much a part of the community and ohana of Maui.

I respectfully ask that you do not pass HB1838 or any other proposed bills to limit or eliminate short term rentals as I truly believe that it will do more harm than good to the local economy and morale of the island. Many people on Maui rely on short term rentals for income and eliminating them would be devastating to all that are connected. I believe that the best way forward is to expedite the building of more housing to address the issue. Short term rental owners shouldn't be made to bear the brunt of the housing crisis due to the lack of fire protection and prevention in the structures and infrastructure in and around the Lahaina area.

Thank you for your time and consideration.

Warmest regards,

Jason Wong

HB-1838-HD-1

Submitted on: 2/28/2024 9:25:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven Nadell	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have one small room we rent out as a STR. It is a room we use for family and friends when they visit. When not in use, we rent out occasionally on airbnb. Our STR guests are always quiet and respectful of us and our neighbors. The STR provides us a little extra income as we are both retired and living off of SS which is not quite enough at times. We will never rent to permanent resident, even if STR is shut down. You will only succeed in cutting our extra income.

HB-1838-HD-1

Submitted on: 2/28/2024 9:28:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Fender	Individual	Oppose	Written Testimony Only

Comments:

After visiting Maui many times over years, my husband and I purchased a home in Puamana in Lahaina a couple of years ago. Our plan was to spend all family vacations in this beautiful paradise, with the hope that my husband and I could eventually retire to Maui. Mortgage and HOA payments related to this purchase were made possible by the ability to short term rent our home when we were not using it. At this time, our Maui home is uninhabitable/ and inaccessible after the Lahaina fire. When services (potable water and sewer) are restored to the neighborhood, we are hoping to provide the home as a long term rental as a way of contributing to a community we love. That said, preserving the ability to short term rent the home in the more medium term future is essential to maintaining some of the long term value of the home -- a value that was already totally decimated by the fire. Please do not take away the right to short term rent this home - we've already lost so much!

HB-1838-HD-1

Submitted on: 2/28/2024 9:28:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
steven pierce	Individual	Oppose	Written Testimony Only

Comments:

My wife and I own a condo at Kamaole Sands. We rely on the income from this condo as we approach retirement and are still paying to put our youngest child through college. My mother's ancestors came to Maui in the 1800's and we use the unit to visit ohana that still live on the island. I understand that the availability of affordable housing is a concern for Maui as it is in many other places in the US. However, I do not understand how targeting a long-standing complex that has been used primarily for short-term rental like Kamaole Sands is considered a solution to a housing problem. I believe that the substantial fees and taxes that we pay to the County from the rental income we receive on our unit is a benefit to the County for addressing housing and other issues the County may face.

HB-1838-HD-1

Submitted on: 2/28/2024 9:28:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Carr	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838, which proposes restrictive measures that would significantly impact the short-term rental industry in Hawaii. I am a 77 year old single female Hawaii resident for over 20 years. I am deeply concerned about the potential consequences of this bill on the livelihoods of property owners like myself. I rent out a small part of my house as a vacation rental to help pay for the rising costs of living on the Big Island. The space I rent out would not be suitable for a long term rental (no kitchen, etc), so it is not taking away a home for residents.

The vacation rental industry has been a vital source of income for many residents, including myself, allowing us to sustain our lives in this unique economic landscape. At this point in my life, I am not able to work a 9-5 job, so this small vacation rental allows me to keep my home and continue to live here.

Since the islands depend so much on the tourist industry, and cost of hotel stays have gotten beyond the reach of many visitors, vacation rentals offer an affordable way for visitors to still come to the island. The only hotel in my area just closed, so there is no option for a hotel or condo stay within a 20 mile radius of where I live.

I implore you to reconsider the ramifications of HB 1838 on the lives of residents who rely on the vacation rental industry. It is crucial to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Thank you for considering my perspective. I earnestly request that you oppose HB 1838 and I am hopeful that you will take into account the voices of residents who are deeply impacted by this proposed legislation.

Sincerely,

Kathleen Carr, Big Island, Hawaii

kcarr@kathleencarr.com

HB-1838-HD-1

Submitted on: 2/28/2024 9:29:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Coring Serna	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Coring Serna

February 28, 2024

Honorable Members of the Hawaiian House of Representative,

I am writing to express my **strong support for House Bill 1838**, which could address the issue of short-term vacation rentals in apartment-zoned areas. As a resident of Molokai, I have witnessed firsthand the impact of these rentals on our communities.

It is alarming to note that nearly half of the short-term vacation rentals on Molokai are currently operating in apartment-zoned areas. These areas are designated for residential use, not for commercial activities such as short-term rentals. However, these rentals have been allowed to operate for years, thanks to the Minatoya opinion and inclusion on the Minatoya list.

This situation is unjust and detrimental to our communities. Apartment-zoned areas are meant to provide housing for residents, not to be turned into de facto hotel zones. The proliferation of short-term vacation rentals in these areas has led to increased noise, traffic, and other disruptions that impact the quality of life for residents.

Passing HB1838 would be a significant step towards addressing this issue. By restricting short-term rentals in apartment-zoned areas, we can ensure that these areas remain true to their intended purpose of providing housing for residents. It is time to prioritize the needs of our communities over the profits of short-term rental operators.

I urge you to support HB1838 and take action to end short-term vacation rentals in apartment-zoned areas. Our communities deserve better, and it is time to put an end to this harmful practice.

Thank you for your attention to this important matter.

Sincerely,
Dana Moore

Molokai Resident

HB-1838-HD-1

Submitted on: 2/28/2024 9:31:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB 1838 HD1, a bill that allows counties to create zoning ordinances to phase out short-term vacation rentals in residential areas gradually. This bill has been recommended by the House of Representatives Shelter Working Group, and I believe it is a crucial step in addressing our housing crises not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. This number rises to 41.8% in neighboring areas and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would allow counties to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle our housing emergency. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Nani Dapitan-Haake

HB-1838-HD-1

Submitted on: 2/28/2024 9:35:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martin Outlaw	Individual	Oppose	Written Testimony Only

Comments:

We purchased our condo in 2014 for our family to enjoy the beautiful island of Maui. The only way we could afford it was with the income we made with short term rentals. It would be a shame to stop the short term rental industry which provides many types of jobs and tax revenues. Please be mindful of all the people this would effect.

Sincerely,

Martin Outlaw

HB-1838-HD-1

Submitted on: 2/28/2024 9:36:05 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Tubbs	Individual	Oppose	Written Testimony Only

Comments:

Aloha Esteemed Legislators,

HB1838 denies the rights of individual landowners. Why aren't the hotels continued to be asked to make contributions as well? Please vote NO on phasing out short-term rentals.

Sincerely,

Mary Tubbs, Retired

HB-1838-HD-1

Submitted on: 2/28/2024 9:36:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelli Lundgren	Individual	Oppose	Written Testimony Only

Comments:

Regarding HB1838 HD1 2024

Summary: **Oppose HB1838**

Dear Hawaii Congresspeople,

I am a resident of Hawaii and live in Ka'anapali full-time. My partner and I own a short-term vacation rental (STVR) unit in Kihei, Maui, Hawaii for the past 13 years. When purchasing the condo, it was, and still is, a legal permitted short-term vacation rental as are all units in the complex since the late 1970's.

I just calculated my condo earnings and taxes for 2023. The State of Hawaii and the County of Maui generated \$16,818.00 in taxes off of our condo for 2023. My domestic partner and I generated \$18,828.00 in net profit. We split this equally. In one year, from 2022 to 2023 the condo's property taxes increased by 20%, implemented before the fire. Four or five of the years we've owned the condo, the government has made more money off of the condo's rental than we have.

We use this income for retirement. We purchased the condo in 2010 with the condition it was permitted for STVR.

If you move all vacationers into the hotels (which I would surmise hotel owners are in full approval of this effort), many vacationers will choose not to come to Maui. The price will be too high for about half (just guessing) of tourists. They will go somewhere else. A good portion of vacationers won't come to the islands if they do not have access to a full kitchen, a couple of bedrooms for family versus a studio, beach gear in a closet, free parking and WiFi. Hawaii and Maui County revenue will decrease \$16,818.00 a year for just our one condo. Long-term housing supply is critical, but this is not the way to do it.

- Maui County stopped permitting any new STVRs about one year ago. Excellent. (This needs to happen to slow the number of tourists and to minimize damage to the environment.)
- All Hawaiian Islands need to stop illegal STVRs, thus increasing the number of long-term rentals.

- Currently, many Maui long-term rental landlords are pushing out their tenants at the end of expiring leases in order for landlords to join the FEMA program that pays STVR prices for housing fire survivors. This needs to stop. This is more important than eliminating STVR permits.
- FEMA and the State can stop the displacement of non-fire-related long-term tenants on Maui by checking to see if the home/condo/unit was paying TAT taxes in the previous month. This shuffle of long-term tenants, all losing housing, is contributing to extreme price gouging for any housing rental on the island. (i.e. FEMA shouldn't use units that were already housing long-term renters, or units where landlords were not paying their TAT taxes. (Maui County only needs 15% of its known legal STVR units to house those left in the hotels.)
- The lack of affordable housing on Maui and all islands is due to the enormous government complexity of planning, analyzing and permitting construction of new affordable housing. The process is too slow. It needs speed. It needs construction workers.

Our condo is currently being rented for displaced neighbors through the FEMA program. In the 1 to 2 upcoming years, please focus on building affordable housing. It will help keep our friends on island, and the government will continue to receive significant revenue off of a limited amount of legal short-term vacation rentals.

Please oppose this bill HB1838 2024.

Mahalo nui for your time.

Kelli Lundgren

HB-1838-HD-1

Submitted on: 2/28/2024 9:36:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Gerbino	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I am writing to express my strong opposition to H.B. 1838, HD1 for several compelling reasons:

Papakea Resort, where I own a property and multiple other people maintain rental units, has been an integral part of the community since its establishment in 1978, providing vacation rentals for nearly fifty years. HB 1838 will put Papakea and many other resorts like it at risk, and if the properties aren't viable, then this will **not** solve the immediate need you are trying to meet to provide long-term housing to others. However, this bill if passed will negatively impact and in fact **bankrupt** many local Maui community members and others who have invested in the future of Maui and its residents.

Financial Impact: Papakea's ability to maintain current personnel and operational maintenance levels is **contingent upon the revenue generated from short-term rentals**. High maintenance dues, which are supported by short-term rental income, are **essential for the property's continued viability**.

Local Employment Opportunities: Papakea employs approximately **35 local resident workers**, many of whom have dedicated over 15 years of service to the property. These individuals have started in entry-level positions and worked their way up to supervisory roles, showcasing the property's commitment to supporting its workforce.

Support for Local Trade Professionals: Papakea sustains a wide range of local trade professionals, including pest control specialists, HVAC technicians, plumbers, electricians, and

tree trimmers, among others. The reliance on these services underscores the interconnectedness between our property and the broader Maui community.

Economic Impact on Small Businesses: **Short-term rentals at Papakea contribute significantly to the local economy by supporting numerous small businesses**, including housekeepers, handymen, on-island agents, and contractors. **These individuals and businesses rely on the income generated by Papakea's short-term rental operations for their livelihoods.**

Contribution to State and County Revenues: Papakea's short-term rental operations contribute to the State of Hawaii and County of Maui through the payment of property taxes, Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. These revenues play a vital role in funding essential public services and infrastructure.

Support for Local Businesses and Attractions: Papakea guests patronize numerous small businesses on the island, including restaurants, food trucks, tour operators, state parks, the national park, and local shops. Their spending helps sustain these businesses and contributes to the vibrancy of the local economy.

Community Connections: Papakea has a significant number of returning guests who have been visiting Maui for years and have developed deep connections with the community. These guests contribute to the fabric of the neighborhood and enrich the cultural diversity of the island.

For these reasons, I strongly oppose H.B. 1838, HD1, and urge the committee to defer it to explore other, viable options. The passage of this bill would have detrimental effects on our community, jeopardizing local jobs, economic stability, and harming the very people it is intending to help.

Respectfully submitted,

Jason Gerbino

HB-1838-HD-1

Submitted on: 2/28/2024 9:38:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Giesick	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

There needs to be better regulation for housing for residents. There is shortage of housing available and price gouging.

Mahalo for your consideration.

Respectfully,

Lisa L.Giesick

HB-1838-HD-1

Submitted on: 2/28/2024 9:39:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Otaguro	Individual	Support	Written Testimony Only

Comments:

I support this effort to limit short term and mid term rentals so that homes can be purchased.

HB-1838-HD-1

Submitted on: 2/28/2024 9:41:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Morgan Brahs	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to House Bill 1838. As a local resident of Hawai‘i, this bill deeply concerns me and threatens the livelihood of many in our community.

I believe that this bill unfairly targets single-family residential properties, allowing counties to phase out short-term rentals. This is particularly troubling as these properties are often best suited for short-term or temporary housing, providing the space and appropriate facilities for temporary living, unlike higher-density areas that share walls with neighbors.

Moreover, HB1838 grants counties the ability to take away property rights from our community, retroactively change the rules, and set a dangerous precedent for revoking non-conforming uses. This will not only destroy property value but also create uncertainty for investors and builders at a time when our community needs new construction.

Furthermore, the potential impact of this bill on an industry that pays \$740M in taxes and generates \$4.8B in visitor spending each year is alarming. It is vital to understand that such legislation would have a devastating effect on our local economy and the livelihoods of many hardworking individuals who rely on this industry.

Most importantly, it's concerning that HB1838 would punish people who have followed the rules, navigated the process, and paid their dues as responsible members of our community.

I urge you to take a stand against this legislation to protect our community's economic well-being and the rights of property owners. Your support in opposing HB1838 is crucial to ensure that our voices are heard.

Thank you for your attention to this critical matter. We must do better to stop this bill, and I truly appreciate your support in this endeavor.

Mahalo, Morgan Brahs

HB-1838-HD-1

Submitted on: 2/28/2024 9:42:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabe Johnson	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am Gabe Johnson, Maui County Councilmember for the island of Lana'i. I am in full support of the bill. I would like to see an amendment that would include apartments as well as single homes.

Mahalo

Gabe Johnson

HB-1838-HD-1

Submitted on: 2/28/2024 9:42:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shane Sinenci	Individual	Support	Written Testimony Only

Comments:

Please add an amendment to apply to apartments as well.

Mahalo, Shane

HB-1838-HD-1

Submitted on: 2/28/2024 9:42:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Venus Gonsalves Henriques	Individual	Support	Written Testimony Only

Comments:

I am all for this bill! I live in a small village (1 mile long) and we have 22 vacation rentals in the one mile stretch. This is ridiculous! We are woken up at four o'clock in the morning, with music and talking. We can't even do things in our yards with out people using our drive as a turn around, asking for directions etc. as if we are their personal concierges. Behind my house, on Ag land, there are several unpermitted buildings, that have been used for years as a vacation rental and all though reported numerous times, nothing was done. There are 5 vacation rentals within 600 feet of my home! It is time to give our communties back to the people. There was a time when everyone knew everyone, not now. Neighborhoods are for neighbors, not transient strangers!

Mahalo,

Venus Gonsalves Henriques

HB-1838-HD-1

Submitted on: 2/28/2024 9:45:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark LeRoy	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and Committee Members,

My name is Mark LeRoy, and I am a resident and small business owner on the beautiful island of Hawaii. Today, I write to you with deep concern regarding the proposed bill that stands before our community, a bill that threatens the very livelihood of not only my business but also the vibrant ecosystem of service providers we represent, including cleaners, electricians, maintenance workers, and other small businesses thriving in our local economy.

In 2023, my company, which specializes in professional management of legal short-term vacation rentals, incurred total payroll costs amounting to \$587,038.52. This figure encompasses salaries, a 401k for all eligible employees, health insurance, and related taxes – a testament to our commitment to our ten full-time employees and their families. Additionally, we contributed well over \$1,000,000 to the local economy through expenditures on cleaning, maintenance, landscaping, and repair services, engaging with local trades from plumbing to electrical work, and from landscaping to general maintenance.

The passage of this bill poses a dire threat to our operation, potentially leading to the cessation of our business and the loss of employment for our dedicated staff. The ripple effect would extend beyond our immediate circle, impacting the livelihoods of those who rely on the thriving short-term rental market for their own business opportunities. Reduced occupancy rates and the dwindling number of rental properties in need of our services would severely impact our community's economy and its ability to sustain small businesses like ours.

Our ability to make a living, support our families, and contribute to our community's vibrancy is at risk. The proposed legislation not only undermines our financial stability but also diminishes our livelihood that we have worked so hard to build and maintain on this island while supporting the local economy.

In conclusion, I urge you to consider the broader implications of this bill on small businesses and the local workforce. Let us continue to empower counties to enforce existing laws rather than implementing new legislation that could stifle our community's growth and prosperity. I respectfully request that you do not move this bill forward.

Thank you for your time and consideration.

Warmest regards,

Mark LeRoy

HB-1838-HD-1

Submitted on: 2/28/2024 9:49:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Ramos	Individual	Oppose	Remotely Via Zoom

Comments:

February 28, 2024

To Honored Members of the State House

Subject: Opposing Bill HB1838

I'm an owner/operator residen of a legally permitted Short-term rental home located on Maui OUTSIDE the "hotel district". I've been operating for almost 11 years with ZERO complaints from my neighbors. This business is my livelihood and supports my family of five.

We already pay astronomical taxes with our real estate category, STRH and all the related taxes collected MTAT, state TAT, and GET, almost 18% now. Maui County STR properties have been heavily regulated and there are few operating illegally, at least on VRBO or Air B N B, as they would behave been found without proper listing TMK and Tax numbers.

There are not 75,000 Illegal vacation rentals in Hawaii. Where did the Governor Josh Green receive this information from????? The hotels apparently!

Maui is heavily regulated.

Where will the tax dollars come from if we are phased out?????

My property, along with all other STRs contribute the lion's share to the affordable housing fund. We are permitted, legal, businesses that support thousands of higher paying jobs than hotels could ever offer. Jobs from cleaners, vendors supplying supplies, contractors from electricians to ac folks, construction folks, tour operators, food and flower vendors, and about every business located outside of the resort area. These dollars stay on our island!

While a very small percentage of these properties may be considered viable homes or units for long term tenants, the majority are not affordable by any means. Most of these buildings are 40-50 years old needing expensive repairs that can be only done with expensive HOA fees, reaching upwards to thousands a month. Short term rental allows for these costs to be absorbed.

Maui County Property tax assessed for 2023:

STRH/TVR: \$ 212,486,602

HOTEL/RESORT \$ 51,057,262

\$161,429,340 MORE THAN HOTELS!!!

The one number I've read a couple of times lately in the news is that 52% of vacation rentals are owned by non-residents, but what I acknowledge is that 48% are owned by folks that live here! All these vacation rentals are small businesses, mom and pops, all are contributing to a vibrant local economy because the money stays on island.

The hotels are ALL off island owned, extracting profits from the the islands, paying folks wages that are supposedly a living wage, (if your google this, it shows less than \$50,000.00 a year for a Hawaii resort worker!) using vast amounts of water, taking up fragile environmental areas right next to the ocean, yet they pay the least amount of property tax!

I ask you to oppose bills that would allow the County of Maui and other counties to phase out LEGAL businesses that are supporting so many local families participating in tourism, the #1 economic driver here in Hawaii.

Oppose this HB1838 please.

Mahalo for the opportunity to testify

Amy Ramos

Maui resident, tax payer, voter

Kihei, Maui, Hawaii

William Heaney

40 Halelo St.

Lahaina HI 96701

jheaney@hwave.com

213-268-2619 (business Cellphone Number)

January 31, 2024

To: Committee on Housing

The Thirty-Second Legislature Regular Session of 2024

Hawaii State Capitol

415 South Beretania Street Conference Room 312 – Via Video Conference

Honolulu, HI

RE: Opposition to HB 1838 Relating to Zoning

Dear Members of the Committee on Housing,

I write to you today not just as a concerned citizen, but as a voice for the many individuals and families whose livelihoods and financial stability are directly threatened by HB 1838. It is with a respectful and earnest tone that I implore you to reconsider the implications of this Bill, which seeks to grant counties the authority to phase out legally operating, nonconforming short-term rentals (STRs) across all zoning classifications.

The Bill in question does not target illegal operations but rather those who have diligently complied with existing laws, securing the necessary certifications or zoning permissions to operate. These operators have not only followed the letter of the law but have also contributed significantly to the local economy, providing valuable lodging options that cater to a diverse range of needs, from tourists to local residents in transition.

Short-term rentals have been a part of Hawaii's accommodation landscape for decades, serving not just as a tourist option but as a vital source of income for local family operators. In light of the economic challenges our state has faced, including the significant impact of inflation on family finances, the importance of such income cannot be understated. A recent study highlighted a real loss of \$7,400 in spending value for the average family over two years due to inflation. Removing or significantly limiting STRs would exacerbate these financial challenges for many of our residents.

Furthermore, the economic contribution of STRs to Hawaii's economy is substantial. A study commissioned by the Hawaii Tourism Authority in 2020 found that STRs added \$6 billion to the state's economy and supported 46,000 jobs. The same study revealed that 30% of respondents would not have visited Hawaii if home and vacation rental options were unavailable. The cascading effect of removing

STRs from the market would not only affect those directly operating these rentals but also the wider tourism ecosystem, including car rental agencies, restaurants, tour operators, and retail outlets.

Since purchasing our property in 2017, we have invested hundreds of thousands of dollars in local contractors and service companies to beautify and upgrade the property. Annually, we continue to spend tens of thousands of dollars on local labor for maintenance and repairs, contributing significantly to the local economy and providing employment opportunities within the community. This financial commitment underscores our dedication not only to the preservation and enhancement of our property but also to the support of local businesses and workers.

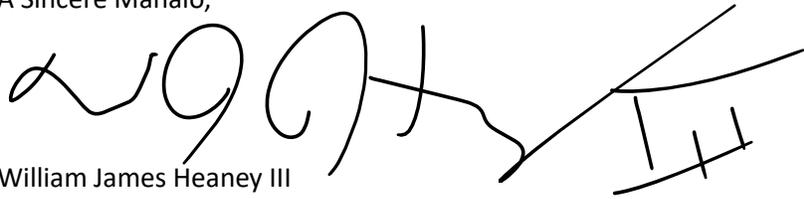
It's also worth mentioning that we reside on the island for 4-5 months each year and have no intention of renting our home on a long-term basis. This fact illustrates our personal commitment to the island and our community, further emphasizing the deeply flawed nature of this Bill. The notion that such legislation, which seemingly benefits larger hotel interests at the expense of local homeowners and the wider economy, is being considered, suggests an imbalance in the consideration of who truly benefits from such regulatory changes.

Legal challenges based on the takings clause of the Fifth Amendment and perhaps the Eighth Amendment, related to excessive penalties or fines, are also a significant concern. Recent Supreme Court decisions have shown a tendency to uphold property rights, suggesting potential legal vulnerabilities for the Bill as currently proposed.

Given these considerations, I strongly urge the Committee to reassess the necessity and potential impacts of HB 1838. Instead of enacting measures that could harm both our economy and the financial well-being of countless residents, I recommend exploring alternatives that balance the need for regulation with the rights and needs of lawful STR operators.

Thank you for your time and consideration of my opposition to this Bill. I hope for a solution that protects the interests of all stakeholders involved.

A Sincere Mahalo,



William James Heaney III

- Please **STOP HB1838**-The shut-down of **LEGAL** short-term rentals
- Without short-term rentals, my family will not be able to live on island when we are in Maui and rent it out when we are absent. Without short-term rentals, many families will not be able to afford staying on the island and will choose to spend their vacation money elsewhere. The will create a huge fiscal trickle down impact from the tourist industry, to the stores and restaurants, and grocery stores, etc.
- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion-dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/28/2024 9:52:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eleonore Koury	Individual	Support	Written Testimony Only

Comments:

Aloha, thank you for all your efforts to create more affordable and desirable housing for maui residents. It is staggering how short term rentals, especially from off island owners, has destroyed our affordable housing for residents, both as rentals and ownership.

I am highly urging you to regulate short term rentals all accross maui and hawaii. I believe strongly that off island owners should be regulated to long term rentals only. I do believe that any maui residents on maui should have the right to short term rental their ohana's to help subsidise their income in an ever growing high cost of living. However multiple homes, condos etc purchsed for the meere use of short term rentals, when thousands of residents are struggling with housing needs, is truly truly inhumane.

please please take all actions necessary to regulate short term rentals, not only on the westside of maui but in all of maui.

mahalo nui loa for all your efforts

Eleonore

HB-1838-HD-1

Submitted on: 2/28/2024 9:55:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zhiwei Yan	Individual	Oppose	Written Testimony Only

Comments:

My wife and I own a unit in Papakea.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that we rely on.

HB-1838-HD-1

Submitted on: 2/28/2024 9:55:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marshall Jainchill	Individual	Oppose	Written Testimony Only

Comments:

My wife and I purchased a 2 bedroom condo in Wailea Ekolu HOA in March of 2017. Our intent was to buy a condo in Wailea that would supplement our retirement income. The fact that the HOA allowed short term rentals was the deciding factor. We also bought with the understanding that we would be able to stay in our condo as often as we liked and could rent it out as well anytime we chose. The HOA by-laws clearly state that we have the right to rent our condo out in short increments. Since we purchased this condos close to a \$1,000,000, we count on the income of short term rentals, not long term rentals as long term rentals would not meet our financial responsibilities. We are very upset as this changes our long term plans for retirement and we just retired! It is critical that we be allowed to keep our current status the way it is. We are prepared to join any class action lawsuit against this bill being passed and against forcing us to become a long term rental lessor.

February 28, 2024

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has a long history of vacation rentals.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years, many of whom started in entry-level positions and now work in supervisory roles. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing & electrical contractors, pest control services and many other professions. Short term rentals support a number of small businesses in the Maui community including housekeepers, handymen, and on-island agents.

Papakea short term rentals support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Mark Nelson

Papakea K304

HB-1838-HD-1

Submitted on: 2/28/2024 9:56:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janie Kunin	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please pass this urgent bill in support of the Maui Community, especially those who were critically impacted and displaced by the horrific Maui Wildfires that devastated Lahaina. I've been fortunate to call Maui my beloved home since 1969 and have seen it change radically from a beautifully simple and sustainable lifestyle to an overpriced tourist mecca. It's absolutely tragic that over 1500 local families have left Maui since the wildfires and will probably never return. PLEASE help Maui's Lahui to find long term housing by mandating the transition from West Side short term vacation rentals to long term housing for the people. Mahalo, Janie Kunin

HB-1838-HD-1

Submitted on: 2/28/2024 9:57:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colin Haubrich	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I'm writing in opposition to Bill HB1838.

By allowing the islands to set their own STR rules you are effectively giving them the green light to shutdown an important part of Hawaii's economy. During Covid tourism ground to a halt, cleaners and property managers were out of work and many of the restaurants closed down.

While STR's may comprise 5% of the housing in Maui, they represent over 50% of the available transient accommodations. Can Maui withstand a potential 50% drop in tourism?

Also what would happen to Hotels, Restaurants, and other services - Hotels are already extremely expensive and would likely go to \$1000/night due to supply and demand, bringing food and other critical items that Maui residents depend on a long with it. Where would Hawaii residents stay when visiting friends and family?

Tourists and Hawaii Residents stay in Condos to save money. They shop locally at grocery stores and frequent stores like Target and Costco - all helping to keep costs down for Maui residents and employees employed. Leaving hotels as the only option for transient accommodation will result in greater demand driving pricing up!

Hawaii's not like other locations that have considered bans, Hawaii's main economy is Tourism.

We as owners frequent Lowes, Home Depot and Ross - again providing jobs and feeding the Maui economy.

Is Hawaii really ready for hyperinflation? Tourism helps keep costs down, employs many people on the islands, and provides healthy alternatives to hotels.

Then there's the issue with the decrease in Tax Revenue, Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from? How about the TAT tax collected on each STR?

Respectfully,

Colin & Myra Haubrich

HB-1838-HD-1

Submitted on: 2/28/2024 9:58:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
courtney o'kief	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas Vice Chair Takayama, and the honorable members of the House committee on judiciary and hawaiian affairs. I am testifying in support of HB1838. We had a housing crisis prior to the fire and as you know now, its an emergency. Vacation rentals need to be phased out. People working in Maui and spending their money in Maui need to be owning and living in these rentals as opposed to people living off island profiting. Please help Maui residents find long term housing. Mahalo for giving me th chance to voice my support for HB1838.

Courtney O'Kief

HB-1838-HD-1

Submitted on: 2/28/2024 9:58:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Paris	Individual	Oppose	Written Testimony Only

Comments:

I am writing to vehemently oppose House Bill 1838 (HB1838) , which would grant Maui County full authority to phase out rentals in any zoning. As a resident of Maui and the owner of two vacation rental units, I heavily rely on the income they generate to support myself and my family. These bills pose a direct threat to my livelihood and to the many others who depend on tourism-related income in our community.

It is crucial to acknowledge the indispensable role that short-term vacation rentals (STVRs) play in our local economy. Beyond providing income for property owners like myself, they also sustain numerous jobs in various sectors, including maids, maintenance workers, groundskeepers, and more. The income derived from tourism is fundamental to the economic stability of Maui County, contributing significantly to its tax revenue.

While I understand the pressing issue of housing shortage on Maui, it is far too easy to place blame solely on STVR owners and small business owners who reside off the island and lack the opportunity to vote. The root cause of the housing crisis lies in the persistent lack of affordable housing options, which has been further exacerbated by recent events such as the fires. Instead of targeting STVR owners, efforts should be directed towards addressing the underlying problem through policies that encourage the development of affordable housing.

One potential solution could involve expediting the process of building new housing units. For instance, the housing aid sent by Hungary, which has been sitting unused for nearly six months, presents an immediate opportunity for action. Streamlining the permitting process and reducing bureaucratic hurdles could facilitate the construction of multifamily homes in a fraction of the time currently required. We cannot afford to wait four years for a single housing project when there is an urgent need for more affordable housing options.

Furthermore, Hawaii, especially Maui, is renowned for its aloha spirit and breathtaking beauty. We must not jeopardize this by implementing measures that would harm our local economy and diminish the unique experience we offer to visitors. Let us work together to find balanced solutions that address the housing crisis without sacrificing the livelihoods of STVR owners and the vibrancy of our community.

In conclusion, I urge you to reconsider HB1838 and SB2919 and to explore alternative solutions that prioritize the well-being of our community while preserving the essence of what makes Maui special. Thank you for considering my perspective on this matter.

HB-1838-HD-1

Submitted on: 2/28/2024 9:58:41 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Ashlie McGuire

HB-1838-HD-1

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

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Crudo	Individual	Oppose	Written Testimony Only

Comments:

Good Day, we have been coming to the Beautiful Island of Maui for over 20+ Years. We have been Blessed to Visit the other Hawaii Islands Also. Besides the Breathe Taking Beauty, the Hawaii Locals have Always been Super Friendly & Appreciative we are Visiting. Depending on Our budget, we usually Visit from 10 to 15 days, some years twice a year. Your proposed Bill HB1838 would prevent Us from ever returning to Your Beautiful Islands because we could never afford or be away from Our Home for 90 or 180 day minimum. This would be a tremendous loss for Us and a Deverstating Economic LOSS for Your Islands. We Love staying on different sides of the Various Islands for Short Periods at different rental short term locations so we can take in All of Hawaii's Culture and Beauty. We beg of You, not to take this Honor to Visit Hawaii away from Us and Ten's of Thousands of Others. With Much Gratitude, John from MN

HB-1838-HD-1

Submitted on: 2/28/2024 9:59:01 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
FAN YANG	Individual	Oppose	Written Testimony Only

Comments:

I'm opposed to the bill for the following reason:

1. Shutting down single family short term rentals will hurt local economy, cleaning businesses, property managers, etc.
2. It hurt tourist business, since lots of travelers rely on the opportunity to stay in such units.
3. Running short term rental by virtue of zoning rules is a citizen's property right. The owner should receive compensation on loss of business and decline of property value if the government shut down the business.

2/28/24

Dear Committee,

I am writing to express my strong opposition to HB1838, which would disallow short-term rentals in Hawaii. This bill would have a detrimental impact on the community and the economy of the state.

Short Term rentals are our Business, we have invested heavily so that we can provide this service, but it is also our livelihood. It is OUR livelihood, but it is also the livelihood of our Property Managers, our maintenance team, our cleaning/janitorial team and many other support functions. Removing short term rentals would decimate this industry.

Short-term rentals provide a valuable service to a wide range of people, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, students, and our family and friends. These rentals offer temporary, furnished housing for those in need, and are an important resource for the community.

In the event of a crisis, such as the Red Hill Crisis and Marco Polo fires, which displaced thousands of residents, short-term rentals provide a crucial source of temporary housing. Without the availability of short-term rentals, where will these residents find temporary housing? It is crucial that we have options available for those in need.

Furthermore, tourism is a significant source of income for the state of Hawaii. Short-term rentals provide a convenient and affordable option for those coming to Hawaii to work or visit family. Without this option, many may find it difficult to find suitable accommodations, which could result in a decrease in tourism and a loss of income for the state.

In conclusion, I urge you to reconsider the proposed bill and to recognize the value that short-term rentals bring to our community and the economy of the state. Thank you for your attention to this matter.

Sincerely,

Catherine Fisher

HB-1838-HD-1

Submitted on: 2/28/2024 9:59:50 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pete Hobart	Individual	Oppose	Written Testimony Only

Comments:

Afraid that this will result in many other problems and economic hardship for business and part time residents who have in the past been very supportive of the community. And change HI into a less welcoming, even more affluent and expensive destination. Regular folks may not have ability to afford hotels, so only the wealthy will be visiting and not living Pono.

HB-1838-HD-1

Submitted on: 2/28/2024 10:00:20 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul S	Individual	Oppose	Remotely Via Zoom

Comments:

We own a property at Maui Kamaole.

We are very concerned with Bills HB1838 and SB2919 and the possibility of turning Maui Kamaole into a long term accommodation. Maui Kamaole was a purpose built complex for the sole purpose of short term rentals. We purchased the property as such and didn't expect it ever to change.

You have a problem with housing. I understand. The solution is to build more housing, not turn existing tourist accommodation into long term accommodation. The affect will be to greatly inflate the price of hotels, which will in turn greatly diminish tourist visits. You won't have a need for any accommodation because there will be no jobs.

The property taxes for our one bedroom unit were \$9,000 last year and the lodging taxes (GET, TAT, MCTAT) that we remitted were \$15,000. That's \$24,000 to the state and county tax base for a small one bedroom unit. I'm sure you won't generate anything near that for long term accommodation. This is an important consideration for legislators if they disallow STR's.

Please don't allow these bills to pass.

HB-1838-HD-1

Submitted on: 2/28/2024 10:02:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deb Price	Individual	Oppose	Written Testimony Only

Comments:

We've been coming here to Maui for 50 years, escaping the snow and ice for us is like Hawai'i residents going to Vegas, we all need a break. Staying in a hotel wasn't an option for us, as a young family we just couldn't afford a hotel and did not want to sit on a bed watching a TV on the wall. 20 years ago we decided to purchase a condo here, while we were still employed, it wasn't with the intent of making money, we were still working and paying a mortgage. The rental income on the STR legally permitted condo helped make the condo payment so we could visit here. It's not easy to own a condo here on Maui, the management company charges 25% of rents, which really eats into any profit you could make, some management companies charge 40% of rents. Those management fees go to on island companies, who employ many people, it affords them to pay their office/building rents, staff, office workers, gardeners, handymen, housekeepers etc. STR's employ many people here on the island. Many people think visitors coming here only help employ wait staff, which is NOT true, there are businesses outside of the restaurants that we employ as well. We as residents won't/cant afford a hotel stay, nor the cost of restaurants here, many will go out of business, who pays \$25 plus \$40 a piece for a hamger and soft drink? not us - All the grocery stores, costco, and big box stores all rely on tourism dollars

Years later, we moved here to Maui permanently, we could not move into the condo as the rules do not allow pets, we had two, also the condo only has one parking spot, and no storage. We have friends and family which come visit and even years later we still have that huge mortgage payment/dues which we supplement with short term rental income. We have supported Maui for over 20 years here (50 years by visiting).. why aren't you supporting the people that supported you??? Currently our condo still supports/employs many people here on island, as well as the visitors who come and support Maui via shopping and local restaurants. Hotels charge on average \$400 dollars for one meal - only the rich can/will afford that, why are you trying to cut out the average visitor that cannot afford a hotel stay? I can't afford a \$25 hamburger like the local fast-food vendors/restaurants charge.. who will pay that to keep them in business? Visitors will pay it, not us residents. Do not cut off our lifeline or others lifeline nor the people here on island that all these mom and pop STR businesses support

Aloha,

We fell in love with Hawaii 40 years ago then Maui 30 years ago, so much so we purchased property on Maui about 20 years ago. We did this to enjoy our twice per year stays as well as a long term investment. We are so fortunate to spend more than a month in Maui every year, and we don't take it for granted.

When we are not on-island we share our piece of paradise with friends and guests. This helps offset the costs of the purchase and maintenance of our long term commitment to the island. But the other portion of our commitment is to the state of Hawaii and the County of Maui where we significantly contribute to the local economy through so many avenues. Lest we forget, a few are listed here:

- 1) Property taxes paid;total for 2023: \$16,184
- 2) TAT/GE paid; total for 2023: \$16,471
- 3) Local maintenance/contractor 2023:\$24,387
- 4) Local management booking fees 2023: \$12,220
- 5) Local mortgage Interest to FHB: \$21,375
- 6) Local cleaning fees 2023: \$ 8,769

So as you can see, the impact of our condo ownership contributes about \$100,000 to the local economy. And we are only one owner in our large complex of over 300 condos in South Maui. Can you imagine if we were shut down from operating the way we have for nearly 20 years? The State of Hawaii and the County of Maui, not to mention the far reaching implication of our local vendors we employ would be devastating.

But that isn't where the story ends. I can't imagine or have any way to gauge the impact a shut down would do to our investment. We can only say if our complex were shut down, the value of our investment would likely plummet. Not being able to absorb the loss of selling, our condo would be empty a majority of the year until our retirement, which a shut down would accelerate. I will let the Hawaii State Legislature speculate on the change in the way we (and our cohorts) feel about Hawaii if this were to occur.

Mahalo for your consideration

Mark and Susan Simpson
Condo owners

Kihei, Maui, HI

HB-1838-HD-1

Submitted on: 2/28/2024 10:03:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alix Noda	Individual	Oppose	Written Testimony Only

Comments:

The people of Hawaii are not being protected with Bills such as these, which favor the large Hotel Corporations and do nothing to care about the local residents. I am now a grandmother, who must choose to STR to be able to continue to pay my mortgage, as my 3 children are all grown up and moved away. I'm also divorced, so doing my best to make it on my own.

I strongly feel that there should be concessions for local Resident Owners who live on their property and just trying to do whatever is necessary to maintain it, and pay the mortgage,

The islands of Kauai, Maui and Hawaii all regulate and allow their residents to participate in the short term rental industry. What's wrong with Oahu? It feels like our Oahu officials are following the money, and not caring about our Kupuna who are trying to keep their homes. Make the laws different for the investors and non- resident owners, as they're just trying to make money on our shores. Protect us little people keep our properties and keep up with the ever rising cost of living.

People have been "home hosting" since the beginning of time, and it is a homeowner privilege recognized in common law. We are not involved in some heinous dangerous illegal activity. We're just trying to keep our homes. Please help. And do not take away the existing NUC's that they've been legally working with for decades. Let's try to support our Hawaii residents, not drive them all away to make room for rich investors.

Mahalo nui loa

HB-1838-HD-1

Submitted on: 2/28/2024 10:03:36 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wayne & Sue Page	Individual	Oppose	Written Testimony Only

Comments:

We are opposed to HB1838 for several reasons. We own a short term rental on Maui, in Wailea. Our ties to Maui go back to 1982, when my parents, Dan and Helen Page, moved to Maui and lived there for 35 years.

Upon their passing, our family sold their home, which was not able to be a short term rental. None of the family was in a position to move permanently to Maui, and we wanted to keep a presence in Maui for future returns/vacations. A long term rental property would not have allowed us to use our property for visits throughout the year. Our short term condo fills that desire very well.

Another reason for our opposition to this bill is on a different level. The tourism industry on Maui provides so many jobs to Maui residents, from property management and repairs to the restaurant and tourism businesses. Short term rentals fill a niche of lodging that hotels and resort do not – primarily offering full kitchens for eating in, being generally more family friendly and many times being more affordable.

This bill, which could potentially destroy a huge percentage of lodging available on Maui, could very negatively impact the tourism industry, as well as radically reduce the revenue in property taxes that the higher rate of taxation on short term rentals provides to the county.

While we understand some of the arguments in favor of this bill, it's our belief that the unintended consequences will be very bad for the economy of Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 10:04:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marc Smith	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns

Marc Smith

February 28, 2024

Dear Representative Tarnas, Chair; Representative Takayama, Vice Chair; and Members of the Committee:

We **OPPOSE** H.B. 1838, HD1.

We consider Papakea in Lahaina our home. We have been traveling to Papakea for extended summer stays for more than 40 years, our three children spent their summers on Maui, and now our grandchildren are doing the same. We love Hawaii. We love Maui. We love Papakea. We have done everything we can think of to support the Maui and Papakea community after the tragic wildfire, including having a displaced Maui family stay in the condo that we own through the Red Cross program, and donating to relief agencies.

It has not been easy to figure out how best to help. Do we sign up with FEMA to offer our condo for long-term housing? But then, what happens to our wonderful local Maui property manager and their team that have been managing our short-term rental? They will lose their 40% share of our rental income that pays their salaries. The FEMA money is a guarantee for long-term income and that's nice for us, but it doesn't seem right to accept that at the cost of hurting the income of the people we have come to know and love over the years who live on Maui and currently earn their living managing our Papakea home.

We always think about how to support the local Maui community in anything that we do related to the condo that we own. We have paid more than one hundred thousand dollars in the past five years alone to businesses on Maui including a remodel through Gary Mings, a 20+ year resident (Maven Construction Group), and Freestyle Designs, the Wailuku architecture group. We also support small businesses in the Maui community that provide housekeeping and handy person services, and make a point of eating most of our meals at local restaurants every time we visit.

Papakea is not an upscale resort. It is a low-key property that attracts a certain type of guest, and has a high percentage of repeat guests. Many of the condo owners and guests we have met at the Papakea are like us, and are very concerned about being responsible guests and good stewards who consider the welfare of Maui and Maui residents in the decisions that they make about how they travel and whom they hire.

I understand the resentment towards short-term rental owners as those who live on Maui struggle to find any housing, let alone affordable housing. I hope that the 40% share of our rental income that goes to our Maui property manager, the

money we have invested in local businesses, the good jobs created at Papakea for more than 35 local resident employees who often stay in their jobs for more than a decade, and the jobs that Papakea creates for local trade professionals who provide HVAC services, pest control, and other services have at least some positive impact on the community. These things would be lost if H.B. 1838, HD1 is approved.

In addition, we have paid \$37,605 in the past year to support the State of Hawaii and County of Maui through payment of property taxes, Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

For the reasons above, we **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Yvonne and Mike Brill

yvonnebrill@gmail.com

mbrill@msce.com

HB-1838-HD-1

Submitted on: 2/28/2024 10:08:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roxanne Whitbeck	Individual	Oppose	Written Testimony Only

Comments:

*family on island since 1967. *partake in church, volunteer, many friends on island. *great stewards of the island and *pay very high taxes as a STR

*if we cannot STR while off island we will be forced to sell.. Our unit is too expensive and too small to meet the needs of a local family. *we employ house cleaners, gardeners, maintenance. *it will be purchased by a mainlander who may not rent it out but who also has no emotional connection with our island.

*if your goal is to increase housing for locals then building them affordable housing that is large enough for them is the answer.
*If your goal is to reduce the number of visitors on the island then you should be restricting hotel usage whose visitors have no respect for the island or ocean.
*They do not volunteer their time like those of us with STR units and they do not have the many close family and friends whom we look after while on island and while on the mainland-we were the people sending the care packages when it was most needed and yet you want to force your closest allies out.

HB-1838-HD-1

Submitted on: 2/28/2024 10:09:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
kai nishiki	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs and Members of the Committees,

I express my strong support for HB1838, enabling counties to phase out nonconforming single-family transient vacation rental units over a reasonable period.

Our community thrives on the contribution of our local workers, county/state government employees, teachers, healthcare workers, and emergency responders - those who serve our community's needs, not tourism greed. These are the people who form the backbone of our society and vacation rentals have created a housing crisis for these vital members of our community. They are finding it increasingly difficult to find affordable long-term housing in the areas where they work. This not only strains personal lives, but also impacts our ability to serve our community effectively.

The shift to short term rentals disrupts the fabric of our neighborhoods. It replaces long-term neighbors with a revolving door of temporary occupants, which undermines the sense of community and belonging that is essential to the social health of our communities. Without their contributions our communities cannot thrive. This is not just a matter of housing policy. It's about preserving the heart and soul of our community by ensuring that our local workforce has a place to call home.

It is our duty to change laws to protect our people when a use or action starts to hurt our people. In the realm of governance, the primary duty of a government is to enact and modify laws in a manner that safeguards the well-being of its citizens.

When certain actions, such as the proliferation of short-term rentals, begin to adversely affect the local population, it is the responsibility of the government to intervene and rectify the situation. This intervention is crucial in maintaining social balance and ensuring that the economic benefits of tourism do not overshadow the basic needs of local residents, such as affordable housing.

The government's role is not just to foster economic growth but to ensure that growth is sustainable and equitable, benefiting all segments of society. By adjusting legal frameworks and policies, the government can create a harmonious balance where tourism has its place(not in our neighborhoods) without compromising the housing needs of local workers, thereby upholding its duty to protect the interests and welfare of its people.

Aloha,

Kai Nishiki

HB-1838-HD-1

Submitted on: 2/28/2024 10:10:41 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
debby hooks dejong	Individual	Oppose	Written Testimony Only

Comments:

I oppose Bill HB1838 If this bill is past it will greatly hinder the residence of the island that depend on 30 day rentals for financial reasons and also to support local economy.

This Bill will only help hotel industry and out of state corporations

Our government needs to supoort the residents of this island.

HB-1838-HD-1

Submitted on: 2/28/2024 10:11:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charlie Godell	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 10:14:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Stanley	Individual	Support	Written Testimony Only

Comments:

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Mary Stanley

HB-1838-HD-1

Submitted on: 2/28/2024 10:15:15 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rex Bentley	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

*I am writing in **opposition** of this bill because it will threaten my ability to make a living.*

I own a small cleaning business that services short-term vacation rentals.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 10:15:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaia Anderson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Kaia Anderson of Kailua-Kona. I am writing to strongly OPPOSE House Bill 1838. My entire livelihood (and that of so many others here) depends on visitors and short-term rentals. The impact this bill would have on our local economy would be devastating and reach much farther than what one may assume. So many trades and businesses are directly and indirectly fueled by short-term renters: property managers, housekeepers, handypersons, grocery delivery persons, florists, local activity operators, chefs, etc. And all of these people spend their earnings in our community. Beyond the economics, this bill poses a threat to our personal liberties. There are already far too many restrictions and clearly more consideration is being given to the big businesses and big hotel chains... no doubt you are being lobbied heavily. When visitors are siloed at a hotel/resort, they spend much of their money within the property, leaching income to the mainland and beyond. Please do what is right for your constituents. Again I urge you to OPPOSE House Bill 1838 and support the local communities, families, and individuals. Mahalo.

Subject: Strong Opposition to H.B. 1838, HD1

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Esteemed Members of the Committee:

I am writing to express my strong opposition to H.B. 1838, HD1, and I urge you to consider the significant ramifications before proceeding with this proposal.

First and foremost, this bill could lead to the phasing out of 13,744 legal short-term rentals on Maui. As a critical component of Maui's economy, these rentals not only provide accommodation for visitors but also contribute substantially to the county's finances. In fact, they account for 40% of the county's real property tax revenue and serve as a top funding source for affordable housing initiatives. If these rentals are eliminated, the loss of revenue will pose a significant challenge for the county's budget, raising questions about how essential services will be funded in the future.

Moreover, short-term rentals play a crucial role in accommodating various individuals and groups within the community. From displaced residents to traveling nurses and emergency contractors, these rentals serve as temporary homes for those in need. Additionally, they support Maui's tourism industry by providing lodging for visitors, including inter-island travelers and families on vacation.

To illustrate the potential consequences of banning short-term rentals, I draw your attention to the case of South Lake Tahoe. Following the prohibition of short-term rentals in that area, the local economy suffered greatly. Real estate prices skyrocketed, local businesses closed down, and job opportunities dwindled. It is essential to learn from such examples and consider the broader economic impact before making any decisions that could harm Maui's economy and its residents.

As an owner at Papakea resort, I can attest to the positive contributions of short-term rentals to the local community. The resort employs approximately 35 local residents and supports various tradespeople and service providers, ranging from plumbers to landscapers. The revenue generated from short-term rentals not only sustains these businesses but also contributes to the overall economic vitality of Maui.

Furthermore, the taxes generated by short-term rentals are essential for funding crucial services and infrastructure projects in the state and county. Rather than eliminating this revenue stream, alternative solutions should be explored, such as directing transient taxes towards affordable housing initiatives or streamlining the permitting process for new construction.

In conclusion, I urge the committee to defer H.B. 1838, HD1 and to carefully consider the long-term implications of this proposed legislation. It is imperative to conduct a thorough cost-benefit analysis and explore alternative solutions before taking any action that could jeopardize Maui's economy and the well-being of its residents.

Respectfully submitted,

Randip Manrao

HB-1838-HD-1

Submitted on: 2/28/2024 10:18:01 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debra M Young	Individual	Oppose	Written Testimony Only

Comments:

Aloha, please do not eliminate my ability to keep my mother’s home since being purchased 1983. It is cost prohibiting to have it remain vacant when we are not on Island. Our little one bedroom condo is old and is not suitable for families larger than two. As owners of short-term vacation rentals on Maui, we are very concerned with recently proposed bills HB1838 and SB2919 that are attempting to force the rezoning of “legal” short-term rentals to other classifications disregarding the recent HILSTRA judgment. U.S. District Judge Watson was clear when he stated, “There is nothing to suggest that HRS § 46-4(a) does not mean exactly what it says — that a county is barred from passing any law that would eliminate existing lawful residential uses.” In addition, short-term rentals contribute a significant portion of Maui’s annual budget. Aprox. 60% of Maui tax moneys are from tourism and we employ so many people and keep them paid and they pay taxes

According to the proposed County of Maui’s Department of Finance and Real Property Assessment Budget for 2023, short-term rentals will contribute 35.9% or \$149,800,000 of the overall budget. If short-term rentals are eliminated, where will this shortfall come from? This is a disastrous approach to the housing shortage on Maui and in the Islands in general. Maui will see a financial collapse if this approach is adopted. Hotels won’t be able to, nor will they be willing to make up the tax shortfall. It has also been suggested that the hotel’s lobbying efforts are behind these past and recent bills to eliminate short-term rentals, thereby creating an opportunity for a monopoly. I speculate that if HB1838 and SB2919 pass, they will be challenged in the courts for many years to come. This will cost the State and the County of Maui more than they can imagine. Short-term rental owners will not take this lying down.

In addition, thousands of cleaning, maintenance, property managers, restaurants, and entertainment industry employees will lose their jobs. This will negatively impact business revenues in and around resort communities like Kihei. With the need to rebuild Lahaina, adding the loss of these jobs is very short-sighted at best.

Finally, the solution to the housing shortage on Maui is to build more affordable housing, not eliminate current tax revenue sources provided by short-term rentals. We have significant portions of land available, but the State and County need to get serious about building infrastructure and housing that local people can afford not more luxury properties.

Those of us who own short-term rental properties love our community and want to see it prosper while remaining respectful of our beautiful Hawaiian homeland. As I stated in an earlier letter, we have been closely watching the process that has taken place to reopen tourism, and we're grateful that guests are finally able to stay in our properties just as they would in a hotel or resort.

Unfortunately, bad actors remain a threat to businesses like ours and cause Maui County to lose out on deserved tax revenue. Maui County can easily identify any illegal operations through online platforms like Airbnb and VRBO, which can quickly delete them from their listings. We hope that Maui County officials will recognize these issues and adopt a rational, balanced solution when dealing with short-term vacation rentals.

Respectfully, Debra Young

HB-1838-HD-1

Submitted on: 2/28/2024 10:18:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
michael kayem	Individual	Oppose	Written Testimony Only

Comments:

I purchased a condo in Maui (Kahana) approximately 2 years ago. The only way we can keep it is we rent it out short term in order to pay our monthly overhead. We, friends and family, come to Maui several times a year and spend up to 2 weeks. If we are forced to sell our condo it will be at a loss, if we can sell it at all. Ive seen, since the talk of restricting STR inventory of listed condos rise at a very high rate, saturating the market, which in turn is affecting prices. Prices in all major cities and states in the USA have increased and Hawaii is no different. Maui being a 90% tourist destination stand to loose lots of tourist dollars and a real estate market crash if there should be a STR ban. This is not a simple endeavor to change the way the island has operated for many years. I know the fires have taken a huge toll on the Island and its people, we get that! I also know that many STR owners have stepped up to give up their condos, such as myself and also financially helped the displaced. Please reconsider as the fires did not uncover the many STR in Maui, they have been there for over 20 years. A better solution is to have the state build affordable housing, wether you ban or restrict STR Hawaii will always be, just like CA (my home state) unaffordable!

HB-1838-HD-1

Submitted on: 2/28/2024 10:18:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Norm Nichols	Individual	Oppose	Written Testimony Only

Comments:

Strongly opposed to any bill or law that denies the local citizens their property rights. The hotels in hawaii are sycophants on our economy and culture and need to understand that as outsiders here have to respect our native rights

HB-1838-HD-1

Submitted on: 2/28/2024 10:18:55 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen M Gookin	Individual	Oppose	Written Testimony Only

Comments:

I live on Maui months per year. Without the ability to do short-term rental, I will have to sell my place. It will put many locals out of work and decline the economy of Maui and the state. This is a bad idea.

HB-1838-HD-1

Submitted on: 2/28/2024 10:19:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
taryn sutherland	Individual	Support	Written Testimony Only

Comments:

i support this bill

HB-1838-HD-1

Submitted on: 2/28/2024 10:21:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith Jurek	Individual	Oppose	Written Testimony Only

Comments:

strongly oppose HB1838. As an owner of a unit at the Waikiki Banyan for 21 years, I purchased the unit as a condotel allowing for short term rentals to middle income visitors offering a kitchen and free parking. The Banyan boosts the Oahu economy by providing less expensive lodging for visitors without exorbitant resort fees. Units in the Banyan are less than 540 square feet with one small bedroom and would not be appropriate for long term lodging for local families. It's continued use as a short term rental does not disadvantage local Hawaiiin families needing larger housing accomodations for long term stays. Also, It's within the Waikiki Resort district. it is mutually beneficial for visitors and the local economy.

HB-1838-HD-1

Submitted on: 2/28/2024 10:22:23 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Desiree D Marvin	Individual	Oppose	Written Testimony Only

Comments:

This would negatively impact myself, my friends, and my family. The only way to afford our home was to utilize the 30 day STR while off island due to the military. There are countless military families that rely on STR to 1) be able to afford to live on island and off base 2) have a livable wage for families. This also takes away from cleaners, projects, etc. that rely on STR.

HB-1838-HD-1

Submitted on: 2/28/2024 10:24:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
WILLIAM ARIAS	Individual	Oppose	Written Testimony Only

Comments:

Good Day, me & my wife have been coming to the Beautiful Island of Maui for over 20 Years and have been Blessed to Visit the other Hawaiiin Islands Also. Besides the Breathe Taking Beauty, the Hawaiiin Locals have Always been Super Friendly & Appreciative we are Visiting. Depending on Our budget, we usually Visit from 10 to 15 days, some years twice a year. Your proposed Bill HB1838 would prevent Us from ever returning to Your Beautiful Islands because we could never afford or be away from Our Home for 90 or 180 day minimum. This would be a tremendous loss for Us and a Deverstating Economic LOSS for Your Islands. We Love staying on different sides of the Various Islands for Short Periods at different rental short term locations so we can take in All of Hawaii's Culture and Beauty. We beg of You, not to take this Honor to Visit Hawaii away from Us and Ten's of Thousands of Others. With Much Gratitude,

William & Paola from Florida.

HB-1838-HD-1

Submitted on: 2/28/2024 10:25:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
wylie dallen	Individual	Oppose	Written Testimony Only

Comments:

Short term rentals provide a needed portion of the tourist industry not covered by the hotel industry. Long term stays and families are not compatible with the hotel industry. Remember 2009 /2010 when tourists didn't come how people lost their jobs and the island was hurting. This bill will cause the same effect. This bill will not solve low cost housing issues. Only intelligent programs and less red tape from all levels of government will help.

HB-1838-HD-1

Submitted on: 2/28/2024 10:25:18 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adam Schwarze	Individual	Oppose	Written Testimony Only

Comments:

Good afternoon Team,

This bill is harmful to my families and my brotherhood in the military that relies on STR to afford housing and make ends meet. We are often off island and this allows us to have a home to come back to once returned to the island. Humbly request you do not complicate these matters and continue to allow residents of Oahu to STR their personal home property if they so choose to do so.

Mahalo,
Adam Schwarze

HB-1838-HD-1

Submitted on: 2/28/2024 10:25:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Krewell	Individual	Oppose	Written Testimony Only

Comments:

Hello Legislators,

Thank you Chair and the entire Committee for the opportunity to testify on HB1838. My name is Kevin Krewell. My wife, Fely, and I have owned a condominium unit in Kihei (Maui) since 2002. The condominium complex was always designed for short-term rentals.

My wife was born and raised on Maui and we have strong local connections and visit the islands multiple times per year. We are mostly retired. In the times when we are not on Maui, we offer our unit as a short-term rental (STR). If STRs are zoned out, we would not just lose out on that rental income, the local economy would lose out on those visitors who prefer condominiums over the much pricier hotels. This is especially true for families who come here year after year. The only winners here are the hotels. Local shops and restaurants, and even airlines, would lose business from the lost potential condominium renters that will no longer be able to afford to visit. We would not put our unit into a long-term commitment because we spend approximately 40% of our time in our unit.

Re-zoning STRs into oblivion is not a solution to the housing shortage. Turning Hawaii into a retreat for the rich will not solve the economic issues facing the state. This bill (HB1838) will not help either renters or local small businesses. Please reject this bill.

Thank you for hearing our testimony.

Kevin & Fely Krewell

HB-1838-HD-1

Submitted on: 2/28/2024 10:27:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dane Ramos	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

To Honored Members of the State House

I oppose HB1838!!

My family relies on the income from our legal permitted short term rental home that has been in operation for over ten years to support our ability to live on Maui. Our business supports numerous other small businesses that allow so many local residents to make a viable living wage to live here in Hawaii.

The hotels & County of Maui cannot support employment of the entire group of folks that are supported by these vacation rentals outside the resort district that the County of Maui would like to phase out. The hotels can't even pay these folks what they make in this sector of business, which is feeding vast amounts of tax money to the County by means of Property Tax revenue, MTAT, and State GET & TAT taxes.

Please oppose HB1838 and allow the residents of Hawaii to participate in the tourism sector, the major economic driver in Hawaii!!

With Aloha,

Dane Ramos

Makawao, Hawaii

HB-1838-HD-1

Submitted on: 2/28/2024 10:27:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Braun	Individual	Oppose	Written Testimony Only

Comments:

I have wanted to live in Maui since the first time I visited over 30 years ago. My husband and I got engaged and married here and have visited twice a year ever since. We were planning to retire last year, so in April 2023 we purchased our dream home - a condominium at Valley Isle – intending to split our time between Maui and the mainland where our family resides.

To help make this affordable for us in retirement, we opted to purchase a legal short-term rental so we could rent the unit out when we were here. This is not a money-maker for us – it is our home. We worked our entire lives to be able to live here – whether full or part time. The passing of this bill would be personally devastating for us in many ways. We support Maui in every way possible – offering our home to displace friends for the first six months following the Lahaina fire, donating time and money to helping the displaced as well as local businesses. Please don't kill our hopes and dreams of a continued life on Maui.

In addition, it's my understanding that Maui's short-term rentals provide 40% of the real property tax revenue for the County, as well as being the top funding source for affordable housing in Maui. This STR property tax revenue represents 18% of the county's 1.7-billion-dollar budget. Where will that revenue come from?

Mid and short-term rentals accommodate displace residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, travelling nurses, emergency contractors, temporary military and students, our family, and friends.

Events like the Lahaina fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/28/2024 10:27:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maurie Feldberg	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill as a **total overreach** of government. I purchased a short term rental condo that is zoned correctly in the resort district area of Waikiki and to allow you guys to arbitrarily remove this zone and disallow a hard working, tax paying, citizen the right to make investments and count on a retirement income is absolutely wrong! Stop the overreach!!!

I say ABSOLUTELY NO to this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 10:28:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JANICE T TOWER	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose allowing counties to phase out short term rentals. Since 2007, I have been a permitted owner of a rental in Upcountry Maui which is about an hour drive from West Maui. We provide accommodations to visitors and residents alike who are looking for a quiet place to stay away from busy town centers. The main house has been rented long term for 24 years while the ohana is available short term. My family stays in the cottage for our own getaway. Local Upcountry residents often use the cottage to house their relatives when they come to visit, and we occasionally rent to itinerant workers at the Kula Hospital, 1/2 mile away.

I pay sales and accommodations taxes which contribute to the portion of county revenue provided by short term rentals, which is 40% of the county's real property tax revenue. I hire local contractors for landscaping, maintenance, and house cleaning.

Shutting down accommodations such as ours will not force us to rent the ohana on a long term basis. I would just leave it empty for personal use. However, it would make an impact on the livelihood of our contractors' businesses.

HB-1838-HD-1

Submitted on: 2/28/2024 10:28:41 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carmen Leigh Ormonde	Individual	Oppose	Written Testimony Only

Comments:

My husband and I have been coming to the island of Maui for over 40 years. We were blessed to have purchased a condominium at the Palms of Wailea 21 years ago that was zoned for short-term vacation rentals only. This purchsse has never been a "money maker" for us. We have priced the rental to be affordable to tourist and allow for our own enjoyment while visiting the island with our children and now grandchildren. We feel that our vested interest in this unit has contributed to the tourism by the accomodations that it provides not to mention the jobs it creates for the people of Maui. We have always had an on-island property manager to manage the condominium for us, which was another government requirement and pay thousands of dollars in hotel tax and property tax, annually. We did our part to own this unit and for the government to change its current zoning seems very fradulent. Tourist that are visiting the island need options for their accomodations and condominiums typically are more affordable than many of the hotels. Changing the zoning of this condominium will devalue our condominium and destroy many of the positive contributions it brings to Maui. A change in zoning is not the answer to Maui's housing issues. Maui needs tourism and the tourit need options for their stay. Not all tourist wants to be in a hotel for many obvious reasons.

HB-1838-HD-1

Submitted on: 2/28/2024 10:29:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Easley	Individual	Oppose	Written Testimony Only

Comments:

Aloha - For years our family has owned a small condo at Napili Shores. We use it personally several times a year, but also - like many others - we rent our unit out as a short-term rental. This short-term rental component is what makes our ownership of the unit possible. I beg you to not eliminate this option. It seems to me that short-term rentals allow the "little guy" to participate in the Maui tourism economy and not just the big hotel corporations. Also, it seems unfair to change the rules of the game now. Please do not pass this law. Mahalo.

HB-1838-HD-1

Submitted on: 2/28/2024 10:30:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
nicole	Individual	Support	Written Testimony Only

Comments:

House Committtee on Judiciary and Hawaiian Affairs

HB1838 2/29/24 @ 2pm

IN SUPPORT

Aloha, I am a long time resident of Maui County, who actively strives to stay informed on the issues that most impact our community. I am writing to you today on behalf of our community, in regards to bill HB1838, which I am in SUPPORT of.

It goes without saying that the housing crisis is the current issue most impacting the community, by far, and I am very grateful for the possibility of addressing the loopholes which have allowed this issue to exacerbate exponentially over the past decade, as out of state investors continued to buy up housing inventory with sole intentions of using their newly inherited properties for short term vacation rentals-while at the same accord, are giving back very little to the community(less than 1 in 4 STR units are owned and operated by Maui residents). This has created a huge impact on both available housing as well as the ability to maintain an adequate affordable housing inventory for our every day community members, which has greatly impacted the quality of life for our residents, and it is imperative that measures be taken to mitigate this crisis. Our community members continue to be displaced by the day, and families are being pushed out in droves to a degree that is quite unsustainable. Among those being impacted by this are our teachers and school administrators, who work to provide our keiki an education and opportunities. These are also our nurses, phlebotomists, radiology techs, etc, who work to provide our community with health care and services. These are the fire fighters, police and first responders who work to keep our community safe. These are our hospitality employees and restaurant employees, who work to maintain a thriving tourism economy, which has provided substantial income on the state level as well. I could continue giving examples, but for the sake of keeping this testimony a reasonable length, I will stop myself, as I think I have made my point-- that these every day people who are being displaced are the very community members who play important and integral roles in maintaining a functional community and thriving economy at both the county and state levels, so it is imperative that we take measures to ensure that these community members who play such a critical role in the framework of our community do not continue to be displaced and pushed out at such unsustainable rates--simply for the sake of maximizing short term vacation rental units.

Where I do feel that HB1838 is a great start to addressing our housing crisis, which will inherently also help to aiding in regaining a better quality of life for our residents, I also wanted to include that I feel this bill should be ammended to also include apartments rather than just single family homes, as that is where the majority of the original residential housing inventory is being used now to instead function as short term vacation rentals on the west and south sides of the island. In order to make the greatest impact to mitigating this housing crisis, this bill would need to include phasing out STR apartments as well, which could then be reallocated back into the available long term housing inventory for our every day residents.

This is such an important issue, and if not addressed immediately, Maui community will suffer to the point of unsustainable dysfunction, economic crisis, and extremely decreased quality of life-- IF our residents are even able to continue calling Maui home and do not end up forced to relocate elsewhere.

Thank you for your time and allowing me the ability to testify today on behalf of Maui community.

-Nicole Heard

Concerned and compassionate community member, Waiehu, Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 10:34:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Gaddis	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a neighbor island resident and cancer survivor, along with being the child of two other aging cancer survivors, I am highly concerned about anything that could threaten our ability to seek medical treatment in Honolulu. Part of medical care often necessitates multi-day or multi-week housing needs that are absolutely incompatible with hotel stays and hotel facilities.

Any overly broad action that may result in an extension of rental periods to a minimum of 180 days is simply incompatible with the needs of so many who need shorter term housing - whether that be for medical, work-related, or other reasons (dislocation or being in the process of relocation).

In my professional life as an active real estate agent and investor, I acknowledge the challenges that come with, for example, lack of oversight and uncontrolled growth of unhosted single-family home short term rentals, and totally agree with efforts to better regulate them. I'm also in agreement with long term efforts to expand housing inventory in general. However, any 180 day minimum outcome would just be economically and logistically impractical and potentially litigious.

thank you for reconsidering this measure.

Nathan L, Gaddis

HB-1838-HD-1

Submitted on: 2/28/2024 10:35:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
yigit kiran	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Hawai‘i State Legislature,

I am writing to express my strong opposition to the bill that seeks to end short-term vacation rental units across Hawai‘i. This proposed legislation not only threatens my personal livelihood but also poses significant risks to our local economy, the vibrancy of our communities, and the diversity of accommodations that we are proud to offer to visitors from around the world.

Personal Impact: On a personal level, managing a short-term vacation rental has been more than just a source of income; it has been a way of life. It has allowed me to share the beauty of our islands with visitors, providing them with a home away from home. This bill threatens to strip away my livelihood, impacting my ability to support my family and contribute to my community in a meaningful way.

Economic Impact on Small Businesses and Local Economy: The proposal to eliminate short-term vacation rentals overlooks the critical role these units play in supporting our islands' economy, especially small businesses that thrive on tourism. These rentals drive significant foot traffic to local shops, restaurants, and attractions, distributing tourist spending across our communities rather than concentrating it in areas dominated by large hotels. The loss of this vibrant sector could lead to reduced sales for these businesses, potentially resulting in closures and a significant loss of local jobs.

Loss of Tax Revenue: Currently, short-term vacation rentals contribute to 40% of the property tax revenue in Maui. This substantial contribution supports essential public services and infrastructure improvements that benefit both residents and visitors. Eliminating this source of revenue would necessitate finding alternative funding mechanisms, likely placing a heavier tax burden on local residents or cutting critical services.

Complement to the Hotel Industry: Short-term vacation rentals offer a complementary option to traditional hotel accommodations. They provide more affordable lodging choices for families and groups, diverse experiences that reflect the unique character of our islands, and opportunities for visitors to immerse themselves in local communities. Additionally, these rentals create numerous jobs, from property management and cleaning services to local artisans and house repair contractors, further supporting our economy.

Retention of Profits Within the State: Unlike revenue generated by large international hotel

conglomerates, profits from short-term vacation rentals largely stay within the islands. This money supports local property owners, employees, and businesses, ensuring that the benefits of tourism are more evenly distributed across our state. The proposed bill risks redirecting these funds away from our communities, contributing to the economic centralization that we have fought hard to prevent.

In conclusion, while I understand the concerns that may have led to the proposal of this bill, I strongly believe that the elimination of short-term vacation rentals would have far-reaching negative consequences for Hawai'i. Instead of a ban, I urge the consideration of regulations that address concerns while preserving the benefits that these rentals provide. We must work together to find balanced solutions that protect our communities, support our economy, and maintain the diverse, welcoming spirit of our islands.

Sincerely,

Yigit Kiran

HB-1838-HD-1

Submitted on: 2/28/2024 10:37:02 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Gonzales	Individual	Oppose	Written Testimony Only

Comments:

We just won the right to lease for 30 days. That is the 2nd time the City and County of HNL has taken upon themselves to change a law that does not work in their favor. Who gives them the voice we as residents and tax payers do that. We give that to them to represent us not kill us . Thanks for your time. Jenniifer Gonzales

HB-1838-HD-1

Submitted on: 2/28/2024 10:37:10 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mengjia Gu	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and committee,

My name is Mengjia Gu. My husband and I own a condo in Waikiki Banyan.

I am writing in opposition of this bill because short-term rentals are important for us as a second home owner.

the Banyan condo is our second home. Our primary home is in San Francisco. This second home carries our love and passion of Hawaii. We stay in this home about 2-3 months a year. It's a great place to meditate and heal our souls from busy tech life in California.

to ease our mortgage burden, we rent out condo out when we are not staying. The revenue of short term rental going to mortgage really help us a lot to maintain this second home which serves a soul heal purpose for our life.

if our condo cannot be rented when we are not staying there, we will face financial burden and might end up selling the condo and leave the island. That will be a sad ending which we don't want to see.

also, we manage short term rental communications with guests by ourselves and hire local property manager and local cleaners in the building, which help local labor market. We feel super fulfilled when we see our guests like our condo and have a fantastic stay and memory in the condo. This is really the best fulfilling moments for us to feel aloha love when we are not on the island. We see we spread our passion and love of hawaii spirits to our guests via this short term rental.

Most of our guests are staying at least 5 days. The reason they choose our condo instead of hotels are because staying with our condo for more than a week is much more affordable than hotel. Also, our condo has all kinds of home amenities which hotel doesn't provide. Our guests love our condo a lot. We continuously see our guests to be returned to our condo. That will be very sad for our guests if the condo could not be rented for a short term. That means Hawaii might loose a big portion of guests. This will impact other tourism businesses.

in the part of our condo rentals, we provide our guests local tour and restaurant guidance. This helps the local vendor business. We also continuously upgrade our condo with local vendor's decorations, which enrich the local business and advocate aloha culture.

I ask that you please do not move this bill forward.

best regards,

Mira

HB-1838-HD-1

Submitted on: 2/28/2024 10:37:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Novak	Individual	Oppose	Written Testimony Only

Comments:

Committee on Judiciary and Hawaiian Affairs Hawaii State Capitol 415 S. Beretania St.
Honolulu, HI 96813

Subject: Opposition to HB1838- Testimony for Committee Hearing on February 29th

Dear Committee Members,

We, Scott and Susan Novak, are writing to express our strong opposition to House Bill 1838, which could severely impact our livelihood and the value of our property, Kihei Alii Kai D301. As 6th and 2nd grade teachers from Washington, we have diligently saved and invested in our vocational rental property after years of visiting Maui and falling in love with its beauty and culture.

Three years ago, we made the decision to purchase our vacation rental property at Kihei Alii Kai, understanding the high prices associated with short-term vacation rentals in the area. Our ability to rent out the property was a crucial factor in our decision-making process and the financial viability of our investment.

HB1838 poses a significant threat to our ability to continue renting out our property and could result in a substantial loss of rental income which would impact our ability to afford the property. Additionally, the potential decrease in property value would further exacerbate the financial impact on us as property owners.

Furthermore, the implications of HB1838 extend beyond our personal situation. The bill could lead to the phasing out of thousands of legal short-term rentals on Maui, impacting the local economy and depriving the county of essential revenue generated through property taxes. Moreover, short-term rentals play a vital role in accommodating various individuals, including displaced residents, traveling professionals, and visitors seeking temporary housing solutions.

In light of these concerns, we urge you to reconsider HB1838 and its potential consequences on property owners, local businesses, and the Maui community as a whole. We implore you to preserve the existing framework that allows for responsible short-term rentals while addressing any legitimate concerns through collaborative efforts with stakeholders.

Thank you for considering our testimony, and we hope that you will take our concerns into account during the upcoming committee hearing on February 29th.

Respectfully,

Scott and Susan Novak

HB-1838-HD-1

Submitted on: 2/28/2024 10:38:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Philip Frank Storey	Individual	Oppose	Written Testimony Only

Comments:

As grandparents, my wife and I are frequent visitors to Maui in order to see my grandchildren. This is only possible because I am able to stay for short terms in nearby short term let apartments. I treat my grandchildren by going to all local businesses and invest in the island economy. If a short term let was not an option the opportunity to visit my Maui born and bred grandchildren would be limited. Due to finance issues and needs of the children my daughter and grandchildren are unable to travel from the island.

Please reconsider the consequences this bill will have on families like ours and oppose the bill.

Thank you.

HB-1838-HD-1

Submitted on: 2/28/2024 10:40:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amanda Schaefer	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Amanda Schaefer

HB-1838-HD-1

Submitted on: 2/28/2024 10:41:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessika Lawrence	Individual	Oppose	Written Testimony Only

Comments:

Short-term housing plays a critical role in Hawaii and always has. As far back as 20 years ago when I was a new college graduate, I had to rent the extra rooms in a 3 bedroom house because there was a lack of studio and one-bedroom housing available for the same per bedroom cost I could rent a larger home. With two roommates inevitably there would be a mismatch of personalities and roommates were replaced. If you change zoning and enforce laws that prohibit month-to-month short-term rentals, you will invalidate this vital style of house sharing that continues amongst the 20-30 yr olds living and working in Hawaii. In addition, you will eliminate the fully furnished housing available to military moving to and off island on Permanent Change of Station orders and contract workers (like internet technology remote workers) who contribute to our economy with stays under 6 months. I believe we already have laws prohibiting nightly rentals that are not being enforced and a new law will not help with that lack of enforcement.

HB-1838-HD-1

Submitted on: 2/28/2024 10:43:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg bruce	Individual	Oppose	Written Testimony Only

Comments:

Please don't go forward with this. My wife and I saved and saved for our condo, and we will not be able to afford it without rental income. We have tried to be good community members, we love Maui.

Thanks for your consideration,

Greg Bruce

HB-1838-HD-1

Submitted on: 2/28/2024 10:43:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stacie Fong	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I am writing to express my deep concerns about HB1838 and its potential impact on the livelihoods of many in our local community. As a resident of Hawaii, I have friends whose employment is reliant on short-term rentals. If this bill passes, it has the potential to significantly reduce their monthly income or even lead to the loss of their jobs.

Mahalo for your consideration, and I kindly request that you oppose HB1838 to protect the livelihoods of local residents.

Warm regards,
Stacie Fong

HB-1838-HD-1

Submitted on: 2/28/2024 10:43:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
michelle horen	Individual	Oppose	Written Testimony Only

Comments:

My family has owned and operated a vacation rental in Hana, Maui for almost 20 years. There are very few options for guest lodging in our community. When tourists decide to stay a few days in Hana this helps our local economy and gives us an opportunity to educate visitors on the sacredness of this 'aina. Our vacation rental also serves as an affordable option for locals to "staycation" on our side of the island.

We pay a very high tax to help the rest of the economy on Maui, including affordable housing. As small business owners, the income from this property is my parents main source of retirement and it would be detrimental for the government to take away our permit.

I understand restricting the number of vacation rentals but to eliminate the existing rentals would only create more of a monopoly for hotels.

HB-1838-HD-1

Submitted on: 2/28/2024 10:43:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mr Gary Passon	Individual	Oppose	Written Testimony Only

Comments:

My family and I Oppose this bill.. We are kama'ania and having a couple of these units. together they provide the bulk of our retirement income. We are a small business. We personally manage and maintain these units to keep our costs down. We use these units as our temporary housing and as a "get-away" from our normal busy lives. Our LEGAL units are a big piece of our networth and it will mean a lot to pass these units onto the next generation. Why rob from local owners and local small businesses to give to other locals? It is not our fault that government has not faciliated affordable housing over the last 20 years. Please don't hurt us or our legacy. STOP expanding and building more resorts!

What about Out-of-state 2nd/3rd homes? What about Timeshares Property with 40-50% occupancy. Why not pursure incenting them to participate verses taking something away!

HB-1838-HD-1

Submitted on: 2/28/2024 10:44:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERRI CRUDO	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee, for over 25 years we have been taking our family to the Hawaii Islands. Our children, grandchildren and us have loved learning about the Hawaii Culture and meeting the local Hawaiians. Our experience is the locals have always been very friendly, helpful and thanked us for visiting the Island. We try to visit the Islands 2 times a year and stay about 14 days. The proposed Bill HB1838 would be a game changer for our family because we could never stay 90 or 180 day minimum. Besides being heartbreaking for us, thinking it would really hurt financially in so many ways the Hawaii People. Part of what we love about visiting the different islands is staying a few days here and there at short term rentals so we can enjoy in all of Hawaii's Culture and Beauty. Please do not pass this bill. It would stop so many families from learning about the Hawaii Culture, sharing its amazing beauty. Many Hawaiians would lose their jobs. Thank You In Advance For NOT Passing Bill HB1838, Terri

HB-1838-HD-1

Submitted on: 2/28/2024 10:44:48 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kencho Gurung	Individual	Support	Written Testimony Only

Comments:

Please pass this bill and return housing to local residents!

HB-1838-HD-1

Submitted on: 2/28/2024 10:45:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Sasitorn	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

Regarding HB1838, I would like to express my opposition to HB1838 for a number of different reasons. I currently own a condo within the resort zone in Waikīkī. My primary home is in San Francisco, WA. Over the past 5 years, Hawaii has been my top vacation destination, and I've mainly stayed in short-term vacation rentals, based on the flexibility, affordability, larger and more homey accommodations they provide. They experiences have been so much more enjoyable than traditional hotels, that in the last year I also came to invest in a condo in Waikiki, and have spent tens of thousands of dollars improving the unit, and investing in the local community.

Many of the people that rent my unit today choose it because it's set up for visitors temporarily staying in Honolulu that want to bring their families. I know first hand that many families visiting the islands prefer to stay together in a larger home/airbnb instead of renting multiple hotel rooms. Furthermore, the amenities I have make longer stays possible, provide the conveniences of home (full kitchen, laundry, desks), and allow private business to be discussed among traveling colleagues without having to be in someone's bedroom. We also provide guides to our guest of our favorite local restaurants and shops to explore across the island, which helps local small businesses and the local economy.

These STVRs are an important part of the tourism market. Many people are coming to Hawai'i that otherwise couldn't afford to. That is a net positive for both them and the people of Hawai'i. Also, we employ a local property manager, cleaning services, service providers, and contractors, that all contributes to the local economy. Furthermore, we pay ~15% tax on all of our gross earnings that all goes toward the local government and community.

When I see this bill, it reads more like one designed to eliminate an important part of the economy, rather than the more rational approach used by City and County of Honolulu. City & County of Honolulu has clearly defining resort zones, a bill that I believe was a good compromise between keeping neighborhoods intact while providing some balance to the hotel industry. These same measures could be invoked on the neighbor islands at any time, without additional legislation at the state level. Rather than pursuing an entire long down across the state, the better solution is proper zoning on a per county basis.

I oppose HB1838, and believe the best decisions are almost always made at the local level. The neighbor islands have not chosen to zone or regulate STVRs (and many of the accommodations along the coasts were built for STVRs in the first place). The fact that O'ahu did tells me that the neighbor islands don't have the same issues as O'ahu and that, by default, makes this legislation an unnecessary intrusion where maybe not all the facts on the ground are understood.

I appreciate the opportunity to voice my opinion with you and I hope you'll spend the appropriate time necessary to thoroughly vet this legislation. Sometimes the best thing a legislature can do is nothing. Mahalo.

James Sasitorn

HB-1838-HD-1

Submitted on: 2/28/2024 10:47:13 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Juliana Cherry	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838_HD1 because it could have a grave impact on my life. It seems that the proposed legislation HB 1838_HD1 has picked up last year's HB 84. We understand that there are people not following the rules already set forth for short-term rentals, and we support enforcement of the rules. However, the following provision is excessive and seems to go against the historical practices of "grandfathering" in non-conforming uses.

We have a vacation rental with a legal non-conforming use permit and we live on the property in our ADU apartment. My husband and I have lived in Kauai on this property for over a dozen years and we are retired in our mid/late 70s. We cannot live on Social Security alone. The income from the vacation rental is necessary. We have planned and arranged our lives counting on the fact that we are operating under the guidelines set forth by the county and state. We know there are many people, younger and older than us, who live on Kauai and have similar situations where they count on income from short-term rentals. This bill would be a huge impact on ourselves and many others.

The other aspect of the situation is that many visitors prefer to have more of a local experience rather than staying in a hotel or resort. We have hosted many multi-generational families who are happy to spend the day exploring our island of Kauai and then be able to return to a comfortable "home away from home" where they can prepare a meal and play games together or watch TV. And yes, this is a more affordable option for a family of 5-8 people. Is the state of Hawaii trying to discourage the common man, the little people, from being able to travel to and enjoy our blessed islands?

We hope that the state and counties can honor the arrangement made through the process of "grandfathering in" many vacation rentals and not cut off a flow of money much needed by residents of the Hawaiian islands. Plus the fact that the short-term rentals are a source of revenue via GE & TAT taxes and state income tax. We urge you to vote NO on hb 1838_HD1.

HB-1838-HD-1

Submitted on: 2/28/2024 10:48:07 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dylan Hawkins Siarot	Individual	Support	Written Testimony Only

Comments:

As a resident, widow, single mother who has been battling the housing crisis on Maui since my husband passed away in 2019, and now as a fire survivor who lost everything, I support Bill HB1838.

Dylan Jane Hawkins Siarot

**Steven and Pamela Reed and Ohana
75-6160 Akoa St
Kailua-Kona, HI 96740**

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong Opposition

Our family owns a home in Kailua-Kona that is shared by us and our two Hawaiian resident sons: one in Kona Town, and one in Honolulu. We also operate it as a STVR to subsidize all of our income.

Our home has been a legally permitted STVR since 2016. I encourage the committee to carefully review the significant negative financial impact that has been overlooked regarding local and state tax revenue. Here is the contribution to annual tax revenues that our home generates:

<u>Revenue Now</u>		<u>IF NO STVR</u>	
STVR Property Tax	\$18,000.00	Property Tax	\$ 6,000.00
Hawaii County TA	\$ 9,531.19	Hawaii County TA	\$ 0
Hawaii GE Tax	\$14,970.34	Hawaii GE Tax	\$ 0
Hawaii TA Tax	\$32,994.16	Hawaii TA Tax	\$ 0
Personal Income Tax	\$ 6,500.00	Personal Income Tax	\$ 0
Total Tax Revenue	\$81,995.00	Total Tax Revenue	\$ 6,000.00
Hawaii Tax Loss	\$75,995.00		

There are so many other contributions to the local economy and jobs that are difficult to calculate but are very significant. If we are unable to operate as a STVR, our home will not generate revenue that is currently spent with vendors such as landscapers, pest control, maintenance, cleaners, etc. Instead, we will do the work without pay. Last year, our property alone contributed over **\$111,000.00** in wages and services. The STVR revenue made it possible to invest over **\$105,000** for a new solar and battery storage system. Good for the environment, economy and jobs!

We understand the need to carefully manage STVR's, housing, tourism, economy and the general well being of Hawaiian residents and visitors. Hawaii has already eliminated unlicensed STVR's and have reaped new tax revenues from those who operated without licenses. PLEASE do not penalize owners who depend on income to support our families.

**Steven and Pamela Reed and Ohana
75-6160 Akoa St
Kailua-Kona, HI 96740**

Also consider that many homes are too expensive to be occupied by working families. This is true of our home too. If we lose our STVR permit, we all lose our income and our home would likely be sold to someone who might leave the home vacant much of the year, potentially forcing our three households to move away like so many others.

PLEASE FIX ONLY WHAT IS BROKEN!

The State of Hawaii and County Governments will lose more than enough tax revenue from our home alone to support affordable housing for others. Think carefully of all the unintended consequences of this bill. PLEASE delay this bill and conduct a thorough unbiased, in-depth analysis of the total financial impact and social consequences of this bill. Enlist the University of Hawaii researchers and others to dig deep into this issue... then act accordingly.

Mahalo,

Steven Reed

Mc_ranch@msn.com

HB-1838-HD-1

Submitted on: 2/28/2024 10:50:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Crystal Elliott	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair & Committee Members,

My name is Crystal Elliott, I am a resident of the Big Island of Hawaii. I am writing you today to voice my strong opposition to 1838 HB RELATING TO ZONING., which proposes eliminating short-term rentals. As a family member whose livelihood depends on the short-term rental industry, I am deeply concerned about the potential detrimental impacts this bill could have on our well-being and financial stability.

Short-term rentals have been an essential source of income for my family, providing us with the means to put food on the table and afford housing. Eliminating this option would not only jeopardize our ability to support ourselves but also deprive countless other families like mine of a crucial source of income.

Moreover, short-term rentals contribute significantly to our local economy, generating revenue for small businesses, restaurants, and other establishments in our community. By attracting tourists and visitors, these rentals play a vital role in stimulating economic growth and fostering a vibrant tourism sector.

I understand the concerns that may have prompted the introduction of this bill, such as noise complaints or disruptions to neighborhoods. However, I believe that these issues can be effectively addressed through regulation and enforcement rather than outright prohibition. Imposing a blanket ban on short-term rentals would be a disproportionate response that punishes responsible property owners like myself while failing to address the root causes of any problems.

In conclusion, I urge you to reconsider 1838 HB RELATING TO ZONING.and its potential consequences for families like mine. Instead of eliminating short-term rentals altogether, I implore you to explore alternative solutions that strike a balance between addressing community concerns and preserving the livelihoods of hardworking individuals and families. Thank you for considering my testimony.

Mahalo,

Crystal

HB-1838-HD-1

Submitted on: 2/28/2024 10:50:21 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeanette Odelberg	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I been coming to Maui yearly for 15 years now.

I love Maui and 2018 my best friend and I decided to buy a small condo together.

We spent our life savings to be able to buy a small place.

We made sure that short term rental was allowed, since we can not afford to have it sit empty when we are not there.

We did not purchase our condo to make money off it.

This would have devastating effects on us and also all the people who help and work with all the short term rentals.

This will not be good for Maui!

Mahalo

Jeanette Odelberg

February 29, 2024

Hawaii State Legislature

Subject: Senate Bill 2919 & House Bill 1838

Dear State Legislature,

As an owner of a townhome in the Puamana complex of Lahaina, whenever we are in Maui, we support many of the small businesses on the Island, including local restaurants, services and shops.

When we are not in Maui, we offer our home for rent to visitors to Maui. Our tenants provide significantly more commerce to small local businesses than guests that stay at the many hotels on the Island. Oftentimes, hotel guests remain at such hotels and do not support off-property businesses. Short-term rentals also benefit the State of Hawaii by generating significant tax revenue.

We are a responsible, short-term rental property owner and can afford our Maui second home due to income it generates while we are away. We visit our property about three times each year with the intent of becoming a full-time residents sometime in the future.

We strongly urge you not to alter current property rights and laws by placing further restrictions on short-term rental properties. These rights were one of the main reasons we purchased our Maui home in the first place. We, therefore, strongly oppose the passage of the subject Bills which would have a significant adverse effect on all short-term rental property owners in Hawaii.

We respectfully thank you for your consideration of this request.

Sincerely,

Bruce & Sue Sakashita

272 Pualei Drive #6
Lahaina, HI 96761

HB-1838-HD-1

Submitted on: 2/28/2024 10:51:36 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Navejas	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill as I purchased my unit when I knew I needed additional income to support my sons through college. My husband passed away of terminal cancer in 2006 and I lost my Social Security benefits for them once my sons turned 18. With medical issues of my own, the income I receive helps cover my medical insurance and bills that I have incurred over the last few years.

Regards,

Elizabeth Navejas

Linda Siegel
84-680 Kili Drive, Unit 703
Waianae, HI 96792

February 28, 2024

RE: HB1838

In 2021 my husband Marc and I purchased our condominium at Makaha Valley Towers (MVT), in Waianae, solely to live in when we retire. We chose Hawaii for health reasons; it is the only state where I don't have terrible allergies. We are not investors or real estate moguls. We only own two homes: one in Waianae, HI and one in San Jose, CA. We did not buy the condominium to make money! We barely make enough money to pay the costs of owning it now! We rent it out for no less than 30 days or more when we are not there and can only afford to keep it if we rent it until we retire. We were told by the previous owner that the condominium was a 30-day rental for years. We chose Waianae because it is quiet, with no heavy traffic, and not full of chaos.

We registered our condominium before ever renting it out. We vet our guests VERY carefully. We register our guests with MVT management and security well before they arrive. Our condominium is a two-bedroom. We only allow up to four people, with one vehicle, for no less than 30 days. We are not causing any traffic congestion. We have strict rules for our guests to follow. We contribute to the local economy when we are there. Our guests also contribute to the economy.

We pay all transient and general excise taxes, and we've never had any complaints against us, not to the state, county or from our neighbors. MVT has 24-hour security, and we pay a hefty HOA fee of \$1247 every month. We also added \$1000 a month to the mortgage on our home in CA to buy the condominium. We carry rental insurance and an umbrella liability policy in addition to homeowners' insurance. We employ local plumbers, electricians, handymen and housekeepers. We shop and dine locally.

Should any bill pass prohibiting 30-day rentals we will have to sell our retirement home. These bills would negatively affect a lot of folks with legal rentals who follow the law, pay their taxes, and contribute to local economies, NOT just people in Honolulu! We oppose **HB1838!**

Respectfully,
Linda Siegel

HB-1838-HD-1

Submitted on: 2/28/2024 10:53:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Cherry	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE HB1838 HD1

I have been the owner of a non-conforming use vacation rental since 2005. I have always complied with local Kauai requirements regarding our rental, including paying a large annual fee to the county. If HB1838 HD1 is passed and our rental can no longer be rented to transient vacation guests the retirement income of my wife and I will be severely impacted. The grandfathered-in clause in our legislature is meant to protect the constitutional rights of the owner by preventing him or her from being deprived of the viable economic use of their property. HB 1838 HD1 if enacted would do just the opposite of the intended tenets of the Grandfather Clause.

HB-1838-HD-1

Submitted on: 2/28/2024 10:53:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Leone	Individual	Oppose	Written Testimony Only

Comments:

We own a short term rental at the Maui Banyan. We have been owners since 2003. We are able to provide reasonably priced lodging for those wanting to visit the islands. We pay taxes on that revenue to support the island. Without short term rentals many folks would not be able to come to the islands to visit and tourism would decline. Not everyone can afford to pay upwards of \$500.00/night plus taxes and fees. Our renters visit, spend money and support tourism in this state.

HB-1838-HD-1

Submitted on: 2/28/2024 10:54:24 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ash	Individual	Support	Written Testimony Only

Comments:

Mahalo for this opportunity to testify in strong support of HB1838, which would allow counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. Would like to give thanks to Chair Evslin, for co-chairing the Lahaina Wildfire Interim Working Group on Shelter, which developed and introduced this legislation so we can ensure a positive outcome for this situation.

As acknowledged in 6A of the Shelter Working Group's summary of findings, "the primary challenge to securing permanent housing for displaced families is the lack of available housing stock." In 1C of its findings, it recognizes that "Maui and Kaua'i have lost existing housing stock, likely due to out-of-state owners leaving units vacant and converting housing stock to vacation rentals. The impact of short-term rentals is most significant on Kaua'i and Maui, with 15% of the housing stock consisting of vacation rentals and many of the units highly concentrated in certain towns, including Lahaina."

There are over 2,200 units in Lahaina currently used as transient vacation rental units in the apartment zoned district alone. Many of which were once workforce and long-term housing units. This bill will help our county return many of these units back to our full-time residents.

It's crucial for our county that the legislature acknowledges transient vacation rentals as commercial, not residential, use. Thank you for the chance to strongly advocate for HB1838.

Thank you

A.Long

HB-1838-HD-1

Submitted on: 2/28/2024 10:56:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gezim Pema	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

We are Gezim Pema and Shpresa King. We are members of the Maui community. We are Americans. We have worked hard and saved and saved to reach our dream, owning a condo on Maui For our retirement residence . We don't own multiple Maui properties, We are a family who worked hard and trying reached our dream to move in Maui after we retired . Purchasing our condo home took much of our savings and we took out a mortgage on our home to purchase it. To be able to afford the extremely expensive tax and HOA bills, we must rent our condo out part time till we retire . HB1838 would force us to lose our home, and I believe this would be the case for many people. The high fixed expenses of the condo would not make it viable for workforce housing. The inability to rent short term would also weaken the housing marketing, causing us to sell at a loss. All those years of hard work and sacrifice, gone with the stroke of your pen. We are crushed and bewildered and don't know what to do next, other than to write and ask you to consider what this bill will mean to thousands of Maui families.

We feel deeply for the people of Maui who lost loved ones and/or their homes. I was there when fire happen was a nightmare I can't put the words together. We help many times for about two months we were there after the fire We did this in the spirit of Aloha and a sense of Pono, we were not paid by FEMA or any other agency, we did it for our community. Maui is our home too. Passing HB1838 will have unintended negative consequences for thousands of Maui residents. Losing your home to a bureaucratic bill is not like losing it to fire, there is no comparison. But the outcome is the same, our homes will be gone, taken from us by no fault of our own.

Workforce housing shortages have never been eliminated by removing short term resort vacation condo rentals. Our HOA fee is more than \$10,000 a year. Our real estate tax bill, not counting the STR taxes, is more than \$14,000 a year. All of the condos on Maui have expensive HOAs and tax bills. You can see why our family needs to have some short term rental income to afford our condo. These complexes were not originally built for workforce housing. The HOA operating costs alone make it nearly impossible for a typical family to afford these expenses. Even if prices come down, the HOAs will not, it takes that much to run and manage the

properties. And you will need to replace the tax revenue the condos contribute. This extra tax should not be put on the backs of the local workforce.

Please consider the broad unintended consequences of this potential legislation and work to find a solution that doesn't hurt so many families.

HB-1838-HD-1

Submitted on: 2/28/2024 10:57:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Amsler	Individual	Oppose	Written Testimony Only

Comments:

My family and I have been blessed to visit Maui and Hawaii only because of the short-term rental options provided by rental home owners. The proposed Bill HB1838 would prevent us from ever returning to Maui or Hawaii because we could never afford or be away from home and work for a 90 or 180 day minimum. Short term rentals allow us and our family to visit, enjoy, and immerse ourselves to gain knowledge, respect, and healing from the Hawaiian People and Islands. Ending short term rentals would be detrimental loss for us, as well as the Hawaiian People, Families, and Businesses that survive off vacationers and tourism. We beg of you, Do not to take the honor of visiting Hawaii away from us and ten's of thousands of others.

HB-1838-HD-1

Submitted on: 2/28/2024 10:59:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael R Forrest	Individual	Oppose	Written Testimony Only

Comments:

Oppose HB1838:

Our condo in Kihei is used at least 330 days/year by us, family, friends, and renters. We ALL provide air arrival fees, car rental taxes, three separate state and county taxes, property tax, sales tax on purchases and meals, county facility use fees, real estate purchase taxes, etc. We also employ management, cleaning, maintenance employees and support a myriad of small businesses with our patronage.

How could you possibly be considering decimation of the industry that supports most of your local residents?

This Bill could result in the phasing out of 13,744 **LEGAL** short term rentals on Maui. Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

The Lahaina fire should be a huge wake up call to all you politicians who supposedly control the services that were NOT provided to your people that terrible day: fire prevention, proper water management, emergency preparedness and response. Why don't you spend your time, efforts, and money to fix those problems and ensure competent personnel in those positions?

HB-1838-HD-1

Submitted on: 2/28/2024 10:59:46 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathryn Boese	Individual	Oppose	Written Testimony Only

Comments:

I am strongly againsts bill **HB1838**. The county will loose millions on GET & TAT taxes. Tourism is the backbone of Maui and we have seen through COVID and the Lahaina fire what happens when tourism is affected. I was in the travel business for years and Hawaii is the bread and butter of vacation travel in the USA.

Not to mention, how the bill will affect the real estage market on condos. People buy condos for rental income. Very few people buy a condo for a second home.

Who comes up with these bills and for what purpose?

HB-1838-HD-1

Submitted on: 2/28/2024 11:00:07 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harald von Sydow	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Hawaii State Legislature,

Subject: Strong Opposition to HB1838

I am writing to express my vehement opposition to HB1838. This bill, if enacted, would have devastating consequences for myself and many other residents who rely on short-term rentals for our livelihoods and financial stability.

Operating a short-term vacation rental has been a crucial source of income for my family, allowing us to meet mortgage payments and sustain our lives in the distinct economic landscape of Hawaii. The enactment of HB1838 could make the operation of my short-term rental impossible, putting our ability to remain in our home in jeopardy. Moreover, it would have a severe impact on the economic stability of my family and our ability to continue providing for our loved ones.

Furthermore, it is important to recognize that the proposed measures fail to account for the significant economic impact on individuals like myself, who depend on the vacation rental industry for their livelihood. The ripple effect of this bill on essential workers in the vacation rental sector, such as housekeepers, maintenance workers, and small business owners, would be substantial and detrimental to the local community.

I implore the members of the Hawaii State Legislature to reconsider the potential consequences of HB1838 on the livelihoods of local residents and their families. It is essential that we work collaboratively to find balanced solutions that preserve opportunities for citizens to participate in Hawaii's tourism industry while maintaining economic stability and support for working families like mine.

Thank you for your attention to this critical matter. I urge you to take into account the voices and concerns of local residents and to reconsider the implications of HB1838 on our community.

Mahalo for your time and consideration.

Sincerely,

Harald von Sydow

808-224-0002

HB-1838-HD-1

Submitted on: 2/28/2024 11:00:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MICHAEL RAMOS	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

To Honored Members of the State House

Oppose HB1838 & SB2919

This phase out bill affects legal business that are thriving and supporting the County of Maui with much needed tax revenue and supporting thousands of resident folks employed by tourism.

This is a huge amount of folks that need their businesses to survive in Maui or other Counties located in Hawai'i. These vacation rentals act not only as accommodations for off island tourism, but also for local residents travelling inner island for visiting family, business folks travelling inner island, medical folks, construction, and a whole slew of other inter island reasons.

If this bill is passed, the County of Maui will see to it that this bill, which is Pro-hotel, will facilitate in economic loss for so many. I do believe heavy litigation would arise immediately from it, further hindering the economic health of Maui.

Affordable housing should be first and foremost in areas away from the ocean to help mitigate environmental impacts to the coastline by including water catchment reserves and solar power where new building will exist.

Please oppose any of phase out bills, HB1838 /SB2919 and think of more productive ways to help the affordable housing situation by not hurting our local economy, which is already suffering!

Thank you for reading my testimony.

Mike Ramos

Makawao, Hawaii

Maui resident, taxpayer, voter

HB-1838-HD-1

Submitted on: 2/28/2024 11:00:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachel Panteleeff	Individual	Oppose	Written Testimony Only

Comments:

Aloha To Whom It May Concern,

Please vote against HB1838,HD2. I am a 57 year old, single woman. I need the income from my vacation rental to help pay the rising costs of living in Hawaii as well as the rising property taxes. I live on the property that I rent out. Thank you for your consideration.

Mahalo,

Rachel Panteleeff

HB-1838-HD-1

Submitted on: 2/28/2024 11:02:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alisa DeMartino	Individual	Oppose	Written Testimony Only

Comments:

E Ka Haku,

I've heard about the HB1838 Bill from our local property management team and wanted to provide the impact to me and my husband. We are 63 yr old retirees currently residing in Arizona, who have treasured our trips to Maui for over 20 years. We have friends on island as well in the 20+ yrs, and have paid taxes on our properties at either Kihei's Maui Kamaole (L104, M106), or Wailea Elua Village 2105 (our current retirement income). In 2023 we paid roughly \$30K in taxes on our loved home this year - and well over 300K in the past 10.

We drove charity fundraising drives locally in Arizona to support Lahaina, including providing funds from the revenue of our home - well over \$10K, partly we're unsure as we'd sent friends to Maui Strong to fund the various efforts.

I write to you all, as we would not want to have our property phased out of short term rental, and consequently our retirement plan 'phased out'.

Thank you for your consideration of retirees like us, we really dependent in our lifes plan on rental income.

me ka oiaio

Mahalo Nui

Alisa DeMartino

HB-1838-HD-1

Submitted on: 2/28/2024 11:02:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Lastrup	Individual	Oppose	Written Testimony Only

Comments:

Hi, our name is Karen Lastrup,

I strongly oppose HB1838 relating to zoning. When I bought our property I invested everything and if I'm unable to rent out our condo all of my future plans to help my family with my investment is denied. My entire family will suffer because of the financial loss. All of the care and support we had planned with our investment will cause great monetary and mental hardship to all of us.

We strongly urge government to oppose this bill!

Karen Lastrup

HB-1838-HD-1

Submitted on: 2/28/2024 11:03:13 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Love	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair and Members of the Committee: I oppose HB1838 for many reasons. We have been coming to the island for over 30 years and own a condo at Papakea resort. Being able to have short term rentals allows us to keep our island home when we are not able to be there. We love Maui and especially our local community. Short term rentals provide a lot of jobs to local residents, businesses, tradesmen, tour guides, etc. They also make it easier for average families to visit this beautiful island because having options other than a hotel room allows for more competitive, affordable lodging with separate bedroom and kitchens for children that makes for easier family vacationing. We provide income to the State by paying property, excise, transient and hotel taxes as well as the sales tax all our vacationing guests pay. Having short term vacation rentals helps grow the Maui economy. It is good for everyone visitors and year round residents. Papakea is a resort condotel, it was designed and has operated as vacation rentals for almost 50 years. If we can't have short term rentals we won't be able to afford to keep the current personnel and operational maintenance levels. Please oppose this bill...vote NO.

HB-1838-HD-1

Submitted on: 2/28/2024 11:05:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela R	Individual	Oppose	Written Testimony Only

Comments:

Please vote NO to HB1838 HD1

HB-1838-HD-1

Submitted on: 2/28/2024 11:05:57 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Hamerlik	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Members of the Judiciary and Hawaiian Affairs Committee of the Hawaii House of Representatives,

I am writing in opposition to HB 1838 because it will likely end our tradition of spending time each year in Hawaii and have significant negative impact on the Hawaiians the bill is intended to help.

Our family has been traveling from North Dakota to Hawaii nearly every year, and in some years more than one time, for over 25 years. We have come to appreciate and respect the culture and traditions of the people of Hawaii. And, because we're from North Dakota, we thorough enjoy the weather! We would like to keep coming to Hawaii, but this bill could end our family tradition.

As our family has grown over the years to include grandchildren and other close relatives and friends who now join us, a rental home is the type of accommodation that we need. From an economic and logistical perspective, a hotel is not a viable alternative. A rental home is more efficient than a hotel for the various routines, body clocks and activities in our family, and a rental home has become our preferred way to travel with friends and family in Hawaii and other places.

It is obvious that you, as policymakers, are faced with difficult decisions to deal with the exacerbated housing shortages following the Lahaina fire(s). But please consider the broader economic consequences that a decision to severely limit mid- and short-term vacation rentals will have on all of Hawaii, including some of the people that this bill is intended to help. The loss of tourism revenue will be substantial. Our family will look to other locations that allow accommodations that will work for us, not because we want to, but because the alternatives in Hawaii will be made unavailable.

Thank you for your consideration.

Michael Hamerlik

West Fargo, ND

HB-1838-HD-1

Submitted on: 2/28/2024 11:06:07 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Celena Kahealani	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Celena Kahealani

HB-1838-HD-1

Submitted on: 2/28/2024 11:06:55 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Katie	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Katie

My name is Andrew Church, and I am a local resident of Hawaii.

I am writing this message to voice my strong opposition to HB1838.

I own three (3) short term rental condos in Kihei. They are located in Nani Kai Hale, Kihei Bay Surf, and Kihei Bay Vista.

The entire income for our family is dependent on these three (3) short term rentals! This income is vital to our livelihood and survival as a local family living on Maui.

Last year, I sold my 2.4 acre in Haiku to a local family, and bought two (2) of these condos since I am now 60 years and need the monthly income to support my family.

I followed ALL the rules and laws established by the State of Hawaii and the County of Maui. I have paid all my GE, TA and MCTA taxes on time, as well the income taxes due from this revenue.

If HB1838 is passed, it could potentially bankrupt my family!

Thank you to the Committee for giving me the opportunity to speak.

Aloha,

Andrew Church

HB-1838-HD-1

Submitted on: 2/28/2024 11:08:02 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donald Cox	Individual	Oppose	Written Testimony Only

Comments:

As visitors to Maui for over 28 years, we have always stayed (rented) condo units. We prefer this accommodation over the hotel option due to the kitchen facilities provided, where we combine eating at restaurants with cooking at the condo. We now travel twice a year for a month each trip to enjoy Maui and its people.

If we no longer can stay at a condo unit, we would likely reduce the frequency and length of our stays. When we visit, we purchase food from local grocery stores and farmer's markets - helping to aid the local economy in this way. If we stay at hotels, this spending would no longer occur - causing economic impacts to those businesses.

We treasure the Hawaiian people and culture. During our most recent visit we assisted in the food and water distribution to those affected by the fires in Lahaina. We also gave funds to organizations assisting as well as monetary gifts to individual families who had suffered loss. We have made many permanent friends at the condo complex and the Hawaiian language church we attend while there. This intimate experience will be severely and negatively affected if unable to continue to stay at the condo where we have made so many friends.

We hope and trust you will reconfnjze the wide ranging impacts on Maui's economy if we can longer stay at a rented condo.

HB-1838-HD-1

Submitted on: 2/28/2024 11:08:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Watson	Individual	Oppose	Written Testimony Only

Comments:

Committee: Members re: HB1838

I am writing to record my opposition to proposed Bill HB1838 which will legalize the phasing out of legal short term rentals in the state of Hawaii.

I am the owner of a short term rental property (Kamaole Beach Royale, Unit 603) in South Maui. As a retired teacher, I rely on the income from this rental property to augment my pension. I employ others to help me maintain my Maui home and have an ongoing contract with a Kihei cleaning team for each of the over 60 check-outs of my rental guests per year. In addition, I employ painters, plumbers, electricians, handymen and contractors for regular maintenance and condo upgrades.

While I understand the need for longterm housing, particularly in Maui, a broad-brush approach like the one proposed in Bill HB 1838 is counter-productive. We need short and mid term, fully-furnished housing for displaced residents (such as those in Lahaina) for residents in transition, for temporary workers such as contractors, builders, and medical staff, and for our friends and families.

There are 13,744 legal short term rental properties on Maui, representing 40% of real property tax revenue for the county and 18% of the county's 1.7 billion dollar budget. How will that revenue be replaced?

Finally, STR's represent the most affordable housing for visitors. There is only one hotel in Kihei (The Coast) and the hotels further south in Wailea are priced well above the budget for average families. The loss of short term rentals will result a significant loss of income from tourism and a resulting economic downtown here on Maui and in the state of Hawaii.

I urge you to reconsider the perhaps unintended consequences that will result if this bill is passed as it currently stands.

Sincerely,

Wendy Watson

2385 S. Kihei Road

Kihei HI, 96753

wlewatson@gmail.com

HB-1838-HD-1

Submitted on: 2/28/2024 11:09:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
christopher wolf	Individual	Oppose	Written Testimony Only

Comments:

I have been coming to the islands for 50 years and have never seen so much negativity,,I own a condo in Kamaloe Sands and would love to entere it into the avaiability program...there is just one problem, the roof and plumbing pipes are being replaced from April 2024 till November 2024, so my condo is unavailbe for approximately 2 months...So why would I be penalized for not changing it to long term when it would be impossible to accomplish...HTA says welcome visitors to OGG and the Governor says no more visitors and no more short rentals....Don't shoot us in the foot for having invested money and time into the local edconomy for the past decades...Mahalo for listening

Capt. Billl Wolf

Retired: Alaska Airlnes

HB-1838-HD-1

Submitted on: 2/28/2024 11:09:22 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Miller	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition to this proposed legislation. If the property has received a permit for short term rentals then it is morally wrong to confiscate their property value by allowing the government to remove their property rights from them. This would amount to an unconstitutional infringement on people's private property rights and financial livelihoods.

HB-1838-HD-1

Submitted on: 2/28/2024 11:11:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hitomi Yokoyama	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing in **opposition** of this bill because it will threaten my ability to make a living.

I work for a small business that services short-term vacation rentals on Oahu, and because of so many tourists looking to stay at our accommodations, it has been allowing me to have work constantly and to house and feed my family.

This bill will hurt me and put at risk my ability to pay for my own housing, bills and food.

It will also disappoint and let down so many people all over the world that's working hard every day, looking forward to a yearly Hawaiian vacation to return to their favorite accommodations.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 11:12:12 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth O	Individual	Oppose	Written Testimony Only

Comments:

Please vote NO to HB1838 HD1

February 28, 2024

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires. As a community member who was born and raised here in Hawaii, recently I am seeing many of our adult children and neighbors move to the continent to find housing and better opportunities. Hawaii isn't Hawaii without its people. Let us prioritize our residents first.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Chanel Guzman

HB-1838-HD-1

Submitted on: 2/28/2024 11:12:14 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheryl Amsler	Individual	Oppose	Written Testimony Only

Comments:

I have been lucky enough to visit Maui and Hawaii only because of the short-term rental options provided by rental homeowners that my daughter was able to find; on a single income I was able to tag along with her family. The proposed Bill HB1838 would prevent us from ever returning to Maui or Hawaii because we could never afford or be away from home and work for a 90 or 180 day minimum. Short term rentals allowed me to visit, enjoy, and immerse myself to gain knowledge, respect, and healing from the Hawaiian People and Islands. Ending short term rentals would be detrimental loss for us, as well as the Hawaiian People, Families, and Businesses that survive off vacationers and tourism. We beg of you, Do not to take the honor of visiting Hawaii away from us and tens of thousands of others.

HB-1838-HD-1

Submitted on: 2/28/2024 11:12:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeremy Sosner	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838

Dear Members of the Hawaii Legislature,

I am writing to share my strong opposition to HB1838. Although this bill talks about zoning, it seems to be targeting legal vacation rentals. As a long-time resident of Hawaii with 35 years of experience in the travel industry, including tour operation, hotel & resort, and resort real estate development, I firmly believe that the focus should be on enforcing the existing laws to combat illegal rental activities, rather than changing law.

Proper regulations are already in place, and it is essential to direct our efforts towards effective enforcement. Introducing new legislation like HB1838 could unnecessarily burden law-abiding individuals and families who rely on the vacation rental industry for their livelihoods.

I urge you to consider the potential impact of HB1838 on the local residents and the economic stability of our communities. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry.

Thank you for your time and consideration.

Sincerely,

Jeremy Sosner Hawaii Resident

Dana and Betsy Christensen
12377 W. Big Horn Ct.
Broomfield, Colorado, 80021
February 16, 2024

To Whom it may concern, **opposition to HB1838 and SB2919.**

Dear Legislators,

We are writing to discuss our history as long-time visitors and property owners to our lovely state of Hawaii. This is in response to the ongoing discussions documented in HB1838 and SB2919 regarding short term rentals on the islands. Through our MANY visits to the islands and our 25+ year ownership of property on Maui, we have contributed significantly to the county tax base, employed many people, employed many contractors, made purchases of furniture, furnishings, boat excursions, snorkel and board rentals, visited restaurants, bought clothing, food, and supplies, attended golf tournaments, and many many more. The following paragraphs will provide a discussion of some of our continuing love affair with Maui and the Islands, which is threatened by HB1838 and SB2919.

We first visited Oahu in the fall of 1978 to participate in a Pacific Rim Chemical Society meeting. Our 8-month-old son accompanied us. We fell in love with Oahu and pledged to return. Since 1978 we have visited the islands almost every year for ~2-week visits (sometimes more.) We have visited and stayed on Hawaii, Maui, Lanai, Molokai, Oahu, and Kauai and have celebrated spring breaks, special birthdays and anniversaries, Holidays, weddings, and many other events. In the early years our family members joined us and now as empty nesters, we regularly invite other friends to join us for our annual sojourn.

In celebration of our parents 50th wedding anniversary in 1997, we scheduled ~3 weeks and visited 3 islands, with 10 family members in attendance. While on Oahu, my father, a WWII submarine veteran hosted us in a visit to Pearl Harbor and the WWII submarine museum. We toured the USS Bowfin SS-287 which is a museum boat at the Submarine Museum. At age 17, my father joined the navy in December 1941 and went to submarine school prior to being shipped to Pearl Harbor to board the USS Raton SS-270 for its maiden war patrol. During WWII, he returned to Pearl a number of times for refits and R&R. Boarded the Bowfin, my father immediately began telling his children and grandchildren about his life on the submarine and pointed out every nook and cranny on the submarine. Within moments, every visitor and the boat tour guide simply stared and listened to his accounts. He received applause at the end of the tour. We went from the Bowfin into the museum space. As we entered the front door, low-and-behold, we discovered the Battle Flag of the USS Raton in the entrance display case along with a detailed discussion of the war patrols, tonnage sunk, etc. It was prophetic that it was his battle flag on display. This evoked tears from all, but more importantly, this sealed the importance of the Hawaiian Islands in our family history. My father is alive today at 99-years and is a proud WWII submarine vet, feeling that he would not have survived the war without Hawaii, meaning that none of us would exist today.

After that revelation, my wife and I committed to find a more permanent place on the Islands for us to call home. Along with my parents, we settled on Maui and together purchased a condo on West Maui along Lower Honoapiilani Road. We obtained a mortgage from Hawaiian Mortgage, hired a property manager, contracted with a cleaning service, obtained a business license from the county, and began to

consider remodeling the condo. Over the next three summers, we first remodeled the front living space including refurbishing through Minds Eye furniture store there on West Maui. We then used the same local contractor to remodel the bathroom and upgrade the counter, sink, toilet, and shower space. Finally, we used a local contractor to remodel the bedroom including upgrade of beds, built-in cabinet, and wall mounted mirrors and local art work. 100% of our rental proceeds went into debt service on the mortgage and in hiring local companies to perform the upgrades. We purchased local art work from Lahaina Galleries, Kingwell Gallery, and Cost Gallery, all on Front Street, Lahaina. We make a point of visiting our friends Jim & Nancy Killett and with Jim & Krista Kingwell every year when we visit Maui, as well as Curtis Wilson Cost, now in Kula. We have become Ohana. We have since sold our first Maui condo and have exchanged it into a second condo where we have taken on the task of upgrading it just as the first experience. All of our condo proceeds have stayed on the island.

We have developed many other friendships with our Maui Ohana. My wife and I met a young ukulele player who was performing at the Hula Grill in Whaler's Village on or about the year 2000. He appeared to be in high school and along with two other friends, established a garage band which was sufficiently good to win a luncheon slot at the Hula Grill. At the end of his set, we stopped and talked with him, introducing ourselves. I left him my business card and asked him to send me his soon-to-be-cut first CD. Later that summer I received in the mail a newly minted CD of his recordings. A new Friendship was immediately formed. Since that chance encounter, we have corresponded with Derrick Sebastian regularly and make arrangements to see him every year when we return to Maui. We have followed his career playing his ukulele around the world and accompanying headline musicians. We have also watched his family grow. During the horrendous Lahaina Fire, we exchanged a number of emails and talked on the phone. We contributed to his Church's fund to providing assistance to those who needed fire relief.

Many other friends have been made from the long-time concierge, Penny, at Kimo's restaurant on Front Street, Lucy one of the long-term hostesses at The Gazebo restaurant at Napilli Point and many others. We are greeted by hosts in the art galleries along Front Street as well as hostesses in many shops and restaurants along all of West Maui. We were heartbroken to watch the destructive Lahaina Fire, knowing that all of the businesses along Front Street are gone and that the friends that we had made are out of work, some without a home, and having to look for new opportunities. We, of course immediately contributed to Maui Relief funds and the Maui Paradise Properties Relief Funds, knowing that our contributions would be used to provide necessary assistance including offering temporary housing for displaced residents. We have inquired about what more we can personally do when we next arrive on-island.

For the first time in many years, we have had to delay our 2024 visit to Maui, a result of family health challenges with our parents. Whenever we make travel plans, we pack our Aloha Shirts and flipflops, swim suits, and our binoculars to watch the whales and turtles. As our plane approaches Kahalui Airport, we always look to each other and say Aloha and Welcome Home, before we give each other a kiss. Maui is our home away from home and it has been for 45 years.

As a recap, we have made a family investment on Maui, one that has contributed significantly to the economy of Maui County. Our investment has also contributed to the economy of the Islands in the

form of transportation (rental cars, airplane tickets, helicopter rides, boat rides, whale watches, etc.) local contractors hired to manage and maintain our property, cleaning services, grounds maintenance not only at our residence but at every residence where we have rented, visiting restaurants, clothing stores, contractors for remodeling, furniture and appliance replacements, art purchases, renting sports equipment, going to Luau's (our guess is that we have attended every Luau venue on West Maui at least once), musical events, golf courses (my guess is that we have played on every golf course on Maui at least once), and more. The only way that we can afford to maintain our investment on Maui is through short term rental of our property when we are not able to travel ourselves. (When we rent our condo, it is our renters who are also making these investments in the local economy.) Therefore, this also means that the only way that we can contribute to the economy of Maui County and to the businesses on Maui is through regular short-term rental of our property when we are not visiting ourselves.

To restate what is stated above, Maui and Hawaii represent a deep Ohana relationship for us. During the past 45 years, we have visited at least once per year, on average for 2 weeks per visit. We have spent 2 years of our lives enjoying the beauty of the Hawaiian Islands, and have reinvested 100% of all of our rental income back into the economy. Today, Maui is our home-away-from-home.

Please consider the damage that the HB and SB could have to property owners such as ourselves and therefore the impact to the Maui County economy as well as the economy of all of the local businesses.

Regards,

Dana, Betsy, and Roy Christensen
Owners of Papakea Resort, West Maui, Condo L303

HB-1838-HD-1

Submitted on: 2/28/2024 11:14:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard D Serman	Individual	Oppose	Written Testimony Only

Comments:

ALOHA,

I would like to go on record AGAINST the current proposed Bill 1838.

I would LOVE to see most of our current 10 million visitors NOT visit Oahu (think about it - that would be millions of Rental Cars driving around that would LEAVE our roads (as they did during the Pandemic Lockdowns). I'm fairly sure - the current amount of rental cars DOUBLE our current vehicles on the road each day... once a Tourist rents a Vehicle - they try to use them as much as possible - so - they wind up driving around the island - and, of course, causing our traffic jams at Laniakea Beach (Turtle Beach) causing us residents to sit there for hundreds of hours each year in gridlock Kamehameha Hwy!...

All that aside - if you're NOT going to reduce the thousands of Hotel Rooms on Oahu - then, at least, let the few residents in my neighborhood of the North Shore that have a small studio or even room for rent in their home to continue to do their 30 day legal Short Term Rentals! *Where else will the 10,000 Surfer Visitors stay when there's a WSL Pipeline Masters? In the Turtle Bay that costs \$1,000/night? No way. And - are they going to drive to and from their Waikiki Hotel each day and add to Traffic? No way.

I just think - there are so many Ordinance Restrictions on shorter-term rentals that you should NOT pass any more restrictions. Leave it be. Rooms and Shorter Term rentals have already nearly disappeared due to the restrictions added over the last few years. For those that are trying to supplement their income to make their Mortgage Payments - leave them alone... PLEASE!

HB-1838-HD-1

Submitted on: 2/28/2024 11:14:57 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melody Torres	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and the members of the House committee on Judiciary & Hawaiian Affairs,

I am testifying in support of HB1838. Giving counties the authority to phase out vacation rentals is essential in releasing housing in residential areas for both Lahaina fire survivors as well as residents across all the islands. Maui was in a housing crisis prior to the August 8th fires and it beyond critical levels now.

Learning that 87% of homes north of Lahaina are STR's was so dissapointing. How have we let it get to this point? So many people on Maui struggle with housing security while there are SO MANY HOMES here.

Giving counties the clear authority to phase out vacation rental use is necessary at this time to help in this housing emergency.

Thank you for the opportunity to express my support of HB1838 and for taking into consideration the voice of the people.

HB-1838-HD-1

Submitted on: 2/28/2024 11:15:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Moore	Individual	Oppose	Written Testimony Only

Comments:

Aloha

To Whom It May Concern

I have been a resident of Maui for 23 years. We have see many things come and go on Maui. Maui no longer has the pineapple industry, the sugar cane industry or cattle industry to help sustain the island economy. It has been the tourism that is the only thing that is keeping our economy going.

Should this bill pass it could impact that tourism by decreasing the Short term rentals that are needed by bringing visitors that spend money on rental cars, activities, restaruants, stores. The hotels have increasased their prices so high that visitors choose not to stay in them as much because of the cost. Those that do stay in the hotels are less likely to spend money on activities, or restaurants, or shop. Plus many opt out of having a car to eliminate the daily parking cost..

Should this pass there will be a mass exodus of residents who can not afford to live here. Rental car companies, restaruants, grocery stores, acitivity companies, businesses (big and small) all employ residents to help generate revenue for the island. The Short term rentals provide jobs for cleaners, maintenance, vacation rental companies and hold the real estate values. This will all be destroyed should this be passed.

This is not beneficial to the islands. If this is passed the state and county will be in even further desperation for money. We need the tourism to sustain the island of Maui.

A hotel room is not affordable for families that are coming here from abroad or to travel from other islands to visit family on Maui. Should this pass locals will not be able to attend family graduations, weddings, funerals or other events, due to the high excessive cost of hotel rooms. I ask if all of the members reviewing this bill have had family come to visit them for any special occasion between the islands? If there was not enough room at their home, did the family stay in a short term rental or a hotel? If they are bringing keki or can not afford to eat out all the time, the short term rental are the only answer.

Please let the counties enforce the laws that they already have in place.

Please DO NOT MOVE FORWARD WITH THIS BILL!

Mahalo for your consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 11:15:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rick Wilson	Individual	Oppose	Written Testimony Only

Comments:

Opposed to HB1838 because it would adversely impact our ability to rent our unit. The rental income almost offsets the high property taxes and fees we currently pay. We hve saved all our lives to be able to afford our rental unit. HB1838 would make our unit unaffordable.

HB-1838-HD-1

Submitted on: 2/28/2024 11:16:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vashti Daise	Individual	Support	Written Testimony Only

Comments:

Something needs to be done regarding the lack of housing/affordable housing on Maui, especially now in the wake of the wildfires. We need to have better control over the "wildfire" of people (especially non-residents) buying properties to use for short term rental investments. Our islands needs a lot of things, but one thing it doesn't need is more short term rental properties. Please put into place a strategy to take care of our local residents who must be able to afford to live and work here. Thank you for listening.

Aloha Chair, Vice Chair and Committee,

My name is Jeff Bakun I stayed in a short term rental because it offers flexible to stay longer periods so I can visit the island multiple times per year. I traveled to Maui in November 2023 to volunteer with GEM distribution center for two weeks and had the opportunity to give back to many locals that were impacted by the fires . One key issues resonated with most of them when asked how they are coping and the overwhelming response was “ Still no Job to support myself or my family “ . I feel this Bill will further inhibit locals from securing long term employment to support themselves both in terms of food and lodgings. There has to be better solutions to resolve the short term housing crisis instead of crushing the state’s primary source of income (tourism) for the island .

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room. This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

I feel this Bill will only exacerbate the current economic situation facing the island and its citizens. I hope common sense prevails taking into account the long - term impact that this Bill will have and ask that you please do not move this Bill forward. Let the counties enforce the laws that they already have.

Thank you for your time.

Jeff and Janet Bakun

Calgary , Canada

Guest – STR

HB-1838-HD-1

Submitted on: 2/28/2024 11:17:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
BRENT DAUB	Individual	Oppose	Written Testimony Only

Comments:

I am a homeowner and business owner with both offices and homes in Hawaii and in California. The nature of my work requires me to be in both states. Our family also splits our time between our two homes. When we must be out of the state, we use our home as a vacation rental to help supplement the cost of the home when we are not there. Eliminating vacation rentals or even adding additional restrictions to existing properties would create an unfair burden on our family and would be an improper government taking from our family. For this reason, do not vote in favor of this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 11:18:13 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nick Benoit	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Nick Benoit. I stayed in a short term rental because a medical treatment of a family member.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 11:18:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy C	Myrtle Beach Shores Resort LLC	Oppose	Written Testimony Only

Comments:

My family and I have been blessed to visit Maui and Hawaii only because of the short-term rental options provided by rental homeowners. The proposed Bill HB1838 would prevent us from ever returning to Maui or Hawaii because we could never afford or be away from home and work for a 90 or 180 day minimum. Short term rentals allow us and our family to visit, enjoy, and immerse ourselves to gain knowledge, respect, and healing from the Hawaiian People and Islands. Ending short term rentals would be detrimental loss for us, as well as the Hawaiian People, Families, and Businesses that survive off vacationers and tourism. We beg of you, Do not to take the honor of visiting Hawaii away from us and tens of thousands of others.

HB-1838-HD-1

Submitted on: 2/28/2024 11:19:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Trotto	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Nakamura and Committee Members,

My name is Michael Trotto, a permanent resident of Kihei, Maui. I strongly oppose HB1838 as it directly threatens the livelihood of small business owners who own and operate legal short-term rentals in Hawaii. The proposal unfairly allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time, which can have severe economic repercussions not only for the affected businesses, but, for the local community as well.

The proposed legislation threatens the financial well-being of numerous families who depend on short-term rentals as a source of income and may lead to significant financial hardship for many households. Furthermore, it could establish a dangerous precedent for taking away private property rights and may create uncertainty for investors and builders, impacting the construction industry at a time when our community needs new development opportunities. Maui's legal short term rentals provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing in Maui County. The STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that shortfall in revenue come from, should this measure pass?

I respectfully urge the Committee to reconsider the implications of HB1838 on the vacation rental industry and the residents of Hawaii. Instead of punishing small business owners and impeding economic growth, it is crucial to seek solutions that support entrepreneurship and the sustainability of our local economy.

Mahalo for considering my testimony, and I urge the Committee to oppose HB1838 to protect our community's economic well-being.

Sincerely,

Michael Trotto

HB-1838-HD-1

Submitted on: 2/28/2024 11:19:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Caplan	Individual	Oppose	Written Testimony Only

Comments:

Committee on Judiciary and Hawaiian Affairs Hawai'i State Capitol 415 S. Beretania St.
Honolulu, HI 96813

Subject: Opposition to HB1838 - Testimony for Committee Hearing on February 29th

Dear Committee Members,

I, Michelle Caplan, DC, am writing to express a strong opposition to the House Bill 1838.

As a single mother, I have been coming to Maui for over 40 years now. If it had not been for the availability of short term rentals I would not have been able to bring my children to experience the culture and beauty that Maui offers, as I could not afford the prices of large corporate resorts and hotels. Two years ago I was given the opportunity to purchase a small 1 bedroom condo in Maui Vista. I choose this property because it is legally zoned as either owner occupied or for short term rentals as I plan to retire here on Maui. Until then I come to my home every three to four months and rent it to visitors who bring the County and State significant revenue. I pay a high amount property taxes every month in a timely manner. I recently read the 2020 study by Hawai'i Tourism authority and saw that short term rentals bring in \$6 billion and over 46,000 jobs. I personally employ ALL local individuals who work for me. Including, cleaners, plumbers, electricians, appliance service, contractors just to name a few. The implications of HB1838 go far beyond property owners personal situations. I believe if this bill passes it will impact the local economy and reduce the revenue significantly.

It is my understanding that the reason this bill is being presented to you is so that more local people have housing. My home here is a 1 bedroom one bath 500 square foot apartment. Most local people have large families and do not want to live in a small crowded apartment. I also know that many of the short term rental owners have offered their homes to local people, signing up for the available FEMA programs, receiving payments, yet their homes remain unoccupied because the local people do not want to live in our small crowded apartment homes.

The answer to these issues will not be solved by HB1838. In fact, I believe HB 1838 will merely create more hardship and more loss. I urge you - for those people who have already lost so much, please to not cause more suffering.

I believe there must be a better answer. Please reconsider HB 1838 and its consequences to the Hawaiian people, local business owners, property owners, and the Maui community as a whole.

Thank you for hearing my testimony. I hope that you will take these concerns into account during the upcoming committee hearing on February 29th.

Sincerely,

Doctor Michelle Caplan, DC

HB-1838-HD-1

Submitted on: 2/28/2024 11:20:24 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sachiko Pelkaus	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing in **opposition** of this bill because it will threaten my ability to make a living.

I work for a small business that services short-term vacation rentals on my island Oahu along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 11:21:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Berglioth (Brie) Mathews	Individual	Oppose	Written Testimony Only

Comments:

My name is Berglioth (Brie) Mathews. I am a STR Host in the Minatoya District, and I share my home and welcome guests to Maui. Please protect the rights of Hosts like me who share their homes to supplement our income and oppose HB1838.

I am a 30-year veteran Fire Captain so I know all too well what tragedy looks like and what is facing the people who lost so much in the Lahaina fires.

I spent 25 years working and scraping to save enough money to invest in Maui. I have quite literally put my life on the line for the privilege of owning here. I do so knowing that I followed the rules and contribute to the community by providing jobs to locals in the cleaning, handy-person and trade industries. Also, providing budget rentals allows people to enjoy Maui in an afford away so that they can spend their money on local businesses.

I purchased my property in the Minatoya district at the Maui Vista as a way to establish myself as part of the Kihei community and to have a home on Maui. I rent my condo on short term rental platforms when Indo not use it myself to visit here and relive the high stress of being a first responder. This in turn employs local residents for cleaning, repairing and upgrading my property.

Without having my legal STRs, family businesses would not have the income they do now. As Hosts, I depend on this income for my livelihood, and especially as the costs of living on the island

continue to increase. Without the ability to host, many of us will face further economic hardship and the uncertainty that comes with it.

As you discuss and draft regulations that will impact us, please support our right to contribute to the community while also ensuring our investments to supplement our income. Not all of us are rich people who just look to swoop up all the property in Maui. Many of us have invested a lifetime in just one small piece of maui. In my case, a tiny 1br/ba that will not fix any housing crisis. In fact, STR owners are being unjustly targeted to fix a long standing crisis in governmental mis-management. We help

bring wide-ranging benefits to the local community, including distributing visitor spending to local small

businesses and increasing tax revenues for the County & State.

We need to work together to establish fair, balanced rules that preserve the economic benefits of short-term rentals while protecting the integrity of

neighborhoods.

Also, if the intent is to open more affordable "homes" for local residents, then our property (and many others like ours in Kihei) is not the type of home that would accomplish this goal. Our complex was designed and built to house short-term rentals. We have parking for 1 car, no storage for residents and high (and ever increasing) HOA fees, currently around \$900 per month. My 600 SF unit is not suitable for affordable housing by any means. At most, our unit can house 2 people, and the mortgage on the condo if we were to sell in the current market, the mortgage payment would be \$3900/month, plus property taxes and the HOA fees. This does not seem to be affordable in my estimation. Additionally, this complex is ageing and is starting to need costly repairs which present themselves by way of special assessments.

As a STR property, I pay a much higher property tax rate than I would if my condo became permanent

housing. The County would lose the extra revenue generated by my STR. Too, the County & State will lose the GE and TAT income that my property generates.

Maui County has recently imposed a 3% tourism tax on STR. "Maui County's revenue from its new tax for this year will go toward affordable housing, open space, cultural programs, and tourism management and enforcement." To phase out STR condos in the Minatoya district seems counterproductive to accomplish the goal of bringing in extra revenue to support more affordable housing.

The legislature needs to consider this substantial loss of revenue that will occur by phasing out my ability to rent short term.

Mahalo for taking the time to read my story.

HB-1838-HD-1

Submitted on: 2/28/2024 11:22:13 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christine Foster	Individual	Oppose	Written Testimony Only

Comments:

I am strenuously opposed to HB 1838. I have two short term rentals at Kamaole Sands. I have allowed families to live in my units without charge to help locals after the fire. This temporary furnished housing has and will be beneficial for the community, not only for displaced residents, but also for traveling nurses, emergency contractors, etc.

To eliminate STR would also drastically reduce property tax revenue for Maui which serves as the top funding source for affordable housing. How will this tax revenue be replaced?

I bought my rentals with the hope that I would be able to retire in beautiful Maui. However, if I cannot rent them over the next years as STR, I will not be able to afford to move there in my retirement.

Please do not pass this bill.

Christine A. Foster

Feb 28, 2024

Jenny Baran

jib306a@comcast.net

Members of the Hawaii State Legislature

Subject: Opposition to House Bill 1838

Aloha,

I am writing to express my strong opposition to House Bill 1838, as it directly impacts my family's financial stability and our ability to make a living in Hawaii. My husband and I are the owners of a one-bedroom unit at Honua Kai, which we utilize for family stays and resort rental when unoccupied. The rental income from this property has been our primary lifeline, particularly after we both lost our jobs due to the COVID-19 pandemic.

As responsible property owners, we have diligently fulfilled our tax obligations, including General Excise Tax (GET), Transient Accommodations Tax (TAT), and Maui County TAT since day one of our ownership. Our reliance on this rental income to make ends meet cannot be overstated, especially during these challenging times.

HB1838 poses a significant threat to our financial well-being and ability to sustain our lives in Hawaii. The restrictive measures outlined in this bill create insurmountable challenges for ordinary citizens like us to engage in the vital vacation rental industry, which has been a crucial source of livelihood for many residents. If this bill is passed, it would jeopardize our ability to continue renting out our property and profoundly affect our financial stability.

Furthermore, the potential impact of this legislation on the entire vacation rental industry in Hawaii is deeply concerning. As demonstrated by the experiences of others impacted by similar bills, the consequences could be devastating, leading to the loss of livelihoods, elimination of essential jobs, and significant upheaval in the real estate market.

I urge the members of the Hawaii State Legislature to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on vacation rentals to make a living in Hawaii, and to work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry.

Respectfully,

Jenny Baran

Dear Committee,

I am opposed to HB1838 for several reasons:

OUR RESORT IS NOT DESIGNED FOR LONG-TERM RENTALS: Our condo resort complex, Kamaole Sands, was clearly designed as a short-term resort-style property with a reception building to receive guests, and it has zero storage lockers, very few closets, and inadequate cupboard space for long-term occupancy. When the Lahaina fire happened, we voluntarily opened up our condo, completely free of charge, to a family who lost their house in the fire. After one month, they thanked us and expressed deep gratitude but said that our place was not a fit for them to stay longer because it doesn't have the space they need (This is because there's no storage lockers, closet space, or cupboard space to store longer-term belongings). We care deeply about Maui residents, and they've taught us a lot about aloha spirit, which is important to us, and we can honestly tell you that Kamaole Sands is more appropriate for short-term stays.

OUR RESORT CURRENTLY EMPLOYS MANY LOCALS WHO WILL LOSE THEIR JOBS WITH HB1838: Our resort employs many local residents to carry out work that is directly related to servicing short-term rental guests, such as: reservations staff, reception personnel, housekeepers, onsite property management, onsite maintenance workers, security officers, pool crew, accountants – all of whom will lose their jobs. When you have nightly guests, there is a lot of wear-and-tear in the condos and on the property, so we need dedicated employees to do repairs and replace broken items on a routine basis, and none of that will be needed without short-term rentals. We know many of the employees who have worked many years at Kamaole Sands, and we feel community with them, and worry about them becoming unemployed.

LOCAL COMPANIES DEPEND ON OUR BUSINESS AND WILL LOSE THEIR JOBS WITH HB1838: The busier we are with guests, the busier the local business are that service us, such as carpet cleaners, air-conditioning technicians, plumbers, electricians, photographers, local furniture stores, local appliance stores, local hardware stores, etc. With nightly guests, there is also more wear-and-tear on carpets, cabinets, toilets, appliances, furniture, dishes, curtains, everything. Right after the Lahaina fire we received emails from local businesses imploring us to encourage more guests to come to Maui because their businesses were suffering. We did our best to come up with excuses to get our carpets cleaned again and have various things serviced because we felt bad for them not having enough business. For example, we ordered curtains from a small local drapery company, and purchased a fridge from Hamai local appliance store, and purchased some furniture from a local furniture maker.

IT'S UNFAIR TO CAUSE FINANCIAL RUIN FOR OWNERS WHO PURCHASED IN RESORTS THAT ALLOWED LEGAL SHORT-TERM RENTALS WHEN THEY BOUGHT THEM: We are rule-followers and we did everything by the book, and it's unfair that we are facing financial ruin because you've changed your mind. We purchased in good faith in a resort that allowed STRs and we have always followed the rules and paid lots of taxes. We simply cannot afford to own our condo if we cannot rent it out on a short term basis, so we will have no choice but to sell it. If HB1838 is approved it will pave the way to mass sell-offs and mass lay-offs.

KAMAOLE SANDS IS ALREADY GOING THROUGH A FINANCIAL CRISIS AND WE CAN'T TAKE ANYMORE: We are currently facing \$68K per condo in special levies (about \$30 million in total) plus loss of income while the complex replaces our roof and pipes at Kamaole Sands. We cannot rent out our condos for several months while this construction is going on because guests understandably don't want to be sitting on their patios watching and listening to construction happening all around them. Owners are already facing a financial crisis over this situation and we really cannot take any more.

Kind regards,

Annette Saliken

HB-1838-HD-1

Submitted on: 2/28/2024 11:25:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karri Ayasanonda	Individual	Support	Written Testimony Only

Comments:

I am writing to support HB1838 on behalf of myself and my Lahaina business. I have family, friends, and employees living in hotels, commuting from different parts of the island to Lahaina, and many that sadly moved away from Maui. I see countless visitors in my neighborhood, yet my family has nowhere to live. Traffic is snarled on most days around Lahaina and many of the cars causing the traffic are rental vehicles. Maui, especially west Maui, is very out of balance with little homes for residents and an overabundance of vacation rentals. Please stop allowing short term rentals in residential areas, including agricultural lands, and apartment zoned buildings. Please prioritize Maui residents needing homes over investors.

Mahalo,

Karri Ayasanonda

HB-1838-HD-1

Submitted on: 2/28/2024 11:26:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawn R	Individual	Oppose	Written Testimony Only

Comments:

Please vote NO to HB1838 HD1

HB-1838-HD-1

Submitted on: 2/28/2024 11:27:01 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Pflieger	Individual	Oppose	Written Testimony Only

Comments:

In April 2021, my fiancè, Kent Wosepka and I purchased our home on Lawai Road in Koloa, HI. We had planned to retire and spend most of our time in this beautiful home-only renting it out a couple of months out of the year to comply with the vacation rental guidelines. In October of 2021, he was killed in an accident that we were both involved in. Since then, my world has been turned upside-down. Because we weren't yet married, I lost everything we were building together-including our home in Massachusettes. By the grace of God, I was able to hold on to our house on Kauai. However, it has shifted to a vacation rental for 6 months out of the year and is my only income. I cannot afford to live here any longer than that because I rely on the income for my livelihood. I do not have a second home and have been living with my brother and sister in law on the mainland the other half of the year. If short term rentals were to be phased out, there is absolutely no way I could enter the workforce at this stage of my life and still be able to afford to live in our home on Kauai. I would be forced to sell the house. This is the only thing I have left to connect me to Kent. It is the only place I can go and still feel a connection with him and even though we only owned it together a few short months, we began to create memories here. This is the only place I can still come and hold onto these memories. If, because of the rezoning I would be forced to sell my house, I will have lost everything-ON TOP of losing the love of my life. Finally, making this house a long term rental is not going to ease the rental shortage. It is a high end home that the majority of locals could not afford to rent long term and as you can see it means so much more to me than a rental property. I imagine that everyone who would be affected by the rezoning has a story to tell and a reason for why they are opposing the bill. There has to be a better solution.

HB-1838-HD-1

Submitted on: 2/28/2024 11:29:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana McDonald	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. This long-standing tradition has contributed to the vibrant tourism industry on Maui, supporting local businesses and providing visitors with unique accommodations.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles. These jobs are essential to the livelihoods of these individuals and their families, providing stable employment and opportunities for growth within our community.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. These partnerships with local businesses not only ensure the maintenance and safety of our property but also contribute to the economic ecosystem of Maui.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Restricting short-term rentals would jeopardize the financial stability of our community and hinder our ability to maintain the property to the highest standards.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on. These businesses rely on the steady stream of guests provided by short-term rentals to sustain their operations and livelihoods.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. These contributions are vital to funding essential public services and infrastructure projects throughout Maui.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops. The economic ripple effect of our guests' spending extends far beyond our property, benefiting numerous local entrepreneurs and fostering a thriving economy.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. These guests are an integral part of our ohana (family) and contribute to the rich cultural tapestry of Maui.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted, Dana McDonald
Owner, Papakea Resort Unit K407

HB-1838-HD-1

Submitted on: 2/28/2024 11:30:28 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ionela Boariu	Individual	Support	Written Testimony Only

Comments:

Aloha,

The housing market on W Maui has become so outrageously expensive because of the short term rentals and causing mass displacement for the locals.

Please address the short term rental situation so that our community doesn't have to move away or be homeless.

Thank you for your attention to this matter.

Ionela Boariu

HB-1838-HD-1

Submitted on: 2/28/2024 11:30:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Miller	Individual	Support	Written Testimony Only

Comments:

I think that county and government needs to take care of the locals first. People Lost not only their homes, but every single thing that they own. Help get them housing help change the law. This is our island home and we need to stay here and not move away because of the expensive prices.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

We have been coming to Maui and Papakea for over 40 years and have been owners at Papakea for 13 years. We have experience as both renters of units at Papakea and many other resorts and now as owners. We invested in our Maui home with knowing we would be able to rent it out as a short term rental as it has been since its inception.

We completely renovated our unit when we purchased it which provided employment and revenue for many local contractors and their employees. We continue to invest in our Maui home with everything from installing air conditioning to purchasing furniture and appliances as they need replacement. All of this contributes to the Maui economy.

The Papakea resort was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Robert & Ramona Wakefield

Owners of Papakea E-207

HB-1838-HD-1

Submitted on: 2/28/2024 11:31:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Cox	Individual	Oppose	Written Testimony Only

Comments:

I have visited Maui several times for over 20 years with my family growing up. First as a child and recently as an adult with my wife and kids. We had a brief 5 day stay at a wonderful condo where we both supported local businesses, residents and enjoyed the beach front along with many other beaches in the area. Eight of us volunteered at a fema food distribution center for a full day in Maui to help with the victims of the fires. When we were there, we were able to use the grocery stores as well as going out for food. But if we had to find a larger hotel for 8 people and buy most of our meals out and away from the hotel, we couldn't afford to come again. Our family would definitely love to come back to help the local economy and learn more about the wonderful people and culture there in Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 11:32:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anita Schwalbe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

We own 3 separate condominium units in Maui, which we LEGALLY operate as short term rental accommodations. In addition to the \$34,000 in Maui County property taxes which these short term rental units provide to local government, we contributed \$29,354 in tax revenue (TAT and GET) to the state of Hawaii and an additional \$8,483.67 in TAT to Maui County in the year 2023. (And this does not include the additional 0.5% GET surcharge implemented for Maui County in 2024.) In addition, we employ 3 separate agencies for cleaning services amounting to \$16,388 of yearly income to our local businesses. In summary, we are just one small operator of Short Term Rentals (out of 13744 LEGAL Short Term Rentals on maui) and yet contribute almost \$72,000 in direct taxes to Hawaii/Maui and over \$16000 to local employment (cleaners). Short term rentals provide 40% of the real property tax revenue for the county and represent 18% of the county’s \$1.7Billion budget. Eliminating short term rentals would be severely detrimental to Hawaii’s tax base as well as our livelihood and the local economy.

Speaking of local employment afforded by Short Term Rentals: Our cleaners live exclusively on income generated from cleaning Short Term Rentals. They are paid good wages, they create their own schedules, and they work near where they live, reducing commute time. Passage of HB1838 will bankrupt their businesses and devastate their livelihoods.

Mid and Short-term Rentals also accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if the industry is further decimated?

Our Short Term Rental properties are zoned as “Resort”, and as such have always been allowed to operate as Short Term Rentals. Retrospectively rezoning entire swaths of housing/residences to disallow short term rentals will DEVALUE these properties, thus further significantly ERODING the real property TAX base. In addition, rezoning of existing properties on such short notice could result in an expensive class-action lawsuit.

Let the counties enforce the laws that they already have.

I implore you to VOTE NO on HB1838

Anita Schwalbe and Jim Schumacher

HB-1838-HD-1

Submitted on: 2/28/2024 11:33:52 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia S Boettcher	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose the implementation of HB1838.

My husband (Jim), our children and our grandchildren, and I all love Hawaii and are very fond of the various people we have met there over the years. Jim and I and some friends rented a condo in Lahaina in 1976, the spring semester of our last year in graduate school. We were originally from the midwest and became immediate fans! We have continued to visit, renting condos at different locations, at least once per year, bringing our children and often my parents. Now, we bring our grandchildren. In 2000, we took the plunge and bought our condo (G-304) at Makena Surf on Maui. As our oldest grandson says, "My Maui home is my favorite". We need to have it on the short term rental market to assist with the cost of buying it, keeping it in good repair, replacing all sorts of appliances as they have failed, and paying AOAO fees as well as the very large real property taxes. (These taxes jumped from around \$30,000 to \$50,000 this past year).

We find the thought of phasing out short term rentals in Hawaii very concerning since the guests in these short term rentals bring so much to the economy of Hawaii. Since they are on vacation, these guests eat at restaurants, shop non-stop, go on kayaking, snorkeling, boating, and scuba adventures, bike down Haleakala, eat fish caught by local fishermen, and so on. These tourists are the backbone of most of the small businesses on the islands. Certainly, we all learned during the pandemic what happens when tourism goes away. Literally, thousands of Hawaiian citizens had less or no work.

This HB1838 in our opinion will not only harm the Hawaiian citizens but also the visitors who rely on short term rentals for a more affordable vacation as well as the owners of these rentals who need the rental income to keep and maintain their property. Please oppose this bill.

Mahalo for considering our views,

Jim and Patty Boettcher

HB-1838-HD-1

Submitted on: 2/28/2024 11:34:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ILVA METLANE	Individual	Oppose	Written Testimony Only

Comments:

To beautiful State of Hawaii legislators!

Visit to the one most of beautiful islands in the world is about experience and unforgettable memories! You want to share them with friends, family and the world! You want them to be positive and with positive experience!

I always like that people have choices that best fits their needs. People come from different backgrounds and sometimes trip to Hawaii may be only once in their lifetime! Let it be nice!

I have traveled to many countries and stayed in hotels and short term rentals. If I travel with just my husband we stay in hotels. If we travel with our 3 daughters, we prefer short term rentals. It about togetherness, family experience when you can cook your own breakfast, laugh together, watch movie together, open the door, sit on the porch and watch sunsets! I want snorkeling gear and chairs from rental apartment that I can put in the car and drive to the beach and do my own laundry while I watch movies. If people want to stay in hotel in 2 different rooms, let them do it but also do not take away choice to stay in rental apartment.

Vacationing with adult friends. The same thing. Give us the choice, stay in hotel or rental. It is about **WHAT FITS OUR NEEDS!**

Here's the examples from my experiences:

- I am going to Paris next Sunday and we are staying in apartment rental (3 people),
- For Christmas my family with 3 kids and a friend went to Universal and Disney in LA. We stayed in hotel and different floors (6 people total).
- my 2 daughters are going to Rome for Easter, staying in hotel.
- last year in June my husband and our best friend (couple), we went together to Turkey. In Istanbul we stayed in hotel and then in Bodrum in their apartment.

You have to give visitors choices depending on how many people travel together and their needs. Some families might want to come with grandparents. Some want to stay in hotel, some prefer

rental apartment. **GIVE US THE CHOICE!** People still spend money on groceries, restaurants and other stuff.

I hope you make the right decision that serves best both sides on the isle!

Sincerely,

Ilva Metlane

Dear Sirs,

Thank you for allowing me the opportunity to comment on this pending legislation. We have owned a home in the Poipu Beach area since 1999, along with 2 other families. We were fortunate to have been able to purchase an empty lot and build a 3 bedroom home. Because of the attendant costs of ownership, including maintenance (salt air!), mortgage fees, property taxes, and a host of other costs, it is necessary for us to derive income from the home as a vacation rental. Without that income, we would be forced to sell our beloved home. It has provided, in those 24 years, countless memories and happy times for all.

Our home has been visited by hundreds of guests during those years. In 24 years, there has never been a single complaint about our guests from any neighbor or authority. The guests have been respectful and appreciative, and truly enjoy staying in one of the most beautiful places on earth.

Our home is professionally managed by the Parrish Collection, a well known and respected organization. Any problems a guest may have are attended to promptly, 24/7. They help ensure issues such as parking, noise, and others are dealt with appropriately, and no neighbors are affected by guests.

Losing our island home would be dreadful. There is no place on earth I'd rather be, and cherish each visit we make. I'm sure these issues are similar to many others.

Thank you for allowing me to express my thoughts and opinions on this issue, it's deeply appreciated.

Yours sincerely,

Richard Guess

HB-1838-HD-1

Submitted on: 2/28/2024 11:35:29 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen Rule	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Bill - Support for Short-Term Rentals

Aloha Chair, Vice Chair, and Committee,

I am Eileen Rule, writing to express my opposition to the proposed bill. Short-term rentals play a crucial role for individuals like myself who find hotel accommodations unsuitable due to various reasons such as family needs, meal preparation requirements, or the need for more spacious living arrangements.

During my visits to Maui over the past several years, short-term rentals have become a vital part of my experience. As someone with severe food allergies, staying in hotels without fully functional kitchens is not an option for me. The prospect of losing access to short-term condo rentals would mean being unable to continue visiting the beautiful state of Hawaii, leaving behind the friendships and connections formed over the years on the island.

This bill, if passed, will negatively impact not only me but also other residents and important visitors who rely on short-term rentals as temporary, furnished, and affordable housing. Rather than introducing new legislation, I urge you to prioritize the enforcement of existing laws by the counties.

I kindly request that you reconsider moving this bill forward and appreciate your attention to this matter.

Thank you for your time and consideration.

Sincerely,

Eileen Rule

February 28, 2024

Re: Hawaii HB 1838 Opposition

To Whom It May Concern:

I am in strong opposition to the ramifications that would be brought on by the approval and ratification of Hawaii HB 1838. Namely, that the law would allow individual counties throughout the state to limit or eliminate the use of condominiums and other homes as short-term rentals, despite the current legal use of the properties as such.

I am particularly concerned with the effect the passage of this law will have on the island of Maui, specifically since I own one such unit.

Maui depends on 40% of its property tax revenue from short-term rentals, which represents 18% of the county's \$1.7B budget. Enactment of this law would create an immediate devaluation of the properties, greatly reducing the tax revenue. I don't see any answer to the question as to where the additional funds to replace this revenue will come.

Additionally, this law will severely reduce the tourist trade, which affects restaurants, whale watching, snorkeling, and sunset cruise businesses, and many other businesses that are nearly 100% dependent on the tourist business. It will cripple the economy and put thousands of residents out of work.

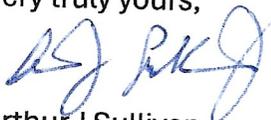
Also, these rental units aren't just used by tourists on vacations. Displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students, and family and friends of residents also access these properties.

In my case, my wife and I purchased our condominium in Grand Champions in Wailea both because we loved Maui and also because we could offset some of the monthly cost through the income derived from renting our full furnished home when we were off-island. To change the laws that were in place when we purchased our property twelve years ago would be unfair and create a huge financial burden on our family. Our costs have skyrocketed since the fires of last August. Our HOA dues have increased 30%, and our income has been reduced due to the mixed messages given out by the government following the fires and the concern people have regarding booking short-term rentals.

This last part is in reference to Maui's strong-arm tactics in forcing some owners to convert their rentals into long-term rentals for the displaced residents. I believe this issue is behind us now, but it was handled poorly and has resulted in vacationers looking elsewhere.

I appreciate the anticipated thoughtful consideration you will give concerning my fears for Maui overall, and our investment.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'ASJ RKJ', written over the closing text.

Arthur J Sullivan.

HB-1838-HD-1

Submitted on: 2/28/2024 11:36:53 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diana Talbott	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Diana Talbott and I rent out my residence in Maui as a short-term rental.

I am writing in opposition of this bill because short-term rentals are important. I provide jobs for many local cleaning services, electricians, plumbers, maintenance workers, etc. I host wonderful guests, emergency workers and families for example that were displaced due to the fires. Most of the time hotel rooms are not affordable nor livable to many that have families who need to prepare meals or need more space than one room. These families, workers and guests also support the local businesses in the area, which is also extremely important.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 11:38:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Albert Morgan	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am Native Hawaiian.

I am retired.

I've inherited ancestral land from my grandmother. It's been in the family since the early 1930's.

The property is currently operated as a vacation rental, legally permitted, on the island of Kauai.

If this bill becomes law and results in the forced closure of my vacation rental, I won't have the income to continue to pay the huge increase in property taxes the area has experienced. I'd be forced to sell.

This is not right nor is it fair!

This Bill brings to mind the stories my grandmother often told. How early Hawaiians, who couldn't pay their property taxes, had their properties confiscated by government then auctioned off to the highest bidder

Mahalo

Albert Morgan

HB-1838-HD-1

Submitted on: 2/28/2024 11:38:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fran Smith	Seattle Police Relief Association	Oppose	Written Testimony Only

Comments:

Hello I am an active Police Officer in Seattle Wa, and I am also the volunteer President of our Association, Seattle Police Relief Association. We are a non-profit organization started in 1896 that started to help Officers with many health and mental health issues. We own a condo in Kihei and have owned it since the 80s. This condo is completely non-profit and Officer put their names into a drawing for a time frame that would work for them. The sole purpose of this is to allow our Officers a time and place to relax, and forget about the stresses of our job. Our hope is that they can come to Maui and relax and bond with family and friends and then come back to us as a better Officer, Family person, friend and overall have a sense of peace that this type of vacation affords them. Our Association is not affiliated directly with the police department but exists solely for the well being of the Officers. I am sure you have all seen the riots and heard all the issues with Departments unable to hire Officers. Police suicides are up as well. We strive to see if we can help our Officers mental health by having this oasis of beauty. We appreciate you sharing your paradise with us and we do not take it for granted that we are guests here. We have also befriended our cleaning company owners and other support staff that keep our condo up. I can only imagine how many Mauians who have companies here will lose their businesses when there are no more condos to clean. We oppose HB1838 for these reasons. Thank you for your time and attention.

Fran SmithH

Seattle police Relief Association President

HB-1838-HD-1

Submitted on: 2/28/2024 11:39:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Deaton	Individual	Oppose	Written Testimony Only

Comments:

Hello. I would like to oppose bill hb1838. Passing the bill would destroy the tax revenue generated from short term renters. I feel it would stop or reduce significantly the ability that traveler's come to Maui to experience a short term stay in a private home or condo without the Hassel of feeding the Big name companies. It makes it more convenient, accessible for individuals to stay at multiple locations on the island. Otherwise, traveler's would have to stay in just a few areas where hotel's are. Short/ mid term rentals also allows guest to interact with owners of the properties and having a more personal relationship that draws them back to the island. I hope you consider these issues and decide to oppose bill hb1838.

Thank You

David

HB-1838-HD-1

Submitted on: 2/28/2024 11:39:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Walters	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to HB 1838. It will be financially detrimental to the Maui economy.

HB-1838-HD-1

Submitted on: 2/28/2024 11:40:27 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandy Bunker	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee,

As a short-term rental owner for 22 years I am strongly opposing HB1838.

My husband and I purchased this condominium as a supplement to our Social Security income as retirees.

We appreciate your consideration on this measure.

Respectfully submitted,

Sandy Bunker

HB-1838-HD-1

Submitted on: 2/28/2024 11:41:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Gabelhouse	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

We have been home owners on Maui for 22 years and spending winter months here for the past 12 years. Hawaii and Maui have been a part of our lives for over 50 years and we have made many good friends and local Hawaiian's that we have met on island making this truly our second home.

As a condominium home owners in a resort managed complex, Kamaole Sands, we do rent our condo out in the summer and fall months and have contributed to the State and County taxes, which I understand Short Term Rentals represents 40% of the county tax revenue. Then there is the tourism revenue for many small businesses on Maui that STR's generate.

If the Mayor and County acts too aggressively with changing (90 day rentals) or banning Short Term Rentals, it will cause a major economic downturn with the loss of County revenue and tourist related employment and many other support businesses on Maui.

This action targets the Middle Class who for the most part can't afford the unbelievable outrageous Maui Hotel room rates that are more than double Oahu room rates. The Mayor and County should be questioning these hotel operators who are taxed much lower than STR's.

The thousands of STR owners have supported the economy of Maui for many, many years with investment risk at times, high property taxes and now threats of being squeezed out of Maui. Mainland and foreign owners are the backbone of Middle Class tourism on Maui and should be valued for their past and ongoing contribution to Maui's economy.

Please protect Maui's economic health by not passing this bill in it's present lanuage.

Dennis & Gwen Gabelhouse

HB-1838-HD-1

Submitted on: 2/28/2024 11:41:31 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
dan malone	Individual	Oppose	Written Testimony Only

Comments:

Aloha Members of the Hawaii State Legislature,

I am writing to express my strong opposition to HB1838, particularly concerning the proposed increase in renewal fees for short-term vacation rentals and its authorization to allow any county to phase out short-term rentals in any zoning. As a resident and kupuna of Pahoia, Hawaii, I am deeply concerned about the potential negative impact of this bill on me and my community.

I own a short-term vacation rental (STVR) in Kona, which I purchased as an investment opportunity to help support me and my wife in retirement, as well as to provide our children with an asset that we can leave them upon our passing. However, the provisions of HB1838 would financially harm not only me but also the individuals who rely on the STVR industry for their livelihoods, such as my housekeeper and handyman.

This bill's specific revisions to Hawaii Revised Statutes would allow counties to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time in any zone, removing them from the residential use exclusion. This would grant counties the authority to make decisions about zoning with respect to vacation rentals, potentially affecting the ability of operators, like myself, to continue our operations.

I urge you to consider the significant impact that HB1838 will have on the residents and workers in our community. The proposed measures could disrupt the livelihoods of not only STVR owners but also those who depend on the industry for employment. It is essential to carefully evaluate the potential consequences of this bill, particularly its effects on local families and the broader community.

I kindly request that you take into account the voices of individuals like myself and reconsider the provisions of HB1838. Thank you for your attention to this matter, and I appreciate your efforts in making informed decisions that support the well-being of our community. I kindly request that you do NOT pass this bill.

Mahalo for reading my comments, Dan Malone Pahoia, Hawaii

HB-1838-HD-1

Submitted on: 2/28/2024 11:41:41 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edwin Clarke	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill

HB-1838-HD-1

Submitted on: 2/28/2024 11:45:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Funk	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Many of the at-risk properties have operated as vacation rentals for over fifty years.

Our properties employ multiple local resident employees, some have worked at our properties for their entire careers and rely on our properties to provide income so they can feed their Ohana.

Our properties support a wide variety of local trade professionals (plumbers, electricians, HVAC, landscapers, housekeepers, pool cleaners, painters, handymen, etc.)

Short-term owners have supported the State of Hawaii and County of Maui through payment of property taxes, Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax to an extensive degree.

Our guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, cultural centers, grocery stores, and shops.

Short-term rental properties exemplify the Aloha Spirit and allow visitors from other areas as well as local islanders to experience the quite old charm of West Maui away from the crowds and massive hotels blocking access to our Kahakai.

Maui depends on the revenue from visitors. It employs most of us and keeps our Ohana fed, our bills paid, a roof over our heads, Malama Ola. Many of the visitors to our island can't afford the cost of hotel accommodation and the lack of resources provided in hotel rooms (no kitchens) which forces them to eat out every single meal. Most people can't afford this. If no short-term vacation rentals are available to these visitors they will simply choose a different location to vacation and our economy will suffer even more. First COVID-19 then the devastating fires, now Hotel Greed? Stop the abuse of large hotel owners, we all need to coexist under a fair market without accommodation monopoly further harming our lives.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it. Don't let the hotels dictate our fate. Greed is not part of the Aloha Spirit and hotels should have no say in the affairs of short-term rentals.

Respectfully submitted,

Stephen Funk

HB-1838-HD-1

Submitted on: 2/28/2024 11:45:13 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jordan Hocker	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,J

Jordan Hocker

HB-1838-HD-1

Submitted on: 2/28/2024 11:45:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M.T. Sherrow	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

Hawai'i State Legislature

RE: House Bill **HB1838**

I am in opposition to this sweeping bill that would significantly affect short-term rentals properties.

This bill has a wide net that would allow County officials at their discretion, without cause, without specific instructions to phase out PERMITTED, short term rentals in ANY zoning.

This is a broad brush that could destroy the lives of many who depend on this income. It does not take into consideration that many of us live in neighborhoods of second homes.

and live in our homes with our guests as B&B owners without the luxury of having an ohana to rent out.

For instance, without this income in my senior years, I would have to sell as long-term rental prices do not cover the maintenance of my property and I would have to live

long term with strangers, not allowing for any time for my own family to visit. With my short term home, my family, which includes seven grandchildren can be here between guests and I can live here too.

The tax base for each County could clearly be affected by this as well since the short-term rentals bring in a significant amount of money into the coffers to operate the County.

1. does not clearly spell out who/what/how any of this would be done and only states that it would apply to those the County deems that the short-term rental “operations are inappropriate”. Is there a legal standard that can be applied to what is “appropriate”? This needs to be clearly spelled out.

The lives of many in each County who provides services to these short-term rentals can be completely changed by those who are looking through narrow blinders thinking this is a solution to the housing problems we are facing.

Instead, it will place a huge burden on many without recourse. At present I contribute to the income of two housekeepers, 3 gardeners, a pool service company, Handyman repair services, along with providing information to my guests about local ly owned businesses, tours they can use.

I sincerely support OPPOSITON to this Bill

Teri Sherrow

Maui, Hawai‘i 96753

HB-1838-HD-1

Submitted on: 2/28/2024 11:47:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Keala Fung

HB-1838-HD-1

Submitted on: 2/28/2024 11:50:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Fan	Individual	Oppose	Written Testimony Only

Comments:

My name is John Fan, and I own three condo units in hotel-zoned communities, as well as a 4th condo in a community in the Minatoya list. I am also the Board President of the Kamaole Beach Royale AOA. I rent each of these units on a STR basis, as do the vast majority of the owners in KBR. I am writing to voice my opinion opposing this legislation, and requesting that lawmakers consider all the various stakeholders that will be impacted by this decision.

First, my feedback is that I feel it would be unlawful to take away my property rights given I have prioritized purchasing units that are in hotel zoning for the most part, as well as the well-established list of allowed STRs posted on Maui county Minatoya list. If you look at property taxes alone, even the county acknowledges the dramatic difference in valuation between a unit that does STR vs does not, with tax rates easily 2-5x higher. Changing the rules on owners is tantamount to robbery forcing owners to sell their units at dramatically lower prices (particularly if they have mortgages that cannot cash flow). I have no problems with the state enforcing STR rules on rogue actors. If the state must temporarily ask apartment zoned communities to absorb temporarily displaced residents, I might even understand the time-bound priority there. Don't touch hotel zoned at least. And frankly, make it financially realistic to motivate STR owners to temporarily support the housing gap - many of us have mortgages to pay.

Second, tourism is the lifeblood of Hawaii and Maui's economy. I have spoken to dozens of small business owners who have already been impacted by the double whammy of COVID and then the Maui fires, and they are reeling. I think the government would acknowledge the harsh reality of starving the economy when Maui officials first announced stay away and within weeks about faced when seeing the crater that left in the economy. I can't imagine how it makes sense to create a third wave of hardship forcing huge percentage of available vacation housing offline. The cascade of falling property values, less tax revenue, fewer tourists, and business closures leading to high unemployment...what is the path out of this self-imposed economic death spiral once you go down this path? Nobody benefits in the medium term.

On top of this, at a time when the state needs money to help citizens recover from all the natural disasters, these moves would dramatically reduce vital tax revenue. How will the state and county pay for all this if there is no steady income? Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Ultimately, I understand the sentiment that housing prices have gotten out of hand for affordable living. But I would push back that cannibalizing STR is a solution for that. These units were never the units families would want to live in - they have been operating as STRs legally for decades, and they are designed for short-term stays. We need more affordable housing, and the only way to solve that is to build that housing and use tax money to subsidize that including releasing access to state owned land. I think history has shown that attempts by the state to break trust with owners' established property rights and thereby destroying the economy will be met with legal challenges at every level by owners and business owners alike, as has happened multiple times in the past. Let's not try to scapegoat and harm the part of the state economy that needs to thrive in order for any good outcomes for the state long term and focus on durable solutions. Let's not waste money fighting inevitable lawsuits when the outcome has played out multiple times in the courts already.

Speaking at a personal level, I love Maui and am deeply invested in its future. I love bringing my extended family and spending time together in paradise and eventually leaving a legacy for my children to be able to keep coming - something I could never dream of affording if it weren't for the opportunity of owning STR and cash flowing. These changes would devastate me financially and emotionally poison my view of fairness that the state would break trust in their well established zoning and legal precedents to effectively force me to sell at huge losses. I've spent hundreds of thousands of dollars in my 20+ year love affair with paradise, and I cannot foresee me spending another dime if the state breaks my trust.

Aloha Chair, Vice Chair and Committee,

My name is Matt Marshal. I own a property on Maui in the Kamaole Sands property.

I am writing in opposition of this bill because short-term rentals are essential. A hotel room is not affordable nor livable to many who have families, need to prepare meals, or need more space than one room. With the costs of hotels, they are also not a viable option for most families as they will be priced out of the market. This would also give hotels a lot more control over how they can price things, which would only mean pricing going up, making it more prohibitive for families to come enjoy the island.

This bill will hurt me, other residents, and important visitors who rely on short-term rentals as temporary, furnished, affordable housing.

We would have to sell our property and potentially suffer financial hardship because of this law.

Let the counties enforce the laws that they already have.

Please do not move this bill forward.

Thank you for your time.

Matt Marshall

HB-1838-HD-1

Submitted on: 2/28/2024 11:55:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Koller	Individual	Oppose	Written Testimony Only

Comments:

This proposed legislation is a source of great distress. We directly rely on the income from our short term rental on Maui (in our retirement), and many Hawaiian families (cleaners, service providers, small business owners, etc.) directly rely on this income. Make no mistake - this measure could destroy the very thing that my husband and I worked so hard for so many years to acquire and would undermine the economic future of so many families living on the islands. I am sure you know that the short term rental industry as a whole overwhelming supports the economy on the islands. Our business allows ordinary people to visit the island (who might not otherwise be able to afford to come) and these visitors spend their hard earned money on our local businesses. Further, the short term rental industry pays property taxes (on values based on the short term rental income we produce) which adds up to nearly 40% of the property tax revenue on Maui. These taxes support innumerable essential public services, and this revenue would be devastated if this bill were ever to be enacted. In addition, the Maui short-term rental community is currently putting every effort into rebuilding the economy since the devastating fire and this proposed legislation would severely undermine those efforts.

How could anyone think this is a good idea - especially in these hard economic times?" Please, we beg the Legislature to consider the horrific impact (and great emotional distress) this bill would have on the people in the community and we request that you respectfully reject this proposed bill.

HB-1838-HD-1

Submitted on: 2/28/2024 11:56:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristina Vasquez	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill and feel like this is something that helps the island as well as the business on the island that need the visitors. I travel to Hawaii every year and really enjoy staying in a Air B&B where I can cook and hangout and not have to worry about house cleaning and being checked in and out at a certain time.

Thank You

Kristina Vasquez

HB-1838-HD-1

Submitted on: 2/28/2024 11:56:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Enslin	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose Bill HB1838.

A 2020 study done by the Hawai'i State Tourism Authority found that STR's added \$6 billion to the State of Hawai'i's economy and on top of that sustained 46,000 jobs. The study also found that 30% of respondents stated they would not have made a trip to Hawai'i if it had not been for a vacation rental option.

The removal of STR's from the vacation rental could have a harmful cascading effect causing irreparable damage to other businesses in the state that are tourist focused, such as restaurants, car rentals, tour operators and also to businesses involved in cleaning, repairing and maintaining STR's.

Oahu is already down to 2,000 STR's and we cannot afford to lose anymore.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Where will people visiting stay when they come to Oahu to work, visit family or seek healthcare? A \$700/night hotel? If this is their only option, people will just not come to Oahu.

This bill could have a devastating impact on so many people.

Sincerely,
Susan Enslin

HB-1838-HD-1

Submitted on: 2/28/2024 11:56:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mitch Maxwell	Individual	Oppose	Written Testimony Only

Comments:

In a time when violent crime is on the upswing, and government corruption is rampant, it's unbelievable that this is what the legislature is up to. Constantly trying to take away property rights is just not a good look. Giving counties the ability to do away with NUCs (which have been in existence since the 1980s) is the textbook definition of government overreach, and political pandering. The hotel industry is not in charge of the entire tourist industry...or are they? This vote will tell us a lot.

HB-1838-HD-1

Submitted on: 2/28/2024 11:57:27 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christi Vehikite	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Christi Vehikite

HB-1838-HD-1

Submitted on: 2/28/2024 11:58:47 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian W Uhl	Individual	Oppose	Written Testimony Only

Comments:

Although I was never given Notice of the Draft Legislation of HB1838 in advance, I join so many others to oppose this onerous Bill. The effect of this legislation is to vest total deference re terminating long-established legal status of useful and available designation of STRs to a Government entity (in this case the County of Maui whose Council has demonstrated Disfunction due to infighting). We are a Husband and Wife who sold our Corona, Ca. starter house to endure a complicated IRS 1031 exchange before searching for a 1 Bedroom/Bath that came available in 2021. It had been inherited by a Brother/Sister who rarely rented it and allowed it to deteriorate with no Rental History. We had to borrow an \$80,000 HELOC on our Family Home to invest over \$12,000 to renovate it for Rental Purposes. After Navigating the TAT & GET permitting processes we relied on it as a secondary income to our Social Security income just to survive the Recesion. After the Lahaina tragedy our Rental Company was able to offer it to a couple who were living out of their car in Kahalui. They were so grateful to have showeres and Barbeques along with a Kitchen that we stocked. Thereafter I sent Contributions to St, Theresa Catholic church to aid the victims. Most of our long-standing Reservations were Cancelled after Govenor Green ordered everyone to leave Maui 2 days after the fire. Meanwhile we wererelegated to using dwindling funds toservice the \$1,200/mo Assessments and comply with paying Property Taxes of thousands of dollars to the Assessor who denied requests for an abatement or even extension. In short, we were in the Hole just to keep our Aloha place in Kihei. We urge the Judiciary Commitee to deny this Legislation that will "drive a nail" to our desperate effort to maintain a nominal Return of oour devoted investment!! We Declare the forgoing to be true and correct. Brian & Julie Uhl

HB-1838-HD-1

Submitted on: 2/28/2024 11:59:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Oswald	Individual	Oppose	Written Testimony Only

Comments:

Aloha Honorable Legislators:

Respectfully and urgently requesting that you vote AGAINST HB1838 as written.

Our State government authorizing our local government to purposely eliminate all LEGAL Short-Term Vacation Rentals is a violation of the compact between responsible citizens and their government.

This is because it SOLELY punishes GOOD citizens: STR-owners who are law-abiding, rule-following, and most importantly - tax-paying.

STR-owners did not create the affordable housing shortage, and it is outrageously unfair that we are being blamed for it.

Benefits of the STRs to Hawaii are many: taxes paid, visitor dollars attracted, affordable nearby accommodations for Hawaii-residents' visiting family members.

If the purpose of HB1838 is to continue the throttling of "overtourism", then we testify now that the goal has already been met – without HB1838. Tourism IS now reduced; our future bookings are down by well-over 50%. "Mission accomplished."

Perhaps the purpose of HB1838 is to "never let a crisis go to waste", meaning use the Lahaina Fire and subsequent increased affordable housing shortage for the political goal of eliminating perceived STR-competition for the well-connected resort industry.

If so, then this letter is futile because HB1838 – "Revenge of the Resorts" - is already bought and paid-for. (But we optimistically hope that is NOT the case!)

The irony is that we, the STRs, are NOT competitors for the resorts.

Were all STRs to go away, our visitors will NOT simply switch accommodation-types and book at a resort, because STR-visitors do NOT want a resort experience. They will change to a destination that offers what they want in another tropical venue. And there are LOTS of good choices other than Hawaii that are also less expensive.

Final point against Passage of HB1838: It will induce a smug, “Told you so!” response from the underground, unlicensed, and ILLEGAL STR-owners because none of this affects them. They will remain happily un-taxed, unregulated, and operating in the shadows.

What to do? Here’s a “single stroke of the pen” means of allowing many thousands of potential long-term rental units to enter the market: Simply remove the building code rules that limit single-family residential dwelling structures to ONE kitchen.

Many Hawaii homes have attached Ohanas that could be truly independent dwellings – except they’re not allowed to have a full kitchen. Changing that rule would bring about an immediate increase in available long-term rental units, without any government “taking” of property.

Pssst... BTW – this is widespread anyway. Attached Ohanas are rented out long-term, and the tenants live without a full kitchen, cooking on hotplates, etc. Not at all a “dignified” housing situation. Allow attached Ohanas to have full kitchens!

On a personal note: Our Maui Bed & Breakfast is our retirement plan. HB1838 and the subsequent loss of that modest income will end our dream of living in Hawaii – it will be back to the mainland for us.

And BTW again: Our governor’s oft-repeated statistic that STRs are SIX-times more profitable than long-term rentals is a ridiculous exaggeration. There’s more to it than comparing nightly rates.

And we wonder why no one begrudges a resort charging a rate MANY times higher than long-term rentals.

After all, according to the governor:

It's OK to compare STR rates to long-term rental rates.

And also OK to compare STR rates to resort rates.

So it follows that resort rates may also be compared to long-term rental rates. And that difference really IS at least 6 times higher!

We’d be pleased to provide details, if interested.

Respectfully urging you to vote AGAINST HB1838.

With Cheer and warm Aloha,

Robert & Stephanie Oswald

4356 Opana Pl

Haiku, HI 96708

HB-1838-HD-1

Submitted on: 2/28/2024 12:04:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joy Nelson	Individual	Oppose	Written Testimony Only

Comments:

We, Don and Joy Nelson, Hawaii residents, have 2 legal short term rental permits on Maui and have had them for many years.

We have a 50% repeat business. Guests love to come here often. When they do, they not only provide income for us, but for our cleaners, gardeners, window washers, handymen, tree trimmers, and our operations manager.

They also spend money shopping, eating at restaurants, buying groceries, supporting local entertainment and tours. They spend more money than long term renters.

We did provide housing for fire victims for several weeks after the fire. When some of the survivors of the fire left our trailer that they were housed in, we donated the trailer to an injured fire chief.

Also, short term renters provide 40% of Maui County taxes.

With appreciation, Joy & Don Nelson

HB-1838-HD-1

Submitted on: 2/28/2024 12:05:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adam Chambers	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

The Papakea Resort has operated for almost 50 years and we have owned and enjoyed our property for over 22 years. Papakea employs about 35 local residents, some of whom I have watched grow from entry-level positions to supervisory roles.

In its regular operations, the Papakea Resort supports many local trade professionals including plumbing, electrical, propane, HVAC, tree trimming, and pest control. The resort can only support their current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue to support it.

The short-term rentals at Papakea support a large number of small businesses in the Maui community such as housecleaning, handymen for repairs, on-island property managers just to maintain the rentals. As owners, we regularly spend at furniture stores, with contractors for renovations, and at hardware stores. And of course we and our guests support a multitude of restaurants, retail shops, and on-island activities. This kind of spending is critical for the Maui economy.

Additionally short-term rentals support the State of Hawaii and County of Maui through payment of property taxes (at our short-term rental rate), Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax.

Maui is a special place. Most every guest who have stayed at our place return to Maui again and again. We have all formed deep connections with the local community. I believe if this bill were to pass, an enormous hole would be torn in the Maui economy and would be tragic. We all want to see Maui flourish.

For these reasons stated, I **OPPOSE** H.B.1838, HD1 and respectfully urge the committee to defer it.

Thank you for your consideration.

Maureen Donohue

Papakea Resort Owner

Subject: Strong Opposition to HB1838 - Protecting Maui's Short-Term Rentals

I am writing to express my deep concerns and opposition to HB1838, which poses a significant threat to Maui's short-term rental (STR) industry. This bill could have devastating consequences, including the potential phasing out of 13,744 legal short-term rentals on Maui.

Maui's STRs play a crucial role in our community, providing essential real property tax revenue that accounts for 40% of the county's total revenue. Additionally, this revenue is a key funding source for affordable housing initiatives on the island. The potential loss of this revenue, which represents 18% of the county's budget, raises serious questions about how essential services and programs will be funded in the absence of this vital income stream.

Moreover, Maui's short-term rentals serve as a lifeline for many residents and visitors alike. They accommodate displaced residents, newly housed individuals, residents in transition, inter-island visitors seeking medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, students, as well as our own family and friends. In times of crisis, such as the Lahaina Fire that displaced thousands of residents, these rentals provide crucial temporary, furnished housing options.

If HB1838 is passed and further decimates the STR industry, residents will be left without viable options for temporary housing in times of need. The impact on our community's resilience and ability to support those in transition or crisis situations cannot be understated.

I urge you to reconsider your support for HB1838 and instead focus on solutions that preserve the important contributions of Maui's short-term rental industry to our economy, housing availability, and community well-being.

Thank you for considering the implications of this bill on Maui's residents and economy.

Sincerely,

**Tien Doan
808-385-2260**

HB-1838-HD-1

Submitted on: 2/28/2024 12:09:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pam Monteiro	Individual	Oppose	Written Testimony Only

Comments:

I would like to add my opposition to HB1838. My husband and I bought our "dream come true" condo on Maui 15 years ago. Our family has enjoyed it tremendously! We speak so wonderfully of Maui, we feel that we are some of Maui's best "ambassadors." My husband passed on two years ago. I must have rental income to maintain my condo with all the expenses. I pay my taxes very willingly as I know that a large portion will go to help less fortunate people. I have had many renters over the years tell me how much they appreciate the lower daily rental fees as compared to the "high priced resorts" They also have mentioned that they have felt so much more of the "aloha spirit" in a smaller condo building, more of the true feel of Maui. I hope to leave this condo to my children and grandchildren as part of my legacy. How will you make up the short fall that is realized when you no longer have short term rental taxes available? Please, I urge you, oppose this bill

Thank you for your consideration.

Sincerely,

Pam Monteiro

HB-1838-HD-1

Submitted on: 2/28/2024 12:10:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

I support a full ban on vacation rentals or short-term rentals, as many are owned by non-Hawaiians, predominantly investors who lack Hawaiian residency. Additionally, there is a need to revisit current permits, particularly for those claiming to operate bed and breakfasts while not residing on the property or actually not on island while the unit is rented. Further investigation is essential for properties holding short-term rental permits, especially when a trust is listed as the owner. Trust documents, not being recorded, allow the property to be sold without the county's knowledge by changing beneficiaries, potentially circumventing laws prohibiting license transfers.

I oppose this proposed legislation because it will give too much freedom to Hawai'i counties to further discriminate against individual property owners and impose unfair and over restrictive conditions on owners of nonprimary residence properties.

I am a Co-Trustee of my deceased mother's Trust that came into effect when she passed away in 1993. This trust is cash poor. Its sole asset is a house and cottage on a 9,000 sq. ft. lot that was originally purchased in 1924 by my grandmother who paid for it out of her earnings as a public elementary school teacher. It has been passed on to her descendants as a legacy property, not as a real estate speculation. This property has been rented out as a long-term rental, without interruption since the year 1960, providing housing to local people at a reasonable rate.

Ever since 2014, when the Honolulu City Council voted in the "Residential A" category tax scheme to place a higher tax liability rate on property values over one million dollars, it has been a huge struggle for my Trust to financially survive in the long-term rental market. Because I have a fiduciary duty to maintain the Trust's sole asset in order to pass it on to the next generation, I am forced to consider the short and mid-term rental option. If bill SB2919 passes, I have no doubt the City and County of Honolulu will impose extremely punitive restrictions on individual property owners, like my Trust, who are trying to just stay solvent. The City Council's track record of voting for outrageously high tax rates for **ALL** Residential A category property owners, is the largest contributing factor to the lack of affordable long term rental housing on Oahu. Even though the percentage of housing units being rented out as vacation rentals is very small, the City Council is treating every Residential A property owner as if they are operating vacation rentals or are property "Flippers".

If bill HB1838 passes, it will only result less tax revenue, more overly restrictive measures from City Councils and drive more local residents out of the state.

James Parker

HB-1838-HD-1

Submitted on: 2/28/2024 12:11:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shiori Amakata	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to the proposal to phase out the current short-term. As a resident and property owner in Hawaii, I believe that such a ban would have negative consequences for both homeowners and our community as a whole.

Firstly, short-term rentals provide homeowners with an opportunity to supplement their income and make ends meet in an increasingly challenging economic climate. Many individuals rely on this additional income to cover mortgage payments, property taxes, and maintenance costs. A ban on short-term rentals would adversely impact the financial well-being of these property owners.

Furthermore, short-term rentals contribute to the local economy by attracting visitors who spend money on local businesses, restaurants, and attractions. This influx of tourism dollars helps support small businesses and create jobs, fostering a thriving local economy. Banning short-term rentals would result in a loss of revenue for local entrepreneurs and negatively impact the overall economic growth of our community.

I acknowledge that concerns have been raised about issues such as noise, safety, and property values associated with short-term rentals. However, I believe that these concerns can be addressed through sensible regulation and enforcement rather than an outright ban. Implementing fair and balanced policies can strike a harmonious balance between the interests of homeowners and the broader community.

In conclusion, I urge you to reconsider the proposed short-term rental ban and instead focus on developing comprehensive regulations that address the legitimate concerns while preserving the economic benefits and individual rights of property owners. I appreciate your attention to this matter and trust that you will make a decision that reflects the best interests of our community.

Thank you for your time and consideration.

Sincerely,

Shiori Amakata

HB-1838-HD-1

Submitted on: 2/28/2024 12:12:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Blackham	Individual	Oppose	Written Testimony Only

Comments:

Dear Hawaii Legislature

I am writing to express my strong opposition to HB1838, which would authorize the counties to phase out short-term rentals in any zoning. As the owner of a beautiful condominium on the west side of Maui, this bill directly impacts my livelihood and the economic stability of a community I love and consider my second home.

My late husband and I purchased our condominium ten years ago with dual purposes: to have a home to go to when we visited Maui and to provide a source of income to sustain our lives. Tragically, my husband passed away three years after we purchased our home, succumbing to cancer. The income from our vacation rental has been essential for me to maintain our property and livelihood, fulfilling the vision we had for our investment.

Tourism is the backbone of Hawaii's economy, and for many citizens, it is the sole industry through which they can make a living. HB1838 creates insurmountable challenges for ordinary citizens to engage in this vital industry. The potential impact on my ability to provide for my family is daunting, and it would also further disrupt the stability of West Maui.

In addition to my own story, I can see the devastating impact this bill would have on others in the vacation rental industry. From cleaners to property caretakers, these hardworking individuals would face financial struggle and job loss if this legislation were to be enacted.

I implore you to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for all families involved.

Thank you for your attention to this matter, and I respectfully urge you to reject HB1838.

Warm regards,

Catherine Blackham

HB-1838-HD-1

Submitted on: 2/28/2024 12:12:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Smith	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I have been a good, Hawai'i resident, short short term rental property owner for 8 years. I have paid my taxes, work for a nonprofit on Maui, and help my community. I converted my STRP home to long term to house for a Maui wildfire family of ten for one year at significant annual revenue loss. I am happy to help support our community in this way. If you allow the local counties to control this zoning it will create more budget shortfalls, increase taxes and reduce affordable housing. Please do not support this bill. Allow our local community members to continue to convert STRP, act responsibly and support affordable housing through the taxes. This is a mistake and will hurt our state and people more than what you think it will do. Mahalo,

HB-1838-HD-1

Submitted on: 2/28/2024 12:12:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan M. Whalen	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838 because it will be personally detrimental to my family's ability to maintain our Hawaiian home. After visiting Oahu annually for the last 10 years, we purchased and renovated a leasehold in the Waikiki Banyan, 201 Ohua Avenue, Honolulu, with the intention of using it as our winter home for the remainder of the 12.5 years left on the leasehold. By our 2023 purchase, we were able to infuse an initial \$90,000 directly into the local economy with the renovation costs by employing local contractors to do the renovations, and purchasing supplies and items for the unit. Ongoing, we are supporting numerous local employees (cleaners, management company employees, maintenance and skilled laborers) as well as numerous local businesses (ie., hardware stores, local stores and restaurants) by being a short-term rental owner. We could only afford to do so by continuing to have LEGAL short-term rentals. Previously our visits only benefited the large hotel chains and were limited to a couple of weeks per year due to the high costs of hotels. Being an owner and becoming a member of the Hawaiian 'Ohana is so important to our family, eliminating legal short-term rentals will be financially detrimental to us, **but more importantly, it will drastically and negatively impact so many local lives who depend on the already limited available short-term units (approximately only 2000 units) for their livelihoods.** Finally, we are pleased to be able to provide a beautiful home for those who either visit Oahu as needed travel nurses, military families, educators, and finally vacationers; thereby spreading the magic of Hawaii and its aloha spirit to our guests and continuing to be a positive impact to its economy. PLEASE VOTE "NO" on HB1838. Thank you!

HB-1838-HD-1

Submitted on: 2/28/2024 12:13:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen McKee	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in strong support for HB 1838.

Mahalo,

Eileen McKee, Kihei

HB-1838-HD-1

Submitted on: 2/28/2024 12:14:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Nigro	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 for these reasons:

1. Most residents of Lahaina who lost their home do NOT want to relocate to another side of Maui island. My short term rental units are on the South side of the island.
2. My short term rental units bring in revenue in the high almost 20% TAT tax which adds to the economy of Maui and generates revenue for the rebuilding efforts.
3. My units are in the South side where many visitors who spend their money are now staying and contributing to the economy as we recover from the fires. They were told soon after the fires that South side Maui was still available and a good place to stay and visit Maui from, and now many see the South side as their best option to be and still come to Maui.
4. Our South side Kihei units provide a steady source of income for the county and are still available to visitors whereas Lahaina side needs to provide what short term and long term rentals they can for those who lost their homes on that side of the island closer to where the residents' children are now returning to school. Some are still housed in the available hotels and short term rentals closer to their work if they still have their jobs in the area.
5. Our family contributes money and resources to the recovery effort through our donations and if we are no longer receiving income from our short term rentals, we will not be able to donate as much money as we do now. Our support still matters to the recovery effort and allows the county and state flexibility in how to use our monetary and material donations.
6. It is shortsighted to hamper our efforts to help by pulling out a source of our income that we need to be able to help in our best way. We are helping just in a different way than those who can afford to rent long term rather than short term. The county government can move ahead in recovery efforts with much more flexibility if they have funds to build homes and infrastructure in the most productive ways for the Lahaina community rather than spreading out Lahaina residents and taking them away from being integral to rebuilding efforts by staying close to their community recovery planning.

David and Joyce Henry
Roseville, California

Re: HB1838-Oppose

To Whom It May Concern:

We have been coming to Hawaii for over 30 years, most often to Maui. We've loved it so much we bought a condo in 2019 on the west side.

We are disappointed to see such a bill under consideration. By eliminating our unit as a short-term rental, and being forced to rent it on a long-term basis, it would deny us the pleasure of visiting the beautiful island. And no, we don't want to stay in big hotels.

Rather than go after individual owners and their property, go after the timeshares – those owners would only be giving up a week or two and you'd only have one landlord to deal with rather than individual owners. We'd happily give up our timeshare weeks to those needing housing.

We understand the need for more housing but making people like us the enemy doesn't seem to be a logical solution.

Please reconsider this approach.

HB-1838-HD-1

Submitted on: 2/28/2024 12:15:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenneth Hope	Individual	Oppose	Written Testimony Only

Comments:

As an owner and taxpayer, we have reviewed HB1838. We have concerns about the economic impact this will have as we have heard 40% of the income on Maui is generated through STR's. Loosing this income will affect management agencies, cleaners and maintenance workers, local businesses, owners/taxpayers, and the list goes on. Eliminating STR's will not solve the housing issues Maui is facing in our opinion. Ken Hope.

HB-1838-HD-1

Submitted on: 2/28/2024 12:16:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Jacobson	Individual	Oppose	Written Testimony Only

Comments:

I Oppose HB1838 HD1 .

We have owned a condo at Papakea for over 12 years and have enjoyed being involved and supporting the local economy.

Papakea was built in 1978 and has been operated as vacation rentals almost 50yrs.

They employ about 35 local resident employees and a large array of local vendors to keep this property in operation.

This is only possible with high maintenance dues paid by owners thru shortterm rental income .

Papakea STRs support a large variety of small business that rely on STR customers to survive without customers they have no business, plain and simple.

The tax base that Maui receives from STR is absolutely crucial to the economy of Maui without taxes what will you do.

It also seems strange the Hawaii tourism Authority chair is also head of the Hotel Industry (HLTA) Mufi Hannemann, People do not want to just stay in just hotels.

I oppose H.B.1838 Please defer IT, Thanks you Steve Jacobson.

HB-1838-HD-1

Submitted on: 2/28/2024 12:16:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kenneth Hope	Individual	Oppose	Written Testimony Only

Comments:

<p>As an owner and taxpayer, we have reviewed HB1838. We have concerns about the economic impact this will have as we have heard 40% of the income on Maui is generated through STR's. Loosing this income will affect management agencies, cleaners and maintenance workers, local businesses, owners/taxpayers, and the list goes on. Eliminating STR's will not solve the housing issues Maui is facing in our opinion. Ken Hope.</p>

HB-1838-HD-1

Submitted on: 2/28/2024 12:16:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
martin clarke	Individual	Oppose	Written Testimony Only

Comments:

I completely oppose this bill. Many people living in Maui depend greatly for their livelihoods from STRs and the guests that STRs brings to Maui. These guests greatly support the whole tourism industry including tours (excursions), shopping, restaurants, bars, sporting activities (water sports, golf, etc.) and much more. Owners of the STRs are always trying to make improvements to their accommodations in order to make their guests happy. These improvements employ many trades, property management and general maintenance people as well as people that work at furniture and hardware stores (such as Home depot, Lowes, etc.) and all these people live in Maui. How will the jobs for these people be replaced if this bill is approved? How will all the income and property tax be replaced?

HB-1838-HD-1

Submitted on: 2/28/2024 12:18:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tenaya Tollner	Individual	Oppose	Written Testimony Only

Comments:

The only reason my husband and I can afford to go to Maui is because of private rentals like the one this bill is trying to phase out. They offer a cheaper alternative to the big hotels, especially because hotel condos with kitchens are outrageously expensive. I have close family and friends who own these rentals which enable people to visit the island affordably and in turn bring lots of tourism and busniess to the island. I personally will never be able to visit and experience the wonders of the island again if they are phased out.

Additionally, mid and short term rentals also serve as housing for people moving in and off the island as they transition. They offer a place to stay for people working or living on the island part time.

Another outrage: A lot of cleaners, property managers, groundswokers, etc. will lose their jobs. It will be an overall negative impact.

Please consider taxing large corporations and hotels to fund your inititatives.

HB-1838-HD-1

Submitted on: 2/28/2024 12:18:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Barbeau	Individual	Support	Written Testimony Only

Comments:

The frightening aspect of unavailable rental housing is quickly becoming a reality due to local governments allowing hotel like businesses within residential neighborhoods. This behavior entices more residents to offer rentals of ohanas/properties to visitors which would otherwise be rented long term by the very individuals needed to work in the hospitality industry. Resorts were established for visitors for this purpose. Resorts and hotels need to offer a percentage of lower rate rooms so that visitors/budget travellers will not be compelled to seek short term/vacation rentals from local residents. The rapid erosion of Maui's normal communities and neighborhoods is via greed, which is being allowed by our local governments. It needs to stop.

HB-1838-HD-1

Submitted on: 2/28/2024 12:18:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jun Daikuhara	Individual	Oppose	Written Testimony Only

Comments:

To: Hawaii State Legislature

Subject: Opposition to HB1838

Aloha,

My name is Jun Daikuhara, and I am a property owner at Wailea Ekolu. I am writing to express my strong opposition to HB1838, which, if passed, could have significant negative impacts on the local community and individuals.

If passed it would jeopardize the economic stability of individuals who rely on the short term rental industry. It is important to recognize that the local community, including housekeepers, maintenance workers, and others. Also short term rental is an essential part of the tourism industry.

I urge you to reconsider the potential negative impact of HB1838. Mahalo for your attention.

Jun Daikuhara

Wailea Ekolu

HB-1838-HD-1

Submitted on: 2/28/2024 12:19:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gina Jones	Individual	Oppose	Written Testimony Only

Comments:

As a teacher for King Kamehameha III Elementary School, I have watched my students lose their homes over and over again as they get shuffled around the island. As having a stable home is the foundation of a good education and well being, they are increasingly becoming less interested in school and withdrawn from their peers.

It does not make sense to anyone why there are so many vacation rentals available and no long term housing. Further, offering owners \$5,000 rent for a 1 bedroom places other renters, such as myself, at risk for losing our homes. The money is not more important than the children. Please mandate all STRs to end so our children can thrive and keep the Hawaiian culture alive. Otherwise, they will be forced to leave the islands and only greedy landlords and rich tenants will remain.

Mahalo.

HB-1838-HD-1

Submitted on: 2/28/2024 12:21:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Bunker	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee,

We strongly oppose. We are requesting your consideration.

Striping us of our rights and such discrimination is not the not the answer!

We are law abiding tax paying owners.

The potential loss of revenue would severely impact our property management company,
housekeeping firm and realtors.

Respectfully Submitted,

Gerald Bunker

HB-1838-HD-1

Submitted on: 2/28/2024 12:22:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Mebel	Individual	Comments	Written Testimony Only

Comments:

Aloha JHA Committee -

I don't oppose more housing available for rent on Maui for Maui residents. In fact, I support it. I've been helping to rent to Maui residents for 10 years as a property manager and rental agent.

Once Lahaina fire victims are re-housed on the West Side of Maui, I do oppose blanket opposition to short term rentals. That would hurt other areas of the island, other employment options, and economies.

The idea that majority of residents should have to drive to the hotel zones for work (since the majority of our economy is tourism based) is bad planning, bad policy.

For this reason I oppose.

Thank you for your service and consideration,

Greg Mebel

Paia, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 12:22:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Grupenhoff	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I have been living and working in West Maui for the past 40 years. I have worked 3 jobs in orders to purchase a vacation rental to supplement my income during retirement.

I have been trying to work with FEMA to submit my condo into the direct lease program for 2 months. I believe that the program has many issues, the most important is the fact that the deadline to submit has been only two or three weeks from announcement. With short term rentals, it is only fair to give your bookings a 30 day notice of cancellation. And because this program is not successful, this bill has been put forth, essentially punishing all short term rental owners. I have been calling the FEMA office weekly to try to get my condo in the program. It's almost as if this program is designed to fail, so the hotels will benefit. I am not just concerned about my income, I am worried about my housekeeper, and my maintenance man. Please understand that not all short term rental owners are rich mainland people. I've worked very hard and I thought I was being very smart to buy this property so that I would retire and be able to stay on Maui. If this bill goes through, I will be forced to sell my unit at a loss, most likely to a rich mainlander, and leave the island because it's too expensive to stay. And because the hotels seem to be the only ones that will be benefiting from this decision, the average visitor to Maui will never be able to afford to come. Our condo prices are much less expensive than hotel rooms, and maybe you are looking for more tax dollars from the hotel rooms? If this bill passes I'm afraid tourism on Maui will be for only the very wealthy.

The fire has had devastating effects for many people on the island. I have lost friends, and know a lot of people that have lost everything.

thank you for your time and consideration. Please don't lose sight of the impact you will be having on thousands of people's lives after thousands of people I've already lost so much.

Rebecca Grupenhoff

HB-1838-HD-1

Submitted on: 2/28/2024 12:25:01 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Hadwin	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition to this agenda item. It would force me to eliminate several jobs.

To Whom It May Concern:

We are writing in opposition of HB1838. We are owners of a short-term leased single bed apartment in a condominium in Maui. We have owned this condo for about 20 years. While we do live on the mainland, our family and us enjoy use of this condo as much as possible throughout the year. Our frequent visits to Hawaii are significantly influenced by having this familiar place to stay and enjoy. With the understandable and well-justified tax structure on short-term rentals (which must generate significant revenue for Hawaii), it is only feasible for us to keep and maintain this condo through short-term renting. (Also noting here that the maintenance and the condo must also generate income as all housing markets do.)

There is a great difference between short term rentals and hotels, particularly with families, like ours. It would be disastrous to lose the ability for a family to have the benefits of a non-hotel place to stay in Hawaii.

I urge you to reject HB1838.

Thank you,
Mabel and Andrew Haley

HB-1838-HD-1

Submitted on: 2/28/2024 12:25:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marie G Kelley	Individual	Oppose	Written Testimony Only

Comments:

Short term rental is necessary for the mental and physical health and welfare of my family. My son is disabled. I live on the mainland and cannot afford to stay in a hotel every time i come to visit him and help him with various difficult tasks and aspects of his life. When I'm not there caring for him, it helps us financially to be able to rent the condo. The hotel market in Hawaii is outrageously expensive. People like myself and many others should not be bullied and held hostage financially by the hotel industry and government to take away an option of coming to Hawaii to see and care for family.

Thank you for your attention.

HB-1838-HD-1

Submitted on: 2/28/2024 12:26:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keith and Melanie Hyde	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

Papakea, an AOA of 364 units, was built in 1978 and has offered short term vacation rentals (STRs) by individual owners for almost fifty years. If unable to continue doing STRs Papakea will not be able to support the local economy of Maui in many ways that are valuable to the local and state economy.

Papakea directly employs approximately 35 local residents. Some have worked at the property for over 15 years; some started in entry-level positions and have advanced into supervisory roles. Others have moved to positions at other resorts on Maui but learned valuable skills during their time at Papakea.

In addition to direct employees, Papakea AOA supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual owners at Papakea use the services of many, many additional small businesses in the Maui community in the maintenance of their units including housekeepers, handymen, on-island agents, and contractors. Many other people are employed by required support businesses such as our management company My PerfectStays, which employed 50 people before the fire and hopes to return to that number soon.

Without STRs like Papakea most of these people, residents of Maui, would lose their jobs or suffer a reduction in hours.

Papakea STRs support the State of Hawai'i and County of Maui through payment of property taxes (the vast majority at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Without the revenue created by STRs, the property will most certainly decline, physically and financially, and tax revenues will also decrease.

Papakea guests generate revenue for the state when they patronize businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

A stay on Maui is already a more expensive vacation compared with other destinations. A loss of available STRs would result in an increase in the prices of the remaining properties, making Maui too expensive for a large swath of visitors resulting in an overall decrease in tax revenue.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. Our owners are also deeply connected to the community. After the fires last August, many opened their units to our ohana and they were able to stay on site at a most difficult time.

On a personal level, we have been owners at Papakea for 13 years and have not seen positive cash flow from our unit in that time. We struggled through Covid times with seven months of no revenue during which we had to continue to pay our taxes and other expenses. After the fires we grieved with our ohana and helped out as much as we could. We have stayed the course because we love Maui and feel part of the community here. However, if we are no longer allowed to do STRs, we and many like us, will have to sell our property, likely at reduced rate, and Maui's tax revenue will again go down.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to do the same.

Respectfully submitted,

Keith and Melanie Hyde

Sherry P. Broder
Honolulu, HI 96822

Aloha Committee on Judiciary and Hawaiian Affairs Chairperson and Committee Members.

I am submitting this testimony in strong opposition to HB 1838, HD 1.

I am very fortunate and grateful to have been a local Oahu resident for decades and my children and grandchildren were all born and live in Hawaii.

The major and real problems of housing affordability in Hawaii are NOT short term rentals.

1. The counties keep approving more hotel rooms, more tourists keep coming to Hawaii, and then many tourists want to have a home in Hawaii.
2. Land ownership is concentrated in a very few landowners in Hawaii which drives up the price of land.
3. The cost of materials is very high because of the shipping costs and the competition for materials.
4. The PEW Foundation reports that the rise in economic inequality in the U.S. is tied to several factors. These include in no particular order, technological change, globalization, the decline of unions and the eroding value of the minimum wage. Whatever the causes, there has been an uninterrupted increase in inequality in wealth since 1980. a greater share of the nation's aggregate income is now going to upper-income households and the share going to middle- and lower-income households is falling. See <https://www.pewresearch.org/social-trends/2020/01/09/trends-in-income-and-wealth-inequality/> (last accessed 02/27/24).

Moreover, short term rentals bring economic benefit to local people:

5. All local people bear the burden of tourism. It is unfair that only hotels can make money from tourism. Today the hotels are mostly owned by hedge funds and multinational corporations. For the most part, local people earn low wages at the hotels.
6. Many STR are owned by local people who do not have access to the capital needed to build a hotel and local people should be supported in their efforts to engage in making money from the tourists. The STR market provides new income channels for State and county governments. Prohibiting STRs will contribute to the continuing decline of economic opportunities for local people.
7. Many local people seek to stay at STR as most often they are a more affordable option.

Mahalo nui loa for your consideration of my testimony.

HB-1838-HD-1

Submitted on: 2/28/2024 12:28:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather Loughridge-Buono	Individual	Oppose	Written Testimony Only

Comments:

Aloha to All Concerned,

I am testifying against HB1838.

My name is Heather Loughridge-Buono. I am the owner of Grace Vacation Rentals Maui (GVR). I have lived on Maui for 30+ years and began GVR as an answer to the need for a small, ethical property management company that caters to the owner and guest. I currently manage 14 properties on Maui, for 10 different owners. All but 1 of those properties are used as a short term rental. My clients (the owners) are a very diverse group of people, some raised their family on the west side, most are at or near retirement age and all purchased their home or are keeping their home as a long term retirement investment. This is a very normal thing to do in our society, and certainly allowed by the laws current when their purchase was made.

Of the Maui properties my clients own in Honokowai, 13 of the properties are all on properties that were built for and have always been primarily used for short term vacation rentals. They are not built or comfortable for long term rentals, and in any case, they will never be affordable long term rentals. They are on oceanfront property, most are leasehold properties, and the maintenance fees alone are between \$800 and \$1500 per month. Insurance has necessitated increasing fees significantly because of the fires. This does not include the cost of maintaining oceanfront property that the owner must bear beyond the monthly dues.

GVR supports 8 families. We pay a living wage to our cleaners (\$35-\$50 per hour) and our other vendors. None of my clients are making a huge profit. Unlike what has recently been reported in the news, the net income runs roughly between \$500.00 to \$2000.00 per month, and during the last 3 years that income has been pretty iffy due to COVID and the fires. No one is getting wealthy off the STR rents, and most of the money brought in stays right here, on Maui. If they are forced to sell, they will still not be affordable.

Conversely, resorts are mostly owned by foreign corp's. and mainland companies that do not pay cleaners and maint. workers a living wage. Most of the profit leaves the island.

Maui County STR make up 18% of the county budget. These properties account for 40% of the property taxes collected. They contribute more than any other industry on Maui to funding affordable housing, infrastructure and the job market. How will Maui County replace those dollars?

My guests stay in STR because they want to be a part of the community, for even a short stay. They want to learn about the rich culture beyond a luau. They want to volunteer and shop local. Resorts do all they can to keep guests on property and from spending their \$ in the local community.

HB1838 is a job killer and will do nothing to add to the affordable housing market. It will add to the problem of visitor dollars not being spent locally. HB1838 is short sighted economically, in short it is akin to stepping over a dollar to pick up a dime.

HB-1838-HD-1

Submitted on: 2/28/2024 12:28:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
alyssa kuwana	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Alyssa Kuwana

HB-1838-HD-1

Submitted on: 2/28/2024 12:30:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Timothy J Owen	Individual	Oppose	Written Testimony Only

Comments:

Feb 26th, 2024

My name is Tim Owen - a principal of Owen HAUSEUR Royal Palms in Ninole, Hawaii.

I have been on the Big island consistently since 1966 and have the majority of my assets in my 13 acre farm and home which the currently proposed bill HB1838 will have negative ramifications to myself and family in three capacities - hence, I oppose the bill as well as any County Supervisor who is in favor of it. I, my family and all 13 local resident employees from nine families will be negatively affected. This bill directly depreciates the value of my home. Secondly, it takes employment away from 13 local residents and initiates a financial hardship on nine local families. And lastly, it is in direct conflict with the Aloha spirit which I have supported for over 50 years in my support of several communities and their efforts. As a graduate of both UH Hilo (A.A. and B.S.) and two degrees from UH Manoa - I find this proposed bill offensive in both the restrictions it places on any homeowners property rights and gives lateral jurisdiction to a committee of folks, who have already proven their lack of community responsibility by spending endless hours and having to recreate the bill four times because of its negative ramifications to the public. This legislation is counterproductive to Hawaii County employment, the residents of Hawaii County, and the reputation of Hawaii County's governance.

Dear All Hawaii County Supervisors,

I am writing to express my strong opposition to House Bill 1838. As the Chief Financial Officer of Owen HAUSEUR Royal Palms in Ninole, Hawaii, I am deeply concerned about the potential impact of this bill on our property and the livelihoods of our workers.

HB 1838 specifically allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time. If passed, this bill would unfairly target single-family residential properties and allow counties to take away property rights from their community. It creates a precedent for revoking non-conforming uses, leading to uncertainty for investors and

builders at a time when our community needs new construction. Moreover, it potentially decimates an industry that pays \$740 million in taxes and generates \$4.8 billion in visitor spending each year 【9†source】 .

As the CFO of Owen HAUSEUR Royal Palms, I am deeply troubled by the potential consequences of HB 1838. This bill would force us to lay off full-time caretakers and numerous workers, negatively impacting their financial stability and families' well-being. It would also unfairly disrupt the lives of workers like Marbella Alford, who relies on the income from her job in the vacation rental industry to support foster children and pursue her true passion

【13†source】 . It would also negatively effect Tony Nico from Laupahoehoe and his generous and loving spirit of raising several children which through his employment he educated these less fortunate and unparented individuals.

I strongly urge you to reconsider the ramifications of HB 1838 and its impact on working-class families and the local community. I implore the County Council to work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry and ensuring economic stability for families like mine. Also remember and consider the nine contract workers we employ and their families.

I urge you to take the concerns of working families, small business owners, and local workers into consideration and oppose HB 1838. This bill has the potential to cause immeasurable harm to the people of Hawaii and the local economy.

Sincerely,

Tim Owen Chief Financial Officer Owen HAUSEUR Royal Palms Ninole, Hawaii

HB-1838-HD-1

Submitted on: 2/28/2024 12:31:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arika Hultquist	Individual	Support	Written Testimony Only

Comments:

Aloha,

I believe that short term rentals should be limited to a small amount of permits or none at all. West Maui (and all tourist areas) have so many hotels to stay at that these are not even needed. Our town has very limited resources and our infrastructure is not sustainable for any more tourists that the hotels can hold. We don't have a hospital, good public transportation, or enough schools as it is. The bypass was supposed to help with congestion on commuters and tourists going to Kaanapali. It was never finished. Every time a new development happens there are stipulations that the company adds to our infrastructure and they don't. Mahalo for your consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 12:32:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Dean Birdseye	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I OPPOSE H.B. 1838, HD1 for the following reasons:

Many of the current short term vacation rentals have been operating for almost fifty years and employs numerous local residents. Short term vacation rentals help employ and support a wide variety of local

Trade professionals including on island agents and companies, handyman, housekeeping, landscaping, pest control, HVAC, plumbing and Electrical. Without the short term vacation rental revenue, many of the properties will not be able to operate. In addition, short term vacation rentals support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops. By shutting down the vacation rentals, you will be costing hundreds of jobs and livelihoods which is only going to cause more local residents to have to leave island. You will only be creating a bigger problem.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Christopher D. Birdseye

HB-1838-HD-1

Submitted on: 2/28/2024 12:33:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Gleason	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kim Gleason and I have lived on Maui for 33 years.

I am writing this letter in Opposition to Bill HB1838 because it will threaten my ability, and many others in my situation, to make a living here on Maui.

I am 71 years old and living on Social Security. I am a Small Business company, cleaning short term vacation rentals. This pays me a good salary, I create my own schedule, and am able to stay close to my home which reduces transportation costs. Without this income, I would have to move away!

This Bill will put my ability to remain in my home, here on Maui and pay the bills and taxes for my property in jeopardy!

The County has existing laws that could be enforced. Many of the questionable properties aren't even permitted. Those that are permitted are an asset to the people they employ And, the experience of our Very Important Visitors.

I ask that this Bill (HB1838) NOT be moved forward.

Thank You for your time,

Kim Gleason
152 Halona St.
Kihei, HI 96753
mauikim@hawaii.rr.com

HB-1838-HD-1

Submitted on: 2/28/2024 12:33:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Leone	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Angela Leone and I live in Lahaina, Maui. I am writing in **opposition of bill 1838** because it will threaten my ability to make a living.

My business, office/warehouse and company van all burnt down in the Lahaina fire on 8/8/2023.

Thankfully, my husband and I also own and operate a Bed and Breakfast in Ka'anapali and this is now our sole source of income to support our family after the fires. If you pass this bill, our livelihood would be threatened further. We worked extremely hard with the County of Maui and Planning Department for months to apply for and pass inspections for our Bed and Breakfast Permit. It seems extremely unfair to pass a bill that would allow the counties to remove or phase out these legal permits that provide an alternative to hotel accommodations in the tourist zone of Ka'anapali.

I ask that you please do not move this bill forward.

Thank you for your time and consideration.

Mahalo nui loa,

Angela Leone

HB-1838-HD-1

Submitted on: 2/28/2024 12:33:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Koenig	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs: This bill is unfair to those of us who have owned property in Hawaii (In my case 38 years), paid our taxes, and supported the infrastructure on Maui. Most vacation rentals are small with minimal storage and not set up for long term families anyway. Doing this will NOT solve the issue of little, if any, low income housing on the islands. The government needs to leave the people who are funding the big box stores, the airport, the schools, the vendors and providing jobs with our tax money and the income to businesses from our guests alone. The government needs to build or require more low income housing and maybe limit more growth of hotels and vacation rental condo units.

This bill is cutting off the funding that supports much of the islands. I believe I heard that 40% of the budget on Maui comes from business who support tourism. In fact, without us, what happens to all of the past 25 years of improvement on Maui and elsewhere. Yes, it is expensive for residents of Maui...the same as it is every other place in the world which has a huge part of its income source from Tourism. Use some of the money we provide to build low income housing for those who cannot afford the prices here in hawaii.

Thank you for listening. Lois Koenig

HB-1838-HD-1

Submitted on: 2/28/2024 12:34:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cynthia Rubinstein	Individual	Oppose	Remotely Via Zoom

Comments:

This issue is before this body mainly due to non enforcement of illegal offenders. Had the law worked as it was supposed to, there would not have been thousands of these short term rentals and rents for the then limited long term rentals would not have escalated to the degree they have. The answer to this problem IS ENFORCEMENT! There are those who have stuck to the letter of the law, and for instance, on Oahu, only done 30 day minimum rentals, with no abrasion to the surrounding neighborhoods. Keep in Mind, that it is the ILLEGAL Rentals that have created this problem. The other serious problem on Oahu is the Residential A tax bracket, which covers, essentially ALL OF OUR LONG TERM RENTALS, as those with home exemption are the homes that owners live in, leaving those without the home exemption to be the Long Term Rental Homes. The tax is close to what the hotels are paying and raise every year, causing the owners to have to raise the monthly rates. What I am saying here is that it is The City and The State who have caused us to come to this point. Try ENFORCING THE LAW to free up places for people to live rather than cutting off a very viable income producing field (Pricey Beachfront Homes that would Still be pricey even if they were Long Term Rentals). The people who stay in these homes, are not people who would be willing to stay in hotels and so what you are creating is an exodus of Millions of Dollars of funds spent by visitors. And this genre of visitor typically spends way more than those that stay in hotel rooms and they stay for 30 days at a time, not a week. If you continue with this reckless action, they will merely go elsewhere. They Will NOT Cave to Hotel Dwelling. Think Before You Jump! You have already chased away many of our host culture by not Enforcing these laws since that is what is responsible for the high cost of housing here and we have recently been talking about how much income loss that has created. Now you are looking to toss more. It's Insanity. And all you have to do to stop this merry go round, is Enforce What Exists instead of creating more laws that you won't be able to enforce. "Not enough manpower.....the Hotels are not full like before the pandemic...." Think Before You Jump Off The Cliff!!! Many don't want to be in dense housing like hotels BECAUSE of things like Pandemics. Where are our Intelligent Minds? We Need Them NOW.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately thirty-five local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked in supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

Phasing out short term vacation rental units will minimize visitor affordability, especially those with families as the cost of hotels can be cost prohibitive.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Neil & Linda Hoyt

Property owners and full-time residents at The Papakea Resort

HB-1838-HD-1

Submitted on: 2/28/2024 12:35:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Edward Sanford	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I am on owner at Maui Kamaole since 1999 and have paid property taxes and filed and paid my GET, TAT taxes on time and in full. With increases in property taxes and maintenance fees , it is becoming very difficult to even meet all expenses. The complex is ageing and now have a pending \$25,000 bill for repair and renewal of lanias along with a projected special assessment of ~\$4500 to maintain fire insurance because of insurance companies pulling out of the market due to fires in Lahaina.

On top of that, I have had cancellations and had to discount room rates because tourists have heard about Governor's and Mayors comments on vacation rentals and these people are just going to other islands or destinations that are affordable and they feel welcome. They are not going to stay in a hotel on Maui because they want the ability to cook, etc and have a home away from home on Maui. Many of these people have been coming for years and now may never return. This is lost income not only for Maui state and County in taxes, but money spent in all the related jobs including contractors, plumbers,etc that help maintain and service the properties. What will replace this income and taxes? Will these properties gradually fall into a state of disrepair because owners cannot afford to keep them up ?

I think this bill will negatively impact Maui for years to come and could possibly do severe damage to the economy and make it much harder to recover from the dual effects of Covid and the Lahaina fires.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Please do not allow this bill to proceed. Please vote against it for the long term health and even existence of Maui as one of the premier island destinations known throughout the world.

Thank you,

Respectfully submitted,

Jim Sanford

HB-1838-HD-1

Submitted on: 2/28/2024 12:37:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margaret L H Aurand	Individual	Oppose	In Person

Comments:

TESTIMONY – HB 1838

I strongly oppose HB 1838. The City and County of Honolulu lost a lawsuit brought by HILSTRA in December. Its Bill 41 (Ordinance 22-7) was pre-empted by the state zoning enabling act (46-4(a)), which exempts single family homes and duplexes from being phased out as short-term rentals. The City now wants you, our elected legislators, to vote to remove that exemption from the zoning enabling act. That will pave the way for the City and other counties to ban short-term rentals.

Members of an organization who elected you as public servants and put their trust in you have now spent \$300,000 in legal fees to be protected by a state statute that you now can destroy.

Voting for HB1838 will ensure that all vacation, military, construction, specialty working and medical short-term rentals are impossible. Visitors will be forced to stay in hotels. Do you really want to favor one group in the lodging industry over all the others? There are ethical and constitutionality questions here.

Now, I present to you the Elephant In The Room. Drumroll, please!

State statutes control the renting of properties zoned residential in Hawai'i. They are found in the Landlord-Tenant Code. Section 521-22 provides that a rental agreement may be for ANY TIME PERIOD.

Short-term renting by hosts who live on their rental property is a wholesome, grassroots, mom and pop cottage industry. The tourist income they generate, their taxes and operating expenses all stay in O'ahu's economy. Unless and until legislators are willing to abide by established state

law, short-term rental hosts outside the resort area on O'ahu are facing discrimination and a taking of their property.

Elderly hosts are being terrorized by the DPP's outrageous fines. Some hosts get the Notice of Violation with 7 days to cure mandated by the current law. Some get 5 days. Some just get a Notice of Order and—surprise—a \$10,000 per day fine, which must be paid up front. Their right to due process of law is being trampled. If they wish to contest the fine, they must compose a pleading in the form of a letter and pay a fee of \$400. Since the Zoning Board of Appeals can't seem to scare up a quorum to rule on an appeal, cases are deferred for a year or more. The DPP has implemented measures that reduce rental income by 76%! Can you imagine trying to live in Hawai'i today on 24% of what you make now???

Some hosts, who like me depend on their short-term rental income to survive, have had to sell their homes and move to the mainland—or declare bankruptcy. I have that possibility looming over my head. Fighting these punitive, discriminatory and harmful bills (that ignore HRS 521-22) when I should be enjoying retirement after a lifetime of hard work is draining my energy and challenging my health, both mental and physical. I am hoping legislators will see the harm that is being done and help us elderly hosts—and O'ahu's economy.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately thirty-five local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked in supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

Phasing out short term vacation rental units will minimize visitor affordability, especially those with families as the cost of hotels can be cost prohibitive.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Neil & Linda Hoyt

Property owners and full-time residents at The Papakea Resort

HB-1838-HD-1

Submitted on: 2/28/2024 12:38:23 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jordan Cox	Individual	Oppose	Written Testimony Only

Comments:

I have visited Hawaii on several occasions, and the flexibility provided by a condo rental (kitchen, laundry facilities) is a huge benefit. I also feel like the guests at these rental units are very respectful of property and the area surrounding the condos. The also provides a cost efficient method for families traveling to the islands rather than staying in hotels.

HB-1838-HD-1

Submitted on: 2/28/2024 12:40:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Brady	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

My name is Sean Brady and I am submitting testimony in strong opposition to HB1838. This proposed bill is unfair, unnecessary and does not accomplish its stated goals. I don't believe the Committee has been provided accurate data on Short and Mid-Term Rentals and with inaccurate data the committee will pass laws that are unnecessary and unfair. I would strongly encourage the Committee to pay close attention to the data OSTRAs has submitted to the committee showing that our county and our State do not have nearly the number of illegal or even short term rentals the hotel lobbies and HTA are claiming we do. Please consider that most hosts of posts their units for rent on Airbnb, VRBO, Expedia, Home Exchange and other websites. The data companies that tally the number of rentals in our State count each of these listings, they do not have the ability to recognize duplicates so one unit be reported as five or six units since it was found on four or five different hosting platforms. Once you are provided with accurate data on the amount of short term rentals and then compare that with the NEED for these types of rentals for folks displaced by emergency events like Red Hill or Marco Polo, Traveling Nurses, Film Industry, Neighbor Island Visitors and others you will see we are actually under housed for these needs. Please do not buy into the bad data the hotel affiliated groups are presenting to you, I strongly encourage you to work with OSTRAs to understand the actual volume of the supply as well as the demand for short term rentals.

Thank you for your consideration and time.

Aloha,

Sean Brady.

HB-1838-HD-1

Submitted on: 2/28/2024 12:43:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marylyn M McInnes	Individual	Oppose	Written Testimony Only

Comments:

As a concerned owner, part-time resident, and taxpayer, I have reviewed HB1838 and object to the passage of this bill. My major concerns are that, because the STR's provide approximately 42% of the tourist housing on Maui and generate millions of income dollars for businesses, this will be eliminated. That means that supporting jobs from managing agwencies, rental agencies, housekeepers and maintenance workers, local businesses, and owners/taxpayers will be empacted significantly. Real estate and rental unit prices will be increase, negatively affecting those who need housing most. Elimination of STRs will not eliminate the housing issues and negatively affect the economy.

HB-1838-HD-1

Submitted on: 2/28/2024 12:45:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrice Kaplan	Individual	Oppose	Written Testimony Only

Comments:

Please! Do not pass this bill! You will only be adding to the homeless population, as local home owners need this income to survive as well as support the local community. Also, this will only add revenue to the hotel industry. Perhaps DPP can do a better job enforcing illegal rental Mahalo!

HB-1838-HD-1

Submitted on: 2/28/2024 12:46:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leiolani Faurot	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Leiolani

HB-1838-HD-1

Submitted on: 2/28/2024 12:47:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol and Dennis Shearer	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and members of the Committee:

We OPPOSE H.B. 1838, HD1 for the following reasons:

We own a condo at Papakea Resort, in West Maui, which was built in 1978 and has operated as a vacation rental for almost fifty years. It has resort amenities, and is situated on 13 ocean front acres with a 1200 foot seawall, all of which is incredibly expensive to maintain. The units themselves are frankly less than desirable for long term occupancy - having been designed for short term vacation occupancy, they have limited living space and storage, and parking at the resort was designed for 1 car per unit.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

In addition, Papakea Resort itself supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. I have spoken to my housekeeper, Arcelia Gama, about this bill, and she has expressed her worry that eliminating short term rentals will put her out of work. She has already lost several units due to the fire and conversion of units to long term rentals, and is right now exploring getting a night job at a restaurant. (A job which would also disappear if STRs are banned, and which is already incredibly hard to find with the loss of Lahaina town). She has a mortgage and all the regular living expenses to pay, and

supports both her aging parents and her two children, all of whom live with her. She specifically asked that we share her name with you and her story.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes at the short-term rental rate, Transient Accommodations Tax, State and Maui General Excise Task, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Current maintenance dues alone for a modest 1-bedroom are roughly 75% of what the fair market long-term rental rate. Owners of units would not be able to afford to keep their units if they could only rent them long-term, and honestly if local residents were to buy them they would not be able to afford even a modest mortgage given the high AOA dues required maintaining the property...and not maintaining the property would leave West Maui with a 50 year old, decrepit, eyesore of an oceanfront former resort. Which we do not believe anyone wants.

In closing, we'd ask you to recall the "Maui is closed" messaging immediately following the Lahaina fire, and the devastating economic consequences this messaging had. This bill would provide the vehicle for permanently installing that messaging. And the people of Maui will suffer. They've already been through so much - let's work on finding other solutions for diversifying the economy, and providing quality long-term housing for all our Maui residents.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Carol and Dennis Shearer

Dear Representative Tarnas, Chair Representative Takayama, Vice Chair, and Members of the Committee:

I Oppose H.B. 1838, HD1 for the following reasons:

Papakea has been operated as vacation rentals for almost 50 years, being built in 1978

Papakea has approximately 35 local resident employees, some working here for over 15 years working their way up into supervisor roles.

Papakea also supports many local trade professionals which creates more jobs for locals.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short term rental revenue.

Papakea short term rentals support a number of small businesses in the Maui community, including housekeepers, handymen, on island agents, and contractors: highlighting any specifics about service providers that you rely on.

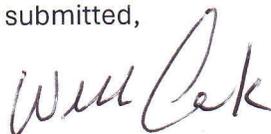
Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections to the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Will Beck". The signature is written in a cursive, flowing style.

HB-1838-HD-1

Submitted on: 2/28/2024 12:49:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Evan Amakata	Oceans Real Estate	Oppose	Written Testimony Only

Comments:

Evan Amakata

Oceans Real Estate

3480 Waialae Ave. #1

Honolulu, HI 96816

Honorable Members of the Committee,

I am writing to express my strong opposition to HB1838, a bill that poses significant threats to the economic stability of local families and small businesses in Hawaii. As a concerned citizen deeply invested in protecting our community's rights and livelihoods, I urge you to carefully consider the detrimental impact this legislation would have on our state's economy and property rights.

HB1838 seeks to impose severe restrictions on short-term rentals. While I understand the concerns about managing the impact of short-term rentals on our neighborhoods, this bill fails to strike a reasonable balance between regulation and economic opportunity. Instead, it unjustly penalizes responsible property owners and undermines their ability to generate essential income to support their families and businesses. 30 days minimum rental period must be upheld.

One of the key points to consider is the significant role that legal short-term rentals have played in supplementing the incomes of local residents and supporting small businesses, particularly in areas with high tourism traffic. Many families rely on this additional income to cover essential expenses such as housing, education, and healthcare. By arbitrarily restricting the duration of short-term rentals, HB1838 jeopardizes the financial stability of these families and threatens the viability of small businesses that depend on this revenue stream.

Furthermore, it is essential to recognize that HB1838 violates fundamental property rights guaranteed by both the United States Constitution and the Constitution of the State of Hawaii. The Fifth Amendment of the U.S. Constitution prohibits the government from depriving individuals of their property rights without due process and just compensation. By imposing

stringent limitations on the use of personal property without adequate justification or compensation, HB1838 infringes upon these constitutional protections and sets a dangerous precedent for government overreach.

Additionally, I urge you to consider the implications of HB1838 on property owners who have invested significant time and resources into obtaining non-conforming use certificates. These certificates have been treated as grandfathered rights under existing regulations, providing property owners with a legitimate expectation of continued use. Revoking or restricting these certificates through HB1838 would not only be unjust but also undermine the stability of property rights and erode public trust in the regulatory process.

In light of these concerns, I implore you to reconsider HB1838 and explore alternative solutions that address the legitimate concerns surrounding short-term rentals without unfairly burdening property owners and small businesses. Let us work together to find a balanced approach that preserves property rights, supports local economies, and fosters sustainable growth in our communities.

Thank you for your attention to this critical issue.

Sincerely,

Evan Amakata

HB-1838-HD-1

Submitted on: 2/28/2024 12:49:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Fleming	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838 due to its potential impact on my personal livelihood. I service multiple vacation rentals, and if this bill passes, I could lose my job.

The short-term rental industry is not only a source of income for me, but also for numerous hardworking individuals and families in our local community. The repercussions of bills like HB1838 could be detrimental, especially for those of us who directly depend on the opportunities provided by the vacation rental industry to make ends meet.

It's crucial to consider the real-life implications on local jobs and the financial stability of working-class families. The potential loss of jobs and income resulting from this bill could significantly impact people like me who rely on servicing vacation rentals to support ourselves and our families.

I implore the Legislature to carefully consider the far-reaching effects of this bill on the livelihoods of individuals directly involved in the short-term rental industry, like myself. I urge you to oppose HB1838 and seek solutions that preserve opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for all of us who rely on this sector for our livelihoods.

Mahalo for your attention to this issue, and I respectfully request that you oppose HB1838 to protect the jobs and livelihoods of those who, like me, depend on the short-term rental industry. Mahalo,

HB-1838-HD-1

Submitted on: 2/28/2024 12:50:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristina Anderson	Individual	Oppose	Written Testimony Only

Comments:

Oppose.

HB-1838-HD-1

Submitted on: 2/28/2024 12:51:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valarie	Individual	Oppose	Remotely Via Zoom

Comments:

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm

State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong **Opposition**

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

We oppose HB1838.

Here is why....

The following groups stay in our affordable, temporary or transitional housing:

Residents

- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires

- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room.

Short Term Rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. Oahu short and mid-term rentals provide critical housing to meet the needs of residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state's budget in 2022 and contributed \$165 million toward the County budget.

We believe you will oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i. Simply holding hearings on these types of bills creates unnecessary uncertainty particularly for housing, tourism, and real-estate related businesses at a vulnerable time when Hawaii's and the rest of the world economy is in turmoil.

HB1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

What Hawaii needs most is clear, consistent, fair rules for business to thrive. Build affordable housing with low HOA fees so renters and owners could benefit. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O`ahu, 80% of the short-term rental owners are residents and also kupuna (seniors). 70% of them own 1 unit that provides income to subsidize the ever increasing cost of living in Hawaii, the most expensive in the nation!

All short-term rentals provide furnished, temporary housing to residents as well as visitors. 25% of Oahu's visitors are non-vacationers (per the HTA). 13% of those visitors are friends and family that need affordable accommodations. It is very likely that if you live on another island, you have stayed in a short-term rental on O'ahu.

By passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Excluding rentals defined as "hotel units", O'ahu is down to 2,000 legal short-term rentals or 1% of our housing. Vacant homes account for 9% of all housing on Oahu.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please do not pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

Thank you for your Time.

Valarie Fran.

HB-1838-HD-1

Submitted on: 2/28/2024 12:52:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Mather	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and honorable committee members,

I support HB1838 HD1.

Mahalo,
Jen Mather

HB-1838-HD-1

Submitted on: 2/28/2024 12:52:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Esther Lehmann	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Thank you for taking the time to read my concerns regarding HB1838. While I understand the need for regulation of short term rentals, I am concerned with more stipulations and legal requirements put on primary residence homes and hosted accommodations. Our family has 2 adjacent acres on the Big Island. We live on one of the acres, and when family is not in town we host both a cottage on our property and the house on my family's property. We have never had any complaints, pay all of our taxes, and are doing our best to keep our family's land in Hawaii. This bill gives power to the government, deciding what we can do with our land, and taking away our ability to earn money to stay on the land. This seems interact opposition to the purpose of the bill. The power is on the side of the government and the county, making it virtually impossible to have an appeal process that is fair and equitable.

As I have read through the proposed bill, I am overwhelmed. There is so much paperwork with the potential to take away the income that allows us to stay in Hawaii, raise our children in Hawaii, and provide a place for parents and family to come visit form the mainland. I cannot turn those accommodations into long term rentals or my family is not able to visit for periods of time through out the year.

It is concerning to me that we don't have enough long term housing, it is concerning for me that we don't have affordable housing. It is also concerning to me that families living in the islands can't use their own properties to make an income so WE CAN STAY. As you consider HB1838, please remember that your constituents and local owners are creatively doing our best to keep our land and our family here. Please consider focusing on un-hosted or foreign owned vacation rentals before penalizing the primary residence and hosted properties that are benefitting Hawaiian residents and paying taxes that help support our state.

Mahalo for your time,

Esther Lehmann

Samuel Bendenoun
Live Haleiwa LLC
66-485 Pikai St
Haleiwa HI 96712

February 28th, 2024

Dear Representative,

I am writing to express **opposition** of the Hawaii House **Bill HB 1838**.

When Bill 41 passed regarding illegal short-term rentals it allowed the county to levy fines against anyone renting out their home as a short-term rental in the effort to put a stop to a much-needed unregulated market. I understand your intent with this legislation as it helped restore balance to the residential neighborhoods and helped address concerns over a shortage of affordable housing. I believe this significantly helped and impacted the housing market in a positive manner. When the industry was unregulated, a lot of residences were renting out their homes irresponsibly and with out care of the impact to the local community. This has now been put to a stop and I am sure it has already helped restore the balance in the shortage of affordable housing.

Legally licensed vacation rentals with TVU licenses operate responsibly; they are regulated and heavily taxed. They are far and few, 71 on the north shore with 30 being a Turtle Bay alone. Since they are and have been licensed for a good amount of time and have always operated under the local laws, why change this now. These legal short-term rentals allow for unique experiences to locals and visitors alike. They create job security in their communities, they help support local businesses and most importantly its revenue which is most often kept here in Hawaii for it to benefit and stimulate the local economy, unlike many hotels and resorts.

Please vote against this legislation as I strongly believe that the Hawaii residents who have obtained these TVU permits did so in a legal and responsible manner. They should not have their permits taken away as they operate under a strict code of conduct and continue to operate as they were intended to by the courts.

Thank you for your time and consideration.

Sincerely,

Samuel Bendenoun

HB-1838-HD-1

Submitted on: 2/28/2024 12:53:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ken Lutz	Individual	Oppose	Written Testimony Only

Comments:

I would likd to voice my strongest opposition to HB1838 HD1

As the owner of s short term vacation rental we are proud to employ no less than seven independant business owners directly and over 20 employees indirectly. If short term vacation rentals were to be eliminated many of these individuals would have not choice but to close their small, independant businesses and become employees of the large corporations that own resorts and hotels. This would be to their detriment, eliminating in one stroke the the value they have built in their small business. The impact on their employees would be no less devastating.

In the many years we have visited Hawaii, prior to purchasing a home, we never once stayed in a hotel or resort. We much prefer the interaction with the local residents, experiencing the culture and community of Hawaii as they live it, not as defined and packaged by a large corporation.

If short term vacation rentals were to be eliminated many visitors to Hawaii would have no alternative to the synthetic hotel/resort expereience, to the detriment of Hawaii as a cultural destination.

For these reasons we ask that HB1838 HD1 be rejected. Thank you for your consideration and hard work.

HB-1838-HD-1

Submitted on: 2/28/2024 12:54:25 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judy Koglin	Individual	Oppose	Written Testimony Only

Comments:

The bill on the table, HB1838, is a provision to allow counties to determine whether short term rentals will be allowed in their county. I would like to offer my perspective for consideration.

We are a 55-year-old working class couple who live and work in Maui. My husband is a handyman for vacation rentals, and I have been working for a property management company until recently and will likely return to the industry soon. Our income is 100% dependent on short-term rentals. Beyond that, we have invested our retirement savings in 2 vacation rental units. If Maui was to phase out vacation rentals, both my husband and I would lose our jobs and as an added “bonus”, the value in our vacation rentals will be irreparably diminished. Not only will cease to receive income from them but, if we try to sell them, the value of resale will be severely cut as the market is flooded with condos which can no longer be used for their highest and best financial use. We will be hit not only by the loss of our jobs, but also our future retirement income from our condos, and our resale of these condos will be necessary since they would cease to provide sufficient income to pay the mortgages. The dream of living on Maui will be destroyed for us and there will be no one there to help us pick up the pieces because most of our island will also be financially devastated.

If short term rentals were eliminated in Maui, our two condos would likely not become housing for working class people, despite what people might think. Even if the value of our condo was reduced by 30% the cost of the mortgage along with the AOA fees, electricity, and property taxes would still be more than \$5000 per month. A one-bedroom condo, which was not designed with long-term living in mind, even at this price point would not be attractive to a working-class individual or couple. These condos would likely be only attractive to off island buyers who would use them a second homes while leaving them unoccupied for some portion of each year.

Currently, vacationers stay in Maui’s 13,000 rental condos because they are much more affordable than hotels. These rental condos employ housekeepers, maintenance people, reservationists, front desk workers, security personnel, property managers, and more. Supplies for these independently owned condos are purchased locally, not shipped to Maui from a central supplier like would be done with a hotel chain. The hotels on Maui cater to the upper class, not the middle class. If Maui only offered accommodations in hotels, we would price the middle class out of annual trips to Maui and we would lose these tourism dollars to Mexico. Restaurants, boutiques, and many tourist activities would close, many working-class residents would have to move to the mainland, and the purpose for shutting down these rentals would be defeated.

The lucrative tax base provided by vacation rentals (property tax, GE tax, TA tax, county TA tax) would have to be replaced by other income but there are no great ideas for such replacement income.

Vacationers are not the only people who benefit from vacation rentals. Many times, these rentals are used to house families who are visiting locals where hotels would be cost prohibitive. They also have proved to be an amazing resource after the fires for displaced residents. In the property management company where I was working, several mainland owners allowed displaced Lahaina residents (strangers to them) use their condos free of charge. Traveling nurses often rent rental condos as do construction contractors, all of whom are critical resources to our island.

Vacation rentals are not just investments for rich mainland owners. Many working-class Maui residents like us, own vacation condos as part of their income or retirement strategy. Please keep that in mind when considering this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 12:55:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Katrina Ahia	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and the honorable members of the House committee on Judiciary & Hawaiian Affairs

I am testifying in support of HB1838

I've rented and worked in Lahaina for 23 years. All of the places that I had lived (having to move approximately every two years) have burned down. I continue to work at Lahainaluna High School and I have two children that attend Hawaiian Immersion school in Lahaina. One of my daughters is in the Maui Middle School Basketball League and practices at Lahainaluna for two hours per day. I am currently sheltering in a Ka'anapali hotel - maybe two more weeks until I have to move shelters yet AGAIN. I drive to Lahainaluna two or three times a day - for work and my daughter's basketball practice.

Since there is no place for me to live in Lahaina, the next best thing (perhaps the only solution considering my work and children's school) - is to live north of Lahaina, as close to Lahaina as possible. I understand that 87% of the housing units north of Lahaina are listed as short-term rentals. Phasing out vacation rental uses will help me and residents like myself find long term housing.

Escaping the fires and losing our town has provided incalculable hardship. Not being able to find a place to live long term that is dignified and appropriate compounds and perpetuates these difficulties.

Mahalo for giving me the chance to voice my support for HB1838.

I am against the passage of this Bill due to the following reasons:

- The primary focus for addressing housing issues should be the eradication of all illegal Short-Term Rentals (STRs).
- The second priority should involve addressing permitting issues that hinder the progress of housing construction.
- Allowing counties like Maui to restructure zoning with a specific emphasis on gradually eliminating all STRs is irresponsible and necessitates protective measures.
- Legal STRs tend to be prohibitively expensive, either due to being resort-zoned, luxurious, or located in high-demand vacation areas.
- Most legal STRs were not designed for long-term housing, lacking provisions for parking, storage, and incurring additional high AOA dues (ranging from \$800 to \$2,000 per month).
- This transition would lead to job losses and a decline in Transient Accommodation (T.A.) tax (currently the highest in the nation), which funds affordable housing. Instead, it would be replaced by unaffordable rentals likely to remain vacant or occupied by mainland owners.

Thank you for your time and consideration.

Sincerely,

Sam Chesick

Dear Representative Tarnas, Chair Representative Takayama, Vice Chair, and Members of the Committee:

I Oppose H.B. 1838, HD1 for the following reasons:

Papakea has been operated as vacation rentals for almost 50 years, being built in 1978

Papakea has approximately 35 local resident employees, some working here for over 15 years working their way up into supervisor roles.

Papakea also supports many local trade professionals which creates more jobs for locals.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short term rental revenue.

Papakea short term rentals support a number of small businesses in the Maui community, including housekeepers, handymen, on island agents, and contractors: highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections to the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Rebecca D. Carmack

I oppose this Bill for the following reasons:

- Prioritization #1 for housing solutions should be to focus on eliminating all illegal STR's
- Prioritization #2 should be fixing the permitting issues holding up housing builds.
- Knowingly allowing the counties such as Maui to prioritize the restructure of zoning with a focus on ALL STR's targeted for elimination over time is irresponsible and requires protection.
- Legal STR's are typically extremely unaffordable as they are either resort zoned, luxury, or in a high-demand vacation area.
- Most legal STR's were not built for long term housing, parking, storage, additional high AOAO dues extras (\$800-\$2,000/mo)
- This eliminates jobs and T.A. tax (highest in the nation) that funds affordable housing only to replace it with unaffordable rentals that will remain vacant or mainland owner occupied.

In conclusion, I respectfully request your protection and thoughtful consideration of the broader implications of HB 1838 and the diverse individuals who rely on STVRs for various reasons. Collaborative efforts and alternative solutions should be explored to ensure a balanced approach that addresses concerns without jeopardizing our livelihoods and the well-being of our community.

Billy Dirksen

HB-1838-HD-1

Submitted on: 2/28/2024 12:56:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael W. Mitchell	Individual	Oppose	Written Testimony Only

Comments:

Aloha All Representatives,

Foremost, I share your sadness and sincerely empathize with all of you who have lost family members, friends, and property in Lahaina tragedy last year. I lost my mother shortly after the fires. She lived outside of Lahaina town above Kaanapali and the stress of the tragedy was a factor in her passing.

I oppose HB 1838 because I believe that with continued hard work and focus on the housing shortage by **voluntary** means (and not forced by the passing of this bill) that much better options for Maui’s recovery can be implemented. There will far-reaching ripples of negative impact throughout an already devastated community if this bill (HB1838) is passed.

Maui’s Short Term Rentals (STR) employ thousands of cleaners, maintenance workers, property management teams, tradesmen/woman of all professions, plus many more. These people and their families are all, in different ways, assisting in the recovery of west Maui. We should not “un-employ” all these people and add to the devastating effects of the fire and further complicate the recovery process.

Taking away the low-cost accommodation options of STRs for tourists will significantly discourage visitors from coming to Maui because of the high cost of hotel rooms. Maui needs encouragement for tourist visitation not the other way around.

Maui STRs provide 40% of the real property tax revenue and this same revenue is 18% of the County’s budget. How will Maui re-build, repair, recover, and flourish again with such a deep loss of tax revenue?

Voluntary methods such as increasing the existing incentives for Short-term Rental (STR) owners to voluntarily rent to displaced locals, workers, and their families. Stepping up construction for affordable housing, and creation of temporary housing are both possible options to be increased.

Please consider the far-reaching negative effects of the passing of this bill and explore other ways to assist the displaced (and honor the lost) while carefully considering the detriments to both those currently working in the STR realm (who also are raising families and assisting in the recovery efforts) and to Maui’s economy.

Mahalo,

Michael Mitchell

HB-1838-HD-1

Submitted on: 2/28/2024 12:57:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew W Frichtl	Individual	Oppose	Written Testimony Only

Comments:

Phasing out short term rentals on Maui will reduce tourism which the state relies on to fund the economy thru taxes, jobs and is providing a solution to the displaced residents from the Lahaina fire. A large % of tourists wont come to Maui if hotels are the only option and due to reduced supply the cost of hotel stays will increase which will further reduce tourism. In discussing this topic with displaced residents on Maui, they dont want to live in hotels and condo's, they want homes and affordable apartments. Clearly there needs to be a balance. The only solution that makes sense is to continue to allow hotels and condo's for short term rentals to maintain tourism while setting aside affordable apartments and single family homes for long term stay.

Testimony Opposing Bill HB 1838; February 28, 2024

Aloha,

Mahalo for your time and consideration, please read completely, I will be as concise as possible.

Beginning in 2010 Maui County began to revise its Short-Term Rental Home ordinance with many public hearings and testimony. With much information and consideration from both sides eventually an ordinance passed.

Coincidentally the same year, 2010, my husband's health failed and he was no longer able to work. Moving from Florida in 1995 Maui had been good to us but I was faced with multiple mortgages, mounting medical bills and no longer medical insurance, basically alone when the recession was finally affecting Hawaii hard. We sold some and lost one to foreclosure. Property values tanked, I never made a penny on what was sold, banks here had no programs or desire to help rental properties. January 2012 my husband succumbed to alcoholism and left.

Have you ever noticed when life gets tough people return to their roots? They go home where ohana can comfort and support them. How many people have you known returned to the mainland when life in "Paradise" got tough or wasn't what they dreamed it to be? July 17, 2024 is my 27th year anniversary in Hawaii.

I am not a rich mainlander purchasing a second or third home. I am now a widow, here by choice and hard work, Maui is home. Fortunate to have a residence and rental, however with huge mortgages, insurance and expenses exceeding long term rental income I did what I knew, got a permit for short-term rental.

My parents sold everything they had in 1959 to purchase a mom-and-pop motel in Florida at 40 years old, I was 3. It was wonderful growing up there, guests became family and returned year after year, we had 12 kitchens. People loved it, especially families, workers and snow birds. We lived there 20+ years & worked hard cleaning and maintenance ourselves 24/7/365. Self-employed, priceless. My dad's dream.

You get the picture and so did I. Permit process was difficult, fortunately, I was granted a permit for the home we spent two years renovating for our retirement. My husband I had not seen since January 2012 passed in Jan 2017.

Blessed with incredible, local help. I've kept them all through the pandemic and now the fire. Also blessed to pay 1K pmonth in property tax, 50+K in annual GET/TAT tax plus income tax.

Many Maui residents share the same story, our rentals represent a life time of what we worked so hard for. They are our source of income and retirement without which I would be forced to sell and leave Maui, my home. A place for Ohana to come and visit, a legacy for them someday.

At 67 years old starting over is not feasible.

The implications of eliminating short term rentals will affect not only county and state budgets (Maui STR's provide 40% of property tax revenue) but also the budgets of countless Maui families. Passing Bill SB2919 would not make most of these Vacation rentals available to Maui residents. Property values and associated expenses exceed long term rents. Rising insurance rates will add to this burden. Local owners that have worked hard to own these properties would be forced to sell, probably to non-locals. Mainland owners owning properties for income would also need to sell probably to even more affluent mainlanders. Local housing is not a new issue.

Maui families desperately need thousands of HOMES between \$300,000 and \$600,000 not the million dollar and up STR's.

Eliminating the main source of jobs, taxes and customers for businesses will not increase housing. Diversify the economy yes but not at the expense of one segment of the economy virtually instantly. The result will be people like myself having to sell our property to a non-local that can afford it and the loss of income to so many maid services and support workers that rely on short term rentals as their primary source of income. More and more of these vacation home and condos will become second third and fourth vacation homes for even wealthier mainlanders and foreigners.

VACATION HOMES WILL DEFINITELY NOT BECOME AFFORDABLE RENTALS FOR MAUI RESIDENTS.

Mahalo for reading completely and your thoughtful consideration in this matter.

Angelia Crim,
Owner 147 Halelo St.
Lahaina, HI 96761

HB-1838-HD-1

Submitted on: 2/28/2024 12:57:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Storrs	Individual	Oppose	In Person

Comments:

**NO. ABSOLUTELY NO TO 1838.
WE CANNOT GIVE OUR COUNTIES ANY MORE POWER:**

Just in the last year, DOZENS OF OUR COUNTY OFFICIALS HAVE BEEN INVESTIGATED FOR CORRUPTION, ARRESTED OR UNDER ACTIVE INVESTIGATION at the county and state level.

Too many of our county officials are corrupt and abusing our Hawaiian Homeowners and Hawaiian Tax Payers and the people of Hawaii, our Ohana, that they are elected and paid to serve.

We need to deregulate these corrupt counties, not empower them!



Just a quick Google Search TODAY revealed these **HAWAII HEADLINES SHOWCASING THE CORRUPTION IN OUR COUNTY GOVERNMENT JUST IN THE LAST 12 MONTHS -** IN THE LAST YEAR. ONE YEAR alone, JUST THIS LAST YEAR!!! These are just a few, not all of the headlines featuring Hawaii County Employees Officials Convicted, Investigated or accused of Corruption. There is not enough paper to go back multiple years.



May 5, 2023:

The Investigation Into Public Corruption In Hawaii Is Very Much Alive! Feds ARRESTED former Sen. J. Kalani English, then-Rep. Ty Cullen and Milton Choy ...Cullen provided information regarding bribes and other financial benefits he'd accepted but also incidents he knew about INVOLVING OTHER LEGISLATORS." ..."The defendant has provided substantial information concerning other possible acts of public corruption by public officials in Hawaii. ...Two county officials and two state lawmakers from Maui who took bribes from Mr. Choy have been sent to prison.



September 6, 2023:

Department of Planning and Permitting Examiner Sentenced to Ten Months in Prison for

Bribery Scheme

- Wayne Inouye, 66, of Honolulu, a former **Chief Building Inspector at DPP**, was sentenced.
- Jennie Javonillo, 73, of Waipahu, a former **Building Plans Examiner at DPP**, was sentenced.
- Jason Dadez, 45, of Honolulu, a former **Building Inspector at DPP**, was sentenced.
- William Wong, 73, of Honolulu, an architect, was sentenced.
- Jocelyn Godoy, 60, of Pearl City, a former **employee of the Data Access and Imaging Branch at Department of Planning and Permitting**, was sentenced.



Oct. 25, 2023:

State Senator J. Kalani English and former **State Representative Ty Cullen** — to plead guilty in February 2022 to **bribery-related charges from their time in office.**



February 8, 2023:

[Former Maui County Official Sentenced to Ten Years in Federal Prison for Honest Services Wire Fraud](#) ...Chief United States District Judge Derrick K. Watson sentenced.



December 15, 2023:

Defendants supplied bribes and kickbacks to Alan Scott Rudo (“Rudo”)... which **deprived the County of Hawai’i (“County”) and its citizens** of their intangible rights to Rudo's honest services while **he worked for the County's Office of Housing and Community Development as a Housing and Community Development Specialist.**



[January 26, 2024](#)

...former **Honolulu prosecutor** Keith Kaneshiro;... **charged with “conspiracy against rights”** for engaging in a **series of actions intended to “injure, oppress, threaten, and intimidate”** a former employee. The defendants are also charged with conspiracy to commit honest services **fraud and federal program bribery.**



February 23, 2023

[After Fraudsters Jailed, Auditor Discovers Affordable Housing Program Has no Administrative Rules, Hawaii County Ethics](#), ...media outlets reported a fraud scheme committed by a now-former **employee of the Office of Housing and Community Development...**

Proposition 1838 to increase the power of our counties is nothing short of a betrayal to our Hawaiian Ohana!

This clearly documented blatant abuse of authority by our corrupt officials IN JUST THE LAST YEAR wreaks absolute havoc on Hawaiian homeowners, Hawaiian Taxpayers, and the very Hawaiian Citizens, they are elected to serve.

Rather than fortifying the stronghold of these corrupt counties, you must create on an exhaustive

and calculated plan to dismantle their corrupt authority, rather than creating law to protect them even further.

NO TO 1838.

Respectfully,
Rebecca Stores

HB-1838-HD-1

Submitted on: 2/28/2024 12:57:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
peter larsen	Individual	Oppose	Written Testimony Only

Comments:

Please note no on this bill. It will devastate the Hawaiian economy and destroy thousands of good jobs.

It is unconstitutional and better solutions for housing can be found.

Thanks very much,

Peter Larsen

HB-1838-HD-1

Submitted on: 2/28/2024 12:59:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig Mollet	Individual	Oppose	Written Testimony Only

Comments:

I have used my retirement money to invest in a one bedroom condo in Kamaole Sands resort, Kihei, HI. I stay here periodically to ensure upkeep of the unit. My understanding is that units like mine account for 40% of real proprty tax revenue and 18% of Maui County revenue. It seems best to use this income (plus SVU taxes, income for resort workers, etc.) for building more local housing as opposed to not having it, and have families move into expensive one bedroom units with high HOA fees.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-HD-1

Submitted on: 2/28/2024 12:59:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martha Ingalls	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB 1838 and Hawaii County Bill 121 - Impact on Short-Term Rental Industry

Honorable Chairman Tarnas and Members of the House Committee on Judiciary and Hawaiian Affairs,

I am reaching out to express my firm opposition to HB 1838 and Hawaii County Bill 121, both of which pose significant threats to the short-term rental industry in Hawaii. As a property manager overseeing licensed short-term rentals, these bills raise serious concerns about their potential effects on our industry and the individuals and families who depend on it for their economic well-being.

HB 1838 unfairly targets single-family residential properties, allowing counties to phase out short-term use, thereby jeopardizing the ability of property owners to utilize their space for temporary housing, which is essential for both visitors and residents in transition. The bill also sets a dangerous precedent for the revocation of property rights, creating uncertainty for investors and builders and potentially undermining property values. Moreover, it carries the risk of decimating an industry that contributes significantly to the state's economy and visitor spending, imposing undue penalties on individuals who have diligently followed the regulatory processes.

Additionally, Hawaii County Bill 121 stands to have detrimental consequences for the short-term rental sector. This legislation lacks thorough research and evaluation of its impact and disregards the potential hardships it could impose on hundreds of families reliant on vacation rental income. The bill's requirement for homeowners to swear to the validity of property improvements disregards the challenges associated with the permitting process in Hawaii County, placing an unreasonable burden on property owners.

I urge you to consider the grave ramifications of HB 1838 and Hawaii County Bill 121 on the short-term rental industry, local communities, and the broader economy. It is essential to seek alternative solutions that address concerns related to affordable housing while preserving the livelihoods of individuals and families involved in the short-term rental sector.

Thank you for your attention to these critical matters, and I am hopeful for the opportunity to engage in further discussions regarding the potential impact of HB 1838 and Hawaii County Bill 121.

Regards,

Martha B. Ingalls (R)

Beach Breeze Vacation Rentals

808-283-2231

HB-1838-HD-1

Submitted on: 2/28/2024 12:59:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
VALERIE COLPRIT	Individual	Oppose	Written Testimony Only

Comments:

TO WHOM IT MAY CONCERN,

I am testifying in favor for non-residents who contribute to our local economy, including those in need of temporary housing due to emergencies, medical treatments, or construction projects. i am also in favor helping small business to stay above water to keep working in our community,

We should not phase-out of short-term rentals which could lead to a decrease in many feilds and demand for our community's , including all sorts of emplyment such as cleaning, maintenance, landscaping, and repair services., plumbing to electrical work, landscaping to general maintenance, our livelihoods could be impacted by reduced occupancy rates and the dwindling number of rental properties in need of our service, we see many business folding up or simply closing their doors because of matter of this sort we need to keep the american people working and keeping job and housing on our islands o not sent our people elsewhere to work an live,lets stop HB1838 and keep our people working here on our Island

This is more than a property issue—it's about the sustainability of our trades, services, and the local economy. right here in our states.keep jobs here in our Island keep our people working,

Sincerely Yours,

Valerie

HB-1838-HD-1

Submitted on: 2/28/2024 1:00:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Alex	Individual	Oppose	Written Testimony Only

Comments:

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm

State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong **Opposition**

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

We oppose HB1838.

Here is why....

The following groups stay in our affordable, temporary or transitional housing:

Residents

- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires

- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room.

Our rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. Our short and mid-term rentals provide critical housing to meet the needs of residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state's budget in 2022 and contributed \$165 million toward the County budget.

We believe you also will oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i. Simply holding hearings on these types of bills creates unnecessary uncertainty particularly for housing, tourism, and real-estate related businesses at a vulnerable time.

HB1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Build affordable housing with low HOA fees so renters and owners could benefit. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O'ahu, 80% of the short-term rental owners are residents and also kupuna (seniors). 70% of them own 1 unit that provides income to subsidize the ever increasing cost of living in Hawaii.

All short-term rentals provide furnished, temporary housing to residents as well as visitors. 25% of Oahu's visitors are non-vacationers (per the HTA). 13% of those visitors are friends and family that need affordable accommodations. It is very likely that if you live on another island, you have stayed in a short-term rental on O'ahu.

By passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Excluding rentals defined as "hotel units", O'ahu is down to 2,000 legal short-term rentals or 1% of our housing. Vacant homes account for 9% of all housing on Oahu.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please do not pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

Sincerely,

Matthew Alex

HB-1838-HD-1

Submitted on: 2/28/2024 1:00:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matiss Zvaigzne	Individual	Oppose	Written Testimony Only

Comments:

Aloha Esteemed Chair, Vice Chair, and Committee Members,

My name is Matiss Zvaigzne, and I am a resident of Hawaii Island. I am writing to express my opposition to HB1838.

This bill poses a significant threat to my livelihood and the livelihoods of many others in our community, including service providers such as cleaners, electricians, maintenance workers, and employees of small businesses like mine.

I am employed by a small business specializing in short-term vacation rentals on our island. This employment not only provides me with a stable income but also affords me the convenience of working close to my community, thereby reducing commute times. However, the potential enactment of HB1838 threatens to disrupt my ability to maintain my housing and meet financial obligations.

Additionally, I am deeply troubled by the potential implications of this bill on housing availability. Having experienced firsthand the challenges of securing affordable housing upon relocating to the island from California, I found short-term rentals through platforms like Airbnb to be a more accessible and secure option.

The passage of HB1838 would not only jeopardize our business operations but also result in the loss of employment for our dedicated staff. This would undoubtedly have a cascading effect on other businesses reliant on the short-term rental market, significantly impacting our community's economic stability.

Our ability to sustain our families and contribute to the vitality of our community is at stake. The proposed legislation undermines the hard-earned financial stability we have cultivated on this island while actively supporting the local economy.

In conclusion, I urge you to carefully consider the broader ramifications of HB1838 on small businesses and the local workforce. Rather than introducing new legislation, let us prioritize empowering counties to enforce existing laws effectively. I respectfully implore you to refrain from advancing HB1838.

Thank you for your attention to this matter.

Warm regards,

Matiss Zvaigzne

HB-1838-HD-1

Submitted on: 2/28/2024 1:00:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie	Individual	Oppose	Written Testimony Only

Comments:

- Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more.
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?
- Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

Testimony on Current Legislation

We have owned our rental properties since 1999 and 2005. During the year ending 12/31/23 we paid State Transient Accommodation Taxes of \$12,437 and State General Excise Taxes of \$5,056. In addition, we paid \$3,640 of Maui County Transient Accommodation Tax. Our Real Estate taxes on the properties increased last year by over 44% to \$31,953. We also paid \$12,374 to cleaners, appliance repair and air conditioning repair local companies. In order to maintain the properties we pay HOA fees of \$42,512 that pays our grounds and maintenance workers and office staff who live on Maui. This amount also pays for tradesmen and contractors employed by the HOA.

I feel that we are good citizens who are helping to preserve our beautiful land of Maui. We hope to be able to continue to pay taxes and other payments to help the economy of Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 1:03:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
james robinson	Individual	Oppose	Written Testimony Only

Comments:

My wife and I currently rent our Ohana dwelling in Puako nightly. When we purchased our property being able to rent nightly was the only way we could afford our house. We are dependent on nightly rentals to sustain life in Hawaii.

HB-1838-HD-1

Submitted on: 2/28/2024 1:03:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
megan arita	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Megan Arita, and I am a local resident, short-term rental property manager, and realtor in Hawaii. I am writing to express my strong opposition to HB1838. As a representative of the vacation rental industry, I have witnessed firsthand the significant impact that this bill could have on the livelihoods of many residents, including myself.

The vacation rental industry provides essential income opportunities for individuals and families involved in various aspects, from cleaners to reservationists. These are hardworking people who rely on the income from this industry to support their families and livelihoods. If HB1838 is enacted, it will create insurmountable challenges, jeopardizing the financial stability of countless individuals and families who rely on the vacation rental industry for their income.

I stand with the members of the vacation rental industry and urge you to reject HB1838. This bill poses a significant threat to the economic well-being of our community and will have devastating effects on the individuals and families who rely on the vacation rental industry.

Mahalo for your consideration of the potential hardships that this bill will create for the residents of Hawaii.

Warm regards,

Megan Arita

HB-1838-HD-1

Submitted on: 2/28/2024 1:04:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nita Pearl Sawyer	Individual	Oppose	Written Testimony Only

Comments:

This bill is overreaching and directly affects the rights of real property ownership in our State by limiting the normal useage and compensation of Local property ownership and rental income and usage of property for it's highest and best use

This will have an effect of pricing local Property ownership out of the market by limiting the benefits of owning property in all of Hawaii as it has had on Oahu.

We are having a mass exodus of local ownership and property owners in general due to the hositiliy of the legislation to property owners being able to get a good rental return on their investments of Property home-ownership in Hawaii due to the high costs associated with rental, Ownership, management maintenance, taxes and punitive actions involved by over reach in regulation and legislation. This Bill will have unconstitutional conserquences and directly affects the ability of many owners in our Real Estate Market to buy, rent, manage, own, and live in their Real Estate.

Previous to The recent legislation, Local owners were able to find creative ways to keep up with the high cost of living in Hawaii by house sharing and renting furnished rentals for shorter terms. This has been in effect taken away from them and there is a mass exodus from Hawaii with a large part of the homes listed for sale in MLS being already in foreclosure due to the Oahu legislated regulation.

I am a Senior Citizen and I have lived in Hawaii for 39 years and a Realtor in Hawaii for 34 of those years. I have seen all kinds of Markets over the many years of my career. This is one of the worst effects of of Government legislation I have seen to Real Property owners in my career here in the islands.

It will in effect change the demographics of the islands by it's delitarious prohibitive effects on Local property Ownership. It is already pricing local Owners out of their homes and property investments. We might as well as have Covid restrictions again as have our local properties subjected to punitive legislation take effect and limiting our freedom of ownership rights to our Island home-owners.

Are you trying to create homeless people out of current homeowners by displacing them with the current population of homeless people on the streets of our cities? How will this benefit Our Communities? Our Islands? Our Home?

It only takes 3 months without income for a property to go into foreclosure!!! Lack of income and lack of alternatives creat Homelessness! Low income rentals do not pay high cost of mortgages and Maintenance of Hawaii High value Properties!!!

Please vote No on this bill to prevent local people being prices out of Paradise!

HB-1838-HD-1

Submitted on: 2/28/2024 1:04:40 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fred Green	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am Fred Green, my wife and I own a short-term rental condo in Kihei, Maui. I'm reaching out to convey my firm opposition to HB1838.

Running a short-term rental has been immensely beneficial to the local community. We employ housekeepers, a property manager, and last year invested over \$200,000 in a remodel, which provided work for numerous tradesmen over several months. Our rental has been instrumental in welcoming tourists to Hawaii, bolstering the local tourism sector.

However, HB1838's restrictive provisions pose significant challenges. Its potential impact on the local economy far outweighs any perceived benefits. I implore the council to reconsider the detrimental effects HB1838 could have on the livelihoods of residents who depend on short-term rentals. Let's collaborate to find solutions that strike a balance between community needs and preserving opportunities for citizens to engage in Hawaii's tourism industry.

Mahalo,

Fred & Pam Green, Short-Term Rental Owners, Kihei, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 1:04:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pamela Jensen	Individual	Oppose	Written Testimony Only

Comments:

We have 2 legal vacation rentals as our only source of income. We pay our GET, Hawaii State, GET and TA taxes. The projects earmarked with the proceeds from th TA taxes from STR would go unfunded and done away with. Along with the vanishing taxes everyone connected to STR, servers, restaurants, gardeners, grounds keepers, water sports Rental shops, Housekeeping, electricians, plumbers, and handymen and others would be out of jobs. As tax paying VOTING citizens...We are tremendously opposed to the passing of HB 1838 .

Mahalo,

Pamela Jensen

HB-1838-HD-1

Submitted on: 2/28/2024 1:05:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Belinda Fleet	Individual	Support	Written Testimony Only

Comments:

Aloha Honorable Committee Members,

I am writing in strong support of HB1838. It is really time to update our zoning laws and regulations regarding Short Term Vacation Rentals. I truly believe that this bill will help balance our housing needs particularly in West Maui where many of our hotel workers reside, and I truly believe that this bill will help our economy by restoring a balance between residential much needed housing and short term vacation rentals.

If we can revamp our zoning laws we can actually help our residents to have housing, and this will help our economy because it will bring down the high number of unregulated vacation rentals and balance our economy so that our workforce can have our housing back that we desperately need.

Please support this bill as there are many residents who feel that this kind of legislation is absolutely necessary for our islands to thrive and have a healthier balance between residential housing and short term vacation rentals.

Thank you and sincerely,

Belinda Fleet

West Maui Resident

HB-1838-HD-1

Submitted on: 2/28/2024 1:06:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MAYA K MYERS	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing in opposition of HB1838. This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui. I am born and raised in Hawaii and am the owner and manager of a short term rental home in Lahaina, Maui. We have been operating under our STRH Permit since 2013. My husband is a Captain with the Maui Fire Department, and we have 3 children to support. Should you move forward with phasing out Short Term Rental Homes, I will be without a career and income to support my family, and will be forced to sell my home. My home is currently valued at over \$4 million dollars, so we can assume it will be sold to a Mainland buyer, and not be passed down to my children like I had intended. This is my nest egg, and this is all we have. Being that it is a luxury home, I absolutley, without a doubt, will NOT be renting my home long term. I will not be able to cover expenses AND support my family under long term rental rates, nor could working families afford to rent my home for well over \$10,000/month. The Moratorium on Rentals/Evictions, etc that the Governor has imposed are outrageous and enough to turn anyone away from wanting to rent long term. Where are the homeowners property rights?

We deligitly went through your permit process (13 months to process our permit!) and have abided by all rules and regulations, and have paid hundreds of thousands of dollars in GE and TAT and RPT and MCTAT taxes over the last decade. These tax monies are hugely necessary right now for Maui County, in particular for Lahaina. Where else will the County be getting funds from to build needed affordable housing, and support schools that have such low enrollment that they may not get federal funding? Right now, Maui County needs every tax dollar they can get. STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui.

We employ 2 families as our cleaners, both of which have lost their homes in the recent Lahaina fires. Our landscapers, 4 out of the 5 person crew, have also lost their homes to the Lahaina fires. They will all be without a job should you shut down STR's, and they will not be able to rebuild their homes (yes, they are all underinsured and desperately need to work).

I ask you, if you were in my position, what would you do if suddenly STR's were phased out? Rent your home long term and take a financial hit and be forced to abide by Governor Green's eviction moratorium and rent freeze, or sell your home to the highest bidder, even if they are from the Mainland? We are strongly considering moving off island beause we feel as home

owners in Lahaina, our rights are diminishing daily. Please do not add to the problem by passing HB1838. The citizens of Hawaii are not responsible for the Government's lack to provide affordable housing, a problem they have chosen to very little about over the last few decades. This problem has compounded over decades because of their ineptness. You will be shooting yourself in the foot to do away with the all the tax monies STR's provide for the County and State.

If you want to take all the emotion out of this and not consider how this will effect local homeowners and their staff, that is perfectly fine because I believe that the numbers speak for themselves. I can't find any other entity alone that can provide this amount of taxes generated for affordable housing.

Mahalo,

Maya Myers

Kalapana Privacy In Paradise LLC

Lahaina, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 1:07:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Van Blarigan	Individual	Oppose	Written Testimony Only

Comments:

I am very much against HB1838. I have two legal vacation rentals for which I have paid high property taxes as well as transient accomodation tax for 21 years. I live from the income of these units. Thus this Bill would greatly reduce the income I survive on. You might say then "sell your units", but this Bill would also greatly reduce the value of them, making them difficult to sell. This amounts to a "taking" of my property by the government, which should be illegal. It is like restricting all boat owners from putting their boats in the ocean and then telling them to just sell them - who would buy them? My vacation units were built to be used for short term vacationers.

HB 1838 will also negatively impact Hawaii's economy. It is like killing the goose that lays golden eggs. I don't know what the intent of the creators of this bill is but it is greatly misguided. I cannot support any politician who would support it.

James Van Blarigan, Kihei, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 1:07:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
SUMEI SHIH	Individual	Oppose	Written Testimony Only

Comments:

Papakea Legal Affairs Committee
3543 Lower Honoapiilani Road
Lahaina, HI 96761
808-669-4848 | www.papakea.org

GENERAL TEMPLATE FOR THE FORMAT OF WRITTEN TESTIMONY:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

Since 1978, Papakea was built and has operated as vacation rentals for almost fifty years. They currently employ 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming, and Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue

The STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on through the Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops. And per our management, we've been told that Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Su-Mei Shih

HB-1838-HD-1

Submitted on: 2/28/2024 1:08:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Chan	Individual	Oppose	Written Testimony Only

Comments:

I do oppose Bill1838 and SB2929 because in my standpoint is we all know Hawaii and a tourist destination. Many people not just in the US but all of the world come to Hawaii to admire the beauty of the island. As it stands today, the STR offers several advantages to the island of Hawaii.

First of all, this creates a job that allows the residence of Hawaii to find a job. The job granted is not in high tech and this is something that will offer everyone an opportunity to be employed.

Second advantage is that it offers competition to the hoteling industry. If you look at just renting a hotel, you have to deal with resort fees, parking, etc. All of it added up, will cause a rental to be very expensive. This also can mean that hotel can increase cost without any concerns for competition. One may argue that there may even be collusion amongst the hotels. The competition is needed to ensure that hotels charge competitive rates. As we know that cost is a factor that determines our travel plans. Right now with the cost of Japan being so low, many travelers are going to Japan. If you walk out to the street in Waikiki, you will see very empty streets. There are more people going to Japan just because it's cheaper to go there. As an economy that relies on tourists, if there are no tourists then you can see that it will impact shops and restaurants be that some of them are locally owned. The STR will help to keep the hotel competitive, allow more tourists to come that will help fuel the local economy to support the local community as well as the local government. Case in point that when the local government does not have the money to support the services the local requires, it also can create a doom loop that would exacerbate the island. A recent article also was published where by Palm Spring had limited STR and in doing so, created issues and didn't even help solve any issues it proposed.

<https://www.desertsun.com/story/opinion/contributors/valley-voice/2023/05/22/palm-springs-short-term-rental-restrictions-have-unseen-consequences/70229526007/>

Hence, I do oppose the Bills eliminating STR.

Aloha Chair, Vice Chair and Committee,

My name is Martha L. Epperson and I own a STR on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the others, such cleaners, electricians, maintenance workers, handymen and small businesses who depend on the investments for a living, and help towards retirement.

I own an STR that services, small businesses etc, on the island of Maui. I pay good wages, to those whom live on the island of Maui and service the STR that I own, which in turn keeps them going, as we know that the island will not be successful without STR's, nor will the locals of small business be able to stay on island without a job.

This bill will hurt me and put at risk the ability to help the locals with their businesses as well.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Martha L. Epperson

HB-1838-HD-1

Submitted on: 2/28/2024 1:09:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul W Kasha	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

My name is Paul W. Kasha and I own a short-term vacation rental condo on Maui. I purchased this condo in 2004 with the intention of having a future place to go on vacation. My wife and I live in Alaska. It is very cold in the winter here. I have arthritis and my wife has an auto immune disease. Spending time in Hawaii helps us both. For almost 20 years we have been able to visit Maui when we can between doctor's visits. Now in retirement and living on Social Security, we find it necessary to rent the condo to make ends meet. We find that short-term rental has made it easier for us to schedule our time between doctor appointments and visiting our condo on Maui. We believe that eliminating short-term rentals like ours will hurt the Maui economy because not everyone can afford the greater expense of a hotel. We oppose this Bill (HB1838) as it will take away our being able to afford visiting our condo on Maui and the necessary upkeep, property taxes, HOA fees, insurance, etc. We ask that you please do not move this bill forward.

Thank you for your time,

Sincerely, Paul and Linda Kasha

HB-1838-HD-1

Submitted on: 2/28/2024 1:10:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathy Witherspoon	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose Bill HB1838

HB-1838-HD-1

Submitted on: 2/28/2024 1:10:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicole LeClaire	Individual	Support	Written Testimony Only

Comments:

The recent fires have not only left a trail of destruction but also highlighted a deep-rooted issue - our housing crisis. This crisis, which was present even before the flames, has now been amplified, leaving many in our community grappling with the harsh reality of being priced out of their own paradise.

The fires have sparked more than just devastation - they've ignited a call for change. Our community has long faced the harsh reality of skyrocketing housing costs, forcing many to abandon their homes in the land they love. And now, the fires have added to this struggle.

I personally have been evicted and am going to be paying more than half my income for rent + utilities and I am fortunate to have found a place that will allow my pets. I was not directly affected by the fires but I have been affected indirectly.

HB-1838-HD-1

Submitted on: 2/28/2024 1:11:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dan Le	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

Re: Bill SB2919 SD1

To whom it may concern;

Please consider this my submission of written testimony.

We strongly oppose this bill.

For decades, thousands of property owners have invested in properties in Hawaii that are legally zoned for transient rentals and have provided this service to travelers. This activity results in millions of tax dollars to the state and counties and provides direct employment to thousands of residents, and indirect employment to countless other Hawaii residents.

The pain encountered by the Hawaii residents who earn their living from servicing vacation rental properties or the guests that rent them was never more apparent than during the downturns caused by Covid and the Maui wildfires. The effect of shutting down short term rentals is immediate, substantial and ongoing.

Many of the owners in our building and I'm sure around the state invested in their properties decades ago with the vision of having a place to escape winter in their retirement years and to produce some residual income when they are not using their properties. To accomplish this they have spent those decades painstakingly paying off their mortgages so they could realize their dream retirement. For the legislature to suddenly reverse course and interfere with the goals and dreams of these property owners is unconscionable.

If the proposed legislation was revised to focus on giving the counties tools to enforce zoning laws that prohibit short term rentals, then we could get behind that.

Respectfully submitted,

Dan Le

HB-1838-HD-1

Submitted on: 2/28/2024 1:12:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tobi Fisher	Individual	Oppose	Remotely Via Zoom

Comments:

Tobi Fisher

55 Mano Dr. Kula, HI 96790

#808-960-4993

tobi@hawaiiilife.com

Subject: Opposition to HB1838

Aloha,

My name is Tobi Fisher, and I am a local resident of Maui, Hawaii. I am writing to express my strong opposition to HB1838. This bill threatens the very fabric of our livelihood and our ability to afford living in Hawaii. The short-term rental industry has been a vital source of income for many local families, including mine, allowing us to sustain our lives in this unique economic landscape. If this bill proceeds, it would make the operation of short-term rentals impossible for us and jeopardize our ability to stay in our homes. I employ several local residents who clean, do maintenance, and landscape my property in order to keep it looking nice and running smoothly. They count on the income from me to support themselves and if my vacation rental were to shut down there would be several local residents out of jobs.

The tourism industry is the backbone of Hawaii's economy, and for many citizens like myself, it is the sole industry through which we can make a living. I have recently been widowed, at a very young age, and I rely on my vacation rental as my main source of income for myself and my Autistic son. My husband was born and raised on Maui and his family dates back 9 generations in Hawai'i. I was raised on Maui and my family dates back 5 generations in Hawai'i. My three

children live here and they are all involved in some way or another with the vacation rental industry. I have provided free lodging for many crises situations here on Maui. During COVID I had first responders, utility maintenance crews, teachers and doctors housed at my vacation rental. In the days, weeks and months after the fire I have had several families housed in my vacation rental at no cost to them. I house off island sports teams and coaches, Hawaiian club High School excursions, doctors and nurses, teachers and school administrators on a regular basis. HB1838, with its restrictive measures, creates insurmountable challenges for ordinary citizens to engage in this vital industry. The potential impact on our ability to pay mortgages and support our families is daunting. If my vacation rental business is taken away I will have to lay off my housekeepers, lawn maintenance crew and handyman and sell my house. With the high price of real estate now coupled with high interest rates it will most likely sell to a mainland Buyer and how does that help the housing crisis situation? My husband and I envisioned leaving the vacation rental to our children and they could carry on with the successful small business we had created and use the property to help the community.

I urge the council to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Mahalo for your attention to this important matter.

Mahalo,

Tobi Fisher & Ohana

HB-1838-HD-1

Submitted on: 2/28/2024 1:12:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sachiyo Sugimoto	Individual	Oppose	Written Testimony Only

Comments:

I'm writing here to oppose this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 1:13:30 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor Piai	Individual	Oppose	Written Testimony Only

Comments:

We are opposed to passage of this bill. We have been owners in Kamaole Sands since 1984. We believe short term rentals provide families more affordable opportunities (versus hotel rates) to visit Maui.

In addition the income Maui receives from these short term rentals is vital to the local economy and small businesses.

Further due to the unfortunate Lahaina fire, Maui needs all the income it can garner from the GET & TAT taxes these rentals generate.

Respectfully submitted,

Vic & Laurie Piai

HB-1838-HD-1

Submitted on: 2/28/2024 1:13:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandra Carter	Individual	Oppose	Written Testimony Only

Comments:

The proposed changes in HB1838 and SB2919 would be absolutely disastrous to the travel and tourism based economy of Maui and specifically to Lahaina. There are other ways to rebuild after the devastating fire in August. There are quick housing solutions like a mobile home park, or building modular homes above the highway to help families until they can rebuild is the type of legislation we need spearheaded!!!

The county could fast track permitting and offsite improvements to get this done quickly.

The economy of Lahaina relies on tourism and the short-term rentals play a major role in this economy. There are thousands of families who like to vacation in Lahaina and can't afford hotel rooms. Therefore, if short-term rentals are eliminated, tourists will not come to Maui and the State will not receive either their GE or TAT taxes which help support the island.

Eliminating short-term housing will also mean thousands of jobs will be gone. How will the locals survive?

Placing burdensome limitations on short-term rentals is going to have a negative impact in so many ways on all of the local businesses that are directly connected to our tourism based economy.

Taking away our property rights isn't the way to solve a housing crisis.

The government is receiving millions of dollars from taxes for daily rentals.

Please **vote NO on HB1838 and SB2919.**

Thank you for your time and consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 1:14:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sande Greene	Individual	Oppose	Written Testimony Only

Comments:

I am 80 and my husband is 83. I need you to understand that my husband's life is at risk, as he was very recently diagnosed with a recurring aggressive cancer. Our Kihei vacation rental condo is our only source of income, other than small social security. This is how we are supporting ourselves and others in the community including housekeepers and other workers.

We have great compassion for the people of Lahaina, and continue to contribute as much as possible to recovery efforts. We are full time residents living on Maui since 1996, and prior to that lived on the Big Island since 1992. We do not live on the mainland.

We are not selfish and irresponsible if we don't wish to participate in turning the condo into a long term rental. The condo has been operating as a short term rental for over 23 years. Having to be forced to cancel and return the numerous deposits received for 2024 and the ensuing income for the year, should this proposal go into effect, would be a financial disaster for us. Stating this does not negate the tremendous hardships and loss experienced by the victims of the Lahaina fire. Originally purchased as our retirement plan, the condo income is now needed to assist with medical costs that health insurance does not cover.

In addition, we will be paying \$13,730 in property tax on our condo this year, and approximately \$18,000 in GE and TA taxes. Moreover, we paid over \$6,000 in state income tax last year. This comes to nearly \$38,000 that the state/county would lose by shutting us down. Given that there are over 13,000 short term rentals on Maui, this could amount to tax losses of nearly \$500,000,000. How could the State and County afford that, and, with that much revenue, where is it going? And why couldn't it go to provide housing, rather than negatively impacting our lives and so many others?

Most importantly, the possible moratorium is critically affecting my husband's already precarious health.

I ask that you please take this into consideration.

Thank you.

Sande Greene

HB-1838-HD-1

Submitted on: 2/28/2024 1:14:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynne Cox	Individual	Oppose	Written Testimony Only

Comments:

I have been so fortunate to visit Maui each year for more than 30 years. We stay in a beautiful condo in a small complex that is quiet and very relaxing. We really appreciate the chance to support the restaurants, farmer markets and local grocery stores. We have met many wonderful people and formed long term friendships with those we see each year.

We have been staying for a month in April and October for the last few years. By having a condo we are able to stay longer each trip. Without a kitchen and needing to buy every meal out, we would not be able to come as often .

We have enjoyed going as a couple, with friends, my sister, our kids as they were growing up, and in October our grandkids had their first trip, and they see why it is Nana's Happy Place.

While they were there our family volunteered time at the food distribution center in hopes of helping those who have lost so much.

My husband and I enjoy our church family at the little neighborhood church and he was grateful to be able to give the sermon there in October after the fire.

We feel a strong tie to the community and worry about the devastating impact to the restaurant workers, housekeeping staff, and activity providers.

We also worry about the wonderful people who generously lend their beautiful home to us each year and the impact this would have on them if they aren't allowed to share their home and offset some of their expense.

Maybe you could consider grandfathering in existing short term rentals and having requirements you're proposing only apply to new construction.

HB-1838-HD-1

Submitted on: 2/28/2024 1:20:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marianne Fisher	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am wrting in STRONG support of HB 1838.

Maui has been in a housing crisis long before the Tragedy in Lahaina.

Short Term Vacation Rentals (Legal and Illegal) and Bed and Breakfst units (Legal and Illegal)

have taken over our neighborhoods Island Wide and consumed any available units that could otherwise be rented by local residents just trying to survive.

It is my belief that at the County Level, the appropriate actions can be taken to achieve to goal of phasing out these legal untis, as well as identifying and eliminating the illegal untis.

Mahalo for accepting my testimony.

Sincerely, Marianne Fisher Maui HI

HB-1838-HD-1

Submitted on: 2/28/2024 1:20:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Buss	Individual	Oppose	Written Testimony Only

Comments:

I and my husband are strongly against HB1838. We do understand both sides. But as an owner of a condo unit, our side needs to be heard. First of all, the loss of revenue to Maui would be huge. Second, after the island being shut down with Covid, and the devastating fire, everyone are just trying to pick up the pieces and find some normalcy to their lives. HB1838 would be a tremendous blow to our family. We count Maui as our second home as we have been coming every year for about 44 years. We have seen almost everything, the changes, the lack of certain services, the bypass put in, name it. We aren't rich. We live paycheck to paycheck on social security. We bought our place from my husband's mother years ago (sort of an inheritance) or we couldn't afford it. We rent it out when we are not there or we couldn't be able to afford the upkeep, let alone updating it. My husband's mother lived full time on Maui since the 1960's. It was her dying wish that our family would always have a place on Maui to come to. If we are not able to rent our condo out when we are not there, we would lose everything. We have a lot of time and money and a lot of our lives invested here. I know we are only one small couple hoping to enjoy our Maui for the rest of our lives and pass it on to our children and grandchildren. If this bill passes, who is going to take up the slack for the loss of revenue? Just the taxes, let alone the businesses that will close, the jobs that will be lost, and how it will change Maui forever will be a tragedy. Tragedy upon tragedy, upon tragedy. This is a bill that will ruin Maui forever. Please do not pass this bill. There has to be a better way to solve this dilemma. Thank you.

HB-1838-HD-1

Submitted on: 2/28/2024 1:21:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Neerincx	Individual	Oppose	Written Testimony Only

Comments:

I am a long term condo owner of Maui Kamaole H105. My wife and I are small business people who have 1 condo in Hawai'i for short term rental. I am testifying to oppose HB1838. In my case it makes completely no sense to rent our condo for long term rentals as it is too expensive for people to afford the location in most cases, so I don't think it will help with the situation in Hawai'i. In addition the change in laws will make my property lose its property value.

I am a long standing, honest citizen who bought a property in Maui and rents it out to people per the the given zoning allowances. I dutifully pay the excessively large amounts of B+O taxes to Maui county, etc.. while the hotels pay literally nothing. It is very difficult to be a business person in general in Hawai'i due to this unfair taxation. Now you are telling me I can no longer use my property as I see fit, given the zoning and location. This is unfair to the small business owners and favors the hotels again.

I can understand the need for long term housing but my tiny 800 sq foot condo is not appropriate size and location for even a small family and thus will be too expensive for people to afford. So does not make any sense to do this to me, please reconsider.

Thanks!

Matt

HB-1838-HD-1

Submitted on: 2/28/2024 1:21:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sebastyen Jackovics	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 1838 as a further erosion of our vested property rights here in Hawaii. I rely on monthly rentals of my home to support myself and my property.

HB-1838-HD-1

Submitted on: 2/28/2024 1:22:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Curtin	Individual	Oppose	Written Testimony Only

Comments:

We purchased our small one bedroom cottage in 1986. It was built in the 50's and was in a very rundown condition. We spent a lot of hours over the years, restoring it to an attractive vintage Ohana, which reflects the charm and character of the Puako community. it has provided affordable lodging for not only family and friends, but also for visitors from the mainland and for contractors doing projects on the big island. In all the years, this has been a short term rental we have never had a complaint from neighbors, etc. We love our neighborhood community and are very considerate and respectful towards them. The majority of our guests are repeat customers. These guests patronize the local merchants and restaurants and participate in activities, adding to the local economy. We employ numerous local vendors that maintain our property. We try to keep our cottage affordable, even though paying over \$12,000 a year in property taxes and approx. 20% Tax on our gross rental income. Hawaii is a very expensive place. If the STVR is revoked, owning this place we love and put so much energy and effort into, for a lot of years, will probably no longer be viable for us. Respectfully, Dennis Curtin

HB-1838-HD-1

Submitted on: 2/28/2024 1:22:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maureen Levin	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha

I am the owner of a BB in Wailuku . The impact of closing down our business would be devastating to not only my business but to my employees that I pay \$50 an hour and make a real living wage. I also believe this shut down will cause a ripple affect across the Maui business community. Restaurants, stores gardeners you name it. The taxes from MCAT provide about 40% of the real property tax revenue. That's about 18-19% of the Maui County budget. I'm asking that this bill be shut down. We can't afford another hit to the economy by closing all the BBs.

With aloha

Maureen

The wailuku Guesthouse

HB-1838-HD-1

Submitted on: 2/28/2024 1:22:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Deleon	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair & Committee Members,

My name is Crystal Elliott, I am a resident of the Big Island of Hawai‘i. I am writing you today to voice my strong opposition to 1838 HB RELATING TO ZONING., which proposes eliminating short-term rentals. As a family member whose livelihood depends on the short-term rental industry, I am deeply concerned about the potential detrimental impacts this bill could have on our well-being and financial stability.

Short-term rentals have been an essential source of income for my family, providing us with the means to put food on the table and afford housing. Eliminating this option would not only jeopardize our ability to support ourselves but also deprive countless other families like mine of a crucial source of income.

Moreover, short-term rentals contribute significantly to our local economy, generating revenue for small businesses, restaurants, and other establishments in our community. By attracting tourists and visitors, these rentals play a vital role in stimulating economic growth and fostering a vibrant tourism sector.

I understand the concerns that may have prompted the introduction of this bill, such as noise complaints or disruptions to neighborhoods. However, I believe that these issues can be effectively addressed through regulation and enforcement rather than outright prohibition. Imposing a blanket ban on short-term rentals would be a disproportionate response that punishes responsible property owners like myself while failing to address the root causes of any problems.

In conclusion, I urge you to reconsider 1838 HB RELATING TO ZONING.and its potential consequences for families like mine. Instead of eliminating short-term rentals altogether, I implore you to explore alternative solutions that strike a balance between addressing community concerns and preserving the livelihoods of hardworking individuals and families. Thank you for considering my testimony.

Mahalo,

Amy Deleon

HB-1838-HD-1

Submitted on: 2/28/2024 1:22:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Helene Kayem	Individual	Oppose	Written Testimony Only

Comments:

Aloha! My husband and I are relatively new condo owners at Valley Isle Resort in Maui, fulfilling a lifelong dream that we have worked very hard to achieve.

I empathize with the locals, and I understand the complexity of this situation.

It's a cycle. We provide condos for tourists to stay in, and when tourists visit, they spend money which supports the livelihood of the locals. I employ a housekeeper who relies on my income, additionally, I have a handyman who cleans our windows and performs various repairs. There's also a realtor involved, so three locals are directly impacted by our condo alone. Furthermore, we have staff at the guest registration desk in the lobby of our resort that would no longer be needed.

With an average of 5 bookings a month, that amounts to 60 rental cars a year. Assuming each booking includes dining out at least once a day, we experience close to 100% occupancy, resulting in over 300 restaurant visits a year. Moreover, my 60 bookings are likely to participate in various adventures such as scuba diving or boating trips, leading to 60 fewer bookings in the adventure and sightseeing business. While locals may have condos to live in, there will be a lack of work to cover their living expenses and their rent. On another note, our monthly costs for our one bedroom condo in Valley Isle is, HOA fees alone are \$1668 a month plus mortgage payments, \$3411, utilities \$125 and insurance \$75 a total of \$5,279. Who can afford these payments beside a tourist for a short visit? And with restrictions, let's say 180 days per year, who can afford the \$5,279 a month for the remaining 6 months? People like us would have to sell, unlike the tech billionaires who are already waiting on the side lines.

Thank you for my time, Helene and feel free to reach out with any questions, helenekayem@hotmail.com

HB-1838-HD-1

Submitted on: 2/28/2024 1:24:21 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Jessica Nakamura

HB-1838-HD-1

Submitted on: 2/28/2024 1:24:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ericson Porter	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to Bill HB1838, a legislative proposal that I believe will have profound and detrimental impacts on our community in Maui, as well as on my personal and professional life. As a resident and member of the community whose livelihood is intricately linked to the short-term rental (STR) industry, I implore you to consider the far-reaching consequences of this bill.

Personal Impact

My connection to the STR industry is not merely financial; it is deeply personal. Like many in our community, I rely on the stability and income generated from short-term rentals. This Bill threatens to phase out 13,744 LEGAL short-term rentals on Maui, directly impacting my ability to sustain my livelihood and contribute to the community I call home.

Economic Contributions and Fiscal Concerns

It is crucial to recognize the significant economic contributions of Maui's STRs. These rentals provide 40% of the real property tax revenue for the county, a cornerstone of our local government's budget. This revenue is not only vital for our county's operations but is also the top funding source for affordable housing on Maui. With STR property tax revenue representing 18% of the county's \$1.7 billion budget, the elimination of this income stream poses the question: Where will this lost revenue come from? The financial stability of our county is at stake, and with it, the welfare of our community.

Accommodating Residents in Transition

Moreover, mid and short-term rentals serve a critical role in accommodating displaced residents, newly housed residents, residents in transition, inter-island residents visiting for medical treatment or family matters, traveling nurses, emergency contractors, temporary military personnel, students, and not to forget, our family and friends. The devastating Lahaina Fire, which displaced thousands, underscores the essential need for temporary, furnished housing. Should the STR industry be further decimated, where will our residents turn in times of need?

Conclusion

In conclusion, Bill HB1838 presents a threat not only to the economic fabric of Maui but also to the social and community support systems that rely on the flexibility and availability of short-term rentals. I urge you to reconsider the implications of this bill and to seek solutions that protect both the interests of our residents and the financial stability of our county. Let us find a balanced approach that addresses concerns without undermining an industry that plays a pivotal role in our community's resilience and prosperity.

Thank you for your time and consideration.

Sincerely,

Ericson

HB-1838-HD-1

Submitted on: 2/28/2024 1:24:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Stewart	Individual	Oppose	Written Testimony Only

Comments:

Good Afternoon,

I want to strongly oppose HB1838. I am 56 years old and saved my whole life to purchase a condo on Maui. We not only saved but dipped into our retirement to purchase this condo in hopes it would assist us as a retirement investment. The bottom line is that this would be unfair to those of us who worked 2-3 jobs to buy our first home and subsequently did nothing illegal to purchase an investment property. If this bill passes the property values would plummet causing us to take a loss, **which we cannot afford!!** Not to mention thousands of jobs would be lost in the hospitality, cleaners, property managers etc..

All of this is facts but the main reason we bought there is because we love it and want to be a part of the island as much as possible.

Thank you!

James Stewart

HB-1838-HD-1

Submitted on: 2/28/2024 1:25:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deb Black	Individual	Oppose	Remotely Via Zoom

Comments:

5%.

FIVE PERCENT.

The statistics presented in this bill highlight that ONLY 5% of the total housing inventory is designated for Vacation Rentals!

To emphasize, *only 5% of the entire housing landscape constitutes Vacation Rentals. 5%.*

CLEARLY, your statement that the "decline in total housing stock as formerly resident-occupied homes are converted to short-term rental units. The loss of these homes contributes to a statewide shortage of homes and to the high cost of housing in Hawaii" is nothing more than a **manipulation of statistics** to further the Hotel Lobbyists narrative against short term vacation rentals.

The fact that the courts, according to this bill, have already "the courts have overturned county ordinances to phase out short-term vacation rental uses" highlights the very illegality of this bill in Hawaii.

You have already been told NO by the courts, and passing this bill will be setting up the state and county for even more tax payor funded lawsuits to re-overturn this bill. PLEASE STOP WASTING OUR TAX PAYER MONIES AND YOUR TIME PERPETUATING THESE ILLEGAL and UNWANTED BILLS BY YOUR COMMUNITY.

ONLY 5% OF ALL HOUSING INVENTORY belongs to STVR's, and within this 5% fraction:

80% of Short-term rental owners are HAWAII residents.

80% of Short-term rental owners are OVER 55 YEARS OLD looking to make ends meet with the extra income from the rental, in the most expensive state in the country.

80% of Short-term rental owners ONLY OWN ONE short-term rental unit.

Please quit manipulating the numbers to create a false narrative to support your causes.

It is time to cut ties with lucrative hotel lobbyists and start prioritizing the Hawaiian people that you represent.

It is time to protect our community that is funded by tourism dollars, not special interests that line our governments pockets,

Stop looking for ways to penalize hardworking citizens that participate in our tourism economy.

STOP BILL 1838 NOW.

Mahalo,
Deb Black

HB-1838-HD-1

Submitted on: 2/28/2024 1:25:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Eisert	Kona Kai LLC	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838. As the owner of Kona Kai LLC and the Kailua Kona Estate, the passing of this bill would have a devastating impact on my ability to continue operating my short-term vacation rental. If the current proposed Hawaii County Bill 121 passes, I will be obtaining a non-conforming use permit, and **any effort to phase out my non-conforming use permit would be considered a regulatory taking, effectively stripping away my legal right to operate.**

I urge you to consider the personal stories and livelihoods of the residents who rely on short-term rentals for their economic stability and sustainability in Hawaii. The impact of this bill extends beyond mere regulations; it directly threatens the fabric of our livelihoods and our ability to afford living in Hawaii. The tourism industry is a vital economic lifeline for many residents, and the restrictive measures in HB1838 create insurmountable challenges for ordinary citizens to engage in this vital industry.

Please vote **NO** to this bill.

I urge you to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Mahalo for your consideration and understanding of the impact HB1838 would have on our community and livelihoods.

Respectfully,

Jason Eisert
Kona Kai LLC
Kailua-Kona, Hawaii

HB-1838-HD-1

Submitted on: 2/28/2024 1:27:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ekaterina Ewing	Individual	Oppose	Written Testimony Only

Comments:

As an owner of a 1 bedroom /1 bath Kihei Bay Vista legal short term rental property, I oppose the proposed measure on the following grounds.

- Our legal short term rental property assists Maui county with valuable property tax revenues which help the County to deal with the Lahaina disaster.
- We collect and pay Hawai'i TAT and GET sales taxes on rental income which would be eliminated for County if the property is converted to long term rental.
- Our STR provides opportunity for the local Maui based rental management company to make income which would go away if the property is converted to longer term.
- Our STR provides opportunity for the house keeping staff to make money which would longer be an option if the property is converted
- Our STR provides opportunity to contractors and handymen to make income by repairing and maintaining the property which would not be available if the property is converted.
- Our STR brings tourists to Maui which creates income for local businesses, restaurants and this would be impaired if the property is converted.
- Kihei Bat Vista is a complex with 1 bedroom and 1 bath units only that is able to accommodate only two people. Such units are not intended for long term occupation of a family. As such these units will not serve effectively to fix the issue of rehousing displaced families for a longer term.

Additionally, we purchased the property with the legally permitted STR designation, so converting it would eliminate the functionality that is grandfathered baes on the zoning in place.

Passing this measure stands in the way of creating and sustaining jobs for Maui County residents and providing Maui with STR sales tax and property tax revenues that are crucial in these critical times. Please do not pass it.

Ekaterina Ewing

HB-1838-HD-1

Submitted on: 2/28/2024 1:27:25 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyla McKee-Robinson	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill as a home owner in Hawaii who has an ohana and short term rents it to help cover the cost of mortgage, property tax and overall cost of living in Hawaii. When my husband and I purchased this property part of the main selling point was that we would be able to rent under "Hosted" without any issues.

To take this right away from mortgage and tax paying citizen's is a complete lack of foresight on the governments part and is taking away basic rights from your own residents.

HB-1838-HD-1

Submitted on: 2/28/2024 1:27:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Stewart	Individual	Oppose	Written Testimony Only

Comments:

Good Afternoon,

I want to oppose HB1838. I am 54 years old and saved my whole life to purchase a property on Maui. We not only saved but dipped into our retirement to purchase this condo in hopes it would assist us as a retirement investment. The bottom line is that this would be unfair to those of us who worked 2-3 jobs to buy our first home and subsequently did nothing illegal to purchase an investment property. If this bill passes the property values would plummet causing us to take a loss. Not to mention thousands of jobs would be lost in the hospitality, cleaners, property managers etc..

The main reason we bought there is because we love it and want to be a part of the island as much as possible.

Thank you!

Julie Stewart

HB-1838-HD-1

Submitted on: 2/28/2024 1:27:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Rubin	Individual	Oppose	Written Testimony Only

Comments:

I am against HB1838 regarding the change of zoning proposed for Papakea Resort on Maui. We bought our condo at this property to specifically use as a short term vacation rental and family retreat. The property has been zoned for this purpose for more than 50 years. By renting our condo as a STR, we provide the State of Hawaii and Maui County with considerable tax revenues. Our condo is rented "back-to-back" with returning renters from all over the world. This provides the Hawaiian government with a steady tax stream. It also provides local businesses such as our on-Island management company, maid service, maintenance service, and landscape service with JOBS. Our visiting guests provide Maui with thousands of dollars contributing to restaurants, activities, excursions, shops, museums, historical landmarks, car rental agencies, airports and shuttle services. Without our short term vacation rental, Maui would surely suffer with loss of jobs and tax dollars to support the infrastructure. Government cannot expect to change the "rules of the game" mid-stream in an effort to build affordable housing. The Lahaina Fire was a natural disaster, but the way the government has handled the aftermath of the catastrophe is human created and is not in the best interest of the Island of Maui. Barbara Rubin, owner Papakea A109, 3543 Lower Honoapiilani Road, Maui HI 96761 mkvcondo@yahoo.com (916) 715-8504,

HB-1838-HD-1

Submitted on: 2/28/2024 1:28:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Hubley	Individual	Oppose	Written Testimony Only

Comments:

It does not seem fair to penalize and change the contract that people have entered into purchasing the property with the county understanding that it can be rented out I can understand any future buildings that may be built in properties constructed but not existing structures And contracts. Actually I wonder if it can legally be done and changed.

HB-1838-HD-1

Submitted on: 2/28/2024 1:28:40 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nomita	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Nomita, and I stayed in a short term rental because it has been affordable for me and my family to stay at a short term rental. These rentals makes my family feel at home, it is more cost effective especially with larger families. My family is able to spend time together, cook together and feels like we are at our home. These people open up their homes for other families which is amazing and I am so grateful for that.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Nomita

HB-1838-HD-1

Submitted on: 2/28/2024 1:29:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brooke Thuna	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair, & committee members,

I am writing to express my strong opposition to HB1838 and urge you to reconsider its passage. As an employee of a small business deeply impacted by the potential consequences of this bill, I feel compelled to voice my concerns.

If this bill were to pass, it would jeopardize the livelihood of not only my employer but also myself and many others within our community. The ripple effect would extend beyond our immediate circle, affecting numerous small businesses that rely on our services and support.

Our small business ecosystem thrives on collaboration and mutual support. Any disruption to this delicate balance could have devastating consequences for countless individuals and families who depend on us for employment and economic stability.

I implore you to carefully consider the implications of this bill and the widespread impact it would have on small businesses like ours. Instead of stifling growth and innovation, let us work together to find solutions that support entrepreneurship and foster a thriving business environment for all.

Please do not move forward with HB1838. Your thoughtful consideration of this matter is greatly appreciated.

Sincerely,

Brooke Thuna

HB-1838-HD-1

Submitted on: 2/28/2024 1:29:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Carson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My husband Scott and I have operated Carson's Kaloko Mountain Cottages in Kaloko Mauka (Kona) legally since 2005. We were both raised on Oahu and have been on the Big Island for 30 years. We are on ag land up here in Kaloko and have had hundreds of wonderful guests over the years who were looking for a unique, authentically local experience while visiting Hawai'i. We agree that a personal experience at a hosted vacation rental offers something that a hotel stay cannot! Our guests have always been kind, quiet and respectful of our small cottage, the land and our resources and we have NEVER had a complaint by anyone in our community/neighborhood. Our rental space is small and cannot fulfill a long term family stay and we feel we are not impacting our street with excessive cars as our unit is essentially only large enough for a couple. My husband and I decided to get in this business many years ago as a way to help us as we enter retirement age. I now operate this business full time as I was furloughed from my job during Covid. We realized this was our best choice for our property early on as the ag rules up here in Kaloko don't allow for homeowners to doze acreage due to the watershed. If we can't doze more than an acre on our property, then how would we successfully farm anything to create a business and create revenue for our family?? We understand what is happening on Maui and our hearts go out to all the residents and displaced people looking for housing there, but respectfully we have a different situation here on Hawai'i island. We will lose so many visitors to our island if this bill is passed because there are many visitors who can't afford the extremely high hotels rates and those that are not interested in staying in crowded, overpriced hotels in the resort belt of the island. Please allow the hosted vacation rentals on ag to continue so that our island's economy and the people who operate them can continue to survive.

Mahalo,

Caroline and Scott Carson

HB-1838-HD-1

Submitted on: 2/28/2024 1:30:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Howard Alpert	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I am an owner of 3 condominiums on 2 different properties in Ka'anapali that are used for short term vacation rental. We purchased these properties because we love Hawaii and the Aloha spirit. Short term vacation rental (STR) is our only avenue for becoming "part time" residents.

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea and Maui Ka'anapali Villas (MKV) were built in 1970's and have operated as vacation rentals for almost fifty years

Papakea and MKV employ approximately 90 local resident employees; some have worked at the properties for over 15 years. Papakea and MKV support a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. These properties can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea and MKV STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on. They support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

Our guests support many small businesses on the island included restaurants, beach shacks, food trucks, tour operators, state parks, the national park, and shops. These units have a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Howard Alpert

HB-1838-HD-1

Submitted on: 2/28/2024 1:30:07 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denpol Kultran	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to the proposed bill aiming to ban short-term rentals on Maui. As a condominium owner on the island, I understand the importance of addressing the housing crisis and supporting displaced residents. However, I believe that a blanket ban on short-term rentals is not the most effective solution.

Short-term rentals contribute significantly to Maui's economy, providing income for local homeowners and supporting small businesses in the hospitality sector. Banning such rentals may have unintended consequences, including a negative impact on the livelihoods of many residents who depend on tourism-related income.

Rather than a complete ban, I advocate for a more balanced approach that addresses the concerns of displaced residents without disproportionately affecting responsible short-term rental hosts. Implementing regulations, promoting responsible hosting practices, and supporting affordable housing initiatives could be more effective in achieving the desired outcomes without stifling an essential sector of Maui's economy.

I urge you to consider alternative solutions that strike a balance between supporting the local community and ensuring the sustainability of Maui's tourism industry.

HB-1838-HD-1

Submitted on: 2/28/2024 1:30:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Uwe Weinkauff	Individual	Oppose	Written Testimony Only

Comments:

Taking away rights for short-term rentals in places like Maui have various negative implications, both for property owners and the broader tourist industry. Below are reasons why it could be considered wrong to restrict short-term rentals, as well as the importance of such rentals to tourism compared to traditional hotels:

1. **Economic Diversification:** Short-term rentals can provide a more diverse range of lodging options for tourists, which can be especially important during peak seasons when hotels might be fully booked. This diversification helps maintain a steady flow of tourists, which is critical for the local economy.
2. **Support for Local Economy:** Tourists staying in short-term rentals often shop at local markets, eat at local restaurants, and participate in local activities, spreading their spending throughout the community more so than tourists who might be inclined to stay within a resort or hotel complex.
3. **Cultural Exchange:** Short-term rentals can offer a more authentic experience for visitors, allowing them to live like locals and learn about the culture and traditions of the area. This can foster a deeper appreciation and respect for the community and its values.
4. **Income for owners:** We do rely on the income from our short-term rental to support our livelihood. We invested a lot of money in not only buying a place but also spend a lot of money in remodelling in 2023. We used many local businesses and products to support the local economy.
5. **Community Contributions:** Many short-term rental owners, like ourselves, are active in their communities and contribute in various ways, from supporting local businesses to participating in community events and initiatives. Removing the ability to operate short-term rentals could diminish the sense of community and the contributions that owners make.
6. **Innovation and Competition:** Short-term rentals encourage innovation in the hospitality sector and can foster healthy competition with hotels, leading to improved services and better experiences for tourists.

In our personal situation, where we recently purchased a short-term rental in Maui, the ability to rent out our property is likely a significant part of our investment decision. Being active in the community and wanting to share our love for the island with friends, family, and visitors is a commendable approach that benefits everyone involved.

Short-term rentals can be an extension of the hospitality and warmth that we wish to offer, something that is integral to the island's charm and appeal. Restricting this ability undermines not only our personal investment and community contributions but also the broader tourism industry's capacity to offer diverse and rich experiences to its visitors.

Mahalo

Uwe Weinkauff

HB-1838-HD-1

Submitted on: 2/28/2024 1:30:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MARY MORRIS	Individual	Oppose	Written Testimony Only

Comments:

As a senior citizen who purchased our dream home in Puako, (South Kohala) Hawaii about 12 years ago, we have to occasionally rent out our home as a vacation rental. The home cannot be rented out as a full time rental because we are there during different parts of the year. Our property taxes have increased every year and are currently over \$64,000. I need to be able to use it as a STVR in order to pay these taxes and other ongoing property expenses until my husband is able to retire. I am currently 73 years old. I came to Puako in 1972. Owning a home here has been a life long dream and when my husband retires it will be our full time home. If we are unable to rent it on occasion, we will be forced to sell it. I have 3 neighbors and a manager who watch over the home and the rental guests for me. I am very strict about who I rent to and I maintain strict rules per the permits the County of Hawaii has issued to us. Please do not take away the NUC STVR status of our home in Puako. I am very much a part of the community and I have never had any complaints from neighbors or anyone about any of the STVR guests. Please allow responsible homeowners like myself to continue to do some STVRs so that we can keep our home and be able to move there fulltime in the next few years. Thank you.

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm

State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Opposition

Aloha Chair, Vice Chair, and Members of the Committee,

This letter represents the concerns shared with me of those who depend on the legal short-term rental industry on Maui, as well as my own. We urge a thoughtful approach to HB1838, considering its potential impact on both residents and the local economy. The unintended consequences of this HB1838 are many.

Economic Considerations:

Job Creation: Our industry supports numerous individuals and families through property management, cleaning, contracting, and related jobs offering living wages. This bill, if passed, will jeopardize these vital employment opportunities and cause.

Tourism and Revenue: Short-term rentals provide lodging options at a price point attractive to many visitors, including medical professionals, event participants, and families. Eliminating these options could negatively impact the tourism industry, reducing spending within local communities and potentially affecting tax revenue.

Regulatory Concerns:

Clarity and Consistency: We advocate for clear and consistent regulations across all counties, fostering a stable environment for business growth and compliance. HB1838, by empowering counties to potentially phase out legal short-term rentals, introduces uncertainty and risks inconsistencies.

Effective Enforcement: Addressing existing concerns regarding illegal rentals is crucial. Fostering effective enforcement of existing regulations is a more productive approach than potentially penalizing legal operators while leaving illegal activity unchecked.

A Collaborative Approach:

We are committed to working collaboratively with stakeholders to ensure compliance and responsible operation within the short-term rental industry. We believe a comprehensive, data-driven approach that considers economic and social implications is essential for addressing the concerns raised around short-term rentals.

We urge a thorough review of HB1838's potential consequences before its passage. We believe alternative solutions can be found that address viable long-term housing options in Hawaii while safeguarding the livelihoods of resident workers.

Sincerely,

Marci Cortisse

HB-1838-HD-1

Submitted on: 2/28/2024 1:30:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Chism	Individual	Oppose	Written Testimony Only

Comments:

I adamantly oppose this bill. It is in direct conflict as my rights as a resident and owner of my condo which I rent out throughout the year.

PLEASE DO NOT PASS THIS BILL! It is NOT in the interest of your citizens.

Mahalo, Barbara Chism

HB-1838-HD-1

Submitted on: 2/28/2024 1:31:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shirley Stanger	Individual	Oppose	Written Testimony Only

Comments:

As a senior citizen, I bought my plantation hale condo on Kauai in order to be able to visit my only son who lives there.

without short term vacation rental income, I could not afford to keep it. please do not pass this punitive legislation.

shirley stanger

101 glen ridge ave

Los Gatos California 95030

408-354-5898

HB-1838-HD-1

Submitted on: 2/28/2024 1:32:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lawrence Jiang	Individual	Oppose	Written Testimony Only

Comments:

My name is Lawrence Jiang, and I am writing to express my strong opposition to HB1838, which threatens the livelihoods of individuals, families, and local communities that rely on short-term rentals as a means of financial stability and as a unique opportunity for income.

Tourism is the backbone of Hawaii's economy and, for many like myself, it is the sole industry through which we can make a living. Operating a short-term rental has been my family's lifeline, allowing us to afford our home and sustain our lives in this unique economic landscape.

The passing of HB1838 would have devastating consequences, including job loss, financial struggle.

I urge you to reconsider the impact of HB1838 on the lives of the residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine and many others.

Thank you for your consideration of this matter.

Sincerely, Lawrence Jiang

HB-1838-HD-1

Submitted on: 2/28/2024 1:35:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Vandaele	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair & Committee Members,

I am writing to express my strong opposition to Bill HB1838, as it poses a significant threat to my livelihood and the well-being of many families in our community. As a born and raised resident of Hawaii, I have witnessed the positive impact of the vacation rental industry on our local economy. However, this bill has the potential to jeopardize not only my job but also the jobs of countless others who depend on the industry for their livelihoods.

I am currently employed in the vacation rental sector, an industry that supports not only me but also my family and numerous others on our island. The proposed bill, if passed, could result in severe financial hardships for our community. The vacation rental industry is a vital part of Hawaii's economy, providing employment opportunities and sustaining local businesses that offer services such as cleaning, maintenance, landscaping, and repair.

If this bill becomes law, it could lead to the shutdown of the company I work for, leaving me and many others jobless. My employer plays a crucial role in supporting the local economy by investing over \$1,000,000 annually in various services, including cleaning, maintenance, landscaping, and repair. This significant financial contribution has a ripple effect, benefiting a wide range of service providers, from plumbing to electrical work, landscaping to general maintenance.

The potential consequences of reduced occupancy rates and a declining number of rental properties would extend beyond the immediate impact on the vacation rental industry. Our livelihoods, which are intricately connected to the success of this industry, would be jeopardized, creating a ripple effect throughout our community.

The vacation rental industry has been a cornerstone of our local economy, providing employment opportunities for residents and supporting numerous small businesses. Rather than imposing restrictions that could lead to job losses and economic decline, I urge you to consider alternative solutions that balance the concerns of all stakeholders.

I appreciate your dedication to public service and your willingness to consider the perspectives of your constituents. I kindly request that you take into account the potential adverse effects of Bill HB1838 on the livelihoods of individuals like myself and the broader

community. Your thoughtful consideration of these concerns is crucial for the well-being of our families and the sustainable growth of our local economy.

Thank you for your time and attention to this matter. I am hopeful that, together, we can find a solution that preserves the positive aspects of the vacation rental industry while addressing any legitimate concerns.

Sincerely,

Rebecca Vandaele

February 28, 2024

Linda Sankovich

Mailing Address: PO Box 1358 Pahoia, HI 96778

Physical Address: 15-2066 7th Avenue Kea'au, HI 96749

Lsanko1010@gmail.com

(734) 865-0539

Dear Members of the Full Body of the
Committee on Judiciary and Hawaiian Affairs,

I am writing to express my strong opposition to HB 1838, as it presents significant concerns for property owners, local families, and businesses that rely on vacation rentals as an essential part of their income and for the overall economic well-being of our community.

The proposed legislation, if enacted, will result in the denial of property rights for owners and create financial hardship for many working-class families who rely on short-term rentals as a crucial source of income. As a resident of South Kona, I am particularly concerned about the potential impact of this bill on the availability of housing for families in our community. The livelihoods of housekeepers, maintenance workers, and many others who depend on the vacation rental industry are at stake, and HB 1838 could have detrimental effects on the financial stability of countless households in our area.

Furthermore, the significant loss of travel and tourism revenue for the state, and especially for the island of Hawaii, is a cause for great concern. The vacation rental industry plays a pivotal role in our local economy, and the proposed bill poses a direct threat to the livelihoods of our community members and the economic well-being of the entire island.

I urge you to consider the real and tangible impacts of this legislation on our local community and to seek alternative solutions that balance the regulation of short-term rentals with the needs of property owners, families, and the broader economy. It is crucial to protect the economic rights of property owners and the vital sources of income for many working families while also promoting responsible and sustainable tourism practices.

Thank you for considering my perspective on this important matter. I hope to see legislative decisions that prioritize the well-being of our community and support the livelihoods of local residents.

Sincerely,

/s/ *Linda K Sankovich*

Linda Sankovich

HB-1838-HD-1

Submitted on: 2/28/2024 1:35:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy Warner	Individual	Oppose	Written Testimony Only

Comments:

Aloha City Council,

If you enact legislation that opposes STR, think about it, you may bury the goose that lays the golden egg. The state has and will continue to have a need from the revenue generated by tourists.

The state has already crossed the threshold taking various actions that may have already had a negative effect on tourists thinking about coming to Hawaii in the future.

For every action taken by the state there will be great consequences. This STR action may have blowback that cannot be undone. There may be years of litigation between the various entities and the state. I can only see one rational action-the state can go after those individuals that own 20 or more vacation rentals.

Mahalo,

Randy Warner

HB-1838-HD-1

Submitted on: 2/28/2024 1:36:48 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI HILL-MCINTYRE	Individual	Oppose	Written Testimony Only

Comments:

I am writing to voice my opposition to HB1838 and SB2919. I feel that these bills will not only affect myself and my family but will also affect the overall economy of the island. I feel that terminating all STRs is very short sighted and is not going to solve the housing crisis that Maui County is facing.

I have been coming to the Hawaiian Islands since the mid-80's I have had the opportunity to visit Oahu, Kauai, the Big Island and Maui, and Maui stole my heart. We were fortunate to have the ability to use short term rentals when we came to the islands over the years. This has allowed us to travel with family and friends and not break the bank. The two times we stayed in hotels the cost was exorbitant.

We made the decision in 2017 to purchase a property that had been in the short-term rental market for almost 40 years in South Kihei, Kamaole Sands. This complex was built in the early 80's with the plan of being a "resort" complex. We rent our unit for approximately 8 months of the year, and we stay there for 4 months of the year. The rental income pays for the general upkeep of our unit, property taxes, HOA fees, Hawai'i Electric, Hawai'i, GET, TAT and Maui TAT and on island property management (including housekeeping). Without this income we would not be able to cover our expenses. We have been happy to pay double the property tax with the understanding that this money would be helping the residents of the island. We were also happy to see the extra 3% tax for Maui with that money going to housing for residents. However, we have been very disheartened to see that that is not what has been happening.

Since purchasing our unit, we have worked with a cadre of local businesses to upgrade our unit and furnish it as well as on island property management. Some of the businesses include IQ Construction – who subcontracted with local plumbers, electricians, drywallers, painters, etc., Certified Air, Lifestyle Maui Furniture, Exclusively Yours & Ceramic Tiles Plus, U'I Gallery, Valley Isle Lighting, Arrow Glass and Mirror, Jurassic Stone, Pacific Source, and many other businesses over the years. Our on-island management is Vacation Maui, which is locally owned and operated, not a management company that is part of a national conglomerate.

With the bills that have been introduced regarding the abolition of STRs the hotel industry has been all in on supporting these bills. I have sat in Zoom meetings that have taken place at both the State and County level, and in one of the hearings a hotel representative talked about if short term rentals were abolished, they would be able to pay their employees more and guarantee more work. I find this interesting. In the time we have owned here we have met a couple of different hotel managers, and they were new to the island, not a local who has worked in the industry and then put in that position. Hotels are large corporations that are worried about their bottom dollar, not about hiring local people and tradespeople and paying a fair wage. They have a lot of big dollars behind them for media campaigns and the promise of support of local politicians. Short term rentals are based on supporting the local economy. We work with small business owners and promote local family-owned restaurants and businesses to our guests.

I am opposed to HB1838 and SB2919 as I do not feel that they are well thought out bills. I feel that the County and State need to look for long term solutions that will be beneficial to the residents of the island and removing legal STRs is not the solution.

HB-1838-HD-1

Submitted on: 2/28/2024 1:37:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Ringstad	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

My family has been going to Papakea for decades now and about 12 years ago we purchased a unit. Our kids have been going there for their whole lives and have learned many cultural traditions of the Hawaiian people, from lei making to now learning the language. While we do rent the unit out when we are not on island, we are not some big real estate investment group, just a small family who loves Papakea and all the memories we have made there.

Here is a little history of our beloved Papakea. The Resort was built in 1978 and has operated as vacation rentals for almost fifty years now. It is a smaller complex with a huge percentage of loyal repeat renters.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles. It is truly ohana.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on. Many of these businesses would not survive if short term rentals were phased out.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, aquarium, and many shops which again would not survive without tourist dollars.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community and local people.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Eric Ringstad

HB-1838-HD-1

Submitted on: 2/28/2024 1:37:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Lo	Individual	Oppose	Written Testimony Only

Comments:

I'm an owner of a short-term rental unit in Oahu. Passing this law will cause many negative impacts. It will decimate my livelihood, may crash the housing market, reduce tourism due to fewer affordable accommodation options and increase unemployment.

The short-term rental I provide is to fill a gap that hotels don't offer or at an affordable rate. We don't directly compete with hotels, rather offer an alternative affordable option that many families need. The additional option also benefits the local economy and generates more revenue for the city.

I oppose this bill. It will do more harm than good.

HB-1838-HD-1

Submitted on: 2/28/2024 1:37:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sylvia Dahlby	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838, which poses a significant threat to individuals like myself who rely on occasional room rentals to supplement their income.

As a retired senior, renting out a room in my house in Hilo has been instrumental in helping me make ends meet. Most of my renters are kama'aina business travelers from Oahu or even Kona side since I am close to the hospital, university, and downtown. I have two guests who are regular - and both are Hawaii residents. The passage of this bill could make operating my short-term rental impossible and jeopardize my ability to maintain my financial stability.

The proposed measures in HB1838 could have severe consequences for residents like me who depend on short-term rentals to sustain our livelihoods.

I urge you to consider the detrimental impact this bill would have on local individuals like me who rely on this vital source of income. It is essential to find solutions that balance the needs of the community while still preserving opportunities for citizens to participate in Hawaii's tourism industry and ensuring economic stability for families like mine.

I kindly request your reconsideration of HB1838 and implore you to support policies that safeguard the interests of local residents who depend on short-term rentals for their financial well-being.

Thank you for your attention to this matter.

Sincerely,

Sylvia Dahlby
16 Malanai Street
Hilo Hawaii 96820

HB-1838-HD-1

Submitted on: 2/28/2024 1:37:49 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy McIntyre	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill as it is written.

First, it must make one think why the hotel industry is so strongly behind these bills. They have suggested that getting rid of the small vacation rentals would then allow them to pay higher salaries to staff. The resort hotels in Maui charge over \$1,200 per night. Why aren't they paying a living wage now? On the other hand, many of our valued tourists simply cannot afford the high rates charged by the hotel industry here. Their rates will only increase if tourists have no other option. And you can be assured a segment of the population will just not come in the future. In addition, resort hotels work extremely hard to keep guests on their premises. It is their business plan to extract as many dollars as possible once the guest arrives. They build their resorts to offer everything a tourist would need without leaving the property.

I do not support the completely open-ended method of changing zoning for vacation rentals as it is written. More clarification and guardrails should be put in place to protect the small owners who have provided a service to the counties and the tourists. We are not the enemy, even though we have been made to feel that way. We have paid 17% in taxes to the county and state for all revenue we generate. This includes a 3% tax in Maui specifically to help with affordable housing. We bring tourists in that spend money at local businesses and we provide jobs for Property Managers, Maintenance businesses, cleaners- this list goes on. In the time we have owned our unit we have done business with I/Q Construction, Vacation Maui Property Management, Sturdevant Air, Certified Air, Lifestyle Maui, Rachel Ray Art Collections, ACE Hardware, PPG paint and more.

We provide a book that recommends local places to go such as Kihei Cafe, Nalu's, Miso Phat, Maui Brewing, Mama's Fishhouse, Leoda's Pie Shop, Dukes, Monkeypod, Humble Market, Three's Bar and Grill, Cafe' O'le, The Cinnamon Roll Place, Isana, Fred's Mexican and of course the fabulous Maui Ocean Center. I have no doubt other Vacation Owners and Property Managers do the same. I am also quite certain the hotels try to avoid this and recommend their own restaurants. If you question this, stay in one of the resort hotels and ask for recommendations.

As a retired individual we purchased our condominium as an investment and place to go and share in the culture we love. Before we purchased it, we did our due diligence and reviewed the Minatoya list. Our complex was on the list. We did not try to purchase in a housing area or residential apartment complex. We made our decision based on the approved list. We applied

and received our license. We are not comfortable with giving Maui County the power you are proposing. There are council members with undue and unwarranted anger at the vacation rental owners. The very owners who THEY approved in the past and who have generated significant revenue for the county. We do not trust some in the Maui Council to be fair in their review. We need your protection from them. Before attacking the vacation rental owners why are they not working to approve permits for the Tiny Houses, or going after the illegal vacation rental owners? The investment dollars we earn, while not large, do supplement our income. The decision to retire was partly based on the income we received from this investment. As written, this bill as well as SB2919 seem punitive to one group.

HB-1838-HD-1

Submitted on: 2/28/2024 1:38:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christine S. Gile	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

My name is Christine S. Gile, my family is the owner of Waiohuli Beach Hale, Unit D124 since the mid 1980's.

I oppose Bill HB1838 for a multitude of reasons:

- This bill will personally impact my family's ability to provide Short-Term Rentals (STRs) to people that seek housing in Maui.
- This bill could result in the phasing out of 13,744 LEGAL STRs on Maui, our property potentially being one of them.
- Events like the Lahaina Fire will displace thousands of Maui residents; for these displaced residents, where will they find temporary, furnished housing if the STR Industry is further restricted and reduced?
 - Mid & Short-Term Rentals accommodate the following:
 - Displaced Residents
 - Newly Housed Residents
 - Residents in Transition
 - Inter-Island Residents, coming for medical treatment and/or family visits
 - Traveling Nurses
 - Emergency Contractors
 - Temporary Military & Students
 - Our Ohana (Our family & friends)
- Presently, Maui's STRs provide 40% of Maui county's real property tax revenue, as well as being the top source of funding for affordable housing for Maui.
 - This STR property tax revenue represents 18% of the county's \$1.7 Billion budget. Where will that revenue come from?

Please know that I would have liked to be present for this hearing, however the short notice left me unable to appear. I strongly oppose HB1838.

Thank you for your time,

Christine Gile

HB-1838-HD-1

Submitted on: 2/28/2024 1:38:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ananda Stone	Individual	Support	Written Testimony Only

Comments:

STR's are part of the cause of homes being too expensive for locals to buy and a shortage of rentals for residence. The balance has been out of wack for far too long.

HB-1838-HD-1

Submitted on: 2/28/2024 1:39:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brittnie Drane	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB 1838 Relating to Zoning

Dear Chair, Vice Chair, and Committee Members,

I am writing to express my strong opposition to HB 1838, which proposes the elimination of short-term rentals. My name is Crystal Elliott, and I am a resident of the Big Island of Hawai'i.

As someone whose family relies on the short-term rental industry for our livelihood, I am deeply concerned about the potential negative impacts this bill could have on our well-being and financial stability. Short-term rentals have been a crucial source of income for us, enabling us to afford housing and meet our basic needs.

Furthermore, short-term rentals play a significant role in our local economy by generating revenue for small businesses, restaurants, and other establishments in our community. They contribute to economic growth and support a vibrant tourism sector, attracting visitors and stimulating local businesses.

While I understand the concerns that may have prompted the introduction of this bill, such as noise complaints or disruptions to neighborhoods, I believe that these issues can be addressed through regulation and enforcement rather than a complete ban. Prohibiting short-term rentals would disproportionately harm responsible property owners like myself without effectively addressing the underlying concerns.

In conclusion, I urge you to reconsider HB 1838 and its potential impact on families like mine. Instead of outright elimination, I encourage exploring alternative solutions that strike a balance between addressing community concerns and preserving the livelihoods of hardworking individuals and families.

Thank you for considering my testimony.

Mahalo,
Brittnie Drane

HB-1838-HD-1

Submitted on: 2/28/2024 1:40:14 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
LISA JONES	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Hawaii House Bill HB1838

Aloha,

My name is Lisa Jones, and I am a proud resident of Maui. As a bookkeeper for short-term vacation rentals, I am deeply concerned about the potential impact of House Bill HB1838 on our community. If this bill proceeds, it threatens not only the rental owners but also the wider economy, affecting the livelihoods of house cleaners, handymen, landscapers, and other trade workers who rely on and support the short-term rental market.

The short-term vacation rental industry is not just a source of income for rental owners; it is a lifeline for many families like mine, allowing us to meet mortgage payments and sustain our lives in this unique economic landscape. Tourism is the backbone of Hawaii's economy, and for individuals like myself, it is the sole industry through which we can make a living. HB1838, with its restrictive measures, creates insurmountable challenges for ordinary citizens to engage in this vital industry. If this bill passes, it would make the operation of short-term rentals impossible and jeopardize the ability of families like mine to stay in our homes.

I urge the council to reconsider the ramifications of HB1838 on the livelihoods of residents who rely on short-term rentals. Let us work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families like mine.

Mahalo for your consideration.

Sincerely,

Lisa Jones

Day2Day Financial Solutions

Bookkeeping for Short Term Vacation Rentals

Maui Resident and Registered Voter

HB-1838-HD-1

Submitted on: 2/28/2024 1:41:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Taylor	Individual	Oppose	Written Testimony Only

Comments:

Good Day,

There are many benefits of STR to the Maui economy in addition to providing short term rentals to guests of the island and temporary accomodations for other residents. It is worth mentioning that 40 percent of real property tax revenue is derived from STR's.

We've owned two STR for over a decade now. We enjoy visiting the islands and contributing for a number of months in a year. We also support local businesses and local island representatives that look after our condos in our absense.

I oppose this legislation and feel that it should not pass.

Sincerely,

Dr. Stephen Taylor

Testimony Against HB-1838

Honorable Members of the Legislature,

As a first-time property investor, I am compelled to express my concerns regarding HB-1838 through this written testimony. Although I cannot stand before you in person, my words carry the weight of genuine experience and the shared apprehensions of many who will be adversely affected by this bill. My investment in my Kihei condo was not just a financial decision; it was a leap of faith into building a sustainable future for myself and contributing to the local economy. My purchase was driven by the potential for short-term rental opportunities and will cause financial harm to my family if this bill is passed.

The proposed HB-1838 bill, which aims to remove short-term rental zones, threatens to undermine the very foundation upon which my investments and the investments of others stand. The passing of this bill does not just adjust a policy; it significantly diminishes property values, effectively erasing half of the equity for owners like myself. This is not just a number on a piece of paper; it's the destruction of years of hard work, savings, and dreams. This bill doesn't just impact people from outside Hawaii but profoundly impacts local property owners and potential native Hawaiian investors, denying us all an essential avenue for building generational wealth.

The intent behind HB-1838, to assist displaced homeowners affected by wildfire disasters, is commendable. Yet, it is essential to recognize that there is a premium cost associated with premium-zoned properties. The permanent removal of short-term rental zones will not alleviate this disparity but will instead concentrate rental opportunities in the hands of institutional and conglomerate investors. This shift will not only extinguish the hopes of individual investors like myself but also erode the fabric of our local economy, replacing independent rental ownership with impersonal hotel chains.

Investing in this property was my first big business move. It hasn't been easy—I've lost more than I have received, persisting in the belief that long-term gains are achievable. Rezoning the property will effectively ensure that profitability is out of reach, placing both my family and me in financial turmoil.

The question we must ask ourselves is: How many displaced locals can afford homes in an environment where property values are inflated due to previous high short-term rental zoning? Additionally, the prospect of long-term rentals at exorbitant rates is neither viable nor justifiable for most residents, thereby amplifying the divide between the wealthy and those striving for economic advancement. Who truly benefits from the passing of HB-1838? It is a solution that, in attempting to address one problem, creates several others, disproportionately affecting those it seeks to protect and those it inadvertently harms.

I implore you to reconsider the enactment of HB-1838, to seek solutions that genuinely support displaced homeowners without sacrificing the livelihoods and futures of local property owners and investors. Let us find a balanced approach that fosters economic growth, supports tourism, and upholds the spirit of our community.

Thank you for your time and consideration.

Best regards,

David Rivers
Financial Data Scientist

Testimony: Eric Smiley

Regarding: HB 1838

In the summer of 1986, my mother fell in love with Maui. She soon moved here and took up half time residency. Wintering in Maui for 6-7 months and then visiting with her grandchildren and children back in California for the rest of the year.

I grew up visiting her I every chance I could get. My children also have fond memories of and falling in love with Maui.

She spent her final years in Maui, passing away with the birds singing and the ocean waves in the background.

My two sisters and I inherited her condo when she passed in 2015. Unfortunately, the only way we can pay for the property taxes as well as the HOA fees are to rent out the condo to visitors who want to taste and experience the magic of Maui. We just barely cover those expenses each year. As a family we seek to spend at least 3 months of the year in Maui, as we love it so much.

If this bill passes and the County of Maui were to zone out our ability to rent short term rentals, we would not be able to afford to continue owning this wonderful property. And as I understand this, it could result in the phasing out of 13,744 legal short term rentals on Maui.

I also understand that Maui's short term rentals provides 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This short term rental property tax revenue represents 18% of the county's \$1.7 billion budget.

This bill seems like a short-sighted way of decreasing short term rentals on the island at the expense of those who call Maui home away from home, as well as to the the thousands of visitors who provide up to 80 % of Maui County's economic activity. Tourism also provides 75 percent of all private sector jobs on Maui, according to the county's own website (<https://www.mauicounty.gov/DocumentCenter/View/84679/Chapter-4?bidId=>).

It is for these reasons that I oppose the passing of HB 1838.

Thank you,

Eric Smiley

HB 1838 Testimony
Declan Levin

Aloha Chair and honorable committee members for this opportunity to testify against HB 1838. My name is Declan Levin, I am 21 years old, and I am the son of a bed and breakfast operator on Maui. I have had the privilege to not just have a home, but to have one that welcomes others into it. Our family's bed and breakfast is not a big operation but my mother employs a number of different people in our community who all started at \$35-40 an hour, including myself.

This bill would eliminate these jobs, including my own. Taking jobs away from young people who grew up here will only worsen the trend of us leaving the state. A [recent study](#) found that each year, 10% of people in our state ages 18-24 leave Hawai'i; 7.9% of people ages 25-34 leave each year as well. Many young people like me already have to leave the state to find good work, and this bill will only leave us with fewer opportunities to stay or to come back.

I currently study Sustainable Tourism at the University of Utah. It is my dream to bring new ideas and tools for our state's communities to better navigate our dependence on tourism. This bill undermines my future and those of young people like me who grew up here and want to continue their family's role in a tourism industry otherwise dominated by large corporations. This bill only serves to benefit corporate hospitality at the expense of their smaller, locally owned competitors.

Moreover, this bill will exacerbate rather than improve the housing affordability crisis in our state. Closing 13,000 small businesses and eliminating the jobs associated with them will drive away more residents who have fewer jobs, fewer opportunities to build or grow small businesses, and less economic mobility. Young people and economically disadvantaged, who often work as professional cleaners and in other jobs that depend on short term rentals as clients, will suffer most under these short-sighted policies. For the business owners who rely on their short term rental revenue to stay in their homes, the closure of their businesses will exacerbate unaffordability in the state and could leave them susceptible to out of state buyers. This bill leaves our state worse off— not better.

Our communities will suffer more broadly because we will be left with less tax revenue— in the case of Maui, 18% of the county's budget. With all of the challenges facing Maui today, destroying local businesses, jobs, and sources of tax revenue will weaken our county, not help it.

I encourage the committee to see through the short-sighted policies at the heart of this bill and vote no.

OPOSE BILLS HB1838 and SB2929

We The People do not consent to striping away of PROPERTY RIGHTS. Your oaths of office you took were to protect the people and our rights. For the following reasons, I urge you to not allow these bills to advance forward:

1. Owners of legal TA rentals serve a purpose as “affordable, temporary housing” for residents in transition or outer island residents relocating or having medical procedures on Oahu, traveling professionals like nurses, emergency contractors, military transitioning to and from Hawaii, students and visitors who can not afford to pay hotel rates.
2. The pool of short-term properties have already been reduced 70-80% collectively since the prior bills 89 & 41 have unfairly limited who “qualifies” outside the resort zoned areas to obtain a permit. If this GOVERNMENT WANTED TO HELP THE PEOPLE, it would REMOVE THE RESTRICTIONS and allow more temporary housing, not remove property owner’s rights and force owners to do what the government wants.
3. Hotels can not support the locals and the locals can not pay the outrageous hotel rates (\$500-\$1000 per night). Time-shares DO NOT SUPPORT residents either. It is not right for large hotel chains (most foreign owed) to monopolize Hawaii’s hospitality sector. We need balance and many options to serve both visitor and residents in need of temporary housing.
4. Economic impact has been steadily declining with businesses failing and closing since the COVID government shutdown in 2020 resulting in a loss of jobs. Recently with the minimum wage increase of January 2024, we’ve seen more layoffs and fewer opportunities. To shutdown the short-term rental industry, would only cause more job loses not to mention causing harm to our local investors who pay the higher taxes in addition to the city and state collecting fewer taxes. Tourism is Hawaii’s only viable industry unless this government succeeds in destroying that too. We do not want a WELFARE state; we do not consent to further harming Hawaii’s economy.
5. Government is over-stepping in the name of “helping” with regards to the Maui Fire victims but is already causing HARM to the other Maui residents now being displaced so that the property owner can make more money by renting to a Maui Fire Victim which is now causing more residents to lose housing. The local government over-stepping is the problem.
6. The Lahaina fire was not a natural disaster. It was a pre-planned attack of the worst kind against the people, the property owners who refused to sell the land, using the storm as the coverup by the very same people within THIS GOVERNMENT. The government is NOT HELPING THE PEOPLE; they are covering up the crime and causing more displacement under the gees of assistance. The government wants the people out of the way to allow them to build the SMART CITY without the government’s own red tape. The Lahaina disaster is a land grab BY THE GOVERNMENT who is compromised following the CCP / NWO agendas. These actions against the people are war crimes. We demand real investigations and those guilty, be held accountable.
7. Hawaii’s local government has failed to stop the corrupt systems which allows them to continue to misappropriate funds and continue with the corruption as usual business. This government can not be trusted to do right by the people because their actions have caused great harm to the people and their livelihood. Time is now and your votes will show which side the COURPT fence you sit on.

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm
State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Tarnas, Vice-Chair, and Members of the Committee,

Short term rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. These provide critical housing for residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state's budget in 2022 and contributed \$165 million toward the County budget.

HB1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

This bill would give each County the ability to eliminate existing property rights without compensation, which is unconstitutional. The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O`ahu, 80% of the short-term rental owners are residents and also *kupuna*. 70% of them own 1 unit that provides income to subsidize the high cost of living in Hawaii.

Short-term rentals provide furnished, temporary housing to residents as well as visitors. It is likely that if you live on another island, you have stayed in a short-term rental on O`ahu.

Some who often stay in short or mid term rentals:

- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events
- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night.

By passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please do not pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

HB-1838-HD-1

Submitted on: 2/28/2024 1:46:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
pahnelopi mckenzie	Individual	Support	Written Testimony Only

Comments:

I support this measure. Thank you for putting to the community's needs above of profit and occupatio. There are so many that are suffering among the housing crisis In Lahaina and across Hawaii. Thank you for voting in support

HB-1838-HD-1

Submitted on: 2/28/2024 1:47:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Farah Rajap	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

To Honored Members of the State House

Oppose HB1838 and SB2919

I strongly oppose these bills. These would be taking away places for locals to stay. My family can't afford to stay in a hotel. They always stay in condo vacation rentals. This allows us to gather as a group, BBQ and enjoy the near ocean location.

I have a dear friend that worked hard to obtain her legal permit to short term rental her home. She has operated without any neighbor complaints and personally greets all her guests and checks them in. Doesn't the County and state want her tax money?

Maui folks work hard to earn a living. I know so many businesses that rely on tourism from vacation rentals to survive. Any bill that punishes legal existing businesses should be killed. This is not the time to allow the County of Maui to phase out vacation rentals when we need as much economic help as possible!

Please say no to Bills HB1838 and SB2919

With Appreciation,

Farahanaze Rajap

Wailuku, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 1:47:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michel Kilpatrick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing to express my opposition to Bill HB1838. Short term rentals is the backbone for the tourists industry for visitors who truly love the islands and like to spend extend periods of time in the islands often more that once a year. They spend large amounts of money supporting the economy and are very respectful of the Hawaiian Culture. Many came after the fire to show support with volunteering many hours to help those in need. Hotels with their outrageous prices and crowds are not the way they wish to spend their time. Short term rentals meet the needs of those who really care about the islands and most of all about the people.

if some short term rentals are causing problems then those need to be addressed rather than jeopardizing the entire industry that offers so much for so many.

I respectfully request that you reconsider moving this bill forward ..Thank you for your time and consideration.

Sincerely,

Michael Kilpatrick

February 29, 2024

HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Gregg Takayama, Vice Chair

MEETING DATE: February 29, 2024
TIME: 2:00 pm
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

RE: TESTIMONY IN OPPOSITION TO SB1838

Dear Chair Tarnas, Vice Chair Takayama and Members of the Committee:

I testify today as a homeowner, full-time resident of Hawaii Island, permitted STVR owner AND long-term rental owner. I employ 4 part time regular vendors, pay all my taxes, have great relationships with my neighbors and volunteer in the community. I strongly oppose House Bill 1838 because it threatens to destroy my way of life and will force yet one more family to have to leave Hawaii.

Historical Preservation and Good Cause

In 1968, the Hawaii Revised Statutes was enacted. Section 46-4 at that time gave broad zoning powers to the county along with the ability to zone out non-conforming uses as they were discontinued. 22 years later, the legislature revised that section of code to allow for the amortization or phasing out of non-conforming uses – but it explicitly excluded from that authority, the amortization or phasing out of residential uses in agricultural or residential zones. This action was not taken lightly. In fact, S.B. 1003 was introduced in 1970 and didn't pass until 3 revisions later in 1980 after, “. . .full and free discussion . . .” (Conference Committee Report No. 54-80, April 15, 1980.)

Since this revision the various counties have each struggled to maintain a reasonable balance between growth and sustainable housing, while leaning into the tourism industry to finance the economy. All counties have failed to build housing sufficient in volume or density to keep up with the demand for local housing needs – not just recently, but for decades. Additionally, many counties have also faced scandal when bribery, fraud and corruption have been exposed in the planning and building departments or in the enforcement of various ordinances. These failures do not suffuse trust among the

residents that granting additional powers to the counties to further take away housing (of whatever type they decide is out of favor at any time) will result in anything good. Rather, residents have repeatedly been forced to litigate against the counties just to maintain their rights granted by the HRS. *See Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu*, Civ. No. 1:22-cv-00247-DKW-RT, and *Rosehill et al. vs State of Hawaii Land Use Commission and Hawaii County*. It seems the concerns of the legislature in 1980 to protect residential use were not without merit. I urge you to maintain the

Valid and Necessary Housing Options

As inflation and living costs have continued to climb, residents have been resourceful and found that hosting guests (both local and from afar) in their own homes, could help keep up with the rising cost of living. This participation in the tourism economy is both mutually beneficial for the residents (income, job creation in areas near community resources, and flexibility) as well as the government (in terms of taxes and diversification of direct tourism spending in areas where more income stays local). For most residents, hosting a rental isn't a choice but a necessity, as wages and opportunities for employment lag the increased costs of living.

The temporary nature of these short and mid-term housing options makes these units ideal for traveling locals needing only temporary housing, whether for work, seeking medical services, shelter after a disaster or even visiting family on neighboring islands. But it is also a temporary solution for residents as well, allowing them to earn extra income yet regulate when and how their property is shared with strangers. Eliminating this flexibility by allowing counties to prohibit anything but long-term rentals reduces a local homeowner's ability to control their own home and have it available for their own families and exclusive use when they desire. We are these residents. We need this income to survive and would not convert our short-term rental to long-term housing because our four children would have nowhere to stay when they visited. Please do not allow counties the authority to create reactionary and short-sighted regulations that erode private property rights.

For these reasons, I respectfully request that this Committee not pass this bill.

Thank you for the opportunity to testify.
Respectfully submitted,

Jennifer Wilkinson

HB-1838-HD-1

Submitted on: 2/28/2024 1:48:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
hayden pogni	Individual	Oppose	Written Testimony Only

Comments:

2/28/2024

Aloha,

I oppose HB1838. I lost my B-2 Zoned Legal Vacation rental and my wife’s salon in the fire.

This constant abuse towards Legal Vacation Rentals is not based in logic. It is based on a narrative to cover up the stringent zoning laws Maui County continues to enforce that plague Maui’s people. The reason we do not have enough housing is because Duplexes are basically illegal on Maui, ADU units are impossible to get permitted, every main house on Maui can only have one stove, Ag lots can only have One main house, One Ohana and One non-livable Barn And no tiny homes on Ag lots! Its hard to believe that this county will not let tiny homes on Ag lots that are 1 to 5 acres. I would have spent \$70K to put a tiny home on my lot to house a displaced family but the Planning dept said If I did, they would fine me. To further the narrative, the county is constantly saying “vacation rentals are everywhere”, well total Homes that are permitted Legal Vacation Rental on Maui is only 164 out of 72,927 homes according to the Census. That means that STR homes are .003% of all Homes on Maui. This is not the reason for the housing shortage. Numbers don’t lie.

However, on the flip side: Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. The STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

STR’s constitutes for 80% of the roads budget. Jobs are provided by legal STR such as cleaners, handymen, electricians, plumbers, landscapers, AC service providers and much more. In addition, they ARE LEGAL BUSINESSES!! I know allot of STR owners and they are

hardworking, local families. They spent their life savings on a business that was approved by our government and now it is being threatened by the same government that approved it. Hawai'i is at the very bottom of the Business Friendliness scores. We score F in all the surveys that are conducted nationally. This is an insult to all businesses on Maui, what business are you coming for next? Maui residents should not have to constantly stress that their rights are being taken away at a time like this. We should be thinking GROWTH, not coming up with draconian measures to restrict, bankrupt and demean hard working local business owners. Instead of this waste of time we should be doing everything we can to help the people that lost their homes in the lahaina fire BUILD BACK FAST!

Mahalo,

Hayden Pogni

HB-1838-HD-1

Submitted on: 2/28/2024 1:48:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Kueker	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

As a property owner at the Papakea in Maui County, I am proud to be part of a business that has operated as vacation rentals for almost fifty years. Continuing to allow short-term rentals is beneficial to the local economy. The Papakea employs approximately 35 local resident employees. The Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. The Papakea short term rentals also support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. For example, we work with an on-island agent who manages and maintains our rental property - providing jobs to multiple people in Maui county. Furthermore, short-term rentals like those at the Papakea support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Our short term rental guests also support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops. In short, short-term rentals are essential to the local economy. Any legislation that limits or discourages this aspect of Hawaii's significant tourism economy would have a negative impact on numerous citizens and businesses in Maui county.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Douglas Kueker

HB-1838-HD-1

Submitted on: 2/28/2024 1:48:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Lo	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. The housing that provides short-term rental is a win/win solution. It increases tourism, boasts the local economy, provides employment opportunities and helps collect more tax for the government. It also makes sure the hotels charge a reasonable price. Additionally, the hotels aren't really suitable for families. Passing this law will hurt a lot of people.

HB-1838-HD-1

Submitted on: 2/28/2024 1:49:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John LoFranco	Individual	Oppose	Written Testimony Only

Comments:

Please consider the following:

Papakea employs many local residents. Many of these staff members are long time employees and their jobs would be lost if the status of Papakea was changed. Papakea relies upon the high maintenance dues the source of which are short-term rentals.

Guests at Papakea support a number small businesses in the Maui community. One only needs to look at the status of these businesses and workers during the covid shutdowns as well as the devastating fires to see how terribly all of these impacted they were. This change would cause a ripple effect of unemployment that would be devastating.

My short term rental supports the State of Hawaii and County of Maui through the Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax. The loss of this revenue would surely impact the related budgets.

Many of my guests return annually and have for a number of years. They have developed relations and deep connections with local residents and community. To relegate these guests to hotels would likely mean the end of their annual visits, and their contributions to the local economy.

I sincerely believe that there is little if any benefit to be gained by enacting this bill, instead it would harm many aspects of the Maui community.

HB-1838-HD-1

Submitted on: 2/28/2024 1:50:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Goldser	Individual	Oppose	Written Testimony Only

Comments:

This bill is unfair to current owners with short term rental properties and does not help residents of Maui.

Short term rentals bring in income via tourist dollars that help the residents of Maui who need those dollars to pay for their daily lives. Without tourists, Maui could fold, like it almost did after the fire. Thank you.

HB-1838-HD-1

Submitted on: 2/28/2024 1:50:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Hatley	Individual	Oppose	Written Testimony Only

Comments:

My husband and I have owned a STR at the Papakea Resort for nearly 20 years. During that time we have employed many local residents for long-term maintenance, general repairs and large remodeling projects.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing on Maui. Our property tax bill for 2024 will be nearly \$16,000.

Our family loves Maui and our home at Papakea. Operating a STR allows us to enjoy the island and defray the costs of property taxes, HOA dues and all the maintenance costs involved. Additionally, we bring many visitors to the island who spend a lot of money on groceries, restaurants and a myriad of on island activities. I make an effort to encourage this by providing each guest with lists of where their dollars will be well-spent.

Our family loves Maui and treasures our island ohana. Not only would a shutdown of STRs end the revenue stream we provide, it would break our hearts. For all the reasons I have outlined, we **STRONGLY OPPOSE** H.B. 1838, HD1 and urge the committee to oppose it as well.

Many mahalos for your consideration,

Carol and Michael Hatley

Owners, Papakea K404

HB-1838-HD-1

Submitted on: 2/28/2024 1:51:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and the Honorable Members of the House Committee on Judicial and Hawaiian Affairs,

Please support HB 1838, it is arguably the MOST important bill this legislative session. The health of our kiāulu in Maui komohana relies on being able to actually LIVE HERE. After the Lahaina fires, we as a community learned that although there is plenty of housing north of Lahaina, a staggering 87% of that housing is being used for short term rentals, mostly illegal, instead of being used to house our own people. This is absolutely sickening. Since October 8th we are, once again, being innondated with tourism on the west side, while at the same time what few long term rentals are being offered are going for 10x the pre-fire rates. We must put an end to this insanity and greed. We cannot afford to loose any more of our local community becasue they have to move off island. Tourists should absolutely not be given the priority over locals, but currently are, becasue the homeowners (who mostly live on the continent) do not care about Lahaina and its people. They have made their clear choice by not signing up for the long term rental program already, and therefore must be forced to be decent human beings. Please exercise your duty as our elected officials and enact the laws that will protect our kiāulu. We have suffered enough. We need our whole community to be present as we continue to heal and begin to rebuild, and we cannot do that without our community actually being able to live here. Please, for our beautiful Lahaina community, vote in favor of this bill.

Mahalo piha,

Gretchen Losano

Lahaina, Maui

HB-1838-HD-1

Submitted on: 2/28/2024 1:51:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Ringstad	Individual	Oppose	Written Testimony Only

Comments:

Here is the testimony I submitted on the hawaiian website. You can copy and paste it to submit your own if you would like.

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

My family has been going to Papakea for decades now and about 12 years ago we purchased a unit. I have been going there for my whole life and have learned many cultural traditions of the Hawaiian people, from lei making to now learning the language. While my family does rent the condo out when we are not on island, we are not some big real estate investment group, just a small family who loves Papakea and all the memories we have made there.

Here is a little history of our beloved Papakea. The Resort was built in 1978 and has operated as vacation rentals for almost fifty years now. It is a smaller complex with a huge percentage of loyal repeat renters.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles. It is truly ohana.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on. Many of these businesses would not survive if short term rentals were phased out.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, aquarium, and many shops which again would not survive without tourist dollars.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community and local people.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Brandon

HB-1838-HD-1

Submitted on: 2/28/2024 1:51:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Barry Schmitt	Individual	Oppose	Written Testimony Only

Comments:

Aloha: I am opposing HB1838 for many reasons. Please do the same.

* if unfairly targets owners such as myself who have owned on Maui since 2000 who are law abiding citizens who have paid all taxes and contributed to the economy on Maui through supporting businesses and their employees over the years. Further, It will prevent me from visiting aging family and friends who have lived and worked there for over 40 years (as I too have health issues in my 70ies.) Further, I need vacation rental income to help pay the mortgage and HOA fees.

*it won't solve your employee housing crisis and your infrastructure problems that have existed for years. These issues are not the fault of TVR's.

*You also will be taking away great amounts of tax revenue provided by the Vacation Rental industry as well as the jobs and livelihood from employees who work for them. They will be forced to leave Maui.

*it supports private equity and corporations that own hotels and more. What about people like myself and my family?

*it will also take away temporary housing for those in crisis, (whom I have housed along with my giving to numerous charitable organizations before and after the fires.) those in need of medical care, contractors, traveling health care workers and more as you rebuild. It will devastate West Maui's economy and many more will be forced to leave.

* we all know and love friends and family members who lost everything and it's devastating, but this seems unethical and completely unfair. And, I don't think it will achieve your goals.

Mahalo for listening. Maui is my home, too, even if I need the support of TVRs.

Please reconsider and oppose this bill and those like it. More research is needed to solve Mauis problems. This isn't the solution.

Be well and ponder all options carefully and thoughtfully.

Barry and Kathleen

*

HB-1838-HD-1

Submitted on: 2/28/2024 1:51:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Pereza	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838, as I feel it would damage our Maui economy further. I live in Kihei, and feel that we would have a repeat of the Covid shutdown economy if short term vacation rentals are limited. The Maui economy is so heavily dependent on tourism. If short term rentals are cut, the only people that would benefit would be the resorts. I believe the majority of our visitors are middle class citizens who cannot afford \$800+ resort prices and would no longer come to Maui. As much as we would all like to see another industry dominate the economy, the reality of that happening is years, if not decades away. Displaced Lahaina residents do not want to live in 1 bedroom condos in Kihei. They need 3+ bedroom houses in the Lahaina area. We have heard for years how Maui County is going to go after "illegal" vacation rentals in neighborhoods. Well, that has not happened, and THAT is what has put us in the current housing shortage. Single family homes are what is needed NOW. These homes are existing today, and the County refuses to go after the landlords who illegally rent out those homes. That is who the first line of homes that should be focused on. There are countless numbers of short term vacation condo owners who have signed up for FEMA, and their property sits vacant because that is not the displaced residents want to live in. You CANNOT put an extended family of 4+++ people in a vacation rental condo.

Thank you for taking the time to listen,

Jim Pereza

Kihei Resident

HB-1838-HD-1

Submitted on: 2/28/2024 1:52:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Reid	Individual	Oppose	Written Testimony Only

Comments:

Aloha Legislatures,

I strongly oppose HB1838 HD1

Please reconsider this bill as it does not distinguish the difference between owner-occupied short term vacation rentals and those that are owned by mainland residents who do not pay income tax here nor have the burden of Hawaii's high cost of living.

Please consider that it is not prudent to reduce this income stream for many many owner-occupied homeowners who depend heavily on this income.

I own my home and rent out a small attached studio in my home on Airbnb. Already I am not classified as a Residential Home owner and thus pay the same property taxes as a mainland homeowner. (I lost the 3% cap because of my Airbnb).

I urge the board to please distinguish between Hawaii residents and non-residents. It is already unfair to residents of single-homes here competing with mainland STVRS. On my very small residential street there is one mainland home owner who owns 4 houses, many of them could be inhabited as multiple residential units as they have multiple ohanas within them.

Also in regards to Maui, while I know the situation is dire, all the counties should not have to make adjustments to accommodate Maui.

Regards,

Tim Reid

HB-1838-HD-1

Submitted on: 2/28/2024 1:52:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeannette L	Individual	Oppose	Written Testimony Only

Comments:

Dear Representatives and Senators:

1. This is a plea to make a minor change to : HB1838

Sometimes misfortunes befall families and the head of the household is unable to support. For thousands of years, women have stepped up to work and use family assets to run businesses. One of those businesses has been using their homes to earn money through room rentals of the property they live on.

I am one of those Tutus. My husband has had Parkinson’s Disease and been unable to work for over 20 years. For almost 30 years, we have rented rooms in our home to defray the expenses of living in Hawaii. My question is: Why is the State of Hawaii trying to make illegal this sensible use of family assets to have a business that helps the family? This situation should not be illegal. Tutu is not a criminal!

Now my husband requires 24/7 care at home. In 2023 this cost me over \$100,000 in caregiver costs. I only earned \$45,000 in 2023. At this rate, it will not be long before funds are exhausted. I could really use that income from room rental. We pay taxes on the income and provide jobs to folks in our community through this business.

Through the years, our houseguests have been short term and long term, young and old, local and from other countries. Business owners should not be limited concerning who they rent to.

Our longest guest was a retired navy fellow, a life-long Hawaii resident, who stayed with us for a decade before he passed away

... A Navy MP from Pearl Harbor stayed with us because he could not sleep during the day in the Barracks at Pearl Harbor

... There have been Kansai Gaidai students from Japan (They stayed so far from the school because they like my Japanese cooking)

...there was a woman who lost her visitor family in an awful crash near Kahuku and visited family members in the hospital while staying with us

... another state resident from Maui who stayed at our place while her family member received special medical treatments that were not available on Maui

...a Canadian who came to Honolulu for the Pow Wow

...Young people living on a strict budget who came to Honolulu to be scuba diving instructors, restaurant workers, etc.

... a respiratory specialist who came to work in a hospital during COVID

... a person who had a job in Hawaii, but had not yet settled on a home to purchase here

...an author who needed a peaceful place to write a book on domestic violence.

It is intrusive to impose a time frame on guests in a hosted situation. People don't want such limitations and they can't be and shouldn't be enforced by the host.

Recently, we have been using Airbnb because we can be sure that we will be paid. (Yes. There have been folks who promised to pay, but did not). As an idea to consider... Setting up a platform for local people in Hawaii to be matched with home owners with places to rent. A platform that collects rent from renters and distributes to the landlord would go far toward making transactions secure and helping the home challenged to find living situations that lead to better lives.

Please change HB1838 to allow landlords who live on their property to rent to people for any length of time. This is more practical.

HB-1838-HD-1

Submitted on: 2/28/2024 1:53:23 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
The Rev. Dr. Marcia L. Ledford, Esq.	The Edge of Paradise, LLC	Oppose	Written Testimony Only

Comments:

HB1838-opposed

Marcia L. Ledford

I oppose HB1838, a bill designed to phase out short-term-rentals throughout the Hawaiian Islands. I have testified numerous times already regarding Hawaii County Bills 121 and 122.

After listening to testimony from citizens around the Big Island, not only does the next draft fail to address any of our well-articulated reasons to oppose, the language becomes even more restrictive of our property rights! This is even despite court rulings on our behalf.

- I live in the Puna District of the Big Island. We have no hotels despite proven tourist interest in this area;
- People, including kupuna such as myself, rely on the income produced by short-term rentals. STR owners in Volcano (in Puna and Ka'u districts) testified that this town will likely go out of business because it attracts art lovers and tourists, not only in Volcano, but at the Hawai'i Volcanoes National Park where there is only one hotel;
- Eliminating short-term rentals will not increase the housing supply. We have an affordability problem, and should be addressing that rather than illegally limiting property rights;
- Instead of hobbling property owners' ability to make ends meet by renting vacation and short-term properties we need comprehensive, neutral, independent studies for each island. Peoples livelihoods are at stake here. People will move off island, reducing our property tax basis, ultimately limiting services for those who stay;
- Not everyone wants to stay in a hotel. Many people want to experience the 'aina away from corporate hotel experiences, and they should be allowed to enjoy their vacations their way. Not everyone can afford the often-outrageous costs of hotels, and there are not enough hotel rooms for all tourists anyway. The hotel lobby is backing this legislation to jack up hotel costs even further—not to serve the community, but to line their own pockets. It's outrageous!;
- The State of Hawai'i and the various islands pursuing this draconian legislation are facing expensive litigation by proceeding ahead. I'm an attorney, and I hate wasting money on needless lawsuits. The state taxpayers will be footing a bill they overwhelmingly do not support. How is that representative government?

- In January 2024, I listened to nearly 6.5 hours of testimony from landlords like me, *all in opposition*. They shared heart wrenching stories about how passage of this ridiculous Big Island Bill will undermine their livelihoods and destroy our fragile economy. The only person who supported the legislation was a former Big Island mayor who introduced the legislation in the first place!
- Why do we even have town halls if no one is listening?
- I am an Episcopal priest. All major religions have some form of the Christian Golden Rule, "Do unto others, as you would have them do unto you." This legislation violates this rule. It is not *kokua*. It is bad for the *keiki*, the *kupuna*, and everyone in between who live here. The State of Hawai'i Legislature will endanger its economy and its citizens by passing this legislation DON'T DO IT..

Faithfully submitted,

The Rev. Dr. Marcia L. Ledford, Esq.

(electronic signature)

Kea'au, HI

HB-1838-HD-1

Submitted on: 2/28/2024 1:54:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julia Deleon	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair & Committee Members,

My name is Julia Deleon, I am a resident of the Big Island of Hawai'i. I am writing to you today to voice my strong opposition to 1838 HB RELATING TO ZONING., which proposes eliminating short-term rentals. As a family member whose livelihood depends on the short-term rental industry, I am deeply concerned about the potential detrimental impacts this bill could have on our well-being and financial stability.

If this bill were to pass, it would jeopardize the livelihood of not only my employer but also myself and many others within our community. The ripple effect would extend beyond our immediate circle, affecting numerous small businesses that rely on our services and support.

Our small business ecosystem thrives on collaboration and mutual support. Any disruption to this delicate balance could have devastating consequences for countless individuals and families who depend on us for employment and economic stability.

I understand the concerns that may have prompted the introduction of this bill, such as noise complaints or disruptions to neighborhoods. However, I believe that these issues can be effectively addressed through regulation and enforcement rather than outright prohibition. Imposing a blanket ban on short-term rentals would be a disproportionate response that punishes responsible property owners while failing to address the root causes of any problems.

In conclusion, I urge you to reconsider 1838 HB RELATING TO ZONING.and its potential consequences for families like mine. Instead of eliminating short-term rentals altogether, I implore you to explore alternative solutions that strike a balance between addressing community concerns and preserving the livelihoods of hardworking individuals and families. Thank you for considering my testimony.

Mahalo,

Julia

HB-1838-HD-1

Submitted on: 2/28/2024 1:54:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janis and John Haine	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair and Members of the Committee.

My husband and I oppose H.B. 1838, HDI for the following reasons:

We have been owners of a condominium at Papakea in Lahaina since 2005. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. Papakea employs approximately 35 resident employees; some have worked at the property for over 15 years, and some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals, including pest control, HVAC, plumbing, electrical and tree trimming. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support several small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. Papakea STRs support the State of Hawaii and the County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park and shops. Papakea has a high number of returning guests who have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein, we OPPOSE H.B. 1838, HDI, and urge the committee to defer it.

Respectfully submitted,

Janis and John Haine

HB-1838-HD-1

Submitted on: 2/28/2024 1:54:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale Parsons	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838.

This bill could result in the phasing out of LEGAL short term rentals on Maui, threatening the livelihood of many local families and jeopardizing their financial stability and well-being.

This bill does not take into account the vital role that short-term rentals play in providing economic opportunities for residents who have invested the time and resources to ensure their properties are operating according to established rules and regulations.

Supporters of the bill ask us to believe that by eliminating hosted short-term rentals, affordable housing will suddenly become available for long-term rentals. This is only conjecture.

What it does have the potential of doing, however, is suddenly eliminating economic opportunities for self-employed individuals who service the vacation rental sector, including housecleaners, gardeners, site managers, handymen, and more.

The uncertainties and restrictive measures of HB1838 would create insurmountable challenges, ultimately undermining the economic stability of families.

I urge the legislature to look into the future and consider the potential devastating consequences of HB1838 and work to find solutions that preserve, rather than severely limit, opportunities for ordinary citizens to participate in Hawaii's tourism industry.

Mahalo.

HB-1838-HD-1

Submitted on: 2/28/2024 1:56:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Hall	Individual	Oppose	Remotely Via Zoom

Comments:

95% OF ALL HOMES IN HAWAII ARE AVAILABLE TO HOUSE RESIDENTS OF HAWAII.

NINETY-FIVE PERCENT!!!!

Hawaii NEEDS the remaining 5% to support our Tourism Economy.

With 95% of homes in Hawaii are specifically allocated for residents of the state of Hawaii, undermining the vital 5% allocated for our tourism industry not to be taken lightly, as it threatens the very lifeblood of our economy and the stabilization of our communities.

The pressing question remains: Is there a genuine need to grasp the entire 100%, or does it potentially tread on the line of monopolistic aspirations with severe and catastrophic consequences for our tourism-dependent economy?

ONLY 5% OF ALL PROPERTIES IN HAWAII ARE VACATION RENTALS!!!!!!

95 out of every 100 properties are available for Hawaiian Residents to call home. 95/100.

According to the September 2023 Research & Economic Analysis Division Report:

80 CENTS of EVERY DOLLAR in the state of Hawaii is directly or indirectly generated by the TOURISM INDUSTRY!!!

STOP! JUST STOP!!!!!!

There have been literally THOUSANDS of testimonies against these STVR proposed laws over the last several years - yet you keep trying to push these bills through for agendas that the Hawaiian population does not want!!!

PLEASE VOTE FOR THE PEOPLE!!!

YOU REPRESENT US!!

PLEASE START VOTING THE WAY THE CITIZENS DEMAND YOU VOTE - and VOTE FOR HAWAII and the Hawaiians that you represent first.

Stop Bill 1838.

Mahalo,

Lisa Hall

HB-1838-HD-1

Submitted on: 2/28/2024 1:56:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harmoni Akao	Individual	Oppose	Written Testimony Only

Comments:

Oppose

HB-1838-HD-1

Submitted on: 2/28/2024 1:57:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hokulani Delatori	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and the honorable members of the House Committee on Judiciary & Hawaiian Affairs.

My name is Hokulani Delatori and I live on the island of Maui, in Lahaina to be specific.

I am writing in **SUPPORT** of HB1838. There are currently 13,744 legal short-term rentals on Maui. Not including the illegal STR's here on the island. We are seriously facing a housing crisis for West Maui **AND** the whole Hawai'i.

I work for a vacation rental company. People in opposition to this bill pointed out that it will put our jobs at risk, I disagree. Owners can convert it into LTR's to house RESIDENTS other than tourists. There will still be a need for upkeep in maintenance issues ; and a company to oversee their LTR.

The property I work at used to be 100% full-time residents, now more than half of the condo units are STR's. The full-time residents living at the property have a "new neighbor" every 4 days.

There needs to be better rules and regulations regarding STR's or just get rid of them all together. The tourists have a lot of hotels to choose from for their vacation. Keep the condos, apartments and homes for LOCAL RESIDENTS that need them long-term.

PLEASE move forward with this bill. Enough catering to the needs of visitors and STR owners. It's time to keep local residents IN Hawai'i, no more being priced out of our hometowns.

Passing HB1838 HD 1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

Thank you for allowing me to speak on this matter.

HB-1838-HD-1

Submitted on: 2/28/2024 1:57:31 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mari Ann Zeiler Keithahn	Individual	Oppose	Written Testimony Only

Comments:

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm

State Capital, Conference Room 325

Re: SB HB1838, Relating to Zoning

Testimony in Strong Opposition

Thank you for your service and for allowing written testimony on this bill.

I was born in Honolulu and raised in a very modest rental duplex in Kaimuki. I worked very hard to become a physician; my husband and I have served in a rural area on the mainland. I have always dreamed of owning property in Hawaii so we can spend more time there with family and friends during our retirement.

In 2021, we were fortunate to find a beachfront home in Waimanalo. While it's a wonderful vacation home, it is not set up as a long-term rental and has never been so. We have fallen in love with the windward coast and the Waimanalo community; my husband is considering working for the health center there.

You will hear several arguments for continuing to allow legal 30 day vacation rentals. I would like to add that I believe that visitors, especially those of us with Hawaiian roots and families, should not be forced to stay in resort areas such as Waikiki or Ko Olina.

We support policies that will continue to allow legal 30 day rentals and will make permitting and compliance clear and fair. In contrast, I fear that this bill will add more confusion and litigation. We respectfully request that you vote against it.

Mahalo,

Mari Ann Zeiler Keithahn, MD

Stephen T. Keithahn, MD

HB-1838-HD-1

Submitted on: 2/28/2024 1:57:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis Eugene Manzer	Individual	Oppose	Written Testimony Only

Comments:

I **OPPOSE** HB1838 HD1 for the following reasons:<<Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles>>

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax..

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** HB 1838 HD1 and urge the committee to defer it.

Respectfully submitted,

Dennis Manzer

Papakea Resort Owner Unit G103

HB-1838-HD-1

Submitted on: 2/28/2024 1:57:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shiloh Swanson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas and Vice Chair Takayama. I'm testifying in opposition to HB 1838. I understand the intent of this bill, but I don't think those outcomes will be realized. Instead, there will be many unintended consequences that could hurt many of us who live here, from loss of work and employment to lengthy and costly lawsuits.

I ask that you vote against passing this bill.

Mahalo for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 1:58:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Henry	Individual	Oppose	Remotely Via Zoom

Comments:

"THE COURTS HAVE OVERTURNED COUNTY ORDINANCES TO PHASE OUT SHORT TERM VACATION RENTAL USES" - this bill clearly states that

The courts have spoken!!!

IT IS ILLEGAL FOR THE COUNTIES TO TAKE AWAY PROPERTY RIGHTS OF OWNERS!!!!

It is NOT in the jurisdiction of the county to remove rights given to vacation owners.

Shifting the county and states responsibility to provide affordable housing to property owners is not the answer!

STOP THE OVER-REGULATION.

STOP THE HOTEL LOBBYISTS, NOT THE CITIZENS OF HAWAII.

STOP TRYING TO PASS LAWS THAT THE COURTS HAVE ALREADY TURNED DOWN.

STOP PUNISHING AND PENALIZING HOMEOWNERS THAT CATER TO ONE OF OUR ONLY INDUSTRIES IN HAWAII - TOURISM.

THANK YOUR PARTNERS THAT BRING TOURISM DOLLARS INTO YOUR COUNTIES, NOT BANKRUPT THEM!!!

STOP TRYING TO CONTROL THE LIVELIHOODS OF HARD WORKING HAWAIIANS.

This bill is so out of touch of with the wants of the people you represent and the needs of the tourists that make Hawaii Hawaii.

NO TO BILL 1838.

Robert Henry

HB-1838-HD-1

Submitted on: 2/28/2024 1:58:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carlayna Nakamura	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Carlayna Nakamura

HB-1838-HD-1

Submitted on: 2/28/2024 1:59:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Fitzpatrick	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to oppose this proposed legislation. It has the potential to really hurt us.

We have a family beach house, on Oahu, in our family 90 years now. We need to be able to rent it to be able to keep it in the family. The increased property taxes make it necessary, as well as the general upkeep. Additionally, there are people who appreciate our vintage beach home (built in the 1920s), and would like to be able to stay there, and that is beneficial to the state.

This legislation could have the potential to really destroy many people here in Hawai'i and their livelihoods. We are local kama'aina residents and care for Hawai'i deeply. And agree that there is need for more affordable housing thru out the state, but attacking us, in this way, is not the way.

Aloha,

Stephanie Fitzpatrick

HB-1838-HD-1

Submitted on: 2/28/2024 2:00:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John McManus	Individual	Oppose	Written Testimony Only

Comments:

Honorable Hawaii State Legislature,

Please oppose HB1838.

My wife and I have been coming to the islands for years and fell in love with Hawaii after my wife was stationed on Oahu.

We have since become property owners ourselves over 5 years ago on Maui. We are legally licensed and renting out our home to offset the cost of owning. This has led to contributing to the local and state economy through County and state taxes and jobs.

We have just one home, but as a collective, the removal of short-term Vacation Rentals from Hawaii's tourism sector will be a detriment to us and the state's economy as a whole.

I recently read the 2020 study by Hawaii Tourism authority and saw that short term rentals bring in \$6 billion and over 46,000 jobs.

It is not just us owners who will be negatively impacted. The removal of short term Vacation Rentals will also have an impact on car rental companies, tour operators, restaurants and local retailers.

Let's work together to come up with a solution to Hawaii's housing shortage that doesn't penalize small mom and pop operators who are positively contributing to the economy.

Mahalo,
John McManus and Melissa Bryant

HB-1838-HD-1

Submitted on: 2/28/2024 2:01:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carmen Yu	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose HB1838. I'm a new owner of a condo in Maui, my family and I love visiting Maui and recently made the decision to purchase a condo as our 2nd home so we could have a home away from home when visiting our favorite place. Owning a property in Maui is outrageously expensive, we could only afford to keep this home if we could rent it out as a short term rental to help offset our costs when we're not there. This bill will force us to lose our home, our ability to visit, and support local communities.

In addition, the property tax and transient tax that we pay and help generate provide huge revenue for Maui. We also help create job opportunities and the main source of income for cleaner, property managers, contractors, handyman and many more work forces that service the STR industry. Forcing out STRs will not only hurt Maui's economy, it will eliminate job opportunities and quality of life for local residents.

This will also hurt tourist industry as many visitors travel with large families that couldn't be housed by small hotel rooms. Mid and Short-term Rentals also accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Having less STR/Mid term rentals will only hurt Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 2:01:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Klei	Individual	Oppose	Written Testimony Only

Comments:

My name is C.L Smith, the great-great-grandson of William O. Smith - the former Attorney General, Sheriff of Lanikai, and personal attorney to Queen Liliokalani.

I oppose this bill.

This bill very clearly is sponsored and put forth by the Hotel Association and Lobby to create a monopoly on accommodations in the State. As such the bill should be rejected on such grounds that it does not accomplish its purported goals to the citizens by which you serve.

This is prima facia apparent as follows:

1. Allegedly allows homes to be more affordable. There has been no evidence put forth which shows that even if all of the TVU's were to suddenly appear 'for sale' the price would drop to a point where even 1% of those who do not today qualify for a home loan would do so tomorrow.

No evidence has been put forward because none exists.

2. It is to 'preserve the character' of neighborhoods. The character of the TVU's that i am aware of is well maintained, immaculately maintained landscaping, and quiet and courteous tenants. On the other hand, I can point you to thousands of locally owned non-TVU homes that have 4 generations of families, 10 automobiles in the lawn, dilapidated homes and 911 noise complaints are common.

Which 'character' does the City and State desire?

This bill should be removed.

CS Smith

HB-1838-HD-1

Submitted on: 2/28/2024 2:02:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Christener	Individual	Oppose	Written Testimony Only

Comments:

My name is Daniel Christener,

After 10 years of having a short-term vacation rental together with my wife, we absolutely oppose this bill. We've a high-end vacation home, directly next to the Maui Country Club. We've guests who pay top \$\$\$\$ und therefore we pay far over \$100'000 in GET/TAT taxes per year.

We also would like to mention that we have a crew of people working for us, including cleaning, gardening, a chef and body worker.

Are you serious taking action and destroying such a lucrative business?

- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Mahalo for your consideration,

Daniel Christener

HB-1838-HD-1

Submitted on: 2/28/2024 2:02:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle McGarry	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

We OPPOSE H.B. 1838, HD1 for the following reasons:

We own 2 properties on Maui and have been owners for more than 10 years. We are afraid that Hawaii wants to eliminate all or most STR's to provide housing for locals, not just illegal STR's in residential zones. The truth is that our complex, Papakea Resort could never be used as housing for locals. The costs of maintaining the property are prohibitive. STR's are integrated into the local economy providing employment people and a strong source of property tax revenue. As STR operators we spend thousands of dollars each year on maintenance of the replacement of furniture and appliances. We hire local plumbers and tradespeople. Our guests spend huge sums and we contribute thousands to state coffers through transient accommodation taxes.

Papakea is a resort property. It was built as a resort property in 1977. The property could not be used for long term housing because of the cost to maintain it. The property employs 35 full time staff. The average maintenance fee per unit is over \$1000 per month. How could Papakea ever be used for anything but short term vacation rental?

Respectfully submitted,

Michelle McGarry



TESTIMONY ON HB 1838, RELATED TO ZONING

February 28, 2024

TO: Chair David Tarnas
Members of the House Committee on Judiciary and Hawaiian Affairs

FR: Alex April
Airbnb Public Policy, Hawai'i

RE: HB 1838 RELATED TO ZONING

Mahalo for the opportunity to comment on HB 1838, related to county zoning. We've worked closely with the State of Hawaii and local governments in Honolulu, Kauai, Big Island and Maui to develop short-term rental policies that allow home sharing to continue to support the state's tourism industry and provide accommodations for visitors, including transient workers, students, and residents displaced by natural disasters.

Given the historical role short-term rentals have played in supporting the state's visitor economy, we write to express our concerns with HB 1838, including:

1. Impact on State Revenue: According to the Hawaii Tourism Authority, the short-term rental industry generated \$132.6 million in TAT revenue alone in 2018. In 2022, Airbnb hosts generated approximately \$77M in GET and TAT to the State of Hawai'i. Total GET and TAT revenue is substantially higher when factoring tax revenue from other platforms and independent hosts. If passed, HB 1838 would significantly reduce the state's ability to make ends meet under the current budget.
2. Airbnb is a willing partner to counties: Airbnb has MOUs with Honolulu, Maui, and Kauai to support their enforcement of short-term rental rules. For example, pursuant to our MOU, Kauai has consistently worked with Airbnb to issue takedown requests. On Maui, Airbnb removed more than 1,300 listings that did not comply with the terms of the MOU in February 2022. HB 1838 does not reflect the progress of short-term rental policy on the local level. The bill does not take into account the hard work and collaboration of notice-and-takedown tools, the important work of the MOUs, and the multi-year discussion on short-term rental policy.

Additionally, in the days after the wildfires in Maui fire last August, Airbnb and Airbnb.org worked closely with the Governor's office and the Department of Human Services (DHS) to help provide temporary housing for displaced residents. In total, we connected over 2,200 displaced residents to emergency temporary housing immediately following the fire.



Since then, we have continued to work with DHS to encourage Hosts on Airbnb to offer their home to displaced residents on a longer-term basis, many for stays of up to a year. We remain committed to working with you on fair and reasonable solutions that protect the rights of Hosts and preserve the significant benefits that short-term rentals provide to Hawai'i communities.

Mahalo for the consideration of our comments.

HB-1838-HD-1

Submitted on: 2/28/2024 2:06:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Dewit	Individual	Oppose	Written Testimony Only

Comments:

I stongly oppose HB1838 as written but would support the shut down of all illegal short-term rentals.

Please do not support this bill. We purchased our one unit as part of our retirement.

if this goes through many local people involved in STR's will lose their jobs. The guests we serve are not interested in renting a small overly expensive hotel room (are these also not STR's?)

We comply with all rules and pay all our taxes.
Mahalo for the oppportunity to testify

Patricia Dewit

6-210 Kamaole Sands

HB-1838-HD-1

Submitted on: 2/28/2024 2:14:19 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lawrence Wood	Individual	Oppose	Written Testimony Only

Comments:

I'm very much apposed to this bill. It would have drastic effect on the tax base both state and county. The bill would also have a massive impact on tourism, a smaller amount of vacation rentals available, will cause a massive increase for vacationers, which will lead to much fewer tourists.

In short, less tax revenue, fewer tourists, leading to fewer jobs

HB-1838-HD-1

Submitted on: 2/28/2024 2:15:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Sipe	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to HB1838. I purchased a condo unit in Kihei in 2011 with the intention of renting it until my husband and I retired and then moving to Kihei either full time or at least half the year. I have watched how much my unit brings in tourism dollars to the area. My cleaner makes \$225 plus tips for cleaning my unit (if she did not have this local business she would be working at one of the chain hotels for minimum wage). My Guests also go to the local grocery stores, use the hair and nail salons, eat at the local restaurants. They prefer local. The people that I know that stay in the big resorts stay at the resorts. They eat there, use those massage and beauty services and all their dollars go back to the chains that own the hotels.

I feel that if you want to support the small local businesses that keep people employed and keep people on Maui then getting rid of vacation rentals is the wrong answer. It makes sense to get rid of the illegal ones that are located in the residential areas, but not the ones in the hotel/resort zones. If hotels at \$800+ per night are the only place people will have to stay, then they are going to find another place to go.

Hawaii is a very special place and on almost everyone's bucket list to visit, but with the negative messaging from the governor's office and the already high prices you are going to get your wish and chase away tourism at the cost of local jobs and have young families move out of Hawaii because they cannot get jobs.

Please do not pass HB1838

HB-1838-HD-1

Submitted on: 2/28/2024 2:17:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauren cheung	Individual	Oppose	Written Testimony Only

Comments:

As an STR owner and operator in Honolulu, I have first hand experience hosting guests who traveled from other island to Honolulu for surgery and stayed at my unit for over a week during recovery. He was very appreciative of my hosting during his stay. Our STR also much needed amenities for family travelers with young children that hotels don't offer. Our STR is serving our community. On top of that, I am providing consistent income to 2 of my cleaners and their families. This new law will detriment the entire STR industry. I am not a commercial/hedge fund investor. We are merely investing our life time savings for some passive retirement income like most of the STR owners.

HB-1838-HD-1

Submitted on: 2/28/2024 2:21:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alan Filippi	Individual	Oppose	Written Testimony Only

Comments:

Hello,

My name is Alan Filippi and thank you for considering my testimony. As a STR condo owner, I am writing to voice my opposition to HB1838. It would cause a great hardship to people who have always operated legally and paid the high rate of GET and TET taxes. This Bill could result in the phasing out of 13,744 LEGAL short-term rentals on Maui.

We have held up our responsibility to operate legally, and now the county wants to make what was legal - illegal

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

This proposal would grant the counties the power to phase out short-term rentals ("STRs") which carries the risk of a significant reduction in tax revenue for the state. Based on total estimated transient accommodation tax ("TAT") revenues, STRs generated \$132.6 million in TAT revenues excluding General Excise Tax revenues in 2018. It was also estimated that STRs would generate \$102.4 million in TAT revenues in 2023.

Short-term rentals over 30 days are not only for vacationers and are also needed by Hawai'i residents as a housing option. These types of rentals are essential for various situations, including families temporarily displaced due to home damage; homeowners undergoing significant renovations; neighbor island residents seeking medical; visiting family members; and travelling professionals such as healthcare, construction, and other workers engaged in projects across the islands.

In light of these considerations, I urge policymakers to carefully reconsider the provisions of HB1838 and to seek alternative solutions that preserve the viability of legal STR operations while addressing any legitimate concerns regarding their impact on communities. Striking a balance between regulation and sustainability is paramount to ensuring the continued prosperity of both residents and visitors in Hawai'i.

Thank you for the opportunity to testify,

Alan Filippi

The House Committee on Judiciary and Hawaiian Affairs

Hearing Scheduled: February 29, 2024 2pm

Re: SB HB1838, Relating to Zoning

To whom it may concern;

I am writing to you along with many of the Maui property owners that will be impacted with this new proposed zoning. We have been in love with Maui for a long time but rarely visited due to very expensive hotel / resort rates. We love it so much that we decided to purchase a property for vacation and future retirement. To fund this, we are offering our place to people who want to enjoy short breaks in beautiful Maui through short-term rental. We have so many folks that enjoy wonderful and relaxing vacations in our unit, at more affordable rates than hotels/resorts and make Kihei much more accessible to Maui visitors.

Through this process, we have come to know so many wonderful local businesses that do rely on our short-term rental for a living, especially our cleaners and handymen who help maintain our property.

Mahalo,
Johanes Dharmawan

HB-1838-HD-1

Submitted on: 2/28/2024 2:25:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jill Oudil	Individual	Oppose	Written Testimony Only

Comments:

To Whom it May Concern:

This proposed legislation has the potential to lead to the gradual elimination of 13,744 LEGAL short-term rentals on Maui. Maui needs the income and revenue provided for the economy.

These rentals are a vital component of Maui's economy, contributing 40% of the county's real property tax revenue and serving as the primary funding source for affordable housing initiatives, and all things such as hospital care, roads and so much more. The revenue generated from these short-term rentals constitutes 18% of the county's \$1.7 billion budget. Maui needs this revenue! If the values and short term rentals were to discontinue there would no where to get the income from. If the short term rental owners can not pay their bills this would be a disaster and there is no more money to pay taxes etc.

Mid and short-term rentals play a crucial role in related jobs for the residents of Maui. We know so many that would loose their homes and jobs its unbelievable.

They as we have seen can also serve as a vital resource during emergencies, such as the Lahaina Fire, providing temporary furnished housing for affected residents. If the short-term rental industry suffers further setbacks, where will these individuals find the necessary temporary housing with our changing weather landscape?

At complexes such as Honua Kai and Papakea, are designed for short term rentals. The cost of HOA fees alone would be more than a resident could ever afford even if the properties dropped to an extremely low value. Honua Kai has maybe 100 full time employes not to mention trades, cleaners, and all sorts of staff who are residents on Maui. Tourism is so important to the well being of Maui

Short term rentals contribute and extend beyond the local community, as it generates revenue for the State of Hawaii and Maui County through property taxes, transient taxes, and general excise

taxes. Instead of outright banning short-term rentals, a more constructive approach would be to allocate a portion of all revenue generated from these rentals towards the construction of new affordable housing exclusively for Maui residents. Without this revenue stream, the state may struggle to fund essential services, risking financial instability.

Honua Kai and Papakea hold a such a special place in the hearts of many families, with multiple generations returning to create lasting memories. The potential loss of jobs and adverse impact on the local economy must be carefully considered before making any decisions regarding the future of short-term rentals. There will also be many unintended consequences but such a drastic move.

In light of these considerations, I strongly OPPOSE H.B. 1838, HD1, and respectfully urge the committee to defer/ reject its implementation. I believe an independent third-party analysis of the cost and benefits of short-term rentals to the state, coupled with a proposed plan to allocate rental revenue towards affordable housing, would provide valuable insights into the issue at hand.

We own at both Honua Kai and Papakea. The long term family that owns our lease hold will loose everything if short term rentals were to change.

The Spirit of Aloha in itself is much of what needs to be both cherished and shared with the world. Sharing culture with others is an amazing gift and can be done through tourism.

The risk is so high to consider any kind of change to the potential of rules around sort term rentals would disadvantage the residents of Maui and not being able to sustain a healthy economy.

Sincerely,

Jill Oudil

604-808-1084



Hawai'i YIMBY
Honolulu, HI 96814
hawaiiyimby.com
admin@hawaiiyimby.com

Thursday, February 29, 2024

House Committee on Judiciary & Hawaiian Affairs
Hawai'i State Capitol
Honolulu, HI 96813

RE: SUPPORT for HB 1838 HD1 - RELATING TO ZONING

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee,

On behalf of Hawai'i YIMBY, I'm writing to support HB 1838 HD1, which could be a critical step forward in addressing our housing shortage by reprioritizing our existing housing stock. We understand that short-term rentals play an important role in a diverse and healthy housing market, however we are at a point where the imbalance between the financial gains from participating in the short-term rental market greatly outweighs the ethical incentives to house Hawai'i's residents. As we work to get more housing built, we should be effectively using existing housing stock to slow the effects of the housing crisis.

Hawai'i YIMBY (*Yes In My Backyard*) is a volunteer-led grassroots advocacy organization dedicated to supporting bold and effective solutions for Hawai'i's devastating housing crisis. Our members are deeply concerned about Hawai'i's chronic and worsening housing shortage, which has caused home prices to rise much faster than incomes and pushes thousands of kama'aina out to the mainland or into homelessness every single year.

We urge your support for this bill. Thank you for the opportunity to testify.

Sincerely,

Damien Waikoloa

Co-Lead, Hawai'i YIMBY



HB-1838-HD-1

Submitted on: 2/28/2024 2:32:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Motter Anne Snell	Individual	Oppose	Written Testimony Only

Comments:

This is a money grab by hotel and tourist industry. I oppose the bill. Thank you for allowing my testimony.

HB-1838-HD-1

Submitted on: 2/28/2024 2:35:28 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Eric Balinbin

HB-1838-HD-1

Submitted on: 2/28/2024 2:37:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stefania Xytakis	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Stefania Xytakis

HB-1838-HD-1

Submitted on: 2/28/2024 2:39:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Kung	Individual	Oppose	Written Testimony Only

Comments:

Dear Hawaiiin Legislators:

I am opposed to HB 1838.

I have been a home owner in Maui for the past 14 years and have been coming to Hawai'i for over 30 years. We purchased our dream home (condo) in Maui with a mortgage and funds from transient rental income. We would not be able to afford a home without STR when we are not on the island. Our STR has steadily contributed to the Maui economy for the past 14 years. Overall, I believe the STR owners have contributed 40% or more of the state and county tax revenue and helped promoting tourism, a vital industry for the state of Hawaii. If STR is phased out, where would that tax revenue come from? Wjhat would then be the economic engine for the state? The shortage of long term dewelling is not caused by STR owners but rather for years the county and state officials have blatantly ignored the shortage of long term housing!

To help the state and Maui recover, we need to embrace tourism and STR for economic stability while developing real long term solutions to address the housing crisis.

I urge all of you legislators to act sensibiliy. HB 1838 is not the solution and will drive down our economy.



4359 Kukui Grove Street, Suite 103

Lihue, HI 96766

Phone: (808) 245-4049

Email: kbr@kauaiboard.com

February 29, 2024

The Honorable David A. Tarnas, Chair

House Committee on Judiciary & Hawaiian Affairs

State Capitol, Conference Room 325 & Videoconference

RE: House Bill 1838 HD1, Relating to Zoning

HEARING: Thursday, February 29, 2024, at 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

My name is Milo Spindt, 2024 President, testifying on behalf of the Kaua'i Board of REALTORS® ("KBR"), the voice of real estate in Hawaii and its over 600 members. KBR opposes House Bill 1838 HD1, which allows counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. Effective 7/1/3000.

KBR supports access to housing for every need or situation, which includes legal short-term rentals ("STRs"). It is a common misconception that STRs are only for vacationers; however, STRs are also needed by Hawaii residents and workers as a temporary housing option. These types of rentals are essential for various situations, including but not limited to:

- Kaua'i already has a robust set of STR county regulations and enforcement system
- Granting counties, the power to amortize/phase out NUCs doesn't seem necessary for Kaua'i
- Kaua'i, like the rest of the state, has a housing supply issue, but STRs are not the cause

In these situations, a lengthy hotel stay may be too costly or impractical. It is important that we preserve this industry and the ability to access legal short-term rentals for this reason.

We have concerns with this proposal granting the counties the power to phase out short-term rentals as it carries the risk of a significant reduction in tax revenue for the state. Legal STRs with law abiding owners generate revenue for the state and the counties through real property taxes, GET, and TAT. Based on total estimated transient

accommodation tax (“TAT”) revenues, STRs generated \$132.6 million in TAT revenues excluding General Excise Tax revenues in 2018. It was also estimated that STRs would generate \$102.4 million in TAT revenues in 2023.[1] Granting counties the power to amortize or phase out legal STRs punishes law abiding owners who contribute to our local economy. Similarly, this bill would also not make an impact on a county’s ability to enforce on those who are not abiding by the law.

Finally, this measure could be challenged as impacting vested rights and taking principles. “Under the United States and Hawaii Constitutions, preexisting lawful uses of property is generally considered to be vested rights that zoning ordinances may not abrogate.[2]

For the foregoing reasons, the Kauai Board of REALTORS® opposes this measure.

Mahalo for the opportunity to testify.

[1] JLL Prepared for the Hawaii Tourism Authority. Hawaii’s Home and Vacation Rental Market: Impact and Outlook (April 20, 2020). <https://www.hawaiitourismauthority.org/media/5370/impact-of-home-rental-market-on-hawaii-2019.pdf>

[2] *Robert D. Ferris Trust v. Planning Comm’n of the Cnty. of Kaua’i*, 378 P.3d 1023, 138 Haw. 307 (Haw. Ct. App.2016)



February 29, 2024

Honorable Representative David A. Tarnas
Chair, House Committee on Judiciary and Hawaiian Affairs

Regarding: Testimony in: **Strong Support for HB1838 HD1 - Relating to Zoning**

Aloha Chair Tarnas, Vice Chair Takayama, and Honorable Members of the House
Committee on Judiciary and Hawaiian Affairs,

My name is Jerry Gibson, President of the Hawaii Hotel Alliance, writing to express our unwavering support for HB1838 HD1. This legislation is crucial in addressing the negative impact of short-term rentals (STRs) in Hawaii, an issue that demands immediate attention.

The significant disparity between the Hawaii Tourism Authority's 2022 inventory report (15,382 STRs), UHERO's 2023 study (at least 30,000 STRs) and the 2024 All The Rooms report (an independent data analytics firm finding 89,693 listings across all major platforms in Hawaii in the last twelve months) underscores the urgency of reining in this industry. With at minimum an excess of 15,000 unpermitted units and potentially more than 70,000 unpermitted listings, the detrimental effects on affordable housing are profound.

While hotels contribute significantly to our communities, providing employment and tax revenue, the unchecked growth of STRs has hindered efforts to address affordable housing needs. Despite past legislative efforts, the number of STR units continues to rise, reaching alarming levels on Maui (12% of all housing units) and Kauai (14%).

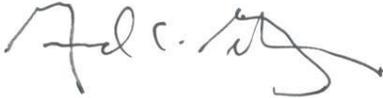
HB1838 HD presents an opportunity to rectify this situation. By eliminating STRs and third-party illegal rental sites, we can reclaim housing for our people. This legislation offers a tangible solution to bring down housing prices, establish a reasonable pricing structure, and transform misappropriated housing into homes for our communities.

In the aftermath of the devastation in Lahaina, the urgency to act is clear. On Maui, we have the means to deactivate third-party sites and provide housing for thousands. The Hawaii Hotel Alliance stands united with our members, employees, and the people of Hawaii, urging the swift passage of this critical legislation.

Honorable Representative David A. Tarnas
Page 2

Thank you for your attention to this pressing matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Gibson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jerry Gibson, President
Hawaii Hotel Alliance
Jerry@hawaiihotelalliance.com

HB-1838-HD-1

Submitted on: 2/28/2024 2:48:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Craig	Individual	Oppose	Written Testimony Only

Comments:

To whom it my concern,

Aloha. I'm opposing bill HB1838 for the following reasons. I'm a single mother of 3 sons with no financial aid from their other parent. I work hard as a condo cleaner of vacation rental condos on the south side of Maui and have done this work for 10 years. This is my sole income. My rent has just increased January of this year (as many others have) and it is already a struggle to make ends meet. If I lose my job if this bill passes to eliminate vacation rentals I don't know what I will do. There are SO many jobs that will be lost and families that will be negatively impacted if this bill passes; cleaners, property management companies, maintenance workers, window cleaners, carpet/tile cleaners, handy men, air conditioning service companies, to name a few. We already have enough problems on this island that need solving, I think it would be extremely unwise to create another one by putting so many businesses and individuals out of work completely or dramatically decreasing their income at a time like this. It also does not solve the housing problem long term to try to cram families in small studio or 1 bedroom condos (the size of the units I clean), they need actual housing with parking and storage that is livable and affordable. The governor wants mainland owners to sell to our residence but prices are so inflated right now that many are not in a position to buy in the first place and then what? Bill HB1838 will completely devastate myself and so many others who work so hard to provide for their families here on the island if it passes, I oppose this bill.

Thank you for your time.

Aloha

HB-1838-HD-1

Submitted on: 2/28/2024 2:53:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Ward	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

We have owned here since 1988 and honeymooned here in 1986

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. Many people come here year after year and consider it home away from home.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax..

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Robert Ward

HB-1838-HD-1

Submitted on: 2/28/2024 2:56:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Dear Chairperson,

I am writing to express my strong support for HB1838, which aims to empower Maui County with the authority to regulate the excessive proliferation of short-term vacation rentals, particularly in residential areas. This bill is a crucial step towards addressing the housing crisis that has deeply affected our community, especially in West Maui.

As highlighted in the recent research conducted by the University of Hawaii Economic Research Organization, the prevalence of short-term rentals in Lahaina and its surrounding areas has reached alarming levels. With 25% of housing units in Lahaina, 41.8% to the south, and a staggering 87% to the north being listed as short-term rentals, the availability of long-term housing options for local residents has dwindled to a mere 13%. This imbalance not only exacerbates the housing shortage but also drives up housing costs, making it increasingly difficult for displaced families to find affordable housing in our community.

HB1838 presents a critical opportunity for Maui County to regain control over its housing landscape and prioritize the needs of its residents. By granting counties the authority to phase out nonconforming single-family transient vacation rental units over a reasonable period, this bill provides a much-needed mechanism to rebalance our housing market. It aligns with the recommendations of the House of Representatives shelter working group, which identified the clear need for local authorities to have the tools necessary to address housing shortages, especially in the aftermath of natural disasters like the 2023 Maui wildfires.

Furthermore, HB1838 recognizes the importance of zoning ordinances in ensuring orderly development while preserving the integrity of residential communities. By allowing counties to enact regulations tailored to their unique needs and challenges, this bill promotes the responsible use of land resources and supports the long-term sustainability of our neighborhoods.

In conclusion, I urge you to support HB1838 and take decisive action to address the pressing housing issues facing Maui County. By passing this bill, we can take significant strides towards creating a more equitable housing landscape that serves the best interests of our community members.

Thank you for considering my testimony in support of HB1838. I trust that you will give this important issue the attention it deserves.

Sincerely,

Jessica dos Santos

HB-1838-HD-1

Submitted on: 2/28/2024 2:56:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yara Jiang	Individual	Oppose	Written Testimony Only

Comments:

I am against the bill of HB1838 because a lot of people can't afford to live in the hotel. Some people also want to stay longer in Hawaii for a month or more. It will allow tourists to come and boost the economy and tourism of Hawaii.

Regarding Bill HB1838

Oppose

February 28 2024

Dina Jacobsen

660 Mystic Mtn Ct

Sparks, NV 89441

Re: 500 Kapalua Dr Unit P15 5/6

Lahaina , HI 96761

Our story . In August 2023 we closed on our condo, in the Kapalua Golf Villas. This was an investment, that was going to help us through our retirement years. We expected to rent it out for short term rental income We had been to The Ritz Carlton in May of 2023 and fell in love with the area and knew this was where we wanted to invest.

August 9 we had plane reservations to come and visit our newly purchased property, but as fate would have it, the devastating wildfires of Lahaina were raging and we were not able to come to the beautiful island.

There were restrictions about coming to the island, so we weren't even able to start marketing our property for renting, after our purchase. We waited until December of 2023 to finally see our investment.

During these months of waiting for the island to open, we heard that FEMA was looking for rentals for displaced residents. With the help of our property manager, we opened our place to displaced residents or contractors, needing a place, long term to help with the efforts on the island. We took a reduced rate for these occupants. In December we filled out an application with FEMA, to have our property listed for occupancy for a full year. We were told that they didn't accept our application, as they had enough rentals. Our property is back on the short term rental listings.

Because of the current state of affairs on Maui, and the rebuilding efforts, We lost the summer months and the holidays periods of 2023 to rent our property.

If this bill passes, we will not have an option of renting short term. I believe each property owner should decide if they want long term or short term rentals. We wanted to help but were denied. Would we want a long term tenant only? No. We chose to buy in Maui, so that we can enjoy the

island, along with our other guests, using the condo a couple of times a year for personal enjoyment. We bought the condo as an investment, for rental income, for retirement, but get the best of both worlds, investment income and a great place to visit.

Long Term rentals, as stipulated in this bill, as I understand (nothing short of 180 days) it would in no way help the Maui community. Visitors aren't going to come for 6 months so Maui is going to lose big time in visitor revenue. The economy can't grow that way. People are drawn to Hawaii for it's beauty, but Hotels are not always the way to go. People need choices, and offering short term rentals are the way to go.

We hope this bill does not pass.

Sincerely

Dina & Randy Jacobsen

HB-1838-HD-1

Submitted on: 2/28/2024 3:01:45 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rina Shinagawa	Individual	Oppose	Written Testimony Only

Comments:

Rentals provide vage jobs that support many families in Oahu and other incomegenerated things people staying units goes out restaurants and activities... that will contribute the Oahu island.

Oahu depend manythings for the tourist and that short term rental places help to have people to have place for accomodation.

Thank you so much

HB-1838-HD-1

Submitted on: 2/28/2024 3:03:01 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Madilyn Sisson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties and could result in the elimination of nearly 14,000 legal short-term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Madilyn Sisson

HB-1838-HD-1

Submitted on: 2/28/2024 3:07:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bryce Sisson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Bryce Sisson

HB-1838-HD-1

Submitted on: 2/28/2024 3:09:46 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Simpson	Individual	Oppose	Written Testimony Only

Comments:

We have been coming to Maui for 46 years! At the ages of 93 and 80 and supporting two of our handicapped children it has been a challenge for us financially to maintain our Maui home which we use for five months every year! We live in Iowa where we have brutal winters and my husband and I cherish our Maui Ohana and wish to be able to continue to do so! I find it heartbreaking that you sit it judgement of us and assume we are making money from our renting our home out! We pay \$400 a month in electrical when we aren't even here and \$800 a month when guests are here! Hurricane insurance, taxes which increase every year as well as support family's who work to maintain our property!! Who will shop in your stores or eat in your restaurants ? You will have destroyed Maui! This is shortsighted at best and criminal to destroy those who have done you no harm!

HB-1838-HD-1

Submitted on: 2/28/2024 3:26:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ingrid Keasberry	Individual	Oppose	Written Testimony Only

Comments:

Dear Fellow Citizens,

I am writing to inform you of my opposition to HB1838. As President of Women With Vision, a public benefit charity throughout the 50 United States and US territories, I am dismayed at the possibility of this law to take effect and what that effect will have on the property owners of Hawaii. STRs are responsible for over 40% of the property tax revenue for the county. Our organization has provided affordable housing for over 27 years and own an affordable housing property in Lahaina, which has housed the FEMA workers helping the fire victims. Now that property is housing fire victims for the foreseeable future. STRs are instrumental in the recovery of Lahaina, and for the vital revenue needed in Maui for us to recover without further hindering the community.

Mahalo nui loa,

Ingrid Keasberry

women With Vision

HB-1838-HD-1

Submitted on: 2/28/2024 3:35:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph R Monteiro	Individual	Oppose	Written Testimony Only

Comments:

I am a local resident here on maui, I am co owner of an Air Condironing business that employs 18 local people that supports their famlies. Short term rentals are a large precentage (over 50%) of our buisness for service as well as installation. Long term rentals are a very small percentage under 10% of our business. With the rest (40%) being commercial and primary home owners.

The jobs for local residents that short term rentals create are signifigant. From cleaners, to plumbers, a/c techs, handy men/women, electricians.

Short term owners are always hireing us local companies/ local workers to renovate and keep there units nice and presentable and up to date. They care about how there rentals look and fuction adn invest a lot to make that happen. If we lose these short term rentals as part of our business we will have to lay off employees garunteed.

Please don't elimante short term rentals, it will hurt local families in the long run.

Sincerely, Jospheh Monteiro

HB-1838-HD-1

Submitted on: 2/28/2024 3:38:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michell Jacobson	Individual	Oppose	Written Testimony Only

Comments:

My husband and I live on Maui and have owned a condo in Kihei for 12 years. It has always been legally available to visitors as a short term rental. Tourism is Maui's biggest industry and our renters often mention their strong preference to stay in a condo rather than a hotel room. They want to have more room, more privacy, and a kitchen. They also appreciate the amenities we provide such as beach toys and ice chests. To have those needs addressed in a hotel setting is either impossible or horribly expensive. If this bill passes and STR's on Maui disappear, I am certain our economy will suffer. Our guests will find other vacation spots. The numerous support industries will also suffer: housekeepers, maintenance workers, condo resort staff, rental property agencies, and more. If this bill passes, my husband and I will be forced to sell the condo because we depend on the income to make the mortgage payments. The value will drop dramatically if it can no longer be used as a STR. That will have a direct impact on our retirement funds.

Please vote NO on HB1838.

Thank you.

Michell Jacobson

Haiku, HI

HB-1838-HD-1

Submitted on: 2/28/2024 3:44:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brooke Ringel	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

My name is Brooke Ringel. My family and I have been staying in short-term rentals every visit to Maui since our honeymoon (2011), when I was pregnant with my first child (2012), and as often as possible thereafter as soon as my children could travel to Maui (2014, 2016, 2019, 2023). Maui is our paradise! We have created special memories, discovered newly favorite foods, nurtured our love of nature, and given intangible gifts to our children with every visit. We long to return as soon as we've left.

My family stays in short-term rentals because it is the only way we can afford to visit Maui as often as we do (and hopefully more often in the future) and stay for as long as we do. A hotel room is not affordable or livable for us. That was certainly true when my children were very young and it continues to be true. For example, now that my kids are getting bigger, we need more than one room and booking two hotel rooms or a suite is really not an option. In addition, while we certainly eat out a lot during our visits and support the local restaurants and cafes and food trucks, we also like to make sandwiches to take to the beach, or have a way to store and eat leftovers, or be able to cook the fish that my husband and boys caught that day. You can certainly understand what it means to want to LIVE in a place, even if you are just visiting.

This bill will hurt my family, other visitors that are important to Maui, and residents that rely on short-term rentals as temporary, furnished, affordable housing. If short-term rentals are not an option for us, I'm not sure when we'll be able to return to Maui.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward. Thank you.

HB-1838-HD-1

Submitted on: 2/28/2024 3:44:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theresa Boyle	Individual	Oppose	Written Testimony Only

Comments:

As the owner of a short-term rental unit on Maui, I would like to make the following points:

- 1) This unit was purchased with the full intent of being able to occupy it both personally and to rent it to other vacationers who would like to enjoy Maui and bring their money to the island. I use the money generated by vacationers to subsidize my mortgage payment for the unit. My entire mortgage payment would need to come completely out of my budget unless I rent the unit long term and then I lose all access to usage of the property.
- 2) These units were built as a resort and are not intended for long term living. Both the restrictions as well as limitations like no pets and only one parking space per unit just would not make it attractive as a LTR.
- 3) Maui's STR's provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. In addition, every guest in my property pays additional taxes to the county and the state. If you remove all STR's from the market, how will you generate the revenue needed for your budget?
- 4) Removing STR's will decimate the tourist industry in the state. If hotels become the only option for tourists, most tourists will stop coming because they cannot afford the prices hotels charge. So, really? This is what you want to do?
- 5) I make a mortgage payment with interest to a Hawaiian bank and also have an on-island property manager. So, now you are saying you want to damage their business as well?
- 6) I am more than tired of reading articles about the way in which the governor of Hawaii talks about STR owners and setting us up as 'bad guys'. It is so advesarial and why? So you allowed all of these resort properties to be built but now you don't want me or the revenue that I bring to your state? It is not consistent with the supposed spirit of the islands. It is infuriating.

Respectfully submitted-Theresa Boyle

HB-1838-HD-1

Submitted on: 2/28/2024 3:50:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Krupa Patel	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Krupa Patel. I stayed in a short term rental because it offers me the opportunity to experience local culture and support local businesses.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 3:51:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Frank Lafond	Individual	Oppose	Written Testimony Only

Comments:

I own a condo in the Maui Kamaole community , where I plan to retire.

Until my retirement, I have been working from my condo 3 to 4 months a year , and I rent the condo as a short term vacations rental when I am not in Maui.

The income from the short term rents cover for the costs of the condo (property taxes, HOA, insurance, mortgage).

If my rental income from the condo is reduced, I will not be able to afford it anymore and my dream of retiring in Maui will not be possible.

Also, if the condo must be rented out for periods of at least 3 or 6 months, I will not be able to work and live at it during these times, and I have no other place where I can stay to work during these times. This bill would basically result in kicking me out of my own home, where I live and work from.

I did not buy this condo in Maui as an investment. I own only one single condo in Maui. I work from the condo and I live there 3 to 4 months per year, before living there full time in this condo after I retire.

I volunteered to help delivering and carrying water and food to the Lahaina fires survivor. I let a fire refugees family stay for free in my condo for 2 weeks. I really want to help the local Maui residents (- whom I am part of) with the housing situation. But not at the cost of not being able to afford to stay anymore in my own condo in Maui,. This would not be fair.

IMO, if voted, HB1838 should apply only to investors who own many (- more than 3 ?) condos in Maui, so that they can still stay in one of their condos. But it would not be fair at all that it applies to single condo owner / part time Maui resident like me.

Mahalo !

HB-1838-HD-1

Submitted on: 2/28/2024 3:53:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TimiSue Abbott	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition, which aims to eliminate short-term rentals. As a property owner, who relies on short term rentals for income and personal personal use, I am deeply concerned about the potential consequences of this.

Short term rentals not only provide a valuable source of income for property owners like myself, but also offer flexibility and convenience for travelers, seeking unique accommodation options. Personally, I enjoy staying at my property and short term rentals allow me to utilize my space while also generating supplemental income when I am not there.

Furthermore, short term rentals contribute to the local economy by supporting small businesses, such as cleaning services, maintenance providers, and local shops and restaurants. By eliminating short term rentals at Papakea this bill would not only harm property owners, but also have negative ripple effects throughout our community. I have worked hard to be able to purchase and maintain this property for several months of personal use and be able to supplement that income with renters.

I understand the concerns about short-term rentals, including potential disruptions to neighborhoods and housing affordability issues. However, I believe that these concerns can be addressed through reasonable regulations rather than an outright band. I urge you to reconsider your support, and instead worked towards crafting something that strikes a balance between, addressing the concerns and preserving other peoples rights. Shifting the pain is not the answer. Thank you for considering my perspective on this important issue.

TS Abbott

Papakea K302

HB-1838-HD-1

Submitted on: 2/28/2024 3:55:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margaret M Perry	Individual	Comments	Written Testimony Only

Comments:

Local residents, especially the workers in food service, hospitality & tourism need housing. As a former short-term property owner, I believe asking for the current owners to donate their week(s) & for Maui's workers and for the Short Term Property Owners to receive a tax credit of the daily rental rate of their "timeshare" rather than their weekly maintenance fee, which will be incentive to donate to the housing shortage - especially on the west side. If they don't agree, I believe the county should have the right to "take back" that week of time and credit the timeshare owner the weekly maintenance fee for two years - giving the county time to build and or find more permanent housing for fire victims who have been displaced as county residents. As a former time share owner I know how difficult it can be to get away to my property when it was available to use, thus it sat unused. Appealing to the kindness and empathy of the current owners is easy and likely successful. Stop the insanity of making families living in hotell rooms while FEMA and Red Cross workers are in houses is ludicrous! Take care of the people who keep visitors coming to Maui!

Mahalo,

Margaret M Perry

HB-1838-HD-1

Submitted on: 2/28/2024 3:58:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zoey Giiammona	Individual	Oppose	Written Testimony Only

Comments:

I travel often to Maui with my family and with friends. We always stay at condos and short term rentals, not hotels or resorts, due to the flexibility that the condos offer and affordable price. If this bill passes, Maui will lose a high number of tourists each year if no short term rentals are allowed and the economy will suffer greatly. Vote no.

HB-1838-HD-1

Submitted on: 2/28/2024 3:58:36 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Oleg Puzyrko	Individual	Oppose	Written Testimony Only

Comments:

We rely on income from short term rental to pay the mortgage and expenses for the property.

HB-1838-HD-1

Submitted on: 2/28/2024 3:58:52 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tanya Gabriel	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

As a mental health professional, I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Tanya Noelle Gabriel, LMHC, NCC



February 28, 2024

Unit G106
Papakea Resort
3543 Lower Honoapiiliani Road
Lahaina, HI

Dear Representative Tarnas, Chair; Representative Takayama, Vice Chair; and Members of the Committee:

Our business **OPPOSES** H.B. 1838, HD1 for the following reasons:

We are owners of a unit at Papakea Resort, 3543 Lower Honoapiilani Road, Lahaina. Our organization is not really a business but was set up to have five families share use of the condo for our vacations. As residents of the mainland, we bring significant revenue to many, many businesses on Maui and throughout the Hawaiian Islands. Hawaii is an expensive place to visit and in order to afford our visits we feel it is necessary to rent out our unit to others when we are not here. This provides even more employment and revenue to the people of Hawaii.

Papakea employs many local residents; some have worked at the property for 10-15 years, some working their way up from entry level positions into supervisory roles. Papakea is an ohana to it's many staff, management and residents, all which would be in jeopardy with passage of this bill.

As a unit owner over the last 10 years we have provided substantial employment to contractors, service people and skilled trades of all types. We have completed one complete renovation of our unit which resulted in us purchasing many items on the island and employing the people needed to get the job done.

While any economic activity is good for the people of Hawaii money, money from outside the state provides an added boost to the economy. This is cash injected directly into the Hawaiian economy through purchases as well as taxation.

It would be very short sighted, in my opinion, for the State of Hawaii to restrict or cut off this reliable source of revenue.

Please do not support this bill.

Don Gibson
President
Tropica USA Corp.

HB-1838-HD-1

Submitted on: 2/28/2024 4:14:29 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Clarence k chun	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-1838-HD-1

Submitted on: 2/28/2024 4:16:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Newman	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 1838. My husband and I are retirees, and he is disabled. We greatly depend upon the income we receive from our short term rental. Not only that, our lives have been deeply enriched through the many wonderful people from around the world who we have met and connected with because of our business. We consistently receive glowing feedback from guests who gain a true sense of the surrounding community by renting a home instead of staying in a hotel. They frequent local businesses and contribute to the well-being of the economy. This bill would cause unnecessary hardship not only for our family but to our community as well.

HB-1838-HD-1

Submitted on: 2/28/2024 4:17:37 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Jager	Individual	Oppose	Written Testimony Only

Comments:

These vacation rental bills should focus on non-Hawaiian residents, especially the ones who own many properties. We own our primary residence in Honolulu, and own one vacation rental in Maui which we enjoy visiting 3 times per year.

Thanks to the short-term vacation rental opportunity, it was 30 years into our marriage when we were finally able to explore Maui for the first time. It was the most memorable vacation. There was a guest book in the condo which we ended up reading the entire book filled with joy and happiness from past travelers from all over the world. This is the reason why we started our own vacation rental in Maui with a hope and passion to share the beauty and our love of Maui with many others.

Instead of the fruit platter at the hotel, our guests explore local farmers markets to enjoy locally grown produce. Instead of lunch or cocktails served by the pool, our guests explore local restaurants, food trucks, and happy hours. Instead of dining out at on-site resort hotel restaurants, our guests explore local stores to cook with local fresh ingredients. We actively take a great part of promoting local businesses. We now have many repeated guests, and some of them even get involved in the local volunteer activities because they grow to care about communities.

Short-term vacation rentals can offer unique experiences nothing like the commercial resort hotels can offer. It's important that people understand that there is more to it than just letting people stay in our home to make money. It involves kindness, politeness, caring of resident neighbors, respect for rules as well as local people and cultures, and gratitude which is all the best form of humanity. As owners, it is our opportunity and responsibility to promote it in order to contribute towards community health and growth.

Bylaws and regulations could weed out owners who are not prepared to adhere to bylaws or rules. We already heard from our guests worrying about not being able to stay in our condo anymore. Instead of banning all together, could you please look for the ways to save the quality of short-term rentals in Maui?

HB-1838-HD-1

Submitted on: 2/28/2024 4:18:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julian Ritchey	Individual	Oppose	Written Testimony Only

Comments:

Dear council members,

I am writing to provide testimony regarding your Vacation Rental Bill. I appreciate the work you have done to address this issue and understand that this type of regulation can be very challenging. I urge you to vote against Bill HB1838. There should be a fair and reasonable process that allows homeowners to legally permit their homes for this type of use under some circumstances. This will benefit the homeowner through the rental revenues; the State through additional taxes paid on those revenues; and the general State economy through the money that TVU renters spend while visiting Oahu.

As I'm sure you realize, Hawaii has some of the highest costs of living in the U.S. and the additional income is critical to some homeowners. Even for those who could make ends meet without this income, the additional revenue gives them more spending power benefiting the local economy and increasing State tax revenues.

These types of accommodations have become an important part of the tourism industry over the last several years and should be seen as a crucial part of maintaining Hawaii's standing as a leading tourist destination.

In our particular case, we moved to Honolulu nine years ago for my wife's job and bought our house with the intention of retiring here. We are both in the renewable energy industry. Two years ago, My father died and my mother is in very poor health. Consequently, we travel frequently to help out with her in Texas, where she lives. We need to rent our home while we are gone to help cover the costs while we are away and not able to work as much as usual. Without the income from these rentals, we would be limited to very little time we could spend helping out with my mother. I report any income and pay taxes on it.

The situation has benefited some of our retired neighbors as well. They have been very supportive and have stepped in to act as hosts if guests arrive when I am traveling. They also provide assistance if needed to the guests while they are there. It is a win-win situation not only for myself and my neighbors, but also for our guests. And, it has brought us together more than if we were not doing this by providing an additional sense of community. We are also benefitting all the businesses in our neighborhood as our tenants frequent them when they stay in our house.

We are opposed to **HB1838**. This goes too far and severely limits a homeowner's rights.

There are many instances like ours, in which the properties would not be on the long-term rental market, so we are not affecting the long-term rental market pricing. I think that it would be a good solution to let individuals rent their primary residence (if they own it) for say 90-120 days out of the year. This should be allowed even in residential areas. You could put some restrictions on the owners to make sure that neighbors are not disturbed. There are many homeowners who need this little extra income to help supplement their mortgage payments. TAT and GE taxes fairly generate some income for the state and county that is based on the amount of income and therefore doesn't discriminate against those who only want to rent their homes out for a minimal number of days each year.

Thank you again for your attention to this issue. I understand that it can be a contentious one and believe that with fair and thoughtful regulation, all parties' concerns can be heard and appropriately addressed in a manner that will allow this segment of the tourism industry to continue and be properly regulated.

Mahalo,

HB-1838-HD-1

Submitted on: 2/28/2024 4:22:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Candice Choy	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My husband and I are a retired couple. I have lived on the Big Island of Hawaii for 21 years and my husband 45 years. We love the Volcano area. We used the money we saved to buy a property in Volcano to use as our retreat cottage as well as vacation rental. We cannot afford to own two properties. This is a way to allow us to have mini vacations without going off island. We rent the place out as vacation rental when we are not using it. We are very in screening our guests and we only allows two people to stay in the place. We have never had noise compliant or any complaints from our neighbours. We currently have a NUC license. If the county is to disallow any NUC, we will lose our ability to own a second property in an area wthat we love on the island that we love and call home. We will have to be forced to go off island to take vacations which we really rather avoid. Please continue to allow NUC licenses on this island.

Aloha

HB-1838-HD-1

Submitted on: 2/28/2024 4:23:41 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Chen	Individual	Oppose	Written Testimony Only

Comments:

I am a single mother of 2 and I am a cleaner for short term rentals. I rely on cleaning short term rentals to support myself and my children, it is my main source of income. I strongly oppose this bill because it affects my livelihood and this problem of not having enough housing has nothing to do with short term rentals.

HB-1838-HD-1

Submitted on: 2/28/2024 4:25:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
RENE FUOG	Individual	Oppose	Written Testimony Only

Comments:

I am an owner at Lahaina Shores on Maui since 1994. This building, which was built in the 1970's consists mainly of small studios. We have enjoyed visting Maui since then once or twice a year, During the other periods, we have been renting out the unit to other couples. I understand the need for Hawaiian families, that are prohibited due to cost to rent homes and appartments. However, our unit, a studio, is not suitable for families which this legislature proposes. In your legilsation, there should be an exception for studios, that do not meet the need for residence families. Mahaolo for asking for input.

Rene Fuog

Lahaina Shores 417.

HB-1838-HD-1

Submitted on: 2/28/2024 4:27:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas leigh	Individual	Oppose	Written Testimony Only

Comments:

As a mortgage broker on Maui, part-time, resident, and STVR owner I strongly oppose bill HB1838 and this is why. The majority of vacation rentals on Maui are close to the water and with one bedroom condos having the average price of \$1,000,000.00 plus. Then factor in a 20% down payment being \$200,000, interest rates being between 7-9% on top of a monthly HOA payments of roughly \$1000. That would but the payment at \$6800 a month + the HOA. No local resident is going to be able to afford that for a one bedroom even if the price was cut in half.

The idea of bill HB1838 is if you strip the owners property rights away to be able to STR their home that will decrease the value of the home to make it more affordable to full time residence. That simply will not be the case. STVR owners like myself who live part time on Maui for work. Who purchased so they would have a place to stay while on island and that need to offset the costs by STR them while off island are being made out to be the bad guys and we are not. The truth is STVR owner fuel the Maui economy in many ways. To included supplying many jobs to full residents such as, cleaners, handymen, property managers. This is ON TOP of paying 18% of the income we make off the revenue from our STVR going directly to Maui county. If bill HB1838 goes into effect and you take away the property owners rights they will sell. Even at a lower price it will not be to a local resident. They won't be able to afford it anyway. What will happen is it will make them more affordable to other part time residents that can afford not to use it as a STVR while they are off island. So the majority will end up sitting vacant. Not employing the cleaners, the handymen and the property managers. Not allowing for tourists to come and fuel Maui's economy. On top of no longer paying Maui county 18% of its income.

To put this in perspective if this bill passes and I am stripped of my ability to short term rent my condo. I will be forced to sell and quit my job here on island and return to working full time in Las Vegas. My condo is currently valued at \$1,800,000. Even if it took a hit of \$500,000 for it no longer being an income producing property the value would still be \$1,300,000. No local resident will be able to qualify for this price range. I would more than likely have to sell to another part time resident that can afford to let it sit vacant the weeks or months they are not on island. It will not help the current housing crisis whatsoever. The only things that would change is the cleaner/handymen and property managers will have one less account. Approximately 4-7 families a month would not be visiting Maui. On top of Maui county will have \$60,270.89 less in their budget which is the exact number in taxes I have collected and remitted in taxes from just my one condo alone since its purchase in 2019.

Connie Anderson
2385 S. Kihei Road #512
Kihei, Hi. 96753

Bill HB1838
Testimony

To Whom it may concern:

I own a vacation home that I stay at 2 months a year and for the balance of the year I rent it Short Term.

I employ housekeepers, Property Manager and repairman and these people would lose their livelihood along with all the places of business that vacationers spend their money on while visiting and these vacationers want to stay together with their families & friends in a home not a hotel room.

Vacationers to Maui spend on food, souvenirs, and all the things that vacationers spend money on in Maui.

We would not be able to afford keeping our place along with others and there would be a glut of these homes on the market.

I would now like to discuss all the tax money that Maui would not be receiving starting with the 17.417% room tax. Short term rentals generate 1.7 million a year in tax REVENUE where will this come from with this tax gone???

I urge you to not allow this bill to pass it would be devastation for so many people residents, owners, and vacationers.

Thank You
Connie Anderson

HB-1838-HD-1

Submitted on: 2/28/2024 4:28:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Corrine Fabie	Individual	Oppose	Written Testimony Only

Comments:

Short term housing is used for many purposes and enable visitors to visit and tour Hawaii which brings revenue to local business and residents and enables workers moving to the island or short term work to find housing that is furnished. Short term rentals bring in 40% of the tax revenue to Maui county. Do not revoke usage of short term rentals as the local economy will suffer and job loss increase.

HB-1838-HD-1

Submitted on: 2/28/2024 4:29:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Serena Reiss	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Serena Reiss. I support short term rentals on Maui for many reasons.

Mainly, tourism which is what really helps this Island survive. The locals depend on tourism so they can have a job and consistent income for them and their families.

Most tourists will stay 7 days to maybe more than a month and it is this flexibility in having short-term rentals that we cannot afford to remove.

A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Serena Reiss

HB-1838-HD-1

Submitted on: 2/28/2024 4:29:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Bannow	Individual	Oppose	Written Testimony Only

Comments:

I oppose to this proposal

HB-1838-HD-1

Submitted on: 2/28/2024 4:29:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Montgomery	Individual	Oppose	Written Testimony Only

Comments:

I write today in opposition to HB1838.

We purchased our condo, a very small one bedroom, ocean front, leasehold unit in 2005. We use it for family vacations on average six weeks a year. Once fully retired we intend to use it more often. In the meantime, as it carries a \$1500/month land lease and insurance, we try to rent it out STR. This has brought vacationers to the island choosing not to stay at the larger resorts but to feel the Aloha spirit and to leave their monies with the local small businesses. I cannot account for the monies this type of use of our condo must bring in to the local economy. The jobs created and maintained to make such a STR viable are numerous. Converting our small leasehold unit to long term rental is not feasible. It would not be "affordable" it would eliminate many jobs currently filled in support of the STR, it is.

This Bill could result in the phasing out of LEGAL short term rentals on Maui.

I've heard, Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Please vote NO on HB1838, do not pass out of committee.

HB-1838-HD-1

Submitted on: 2/28/2024 4:42:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
stuart thomson	Individual	Oppose	Written Testimony Only

Comments:

I have been an owner at a short term rental condominium complex in south Kihei for over 12 years. I've been coming to Maui for over 50 years. I don't understand how you think getting rid of short term rentals is going to help your housing issues. The people that need housing aren't going to afford complexes next to the water. The crush you'll put on the tourism industry will be absolutely devastating to the economy. Do you really think vistors will pay over a thousand dollars a night at the hotel/resorts? This is not to even begin to address the decrease of property values. Is Hawaii going to compensate all condominium owners that purchased their units being told that they would have short term rental income to help pay for their property?

HB-1838-HD-1

Submitted on: 2/28/2024 4:45:30 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marika Harris	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 4:46:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valarie Hadwin	Individual	Oppose	Written Testimony Only

Comments:

I oppose!

Aloha! As a short-term rental owner since 2016, I am deeply concerned about HB1838 as it will decimate Hawaii's economy by no longer permitting STR. Like many other STR owners it will affect their income as it will mine. If HB1838 passes this will lead to a domino effect as tourism will cease to exist as visitors find renting an STR much more affordable compared to staying to that of a hotel. With 40% of revenue being driven from STR property taxes how will the state of HI continue to operate? Without tourism the unemployment rate will dramatically go up as residents will lose their jobs as most work in the hospitality industry. My property has brought great joy not only for myself but to all guests who have stayed there. I hope that you will take my feedback into consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 4:53:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rohit Kurup	Individual	Oppose	Written Testimony Only

Comments:

Hello, I own a SFH in Kapa, Kauai and I opposed to this bill as it doesn't not solve the issue of housing and in fact does quite the opposite in my opinion for the following reasons :

1. My vacation rental employs 4 other individuals (cleaning staff, maintenance person, private trash pick, landscaper up etc.) and to whom I collectively pay approx \$40,000 per year. If short term rental were banned they would no longer be employed with me or other people who have vacation rentals outside of VDA areas such as myself.

2. My rental brings in close to 60k in tourist taxes and not to mention all the addition money these tourists spend on the island. If short term rentals outside of vacation destination areas are banned that would severely curtail the supply of affordable accommodation on the island and so tourists would simply take there business elsewhere - Europe, other mainland locations, Mexico, South America etc.

So then what is the point of banning rentals when it depresses the economy and puts people out of work? This is a counter productive plan and I urge that this bill be pulled.

HB-1838-HD-1

Submitted on: 2/28/2024 5:01:00 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Inda	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and the honorable members of the house committee on Judiciary and Hawaiian Affairs,

I am testifying in SUPPORT of HB1838.

in Lāhainā 25% of the housing units were listed as short term rentals according to the UH Economic Research Org. South of Lahaina jumps to 41.8% and up North it jumps to 87%. We're in a housing emergency on Maui. Giving the counties the clear authority to phase out vacation rental uses has been identified as a key policy tool for helping Maui Residents find long term housing in the wake of the wildfires.

Mahalo for giving me a chance to voice my support for HB1838.

HB-1838-HD-1

Submitted on: 2/28/2024 5:11:02 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Douglas	Individual	Oppose	Written Testimony Only

Comments:

You must listen to the stakeholders and NOT pass this intrusive and dangerous legislation. Too much power is already in the hands of government!

HB-1838-HD-1

Submitted on: 2/28/2024 5:12:26 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kinsley McEachern	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kinsley McEachern

HB-1838-HD-1

Submitted on: 2/28/2024 5:14:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brent Schlea	Individual	Support	Written Testimony Only

Comments:

[HB1838](#) presents a critical opportunity for Maui County to gain more authority in regulating the excessive number of short-term rentals. By supporting this bill, we can work towards creating a more balanced housing landscape that prioritizes the needs of our local community.

HB-1838-HD-1

Submitted on: 2/28/2024 5:21:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynnette Mote	Individual	Oppose	Written Testimony Only

Comments:

Single family transient accommodations have provided a considerable basis of the economy in Hawaii for decades. The tax base collected from TAT and GE taxes on the units contributes greatly, in addition to the individual earnings taxes generated from all of the workers supporting tourism. Undermining or eliminating this revenue to the state, while simultaneously decreasing the biggest industry in the island, tourism, would be catastrophic for the people on multiple fronts-not the least of which is jobs lost, and consequently an even lower tax base.

Donald Anderson
2385 S. Kihei Road #512
Kihei, Hi. 96753

Bill HB1838
Testimony

To Whom it may concern:

I own a vacation home that I stay at 2 months a year and for the balance of the year I rent it Short Term.

I employ housekeepers, Property Manager and repairman and these people would lose their livelihood along with all the places of business that vacationers spend their money on while visiting and these vacationers want to stay together with their families & friends in a home not a hotel room.

Vacationers to Maui spend on food, souvenirs, and all the things that vacationers spend money on in Maui.

We would not be able to afford keeping our place along with others and there would be a glut of these homes on the market.

I would now like to discuss all the tax money that Maui would not be receiving starting with the 17.417% room tax. Short term rentals generate 1.7 million a year in tax REVENUE where will this come from with this tax gone???

I urge you to not allow this bill to pass it would be devastation for so many people residents, owners, and vacationers.

Thank You
Donald Anderson

We are opposed to HB1838.

As a registered LLC in the State of Hawai'i, we rent to short term guests of Hawai'i on Maui. Our unit is a registered condo-hotel at Papakea on Maui; the majority of our guests stay between 1 and 3 weeks. Papakea has been a haven for residents in transition (including fire victims- with homes burned and with homes needing restoration), for Maui visitors from all over the world, and for our families and friends.

Short term rentals like ours provide needed revenue for the State of Hawai'i and the County of Maui. Our unit provides property tax revenue as well as GET and Transient tax income to Maui and Hawai'i. Our unit is providing income to our property manager and the 100 or so employees of Maui Paradise Properties- all local people (unlike the property managers hired by FEMA.) This includes contactors, cleaners, laundry workers, HVAC and plumbing workers, painters, etc. who all earn their livelihood from short term rental units like ours. (Many of our property managers' employees lost homes in the Lahaina fire and their business building and storage areas burned as well. We, and others, have been helping those affected.)

Visitors and guests who stay in our short term rental **shop locally**- for food in restaurants and in grocery stores. All of the employees in these businesses **Need** the money that is incoming from visitors; without these people coming and going (short term rentals) there would be no other income to sustain the local workers and their families. In addition, local shops and stores benefit from money spent on clothing, experiences, boating tours, fishing trips, whale watching, snorkeling, etc. by the guests who stay in our condo.

Short term rentals like ours have been used in various times of crisis to accommodate unhoused persons temporarily. We find this service to be invaluable. Why would you want to take away the opportunity for people to be housed near their old home in a fully furnished short term rental? Why would you desire to remove potentially 40% of the property tax income currently derived from short term rentals?

We hope that Hawai'i has plans to encourage, rather than deny, visitors and Hawaiian citizens the opportunity to stay, Not in hotels, but in economical condos and houses for 1-3 weeks at a time. Let these visitors spend money to benefit the local economy!

Again, we are opposed to HB1838.

Mahalo,

Betsy, Dana and Roy Christensen/Kaleialoha LLC

2/28/24

HB-1838-HD-1

Submitted on: 2/28/2024 5:41:11 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin King	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have been visiting Hawaii for over twenty years. We love to cook and prefer more space than a typical hotel room. For those reasons, we always try to rent a short-term rental with a kitchen. Through the years, it has become more and more difficult to find a place to stay, as the hotels continue to fight to reduce the amount of short-term rentals available.

In order to make sure we always have a place to stay in Waikiki (and because we ultimately want to retire there), we purchased a unit in the Waikiki Banyan last April. We bought it knowing it was a legal short-term rental (thanks to the law change that went into effect to designate the Waikiki Banyan a condo-tel). We planned to rent it out when we weren't there to allow others to enjoy Waikiki like we do and to help us pay the mortgage. It will have a negative financial impact personally if we are not allowed to rent it out short-term. If HB1838 passes, it will force us to rent it out long-term (along with 867 other units) or sell it, which would flood the market with long-term rental inventory and force many unit owners into foreclosure.

Our rental has a 92% occupancy rate since we started renting it (not including our time there), so there is clearly a demand and desire from locals, island-hoppers, wildfire refugees and tourists to stay in a condo with a kitchen, rather than being confined in a tiny hotel room without a kitchen. Please do not pass house bill 1838, it will negatively impact many normal people like us who simply love Waikiki and want to share it with others.

Thank you,

Kevin

HB-1838-HD-1

Submitted on: 2/28/2024 5:42:30 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leena Shah	Individual	Oppose	Written Testimony Only

Comments:

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from if STRs are reduced?

Many people purchased STRs for this specific purpose and purchased in Condotells that are zoned for this.

i oppose this bill as this would impact significant revenue for Maui. Maui relies on tourism and this would negatively impact that. Not just STRs but so many other businesses - so families and livelihoods would be affected negatively by this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 5:44:12 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Layton and Julianna Monroe	Individual	Oppose	Written Testimony Only

Comments:

Dear Representatives, Tarnas,Chair, Representative Takayama, Vice Chair , and members of the committee:

We oppose H.B.1838, HD1 for the following reasons:

- * Papakea STRs support many small businesses in the Maui community, including housekeepers,handymen, on island agents and contractors.
- * Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes and many at the short term rental rate, Transient Accommodation Tax, General Excise Task , and Maui Transient Accommodation taxes.
- * Papakea guests support many small businesses on the island including restaurants,food trucks,tour operators, state parks , national parks and shops.
- *Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.
- * Papakea employees approximately 35 local residents, some have worked at the property for over 15 years.
- * Papakea supports a wide variety of local trade professionals including pest control, HVAC , plumbing , electrical and tree trimming .
- *Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on STR revenue.

*For the reasons stated herein I OPPOSE H.B.1838, HD 1

and urge the committee to defer it.

Respectfully submitted:

Layton and Julianna Monroe

02/28/2024

*

HB-1838-HD-1

Submitted on: 2/28/2024 5:47:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Nancy Harter

HB-1838-HD-1

Submitted on: 2/28/2024 5:48:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Wu	Individual	Oppose	Written Testimony Only

Comments:

I oppose this prop

As a STVR owner in Hawaii, I oppose this proposed legislation because it will have several negative effects: 1) it will decrease my income which I need to survive: 2) It will prevent me from providing employment to local workers who do the housekeeping, handywork, yard work, etc.; 3) It will negatively impact the local economy and tourism.

HB-1838-HD-1

Submitted on: 2/28/2024 5:51:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Hwang	Individual	Oppose	Written Testimony Only

Comments:

Dear Judge,

As I am newly Hawaiian, renting out a home is of great importance for my well-being and survival. The cost of living is too high and getting the extra income by renting out my place makes a huge difference in keeping me afloat. I greatly oppose any phasing out of non-conforming single-family transient vacation rentals. Tourism is so vital to the economy of Hawaii, please don't take away our livelihood.

Thanks,

Steve Hwang

HB-1838-HD-1

Submitted on: 2/28/2024 5:52:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Fenny Patterson	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838

HB-1838-HD-1

Submitted on: 2/28/2024 5:54:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eugene A Modell	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee.

OPPOSE HB.1838, HD1 for the following reasons:

Papakea Maui was built in 1978 and has operated as a vacation rental property for nearly 46 years.

Papakea employs approximately 35 local resident employees. Several of these employees have worked at the property for over 15 ears with some currently working in supervisory roles.

Papakea supports a wide range of local trades professionals including pest control, HVAC, plumbing, electrical, tree trimming, etc. There is often several units under rennovation which employs cabinet makers/installers, tile and flooring installers, etc.

Papakea can only support current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental income.

Papakea short term rentals support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors.

Papakea short term rentals support the State of Hawwii and County of Maui through payment of property taxes (at a premium short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Ta

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, shops, grocery stores and entertainment venues.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For these reasons stated herein, I OPPOSE H.B.1838, HD1 and urge the committe do defer it.

Respectfully submitted,

Eugene A. Modell

HB-1838-HD-1

Submitted on: 2/28/2024 5:59:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alisa Leidl	Individual	Oppose	In Person

Comments:

February 28, 2024

Re: Bill HB1838 Short term Rentals

To Whom it May Concern,

We have co-owned a property in Kihei since 1982, it is currently a short-term rental for a few months of the year. My siblings and I and our large family enjoys spending time in Maui every year. The proposed bill to restrict short term rentals would impact us negatively.

Our concerns would be as follows:

- The proposal would limit the times we would be able to use our property. It would likely be empty for long periods of time.
- The county and state would lose a lucrative revenue stream.
- If the bill passes, we may be forced to sell, property values would likely drop.
- We would no longer support the on-island tourist or support service (cleaners, trades etc.) economy.
- We have carried the costs of this property for many, many years and it would be sad to lose it when my siblings and I have finally retired and are free to use it.
- Our hearts go to those who lost homes in the Lahaina fires. We are in the process of listing our space for occupation via the GEM program.

We hope this proposal is reconsidered.

Thank you,

Alisa & Reg Leidl

HB-1838-HD-1

Submitted on: 2/28/2024 6:04:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dan Lais	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha, thank you for the opportunity to share testimony on HB1838. My wife Mandy and I own a home near Pahoia that we provide full-time living accommodations for my Mother InLaw (Mandy's Mom). We also use part of the home to host Airbnb guests. This is an on-site hosted home. We have been able to realize a dream with providing housing for our Ohana and also save a little money with the hosted rental to help off-set our mortgage and also accomplish another dream of running our own business. We practice Pono and embrace the Aloha Sprit with all our guests, neighbors and community. We pride ourselves on helping our guests understand and respect local culture and to respect the land, sea, and air as they visit. We encourage patronage of local business and provide written and virtual guides of places to eat, visit, experience all over the island, but in particular the small community of Pahoia, which does not benefit from the resort areas of the island. Our guests all comment how much they enjoy our local recommendations and are so grateful to learn about local culture they would not experience otherwise. As such, we simply aim to provide opportunity for our family to live in spirit with the island along with our guests. We make sure all guests follow all Airbnb rules plus our own house rules that require quite hours. We have never had poor quests or any problems expressed by neighbors. We oppose phasing out of all short-term vacation rental homes as proposed. We also appose raising fees on vacation rental properties. We currently pay significant tax and extra fees already imposed on us and with little return to the community for these existing fees. Thank you for listening to our story and for considering this testimony. Mahalo nui- Dan Lais

HB-1838-HD-1

Submitted on: 2/28/2024 6:09:23 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Isis Usborne	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Isis Usborne

HB-1838-HD-1

Submitted on: 2/28/2024 6:17:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paula Flynn	Individual	Oppose	Written Testimony Only

Comments:

As an owner, part-time resident and taxpayer I reviewed HB1838 and do not support this bill based on the economic impact that will result. Since a large contributor to the income generated on Maui is through tourism mostly accomodated through short term rentals, this bill will greatly affect businesses, employees and owners of short term rentals who also support the tax revenue. The housing crisis is great, but elimination of short term rental units will only solve the issue by forcing those who work and own to leave the islands when the economy shrinks drastically. The COVID epidemic took it's toll on the islands and elimination of many short term rentals will further devastate the economy with no lasting benefit.

HB-1838-HD-1

Submitted on: 2/28/2024 6:17:25 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ken Sim	Individual	Oppose	Written Testimony Only

Comments:

The Bill will shut down citizens who have operated for years in full compliance of zoning codes. Do you know that there are B&Bs who have operated for decades that will be shut down. Do you know that in the County of Hawaii there are many citizens who rent out a room in their home, they will be shut down. Do you know that citizens have registered or obtained permits from the county to operate and this Bill will shut them down.

HB-1838-HD-1

Submitted on: 2/28/2024 6:21:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Yeager	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is James Yeager and I am writing in opposition to this bill because there is a need for short term rentals. I stayed in a short term rental because it is more convenient, affordable, comfortable and private than staying in a hotel or resort, especially when you need to work while visiting. Staying at a hotel generally also requires eating out at restaurants 3 meals per day which makes it even more financially challenging, especially for families.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing. Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

HB-1838-HD-1

Submitted on: 2/28/2024 6:28:31 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peachie Garcia	Individual	Support	Written Testimony Only

Comments:

I have been an elementary school teacher for almost 30 years. I have been serving our Lahaina keiki for almost 15 years now. I survived the Lahaina wildfires but unfortunately lost both my place of residence and employment. Although I am grateful that I have finally moved to my temporary long term housing, I am concerned about the housing crisis when my 12 month lease with FEMA ends next year. There are very limited affordable places to rent or buy here in Lahaina due to the significant number of short term rentals which has only been serving the tourists. I am supporting HB1838 because I would like the zoning ordinance to phase out transient vacation rentals. I want to continue teaching our keiki in Lahaina but I can only do that if I am able to find affordable housing. I love this community and I want to see our workforce thrive in the place where they live and work.

HB-1838-HD-1

Submitted on: 2/28/2024 6:33:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ramona Marchand	Individual	Oppose	Written Testimony Only

Comments:

As an owner of a short term rental in south Kihei I want to share that I strongly oppose this bill. We love this island and we are planning on retiring here. Having this STR was our first step in our plan to move here. We very much love that the tax revenue that is generated from out property goes back to this amazing community.

this bill does not make sense to us and we respectfully request that this bill is removed

thank you

David Marchand

HB-1838-HD-1

Submitted on: 2/28/2024 6:35:40 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elaine Cuaresma	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I have a B&B in South Maui . WE have been licensed for over 11 years . We support many cleaners ,pool guys, landscapers etc... We pay a lot of taxes to the state, along with many other vacation rental landlords. I offered our cottage which I took off vrbo the last two months. So the state is not making a dime in taxes and FEMA is refusing Kihei or anyone who won't take a pet .

So now our cottage is sitting empty ,how is that helping the state or the people of Lahaina . Its not our vacation rental that's a problem. Its outside buyers are coming to Hawaii creating the housing market issue and prices. It's not the Vacation rental market you have the two confused. We are doing a B&B as we have owned our home for 40 years. My husband is a retired Maui firefighter his pension is 1800 a month. Our mortgage is 3500 so we had to do something. Closing down vacation rentals is not the answer to the housing problem . Many locals are just trying to save their properties and get by. We have been a good respectful B&B to our neighbors. Or at least grandfather in all the B&B's that have been working hard for years.

HB-1838-HD-1

Submitted on: 2/28/2024 6:36:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ann Ruff	Individual	Oppose	Written Testimony Only

Comments:

Please, for the health and well being of the Hawaiian people who work in the service industry and jobs that support short term rentals, do not pass HB1838. In addition, please note that the economic fallout goes beyond just those who directly work in support of short term rentals. It is a domino effect when a very large important sector of the community is eliminated. Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 6:37:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith Sabah	Individual	Support	Written Testimony Only

Comments:

To Whom This May Concern,

I am writing to you to oppose to the bill's proposal to gradually eliminate short term rentals in any zoning in Maui. It will lead to catarstrophic economical losses for the island, and its locals. Maui lives off tourism, if the tourism is taken away, the population won't have anything to survive on. This is not a sound solution to fixing the logging challenges of Maui.

Thank you,

Judith Sabah, MD

HB-1838-HD-1

Submitted on: 2/28/2024 6:38:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrienne Antymniuk	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

Re: Bill HB1838 Short term Rentals

To Whom it May Concern,

We have co-owned a property in Kihei since 1982, it is currently a short-term rental for a few months of the year. My siblings and I and our large family enjoy spending time in Maui every year. The proposed bill to restrict short term rentals would impact us negatively.

Our concerns would be as follows:

- The proposal would limit the times we would be able to use our property. It would likely be empty for long periods of time.
- The county and state would lose a lucrative revenue stream.
- If the bill passes, we may be forced to sell, property values would likely drop.
- We would no longer support the on-island tourist or support service (cleaners, trades etc.) economy.
- We have carried the costs of this property for many, many years and it would be sad to lose it when my siblings and I have finally retired and are free to use it.

- Our hearts go to those who lost homes in the Lahaina fires. We are in the process of listing our space for occupation via the GEM program.

We hope this proposal is reconsidered.

Thank you,
Andrienne and Dan Antymniuk

My wife and I live on Maui and have owned a condo in Kihei, Maui for 12 years. We purchased this condo for our own use and to rent out as a short-term rental. We do not want to rent it out on a long-term basis because it would prevent us from using it ourselves. It has always been legally available to visitors as a short-term rental. When we purchased this property, it was understood that we could rent it out as a short-term rental to help pay the cost of ownership. The state and county have allowed us to do this legally. We pay significant property taxes for this property and our visitors pay significant transient accommodation taxes for using this condo. We paid a premium for the property when we purchased it in 2012 based on the income stream it could generate as a short-term rental. We also have been paying a premium on the loan for this property because it was a rental.

Now, after paying all these costs for all these years, the state is considering changing the rules that apply to our condo. It is not fair to change the rules mid-stream. If this bill passes, my wife and I will be forced to sell our condo because we depend on rental income to make the mortgage payments. SB2919 and HB1838 will both negatively impact the value of our condo. Depending on how much the value declines, we may even need to sell it at a loss. This will be a significant financial burden on us and I am unsure how we can cope.

Changing the law that applies to condominiums in this significant way is not fair. We made a long-term commitment based on the long-term rules that have been in place for decades. Any changes to these rules should only apply prospectively. At a minimum, pre-existing short-term rentals that have been complying with the laws should be grandfathered under the existing laws.

Please vote no on SB2919 and HB1838.

Thank you.

Erik Jacobson

Haiku, HI

HB-1838-HD-1

Submitted on: 2/28/2024 6:52:22 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Francis DeLoria	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to banning shortterm rentals in Wedt Maui.

HB-1838-HD-1

Submitted on: 2/28/2024 6:59:57 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

*Andrew Isoda
Lahaina, Mau'i*

HB-1838-HD-1

Submitted on: 2/28/2024 7:05:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yong Choi	Individual	Oppose	Written Testimony Only

Comments:

I have been going to Hawaii / Maui for many years. My personal impact if this bill passes is that I will lose financial independence. My income depends on this bill to not be passed. I have friends and family there now as I have built up a community of people and have proposed and gotten married there.

I pay my property taxes along with all associated taxes required of me. This will make a huge negative impact from a tax perspective along with a negative impact toward the local community. My financial hardships will then become even greater. Please oppose this bill!!

HB-1838-HD-1

Submitted on: 2/28/2024 7:05:17 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gary Fowler	Individual	Oppose	Written Testimony Only

Comments:

Hello - I am concerned about HB1838. I am a Hawaii full time Resident in Holualoa, HI. As part of my retirement planning, I invested in an STR property in Kihei. This has been one of my primary investments in life. I don't have a ton of other retirement savings. I am very concerned that this will dramatically reduce my properties value, costing me potentially multiple hundred thousand dollars. My property is very small in square footage and only has 1 bedroom with an ensuite bath. This will not be an attractive property for many full time residents. Because of its ocean view, it currently carries a high value that I believe will impacted dramatically if this passes.

Ultimately, this could push me to have to leave the state (if I don't have enough money for retirement here).

Also - I am very concerned about the all the jobs that may be impacted by this. First from my property manager in Kihei and all of their employees. They have taken good care of me and I think this would be crushing to their business. They would have to layoff their employees. Not to mention all the cleaners that earn a living from this business.

I do want to help the people of Lahaina and am willing to use my property in other ways to help out. But I think this partiular bill is such a drastic measure it will have downstream consequences that will cause a problem for a whole new set of people. I sincerely ask that other creative ways are found to address this beyond just punishing the people and the businesses behind the current STVR market.

Sincerely,
Gary Fowler
75-802 Hiona St
Holualoa, HI 96725

Dear Hawaii State Legislature,

I am writing to you concerning HB 1838, HD1. I own a “unhosted “ permitted short term vacation rental (STVR) and strongly disagree with this bill. It seems the state has been trying for several years to get rid of STVR for reasons I can only believe is pressure from the hotel lobby on the islands because it gives tourist an alternate, less expensive means of visiting the islands; thereby allowing more people to visit the islands. The permitting process which was implemented in 2019 severely impacted and regulated the addition of more “unhosted “ STVR; and now **YOU WANT TO CHANGE THE LAW AGAIN** and do **AWAY** with “unhosted STVR”. Of course the State Legislature **NEVER OFFERS REASONS** for the removal of “unhosted” STVRs. This does **NOTHING** to fix the housing crisis, though that is sometimes the reason I hear as the reason to do it. If you want to fix the housing TRY RAISING WAGES OF THE PEOPLE WHO WORK HERE. This State has one of the lowest hourly wages. The permitting process makes sure STVR are properly kept and managed. Which is more than what the State does to manage long-term rentals. There is a long-term rental next door to my “unhosted” STVR and the place is disgusting. Mold growing on the outside of the building and I am told mold growing on the inside. The yard is completely unkept and the owner just lives a couple of houses down the street. The State could make the rules even stricter, but give the owners the ability to respond. My STVR receives rave reviews, guests feel my place offers a wonderful alternative to hotels. These STVR are the backbone of the small business community in the state of Hawaii, they are owner by local people trying to supplement their income. The tourist that visit these islands via STVR bring support to the local stores and businesses in the community. Hawaii is a tourist state (there are NO major industries here), and reducing the number of tourists that can make it to the islands, as this bill will do, will severely impact the residents of these islands that are trying to make a living. PLUS, I hire local people to do the housekeeping, yard work and maintenance on the building. Helping further the economy of the local business people. This bill is a waste of my tax payer dollars. The state has many REAL problems that the legislature should be working on to fix. The following are just a few issues plaguing the state: joblessness, effects of global warming, fixing public schools, fixing roads, reducing business red tape and eliminating the apparent corruption of the State Legislature. Try focusing on these problems which will help the residents of the state, which after all is the function of the State Legislature.

HB-1838-HD-1

Submitted on: 2/28/2024 7:15:58 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul F	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee,

I am writing to you as a concerned resident and community member of Maui to voice my strong opposition to Bill HB1838. While the bill may have been proposed with good intentions, I fear its ramifications could inflict severe financial stress on our island and lead to the loss of numerous jobs, which are crucial for our local economy.

The financial implications of HB1838 are particularly alarming for Maui. . Our economy, heavily reliant on tourism and small local businesses, is still grappling with the aftermath of recent global events, including the COVID-19 pandemic and the whildfires. The additional financial burdens proposed in HB1838 could stifle the recovery we are striving towards and potentially lead to a long-lasting economic downturn.

Furthermore, the job market in Maui stands to suffer significantly from this bill. Provisions within HB1838 will likely result in the loss of jobs across key sectors. Many of our residents are employed in the tourism, hospitality, and retail sectors – industries that are the backbone of our island's economy. The potential job losses will not only affect individuals and families but also have a cascading effect on our community's overall well-being.

Maui is renowned for its breathtaking natural beauty, warm hospitality, and vibrant local culture. The enactment of HB1838 threatens to undermine these pillars of our community. It risks the livelihoods of many who contribute to making Maui a unique and welcoming place for visitors and residents alike.

I strongly urge you to reconsider the support for HB1838. We need legislative actions that encourage economic growth and job creation, not ones that pose risks to them. Our policies should aim to strengthen our community, support local businesses, and ensure the sustainable development of Maui's economy.

Thank you for considering my perspective on this critical issue. I trust that you will make a decision that prioritizes the well-being and prosperity of Maui and its residents.

Sincerely,

Paul

HB-1838-HD-1

Submitted on: 2/28/2024 7:18:32 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jovanae Hauschild	Individual	Oppose	Written Testimony Only

Comments:

This bill will directly affect the economic contributions to Maui and it's residents. Potentially phasing out over 13,000 short term rentals that were legally obtained would be a huge detriment to economy of Maui. There will be loss of employment due to less need of housekeeping, property managements, concierge services, tourism, service industry, etc... Leaving a greater impact than one can determine at this time.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?

Short-term rentals serve as essential temporary housing with furnished accommodations for displaced residents. Where will residents find temporary, furnished housing if our industry is further decimated? Short-term rentals are accommodating various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Please oppose Bill SB2919 and keep Maui Strong.

HB-1838-HD-1

Submitted on: 2/28/2024 7:23:35 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Koveh Tavakkol	Individual	Oppose	Written Testimony Only

Comments:

Aloha Hawaii House & Senate Members,

My name is Koveh Tavakkol and I am a proud owner of a 1 bedroom condo unit J110 in the Maui Kamaole condo complex in Kihei. I am writing to express my concerns and protests against both HB1838 and SB2919 that are both being weighed here. Frankly I am shocked that these bills are even being considered, as they work to harm pretty much everyone from owners to workers and tax money within island. I am baffled that we would take action to harm certain owners and to ultimately end up not solving the problems that we think we would be solving. Let me explain:

I have owned this unit since 2017 and an avid supporter of Hawaii since I first fell in love visiting there. My family and I saved up and worked hard to purchase our unit there in the hopes of eventually moving out there one day and being full time residents. Like most people who have moved to the island though, that requires careful planning and time as we approach our retirement, so that meant renting out our unit to help compensate for the costs there. We purchased our unit at a premium cost in 2017 because it was a short term rentable unit. This meant paying much higher prices for our unit compared to others that were not short term rentable units. This also meant a higher mortgage and costs associated with owning the place, which is offset by our short term rental income, and also allows us to come and visit the unit at least twice a year (vacation income from our visits in the economy) and makes owning the unit possible because I spend significant time maintaining and fixing our unit to continue rental.

Now let's look at what our rental is doing for Hawaii and Maui specifically. In 2023, our 1 bedroom unit paid nearly \$5500 in cleaning fees to house cleaners. We paid over \$11,120 in GE/TA taxes to the state from rental income. \$2314 in taxes paid directly to the Maui County. \$840 to HOA guest resort fees. \$14,200 to our local rentals agency in Maui that employees short of a dozen people. On top of that is all the updates, changes and services we pay for every time we visit the island to the local economy there.

Rezoning our property would mean, we would not be able to short term rent our unit and all the income above would largely disappear. I no longer need cleaners that I just paid \$5500 to, don't need guest fees, don't pay the GE/TA taxes that put money into the State and Maui County pockets, don't need a rentals agency to manage anywhere near what I have them manage now. You have now displaced all those workers of their income. On top of that, we are now being directly harmed by an immediate reduction in the value of our property, which would be

an item we would pursue lawsuits against. We also cannot afford to rent our unit for any less than what we do now, because our mortgage never changed since we purchased the unit at a premium. So I have to ask, what did we really accomplish here? Moving it to a long term rental still creates an affordability problem for renters, as we are stuck with costs we cannot change. You instead took nearly \$15,000 a year of taxes out of the State and County, you displaced the jobs of at least a half dozen folks that we pay to take care of our unit, you put us in financial hardship and we still haven't resolved the issue of providing housing for folks.

What I am surprised about is how we are not seeing the results of this. We are just a single one bedroom unit! Imagine thousands and thousands of folks with bigger units than ours, and you can imagine the impacts of what you are considering. Why instead are we not discussing using all the money being generated to build affordable housing away from the tourist areas? Maui and largely the State of Hawaii survives on tourism and needs it to grow and continue to thrive. This is simply a supply and demand issue. Removing tens of thousands of rentals will not just shuffle that income around. It will send shockwaves through the state and counties that simply cannot be recovered from. Supply and demand drives prices and tourists will stop coming to the state. Income will drop out, taxes, jobs lost etc.

Please treat ALL Hawaii owners as respected and appreciated folks and vote NO to these bills. We are as much a part of Hawaii as folks who likely started out in our state and eventually moved there to be on island. We can also certainly say the hotel industries are not and don't have the best interest of the island in mind. Please consider the impacts of what we are discussing and vote NO for the betterment of Hawaii and all the people that are involved in this.

Mahalo,

KovehAloha Hawaii House & Senate Members,

My name is Koveh Tavakkol and I am a proud owner of a 1 bedroom condo unit J110 in the Maui Kamaole condo complex in Kihei. I am writing to express my concerns and protests against both HB1838 and SB2919 that are both being weighed here. Frankly I am shocked that these bills are even being considered, as they work to harm pretty much everyone from owners to workers and tax money within island. I am baffled that we would take action to harm certain owners and to ultimately end up not solving the problems that we think we would be solving. Let me explain:

I have owned this unit since 2017 and an avid supporter of Hawaii since I first fell in love visiting there. My family and I saved up and worked hard to purchase our unit there in the hopes of eventually moving out there one day and being full time residents. Like most people who have moved to the island though, that requires careful planning and time as we approach our retirement, so that meant renting out our unit to help compensate for the costs there. We purchased our unit at a premium cost in 2017 because it was a short term rentable unit. This

meant paying much higher prices for our unit compared to others that were not short term rentable units. This also meant a higher mortgage and costs associated with owning the place, which is offset by our short term rental income, and also allows us to come and visit the unit at least twice a year (vacation income from our visits in the economy) and makes owning the unit possible because I spend significant time maintaining and fixing our unit to continue rental.

Now let's look at what our rental is doing for Hawaii and Maui specifically. In 2023, our 1 bedroom unit paid nearly \$5500 in cleaning fees to house cleaners. We paid over \$11,120 in GE/TA taxes to the state from rental income. \$2314 in taxes paid directly to the Maui County. \$840 to HOA guest resort fees. \$14,200 to our local rentals agency in Maui that employees short of a dozen people. On top of that is all the updates, changes and services we pay for every time we visit the island to the local economy there.

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What I am surprised about is how we are not seeing the results of this. We are just a single one bedroom unit! Imagine thousands and thousands of folks with bigger units than ours, and you can imagine the impacts of what you are considering. Why instead are we not discussing using all the money being generated to build affordable housing away from the tourist areas? Maui and largely the State of Hawaii survives on tourism and needs it to grow and continue to thrive. This is simply a supply and demand issue. Removing tens of thousands of rentals will not just shuffle that income around. It will send shockwaves through the state and counties that simply cannot be recovered from. Supply and demand drives prices and tourists will stop coming to the state. Income will drop out, taxes, jobs lost etc.

Please treat ALL Hawaii owners as respected and appreciated folks and vote NO to these bills. We are as much a part of Hawaii as folks who likely started out in our state and eventually moved there to be on island. We can also certainly say the hotel industries are not and don't have the best interest of the island in mind. Please consider the impacts of what we are discussing and vote NO for the betterment of Hawaii and all the people that are involved in this.

Mahalo,

Koveh

HB-1838-HD-1

Submitted on: 2/28/2024 7:25:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jodie L Vida	Individual	Oppose	Written Testimony Only

Comments:

This bill will directly affect me as well as 10 of the staff I hire to service the property. I am a Property Manager for STRH. The homes I manage have a STRH permit which we are 100% compliant. We follow the rules and do not sleep more than 2 per room, have no parties, and never have a complaint.

We pay our taxes. The homes I manage are not affordable for the long term. The clients who rent these homes pay top dollar and support the community by hiring delivery companies who stock groceries, private chefs, masseuse, house cleaners, window cleaners, landscapers, and maintenance staff. By discontinuing short-term rentals, a minimum of 10 staff who service each property I manage as well as myself.

What will happen to me and my staff if we are not permitted to short term rent? Who is going to subsidize our income? Without short-term rentals and visitors, those of us who depend on tourism will be out of a job. You will not be solving the affordable housing crisis, you will be adding 10 to the # of displaced residents.

HB-1838-HD-1

Submitted on: 2/28/2024 7:26:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Kim	Individual	Oppose	Written Testimony Only

Comments:

Please do not give into pressure by hotel lobbyists who are trying to get rid of competition so they can build more resorts. Airbnbs are a way the average person can rent their homes for income and contributes to a higher standard of living for the regular person. It also provides a unique experience for tourists and makes Hawaii a more attractive tourist destination. We do not need more hotels or resorts.

HB-1838-HD-1

Submitted on: 2/28/2024 7:27:27 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

Unbelievably based.

HB-1838-HD-1

Submitted on: 2/28/2024 7:27:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colin Redekop	Individual	Oppose	Written Testimony Only

Comments:

Good Day,

My name is Colin Redekop. I own a condo at Haleakala Shores in Kihei. I purchased this condo in 2021.

My family and I first visited Maui in 2014. We had a terrific time and were left with memories that will last a lifetime. We wanted to continue to make those memories with other family members and close friends. Over the next several years, we saved money and made plans to make more frequent visits to Maui. We visited with some friends with the dream of purchasing a unit. After a couple of years of searching our dream became a reality.

Over the last 3 years, we have made many trips with friends and family. Some who have made the trip for the first time and others who go as often as they can.

Every trip we make, we invest in upgrades. We have reinvested all of our profit (plus some) back into our condo. We ensure we employ local trades people, purchase appliances from locally owned businesses and decorate using local artisan pieces. We research local companies who provide vacation services such as zip lining, trips to Mokolini and tours. In turn we recommend these vendors to our family and friends.

The only way we can afford these experiences is by renting when we aren't visiting Maui. We purchased the condo (at a premium) with the knowledge that it could be used as a short term rental.

Maui's Short Term Rentals (STR) provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Thanks for giving me the chance to submit my testimony.

Colin

HB-1838-HD-1

Submitted on: 2/28/2024 7:30:21 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Sandow	Individual	Oppose	Written Testimony Only

Comments:

We are writing to voice our strong opposition to HB1838. We write from our perspective as nonresident property taxpayers who use multiple local service providers to maintain our property. While the property is a short-term rental for times when we are not on island ourselves, the rental of the property contributes substantially to the community. Specifically:

We directly employ Maui-based cleaners, management staff, contractors, landscapers, and others to maintain the property.

We and our guests contribute substantially to the economy by shopping locally and using services such as vehicle rentals, equipment rentals, restaurants, tours, and personal care (*e.g.*, barbers).

All levels of these services generate tax revenue for the state and county. Loss of short-term rental options would seriously undermine the local economy.

We are fully compliant with all state and local tax reporting and payment obligations for short-term rentals, thereby directly generating on average \$15,000 in GET and TAT in tax revenues in addition to real property taxes. This number is for one of the thousands of short-term rentals that would be affected. Elimination of short-term rentals would remove this tax base.

Short-term rentals offer families and other guests a more affordable option for visiting Hawaii, as compared to hotels and resorts. Many of these guests will simply go elsewhere or stay home if they cannot afford Hawaii.

Speaking personally, loss of the option to rent to short term guests would do nothing to address the need for housing. We simply would not rent our property.

We urge you to reject this bill.

HB-1838-HD-1

Submitted on: 2/28/2024 7:35:40 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cloe Cadiz	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 HD1. I was born and raised in Maui and my only job is managing and cleaning my TVR. I am thankful for my job allowing me to stay on the island and sustain me while I am in school and after I graduate. If my TVR, along with other locally-owned and operated TVRs, are made illegal, the county should remember to budget not only for losses in property tax and GET and TAT, but also for the unemployment benefits for the managers, cleaners, repair workers, and the financial hit to the neighboring restaurants and small businesses that would have benefitted from our TVR guests. All of these hardships would thereby make it harder for the County to meet the financial challenges of rebuilding Lahaina and building other much-needed affordable housing developments.

Please oppose this erroneous Bill.

HB-1838-HD-1

Submitted on: 2/28/2024 7:35:50 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda C. Mitchell	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to H1838. I do not think all vacation rental properties should be threatened with the idea that their legal business could suddenly be deemed illegal. The short term rental businesses supply Hawaii with transient tax money, general excise tax money, and county tax moey. Property tax rate for short term rentals is higher than most any other category. Plus, local businesses thrive while the short term rental business is going well. House cleaners, appliance sales and repairs, and contractors and shops all gain because of the short term rental busines. As an owner of a short term rental for over 30 years, I don't think it is fair of the state to continually bring up ways to put me out of business.

HB-1838-HD-1

Submitted on: 2/28/2024 8:00:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marlon Bottorff	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Marlon Bottorff, I'm 22 years old and have lived on Maui all my life, it is the place that I have always wanted to save my money to buy a house. I have been working for 5 years and make a decent living, and have been apart of the rental market for 3 years. Looking at how things have gone in this realitively short period of time I can say that it is a very difficult task living here to make ends meet. Since the prices are skyrocketed so high it is very unlikely to be able to afford a mortgage on a decent house. With the lack of long term rental avaiable the price for rent alone force locals to live paycheck to paycheck. If driving local people away is the objective then everything is going to plan, but it in the interest of the residents from this island, we must make change for the people who care about Maui the most. This is just coming from somebody that is young and has the same mentality as most of my generation that still lives on this island. As everybody knows it is a very uncomfortable thought thinking about how future generations will be able to create a comfortable life for themselves and their families. This bill is a step in the right direction for what is rightfully deserved

Mahalo

HB-1838-HD-1

Submitted on: 2/28/2024 8:08:13 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
merrill nisam	Individual	Oppose	Remotely Via Zoom

Comments:

As a long-standing member of the Maui community since 1980, part-time resident, and soon-to-retire living on island, owning two properties on Maui, I have grave concerns for the adverse implications of this proposed legislation.

I have paid property taxes on Maui since Jan.2000, plus various sales taxes for over 40 years. Together with landscapers, gardeners, construction crews, property managers, my contribution to Maui economy over the past 44 years would tally hundreds of thousands of \$. My near-future retirement residence there, and active interest in politics, will build on that influence.

In aftermath of Lahaina disaster, I have given relief, and maintained lease for workers living in my Paia home, below fair-market value, in spirit of Aloha.

This proposed SB2929, and HB1838, would be unfair burden to myself and similar individuals who have invested heavily, in \$ and spirit, to Maui. Having a 2nd owning, in Wailea, which was purchased explicitly with established history of short-term rental allowance, is the only way I could afford such a property, with combined personal use, but shared with tenants, who are chosen with the commitment to respect the Maui economy, and culture.

Offering our short-term condo rental affords island visitors a place to stay, spend vacation funds on local economy, at a price less than 1/2 of local luxury hotels. We know those hotels have plenty of clientele, with a strong lobby supporting their cause. However, those of us with the few short-term condominium rentals offer a different option, yet plenty of avid interest and voice in this proposal.

Abolition of this short-term rental allowance would force me to evict the long-standing renters in our alternate home there, to allow our ongoing Maui visitation and yet keep the Wailea condominium at an affordable balance of trade.

Therefore, I urge modification, or blockage, of these proposed bills.

Mahalo,

HB-1838-HD-1

Submitted on: 2/28/2024 8:12:56 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Phyo Kyaw	Individual	Oppose	Written Testimony Only

Comments:

To the Esteemed Members of the Hawaii State Legislature,

I am writing to express my strong opposition to the proposed ban on short-term rentals in Hawaii. As a resident of this beautiful state, I believe that such a ban would have far-reaching negative consequences for our economy, our communities, and our way of life.

Short-term rentals play a vital role in Hawaii's tourism industry, providing visitors with diverse accommodation options that suit their preferences and budgets. By banning short-term rentals, we risk stifling tourism and depriving our local businesses of much-needed revenue. Many families in Hawaii rely on income from short-term rentals to make ends meet, and a ban would threaten their livelihoods and financial security.

Furthermore, short-term rentals contribute to the cultural fabric of our communities by allowing visitors to experience authentic Hawaiian hospitality firsthand. Unlike impersonal hotels, short-term rentals often provide guests with a more immersive and intimate experience, fostering meaningful connections between visitors and locals. Banning short-term rentals would deny both visitors and residents this enriching cultural exchange.

Moreover, it is important to recognize that not all short-term rentals are created equal. Many responsible homeowners operate their rentals with integrity, adhering to local regulations and respecting their neighbors. Rather than imposing a blanket ban, we should focus on implementing sensible regulations that address concerns such as noise, parking, and occupancy limits. By working together to find common-sense solutions, we can strike a balance that preserves the benefits of short-term rentals while mitigating any negative impacts on our communities.

In conclusion, I urge you to reject the proposed ban on short-term rentals in Hawaii. Let us instead pursue policies that support responsible tourism, empower local businesses, and uphold the spirit of aloha that defines our state. Thank you for considering my perspective on this important issue.

Mahalo,

Phyo Kyaw

HB-1838-HD-1

Submitted on: 2/28/2024 8:15:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Morgan Anderson	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I OPPOSE H.B. 1838, HD1 for the following reasons:

My wife and I own a condo in Papakea resort. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. We love to visit with family and we rent out the condo when not in use. Using it as a short term rental supports the local economy in many ways a long term rental could not.

Some of the ways that this STR benefits the local economy and businesses are:

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming, etc.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, and contractors. All of these people live and work on the island, benefiting greatly by the work created from short term rental stays.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

We also rent to individuals visiting family on the island, they prefer the comfort of a full kitchen and the cost savings compared to a resort hotel.

For the reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Morgan Anderson

Aloha, I'm Laura Bollinger; a long time resident/home owner/entrepreneur in good standing in Hawaii County all of my adult life.

In 1974 at age 24 I moved to Kona, 2 years later I married a Honaunau Mac Nut farmer, and had 2 children. Though we labored hard to keep it, we eventually lost the 20 acre parcel, and divorced when our kids were 2 and 5. And, I raised both my kids on my own (without child support or financial assistance of any kind) by becoming a Clown. I taught myself to make balloon sculptures and face paint for children's parties in order to feed, house and clothe us. It was a huge struggle (a few times very close to going on welfare) but, with God's kokua and His grace, we survived without adding our burden to the County of Hawaii.

My little business (Encore Talent) blossomed, I was able to give occasional work to hundreds Big Islanders, and to donate and volunteer for several BI Non-Profit's including American Heart/Cancer/Lung Associations, and to create 2 non-Prof's as well: West Hawaii Tobacco Free Coalition (offering free cessation to BI residents) and KADD (Kona Against Drunk Driving).

In 1999 I was also able to secure a loan and deposit to buy my first (and only) house, in Puukala, which I lived in for 25 years before having to move to the mainland to care for my aging parents. I rented it out for a few years until renters trashed my beautiful home, so I converted it to being a Short Term Vacation Rental, which covered all of my Kona bills and mortgage.

At 73, with Encore Talent at a standstill for over 10 years, and never having thought about a retirement plan, **STVR has been my saving grace.**

So, once again, **I am writing to plead with you to not phase out existing short term rentals; please don't take my source of income from me.**

Mahalo nui loa for your consideration and for your kokua,

Laura Bollinger
(808) 990-7848 / makaislala@gmail.com

HB-1838-HD-1

Submitted on: 2/28/2024 8:31:16 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan DeLoria	Individual	Oppose	Written Testimony Only

Comments:

To Whom it May Concern,

I am opposed to this Bill for the following reasons:-

1. As a resident of Maui for the past 32 years we invested in our short term rental 7 years ago in Kahana as part of our income stream. We pay taxes on the income generated and it's reinvested into the local economy.
2. We employ a local independent company that takes care of the cleaning and they in turn have at least 5 full time employees as a successful service for many short term rentals in the area.
3. We employ a local handyman to help with any repairs needed- again a successful independent person living and working in West Maui.
4. The money generated by these short term rentals is important for our economy not just in the property taxes generated but in the other small businesses that survive on this industry.
5. Small businesses are the back bone of our economy and tourism is our economy. By punishing the small business owner and cutting out the revenue generated by these short term rentals the effect will be disastrous.

1. **HB1838**

HB-1838-HD-1

Submitted on: 2/28/2024 8:50:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amber Coontz	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Amber Coontz

HB-1838-HD-1

Submitted on: 2/28/2024 8:57:42 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

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

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Elizabeth Winternitz

HB-1838-HD-1

Submitted on: 2/28/2024 9:27:39 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melemalie Ke	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. My short term rental is on my property where I live (owner occupied in a residential area) and it is how I make my living and am able to care for my children. We need this income to survive. We pay all of our taxes on time, how is this not enough? Without this income our family will not be able to make ends meet. My husband and I are both born and raised here in the islands. We want to raise our children here. Please do not pass this bill and do not destroy the way we're able to support our family.

HB-1838-HD-1

Submitted on: 2/28/2024 9:38:10 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tony Becker	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Tony Becker. I've stayed in a short term rental for the last 4 years with my family and we wouldn't have been able to afford to visit Maui without having the opportunity to rent at a reasonable rate.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will not allow me and my family to come and support the economy here in Maui in the future as it won't be affordable for us. We usually get groceries and cook in the kitchen for breakfast and lunch and go out for dinner and support local restaurants.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time

Tony

HB-1838-HD-1

Submitted on: 2/28/2024 9:47:03 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Moore	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this Bill. Like the majority of others we live in a small home in Kailua. We have 2 small kids, 4 & 2. In a retired NYPD detective that works full time as a data analyst and my wife owns her own optometry office in Kailua. We rent out a room in our home and it's the only way we can afford to pay our mortgage. We legally rent it 30 days or more as often as we can. The people staying in our Ohana are often working professionals or family visiting their loved ones that live close by. All of our tenants shop at small business in Kailua and support the local economy.

1. If there are no short-term rentals, then home owners like us won't just rent to others long-term, we would be forced to sell our home. If we sell, we leave. If we leave so does our business and the jobs we provide. The new home owners will most likely live on the mainland or a foreign country and buy the home as a store of value. They will visit 1-2x a year and never be on island spending money into the economy.
2. With no short-term rentals the economy will continue to die. Traveling nurses, families, inter-island residents, contractors, students and our friends and family will have no place to go they can afford. You will have more empty homes and fewer customers for small businesses.
3. Nobody thinks you should be able to buy a home, not live there, and turn it into an STR. Draft a common sense bill stating you can only rent your home space short term if you live on premise.
- 4.

HB-1838-HD-1

Submitted on: 2/28/2024 10:01:44 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Neill Amasaki	Individual	Support	Written Testimony Only

Comments:

I support this bill.

Dear Members of the Committee,

HB1838 would impact our family dramatically for the worse. Please reject this bill.

Since the 1990s, my parents have remodeled, replaced, re-furnished, repaired, and thoroughly enjoyed their Kihei short term rental condo, while creating a modest supplemental income for themselves. It has hosted honeymooners, first-time visitors, repeat vacationers, longer-term visitors, and temporary housing for medical professionals and others; hundreds of people over the years. My parents have poured money into this unit (and into the tax coffers) to provide for it, and now it provides for them in their old age.

This bill could potentially devastate my parents financially if the unit is re-zoned. And if short term rentals provide 40% of the real property tax revenue, it would assuredly create a major tax shortfall for the state and county. The hospitality industry itself would be decimated, further bringing an economic vacuum.

Please, reject this short-sighted bill. The short term rentals on Maui are legal, and provide for the state and the residents in multiple ways.

Sincerely,

Ruth Thompson

Trustee for John and Margaret Thompson

HB-1838-HD-1

Submitted on: 2/28/2024 10:28:15 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Suvi Pesonen	Individual	Support	Written Testimony Only

Comments:

Ww need to create more balanced housing that prioritizes our local community.

HB-1838-HD-1

Submitted on: 2/28/2024 10:44:21 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Prescott Bailey	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Prescott Bailey

HB-1838-HD-1

Submitted on: 2/28/2024 11:19:08 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
maria rojas	Individual	Oppose	Written Testimony Only

Comments:

The operation of short-term rentals is crucial for many families' livelihoods, allowing them to meet mortgage payments and sustain their lives in Hawaii's unique economic landscape.

The bill's restrictive measures create insurmountable challenges for ordinary citizens to engage in the vital tourism industry, which is the backbone of Hawaii's economy.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. Not to mention, the local people that are employed by these rentals!

It's important to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families.

HB-1838-HD-1

Submitted on: 2/28/2024 11:46:18 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Jacobs, DAc.	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

A zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units would negatively effect my family and the numerous guests we have hosted. We offer a humble, no frills accommodation that is in no way completing with resorts or hotels. The majority of our guests would not be able to afford Hawai'i if they had to stay in a hotel/resort/.

Thank you for your consideration.

HB-1838-HD-1

Submitted on: 2/28/2024 11:58:20 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Taylor	Individual	Oppose	Written Testimony Only

Comments:

I hope this letter finds you well and receptive to the heartfelt concerns of both the residents and the broader community connected to Papakea Resort. I am writing to express my strong opposition to H.B. 1838, HD1, not just as a statement of personal conviction but as a reflection of the collective voice of those whose lives are intricately woven with the fabric of this remarkable place.

Since its inception in 1978, Papakea has not only been a beacon of hospitality on the beautiful island of Maui but has also stood as a testament to the enduring spirit of Aloha. For nearly half a century, it has welcomed guests from around the globe, offering them a slice of paradise while contributing significantly to the local economy and community. It is this legacy of inclusivity, growth, and mutual benefit that I fear is at stake should the proposed bill pass.

At the heart of Papakea's operations are approximately 35 local resident employees, many of whom have dedicated over 15 years of service to the resort. These individuals, who have climbed the ranks from entry-level positions to supervisory roles, embody the resort's commitment to nurturing talent and fostering a supportive work environment. Their livelihoods, and the well-being of their families, are inextricably linked to the continued success of Papakea as a haven for short-term rentals.

Moreover, the resort's existence sustains a wide network of local trade professionals, including those specializing in pest control, HVAC, plumbing, electrical work, and tree trimming. These partnerships not only ensure that Papakea remains a pristine and welcoming environment for guests but also support the local economy by providing consistent work for these tradespeople.

It is crucial to highlight that the high maintenance dues, essential for the upkeep and operational excellence of Papakea, are directly supported by revenue from short-term rentals. This symbiotic relationship extends further to a myriad of small businesses in the Maui community, including housekeepers, handymen, on-island agents, and contractors, all of whom depend on the thriving ecosystem created by Papakea's short-term rentals.

Furthermore, Papakea's guests contribute significantly to the State of Hawaii and County of Maui through various taxes, including property taxes at short-term rental rates, Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. These contributions bolster local infrastructure, public services, and community projects, underscoring the resort's role in the broader economic landscape of Maui.

The impact of Papakea's guests extends beyond financial contributions, as they support numerous small businesses, from restaurants and food trucks to tour operators and shops. This influx of visitors, many of whom are returning guests with deep connections to the community, is vital for the vibrancy and sustainability of the local economy.

In closing, I urge you to consider the far-reaching implications of H.B. 1838, HD1. Papakea Resort is more than just a collection of vacation rentals; it is a community pillar that supports local employment, nurtures small businesses, and enriches the Maui experience for residents and visitors alike. For these reasons, I respectfully request that the committee defer the bill, ensuring that Papakea can continue to thrive and contribute to the island's unique charm and economic vitality.

Respectfully submitted,

Greg Taylor

HB-1838-HD-1

Submitted on: 2/29/2024 1:06:52 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Riley	Individual	Oppose	Remotely Via Zoom

Comments:

Dear House members,

I have been a landlord for over two decades and I wish to share with you a list of negative impact to the local community on Oahu if HB1838 is passed. The following negative impact are real and part of the fundamental merits that Federal Judge Watson based his temporary injunction and summary judgement against Oahu's ill-fated Oahu ordinance 22-7:

1. More shortages of essential workers in Hawaii. You read this on the news all the time. From technicians to medical staff that require mid-term (30-180 days) lodging. Such workers obviously require the same basic amenities as long tenants: a kitchen, free parking, ample space and affordable lodging and shopping versus expensive tourist traps you find in the resorts. A large majority of these workers will not travel to Hawaii if required to stay in a hotel. Passing HB1838 and allowing the county of Oahu to impose ordinance 22-7 will only compound this shortage of necessary medical and other professional. Oahu is already the epicenter where many inter-island patients have to fly and get medical assistance. My neighbors wife was requested to be released from the Queens hospital back in 2023 due to overcrowded patients from the other islands.
2. Exacerbate the rate of inflation in Hawaii. Besides essential workers there are countless of companies who bring over workers specializing in various crafts whose services necessary to the local communities here on Oahu. From Hensel Phelps to Kiewit these companies provide electrical, irrigations , rail, and other specialties to keep our island running. Lodging their staff in hotels which charge triple the amount than local monthly rentals will obviously pass down the costs to the local communities.
3. Local families temporary displaced will endure even more hardship. Just imagine local families whose homes are undergoing home repairs or upgrades or temporary displaced families such as those afflicted from the Red Hill water contaminations cannot be holed up in small cramped and expensive hotels on remote resort zones. Insurance companies have reached out to many local landlords including myself to provide monthly housing for families whose homes mold, plumbing or electrical issues.
4. Less visiting families will come to Hawaii. Typically many local residents put up their visiting relatives or friends in nearby lodging to either help them during births, illnesses or other emergencies. Just imagine compounding their saga with unreasonable rental

restrictions? Many local families nor their visiting relatives/friends cannot afford paying a hotel for an extended period of time.

5. Less families relocating to Hawaii. How on earth are we going to supplement tax revenues and increase our economy with a deficiency in population growth? Just imagine the first dreadful experience an incoming family 2-5 children will endure looked up in a hotel for up to 90 days while they look for a home? Just think about that? Half of my monthly rental tenants are families with kids needing a home for about 1.5 - 2 months while they settle down. Such over regulatory and draconian rental restrictions will quickly reverse the reasonable and economically contributory residents from even considering to come live here.
6. Constraint on local service workers. Many local residents who primarily work in the service sector pursue and seek better jobs throughout Oahu at anytime. For this reason many local couples specifically look for furnished rentals with flexible monthly leases to easily relocate to another residence near their new job site. Image the long commutes and gas expenses these renters will endure without the opportunity to freely relocate because they are restricted with a 90+ day rental agreement?
7. Adversely affect thousands of local landlords. Many local families depend upon rental income especially the kupuna who can no longer work for a living. Also consider many tenants frequently break their leases as a result a landlords would lose thousands in rental income while awaiting until the 90 day restriction is reached.

Summary. The 30 day minimum rental restriction is the norm and precedence throughout the rest of the United States and especially essential in a place like Hawaii which is so remotely situated.

A healthy and vibrant economy requires a mix of lodging options for a normal society to function such as a:

A) tourism market (consisting of stays less than 30 days),

B) monthly accommodations market for out of state and locally transient workers (consisting of mid term rentals of 30-180 days) and

C) long term rental market for residents of over 180 days.

This HB1838 along with Honolulu ordinance 22-7 will intentionally interfere with a reasonable lodging ecosystem and allow hotel's to monopolize an important lodging sector. Market disruptions by politicians concern with being popular versus basing decisions on sound and reasonable economic facts will only make matters worse for local Hawaii residents.

Please do not vote in favor of HB1838 ,

Steve Riley

HB-1838-HD-1

Submitted on: 2/29/2024 1:56:01 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Faatasiga	Individual	Support	Written Testimony Only

Comments:

I'm in support of this bill

HB-1838-HD-1

Submitted on: 2/29/2024 3:42:05 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Prasad Mogili	Individual	Oppose	Written Testimony Only

Comments:

Strong Opposition to HB1838: A Small Business Owner's Perspective and its Impact on My Family

Dear Members of the Hawaii State Legislature,

My name is Prasad Mogili, and I am a small business owner in Maui. As a small business owner in Hawaii, I stand firmly against the passage of HB1838. This bill, under the guise of supporting affordable housing, would have detrimental consequences for both small businesses and the very communities it claims to help, including my own family and future generations.

My story exemplifies the positive role small businesses can play in supporting our community. When wildfires ravaged Maui, displacing countless families, I didn't hesitate. I opened both my rental units, to those affected.

HB1838, with its restrictive regulations and potential for increased vacancy periods, would severely limit my ability to respond to similar situations in the future. It would disincentivize small businesses from offering flexible solutions, hindering our ability to support our communities during times of crisis. Furthermore, the proposed limitations on rent and occupancy could force me to operate at a loss, jeopardizing the financial stability of my business and ultimately, my family's livelihood.

This bill not only threatens my present but also casts a shadow over my children's future. The success of my small business is intrinsically linked to their well-being. The financial security it provides allows me to invest in their education and secure their future. If HB1838 were to cripple my business, it would directly impact their opportunities and limit their ability to thrive.

HB1838 fails to take into account the significant contributions of short-term rentals to our local economy. It overlooks the positive economic impacts on housekeepers, maintenance workers, and other working-class families who rely on the industry for employment. I implore you to reconsider the ramifications of this bill and to work toward solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's vital tourism industry.

I kindly request the Hawaii State Legislature to reject HB1838 and to consider the widespread impact it would have on the livelihoods of residents like me who depend on the short-term rental industry for our economic well-being.

Thank you for considering my perspective on this crucial issue.

Sincerely,

Prasad Mogili

Email - Prasad.Mogili@gmail.com

HB-1838-HD-1

Submitted on: 2/29/2024 5:35:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Joseph Ciocia	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Maui is a second home, a family gathering place, and a retirement destination for us.

We bought a condo over two years ago. Last year, we spent a third of the year in Maui, most of the time bringing our family - kids, grandkids, parents, and cousins.

Every visit is a boom to the economy and employment in Maui. We recognize that Maui needs housing, but housing without employment is not a solution.

We can only afford our place in Maui because we allow short-term rental for the rest of the year. With each of these rentals, we are adding to the local economy. Our guests eat in the local restaurants, visit the local attractions, and often contribute to funds like Maui Strong. In fact, after the fire, we started donating 20% of our booking to Maui Strong.

We need to be empathetic to the people on the island who lost their homes, but we can't turn our backs on those who have been investing in Maui all along.

A halt in STR will drive STR owners off the island, decrease property values and taxes collected, and take significant tourism dollars out of the economy. It will be a short-term solution that will cause a more extended, unrecoverable long-term problem.

I appreciate your consideration.

Mahalo,

Michael J Ciocia

HB-1838-HD-1

Submitted on: 2/29/2024 5:37:30 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Stevens	Individual	Oppose	Written Testimony Only

Comments:

The right way to fix Hawaii's housing problems is to build more housing. Destroying small business is not the way.

Short-term rental properties do not generally make good long term rentals. They lack parking, storage, and often come with expensive amenities of little value to long-term residents.

HB-1838-HD-1

Submitted on: 2/29/2024 6:25:57 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marielle Cammarata	Individual	Oppose	Written Testimony Only

Comments:

I am an owner of a one bedroom unit at The Papakea Resort at 3543 Lower Honoapiilani Road

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. When the fire occurred our guests rallied to support our cleaner that lost her house, and donated over \$20,000 for her via Go Fund Me.

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Marielle Cammarata

HB-1838-HD-1

Submitted on: 2/29/2024 6:32:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kamauliola Medeiros	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,
Kamauliola Medeiros

HB-1838-HD-1

Submitted on: 2/29/2024 6:50:50 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen J Comcowich	Individual	Support	Written Testimony Only

Comments:

Aloha Members of the House,

Please continue to support HB1838 HD1, providing clear authority to counties in phasing out vacation rentals. The impacts of vacation rentals are felt most accuetly at the local level, including a lock of housing units available, increased traffic, transient neighbors, and visitors who support Costco more than local restaurants. Thank you for empowering local councils to pass the appropriate ordinaces to phase out vacation rentals.

Mahalo,

Karen Comcowich

Lahaina, HI

HB-1838-HD-1

Submitted on: 2/29/2024 6:52:20 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julia Estigoy-Kahoonei	Individual	Support	Written Testimony Only

Comments:

It's critical that we get housing under control and make sure that our residents are the priority and not home owners who do not live on island and rent to tourists. What does that say about our local people? If we can't stop outsiders from owning property here, we need to absolutely make sure that their units are available for our people. It it better for the neighborhood, the community and the lahui.

HB-1838-HD-1

Submitted on: 2/29/2024 6:55:51 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
WILLIE LIU	Individual	Oppose	Written Testimony Only

Comments:

With drastically increasing cost of everything, it is becoming very challenging to make ends meet for my family of 4 including 2 children, one 13 and one 16 year old. College expenses for them are just around the corner as well. My wife and I do not have other jobs so we rely on our short term rental in Oahu that we worked extremely hard to acquire. If this was taken away from us, we don't know how we can support our family and send our kids to college with mountain piles of expenses.

HB-1838-HD-1

Submitted on: 2/29/2024 6:59:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Turi kim	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii. The county of Oahu has passed similar measures with positive results for residents of the island. To not pass this bill would have a long-term NEGATIVE impact for people who are from Hawai'i and want to stay in Hawai'i, as evidenced by the exodus of so many local people in the past 20 years. In addition, stable housing impacts the economic status of the people of Hawai'i whose wages are not on par with the increase in housing costs, and the rapid increase of homeless residents (not just drugs) is a testament to this disturbing trend.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

HB-1838-HD-1

Submitted on: 2/29/2024 7:43:08 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theodore K Decker	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Theodore Decker and I live on the island of Hawai'i.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Theodore K Decker

HB-1838-HD-1

Submitted on: 2/29/2024 7:46:01 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jolene Decker	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jolene Decker and I live on the island of Hawai'i.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Jolene Decker

HB-1838-HD-1

Submitted on: 2/29/2024 8:00:37 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
moore huffman	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. the most important aspect of coming to Hawaii is being able to stay in a private rental property. without this option It would no longer be desireable to come vacation there.

I believe my feelings are representative of most visitors ,who like myself only wnt to stay in private rental properies

Written testimony re. HB 1838 and SB 2919

Submitted February 29, 2024, 8 am HI time.

We have owned a condo in West Maui (Kahana) for 10 years and during that period we have short-termed rented it as well as enjoyed it ourselves as a second home.

Owning our home contributes a lot to Maui and the State's economy. We employ a local rental agency that receives 25% of our short-term rental income. A local cleaning service and handymen are employed to maintain our unit. We, of course, pay all taxes—property (which in one year increased three-fold, I might add), occupancy, etc. as well as Hawaiian income tax (something that we do not pay in our home state of Nevada.) Our condo assessments are more than \$1,000/mo. and these, of course, pay for both a local property management company as well as a resident manager, grounds people, vendors who maintain our elevators, etc. In addition, our condo association contributes to the Kahana Bay shoreline endeavor that is seeking solutions for shoreline erosion, etc.

We make three annual trips to visit and these usually are two weeks long. We wouldn't have purchased our property for only 6 weeks use a year. We need the income from short-term rentals to defray (not totally cover) our expenses. While on island, we spend money on lots of dining, groceries and home goods. We maintain our property in top condition and, therefore, frequent Lowe's, Home Depot, Macy's, Target, Ross, Ace and other stores. Not to mention the thousands of dollars we spent on renovating our unit when we first purchased. A contractor, electrician, plumber, painter, etc. were all employed.

Out of state owners who can afford the high prices to purchase and maintain Hawaiian real estate—and gladly pay for it--shouldn't be treated as second class homeowners for how they choose to use their investment.

We realize that short-term rentals are issues in other places but we are also aware that laws and rules need to consider all sides of an issue and not form decisions based on a kneejerk reaction to the admittedly horrific Maui fire of last August.

Are you legislators aware of Palm Springs, CA? Here are a few comments from an article earlier this month (2/22/24) that are food for thought. Do you want property values—and taxation rates—to fall in Hawaii?

"Both short-term rental investors and traditional property owners in Palm Springs, California, are seeing a decline in property values since the city instituted restrictions on the ability of property owners to offer their properties as short-term rentals.

If you're a licensed short-term rental owner in a neighborhood over the 20% cap and sell your house, the buyer won't inherit your rights to operate it as a short-term rental. That becomes problematic when a significant portion of the property's value may lay in its potential to generate revenue as a short-term rental. It's created a difficult situation for owners selling properties in capped neighborhoods.

In an interview with the [Los Angeles Times](#), real estate agent Michael Copeland detailed his predicament. He purchased a house for \$1.8 million in Palm Springs' popular Gene Autry neighborhood, which is over the cap. He dutifully applied for his license, but now that he wants to sell his home and can't transfer it, he is having great difficulty finding buyers.

He originally listed the property for \$1.725 million before reducing it to \$1.595 million. The property has been on the market for over a year, and like many other frustrated sellers in capped neighborhoods, Copeland has no idea where the bottom is. Another agent, Tim Sarlund, listed a property at \$1.4 million 10 months ago that he's reduced to \$875,000 and still can't sell."

HB-1838-HD-1

Submitted on: 2/29/2024 8:18:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaylyn Merritt	Kaylyn's custom cleaning llc	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kaylyn Merritt and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own a small business that services short-term vacation rentals on my island. The business I've created allows me to work with my children's schedules, without this job I wouldn't be able to work & accomodate my kids school & sports schedules.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time

HB-1838-HD-1

Submitted on: 2/29/2024 8:20:17 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrei Liapunin	Individual	Oppose	Written Testimony Only

Comments:

Income from short-term rental is used to pay for property expenses.

HB-1838-HD-1

Submitted on: 2/29/2024 8:23:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Irene Yamagata	Individual	Oppose	Written Testimony Only

Comments:

My family and I oppose HB1838. My father purchase Unit 305 at Lahaina Shores Hotel when it was brand new. We do use the condo for vacations and friends but rent it most of the year. I think Hawaii will lose a lot of money if this bill passes plus we know tourism is vital to Hawaii's economy and will displace many people working in Maui. Most people cannot afford to take off or rent for 90 days or more. I think this will cause many owners to sell if this bill passes. We pay many taxes to own property in Hawaii and feel that is already a lot.

Thank you,

HB-1838-HD-1

Submitted on: 2/29/2024 8:27:32 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Support	Written Testimony Only

Comments:

I am strongly in favor and support HB1838.

HB-1838-HD-1

Submitted on: 2/29/2024 8:27:38 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Eliason	Individual	Oppose	Written Testimony Only

Comments:

I oposed to removing personal property rights for anyone. This is bad for the state of Hawaii who collects a ton of taxes from short term rentals which helps the people who live here.

HB-1838-HD-1

Submitted on: 2/29/2024 8:32:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tina Marion	Individual	Oppose	Written Testimony Only

Comments:

February 28, 2024

We are writing this testimonial in response to the recently proposed bill which would give Maui County the authority to phase out Short Term Rentals. We are opposed to this bill as many homeowners like us will not be able to keep our homes longterm if this bill is approved.

1. lost our home, vehicles and most importantly our community in the Lahaina fire. It was devastating. purchased our home in 2013 and have lived here for 4-6 months a year since then. With elder parents and family who still need us, we live on the mainland for the balance of the year. Maui is an expensive place to live and own property. Using our home as a Short Term Rental solves our problem by allowing us to live on island for several months a year, but having the short term rental income when we are off-island allows us to afford the home. When we are in Maui, we contribute to the local economy. pay property taxes, shop, eat and dine locally. When we Short Term Rent our home, our renters pay transient taxes, rent cars and bikes, shop and dine and contribute to the local economy.

While we understand there is a shortage of housing in Maui, eliminating the Short Term Rental market won't help the housing issue. Not only are Short Term Rentals helping provide housing to those displaced by the Lahaina fire, it will be absolutely necessary for these homes to be available for all the off-island visitors who will be necessary to rebuilding Lahaina. We continue to pay our mortgage and HOA fees which are a severe drain on our retirement nest egg, We plan to rebuild once the recovery allows for it but no one can say when that will be. To rebuild a whole town, located on an island which requires everything be shipped from the mainland, will require immense manpower and expertise well beyond what is available on Maui. Where will we house all the outside help we will need? Where will my husband and I stay while rebuilding our home?

Although our home is gone, we are invested in our community and our only saving grace will be our ability to Short Term Rent our home again once it is rebuilt.

1. If Short Term Rental is taken away, we will be forced to sell our home and go elsewhere.

Please vote NO on _____.

Mark & Tina Marion

40-3 Puakukui Place, Lahaina Hi 96761

tbmarion@aol.com

Stella Young
18959 Alpine Street
Apple Valley Ca. 92308

In regard to HB 1838
To Whom it may concern

I strongly oppose the government of Maui to stop Short Term Rentals.
My family & I come often to Maui for vacation staying at a condo in Kihei. It allows us to stay together as a family.

We spend several thousands of dollars during our stay and support the local restaurants, shops, and farmers markets.

It is my understanding that short term rentals bring in close to 2 million dollars a year to Maui's economy, where will this money come from to support this beautiful island without these rentals.

We would probably go elsewhere.

I also do not support this bill because of the impact on the owners of these rentals and all their workers that clean, manage and repair these homes that are Maui residents.

Sincerely,
Stella Young

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

I own a unit at Papakea Resort. Like virtually all of the units in Papakea, it has been used as a short term rental. Since the disaster, I have been renting it to a couple whose home burned down in Lahaina. In the future however, I will need to continue short term rentals in order to retain my Hawaiian home.

My unit is a studio which is slightly over 400 square feet and has very limited storage. It is not designed to be a long term rental and is poorly suited for that purpose. My current renters, who lost their home, are moving out in May because they finally found a larger place. They found our unit to be unsuitable for longer stays.

If short term rentals are banned at Papakea, I will be forced to sell and the unit will most likely become seasonal occupancy rather than a long term rental.

I don't understand the focus on short term rentals when there are so many time shares that are much more intensive uses and will have much less financial impact to owners if they can't rent them short term.

Please help me to retain my Hawaiian home. My wife and I have come every year to Maui for over 40 years. We feel part Hawaiian and greatly respect the Ohana in Hawaii. Mahalo.

Rich Holmer

HB-1838-HD-1

Submitted on: 2/29/2024 8:42:05 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barb Levesque	Individual	Oppose	Written Testimony Only

Comments:

My husband and I have been coming to Maui as a visitor for over 30 years. We are truly blessed to have the opportunity to support and respect the islands, its culture and its people. as long time short term renters we feel that we belong to the Islands Ohana. We have given to the positive financial growth of the island. Our rent has assisted in help pay the County's taxes. We eat at the local restaurants, we support local farmers and vendors. We support the local stores in all capacities. We give to the homeless and have given to Lahaina Strong as we to other charities. We attend cultural events. The MACC is one of our favourite spot to immerse in the culture of the island.

if we could not continue to come to the islands we would be heart broken.

we have much to give this Island and hope that privilege will continue.

HB-1838-HD-1

Submitted on: 2/29/2024 8:48:59 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christine Otto Zaa	Individual	Support	Written Testimony Only

Comments:

We need long term housing, not short term rentals. We have resort zoning and hotels for a reason. Residential is for residents. As residents, we choose to rent or buy in our residential neighborhoods to live next to neighbors, not tourists. STRs drive up property values and price locals out. Who can compete with these for-profit buyers. Please give the counties all available tools to minimize the detrimental impacts of short term rentals on local families.

Mahalo,

Christine Otto Zaa

Kaimuki resident

HB-1838-HD-1

Submitted on: 2/29/2024 8:50:45 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zabin Somani	Individual	Oppose	Written Testimony Only

Comments:

My name is Zabin Somani. My spouse, Marc Hoelscher, and I are proud owners of a short-term rental condominium at the Noelani in Kahana, having been captivated by Maui's charm since our first visit in March 2012. In 2021, we chose to invest in this short-term rental as a means to not only supplement our upcoming retirement but also contribute to Maui's thriving tourism industry—an industry that is indispensable to the island's economic health.

I stand opposed to HB1838 for reasons that extend beyond personal interest. The tourism sector on Maui, as illustrated by data from January 2023, showcases a robust recovery post-pandemic, with visitor spending reaching \$625.2 million, up 47.3% from the previous year, and a visitor increase of nearly 25% from January 2022. These figures underscore the critical role tourism plays in our economy, providing sustenance for local businesses and contributing significantly to state and county revenues through taxes and employment opportunities.

The proposed bill threatens to undermine this economic cornerstone by targeting short-term rentals—a key component of Maui's tourism infrastructure that not only supports thousands of jobs but also contributes to the diversity and accessibility of accommodations for visitors. Our rental alone supports local property managers, housekeeping staff, handymen, and indirectly benefits countless other sectors tied to tourism. Furthermore, we contribute over 17% in taxes to the state and county, funds that are vital for maintaining and improving the services and infrastructure upon which both residents and visitors rely.

Moreover, the narrative surrounding tourism and community impact on Maui requires a nuanced understanding. While recent events, such as the catastrophic wildfires, have indeed posed challenges, they have also highlighted the resilience of our community and the importance of sustainable tourism practices. The tourism industry, which accounts for over 80% of Maui's wealth, is not merely about visitor numbers; it's about creating a sustainable economic model that respects and preserves the island's unique culture and natural resources.

In light of these considerations, I urge you to recognize the invaluable contribution of the short-term rental market to Maui's economic and social fabric. Curtailing this vital sector will not only harm property owners like myself and Marc but also jeopardize the livelihoods of many who depend on tourism-related employment, reduce the tax revenue essential for public services, and potentially degrade the diverse tourism experience that Maui offers.

I implore you not to advance HB1838. This bill poses a direct threat to the economic vitality and

social well-being of Maui, risking not just individual livelihoods but the very essence of what makes Maui a beloved destination for millions.

Thank you for considering the broader implications of these legislative proposals on the future of Maui and its residents.

HB-1838-HD-1

Submitted on: 2/29/2024 8:54:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Allyson Goldman	Individual	Support	Written Testimony Only

Comments:

Please support HB1838. We need housing for residents.

Thank you,

Allyson Goldman

HB-1838-HD-1

Submitted on: 2/29/2024 9:06:58 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joanna Sobczak	Individual	Oppose	Written Testimony Only

Comments:

We the People need short term rentals! The proposed bill does not make any sense to as the owners, tourists and all local people who has a job and stability beacuse of the short term rentals.

As an owner I don't feel comftable that this bill is trying to take my flexibility on what I can or can not do with my own place. I worked so hard to be able to purchase my condo on Maui.

I gave work to so many local people thanks to my condo. The cleaning crew, maintance , front desk people, pool people , drivers, restaurants, renting places, local shops not mentioning the humanges amount of taxes that we all pay. There is so many people who need tourists and us.

I hope that we still in a free country and We PEOPLE count!

Why this bothers you? What is the point of your plan? Why not suporting local people??? At the end Is in it all about helping eachother and spread the Aloha???

HB-1838-HD-1

Submitted on: 2/29/2024 9:08:52 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
IVONNE SERVERA	Individual	Oppose	Written Testimony Only

Comments:

We the people in Maui are recovering from the pandemic and then the recent fires. We need help from gthe government not bills that makes us terrified that we are about to loosee what we have worked for.all of our lives. I am a senior and completely oppose Bill HB1838.

To Whom it May Concern:

I strongly oppose HB1838 due to the following reasons:

I have been traveling to Hawaii for the past 20+ years, usually 1-3 times a year. I love the culture and everything about the islands, being to all of them. I have always dreamed of owning a house in Hawaii and bringing my wife and two kids (4 and 2) multiple times a year for family vacations. My sons absolutely love it and having them grow up and learn about the Hawaiian culture is extremely important to us.

We were finally able to financially make our dream come true last year and purchase a condo at Wailea Ekolu. One of the main reasons we were able to afford this was due to being able to use the property as a short term rental and obtain income to offset the high mortgage, HAO and interest rate costs. We love that we helping the local economy with providing jobs to the property management company, cleaners, maintenance, supporting the government and people with a dream vacation. If we were to take away the STR this would not only greatly effect our income stream and most likely have to sell our property. Not having STR capability also would drop our property value instantly so we would lose a very large amount of money.

Due to the reasons above we strongly oppose HB1838.

Thank you,

James, Kim, Kai and James Jr Huang

HB-1838-HD-1

Submitted on: 2/29/2024 9:17:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roy LeBlanc	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I would like to submit a very brief opposition to HB1838 as amended. I have owned a small one bedroom condo at Kamaole Sands in Kihei Maui for over a decade. My wife and I use it as much as possible but use it as a STVR when we are not there. If the county of Maui were to rezone or otherwise eliminate our ability to short term vacation rent our condo, we would not convert it into a long term rental but keep it for only our own use. I am sure many other off island owners would act the same. So instead of creating new housing for Maui, it would just reduce employment options and tax revenue. Since we became owners we have followed all the county rules and pay the appropriate tax as well as the significantly higher property taxes of a Transient Accommodation Property. We have employed locally owned management who in turn uses local residents for cleaning and repairs. We have completed upgrades using local contractors and of course our guests spend money at locally owned businesses and restaurants.

If Maui and the other counties are not careful, eliminating short term vacation rentals will not solve the housing crisis but instead further the Islands path to a playground only for the rich and without local employment options, locals will have no means to support themselves and their families.

Mahalo,

Roy

HB-1838-HD-1

Submitted on: 2/29/2024 9:21:11 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Briber	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 for many reasons. I own a STVR in South Kihei, Maui. We purchased this condo to stay in 4 months of the year, and to short-term rent when we're not staying in our unit. We specifically purchased this unit because it is zoned for STVR, and we paid a significant premium for the unit because it is zoned STVR. Following are the reasons I feel HB1838 is a bad idea, not only for STVR owners, but also for visitors and for Maui residents.

1. It will accomplish the opposite of its goal. 40% of Maui County's property tax revenue is derived from STVRs. This is a major source of funding for Maui's affordable housing efforts. If the county is allowed to eliminate all or a significant percentage of STVRs, this tax revenue will drop precipitously, and the county's ability to fund affordable housing (which is what this measure claims to be bolstering) will be severely hampered.

2. STVRs increase visitation options for the less fortunate. When we travel, we prefer to stay in STVRs because they offer kitchens. Hotels - if you can afford them - usually mean you eat at restaurants every single meal, which is way more expensive, and also usually not nearly as healthy as being able to make one's own meals. The hotels on Maui are simply NOT affordable for most people (and increasingly lately unaffordable for locals, even at kama'aina rates). Many others who may be able to afford the hotel prices on Maui simply refuse to pay that much for lodging when they expect to spend so little time in that unit. STVRs provide a lower-cost, better lifestyle visitation option for families and other visitors. Losing this segment of visitation would harm the economy by decreasing visitation to all islands. This, in turn, will put other tourism-related small businesses out of business. Housekeepers, snorkel and whale watch boats, property managers, and maintenance people will be put out of work due to the dramatic decrease in revenue from STVRs.

3. This burden is being placed on the wrong parties. Don't punish one group of people for an issue that arises from long history of governmental mismanagement. We all know the affordable housing issue has been around for years - decades - in all of Hawai'i. The devastating fires on Maui have brought well-deserved attention to this issue. However, what this measure does is punish people who lawfully purchased properties for increased dollar values because they had the zoning-granted ability to generate income and provide lodging to visitors while also providing a place for owners to stay. These same people have been bearing (understandably) high tax burdens. What many forget is that these same people also love and care about Maui. Removing STVR zoning on condo units in heavy tourism-focused areas will not solve the real problems on Maui or neighboring islands. Locals do not want to live among tourists (trust me,

our other home is in a tourist area, and we want to live nowhere near the mayhem). Placing significant affordable housing requirements on developers for all future projects and investing in state and county-funded affordable housing would be a better next step than ripping away the rights purchased on the free market by a group of people who love Maui.

4. The hotel lobby is pushing this measure, not for the good of residents, but for its own financial benefit. It is pretty obvious that after the fires on Maui, the hotel lobby saw an opportunity to draw blood, and HB1838 is the result. We all know that this measure is being funded and pushed by the hotel lobby, which is taking advantage of a difficult situation to benefit their own bottom line, even though they know it will do more harm than good for Maui residents. I remember when the hotel beach chairs on polo beach used to take up 1/10 of the beach. Now, they take up over half of the beach, making it pretty unpleasant for locals and other visitors to even be on that beach. HB1838 is a blatant attempt by the hotels to eliminate competition, which is always bad for the consumer/visitor, which in turn will make it worse for residents.

5. If STVR's should be eliminated or limited, it should be in stand-alone single family homes and ohanas. Locals will always have more gear, more vehicles, boats, etc. Locals should be able to live in a home, while condos are perfect for visitors, who visit with far less stuff. Crack down on illegal STVRs (HUGE missed opportunities here right now), prevent new STVRs in single family homes and ohanas, and if you have to, cancel STVR permits for existing single-family homes and ohanas.

I don't have all of the answers, but I do know there are other ways to accomplish the important goal of increasing and preserving affordable housing for locals. HB1838 is very obviously the wrong way and will not accomplish its stated goal. The hotel lobby is not looking out for the best interests of residents here.

Best regards,

Rebecca Briber

HB-1838-HD-1

Submitted on: 2/29/2024 9:22:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
sandi ioakimi	Individual	Support	Written Testimony Only

Comments:

100% support

HB-1838-HD-1

Submitted on: 2/29/2024 9:30:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Aiello	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. 1838, HD1 for the following reasons:

Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I **OPPOSE** H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,

Donna Aiello

C & D Management Group, L.L.C.

1311 Gamon Road
Wheaton, IL 60189

J. David Dorn Jr.
dave.dorn1311@gmail.com
President
215-8958

Cell: (630)

February 29, 2024

To: Hawai'i State Legislature

Hello there,

My name is Dave Dorn, and I am writing in opposition of HB1838 and SB2919.

My spouse and I have owned a short-term rental condominium at the Noelani Oceanfront Resort in Kahana for over 15 years now. We have been visiting Maui for @ 30 years now; our first visit was during our honeymoon at which time we fell in love with the island and the people. We chose to invest in a short-term rental many years after our initial visit so that we can continue to visit the island affordably in addition to helping supplement our retirement. The unit is a small studio – 1 room combined with a kitchen and bath, making it ideal for short term rental vs permanent residence.

There are so many reasons why we oppose these bills. Our rental unit not only supplements our income but provides for good paying jobs for our property managers, housekeeping, handymen, Maui's tourism, and over 17% tax to the state and county of Maui. We also pay the highest percentage of property taxes on Maui which helps provide the necessary services for the county's economy. In addition, this rental unit supports tourism and contributes to the local economy which many of the residents of Maui rely on. Much of this goes away if these bills come to fruition. This bill will not only hurt me, but also other residents and island visitors that rely on short-term rentals as temporary, furnished, affordable housing.

I ask that you PLEASE do not move this bill forward.

Thank you for your time and consideration.

Best,
Dave Dorn
President, C&D Management Group, LLC.

HB-1838-HD-1

Submitted on: 2/29/2024 9:34:54 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keegan Cotton	Individual	Oppose	Written Testimony Only

Comments:

We are owners of a property in Kapalua, Maui where my wife and I plan to retire some day. We do not own multiple propoerties. Nor are we billionaires buying up large plots of land. I am a US Army Veteran that served in Iraq. We have dear friends and family on the island, and support the Maui community.

We strongly oppose this legislation as we think it does more harm to Maui than good. 80% of the island's economy depends on tourism. The tourism revenue and tax revenues from tourism were severly depressed during COVID. By taking short term rental units out of the market, you are decreasing the supply of rooms available for tourists. This decreases tourism and the revenue and taxes that come with that.

A blanket ban on short term rentals when they contribute so much to the economy and tax base will do more harm than good. In his press statements the Governor sited 22k STR unites on West Maui and 3k residents that need to be housed. If the county of Maui bans 17k additional STR units, there is not enough hotel capacity to cover that. Less tourist means less businesses and less taxes to rebuild.

Our thoughts and prayers go to everyone effected by the Lahaina fires, but we hope that politicians will make more thoughtful decisions and appreciate the long term impact those decisions will have.

Toni & Roger Callen
1852 Fernridge
San Dimas Ca. 91773

In regard to HB 1838
To Whom it may concern

I strongly oppose the government of Maui to stop Short Term Rentals.
My family & I come often to Maui for vacation staying at a condo in Kihei. It allows us to stay together as a family.

We spend several thousands of dollars during our stay and support the local restaurants, shops, and farmers markets.

It is my understanding that short term rentals bring in close to 2 million dollars a year to Maui's economy, where will this money come from to support this beautiful island without these rentals.

We would probably go elsewhere.

I also do not support this bill because of the impact on the owners of these rentals and all their workers that clean, manage and repair these homes that are Maui residents.

Sincerely,
Toni & Roger Callen

HB-1838-HD-1

Submitted on: 2/29/2024 9:42:19 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wayne Hartstein	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Having witnessed firsthand the devastating impact of the recent fires in Lahaina, my heart goes out to the residents who lost their homes. However, I am deeply concerned about the approach being proposed by local officials, which would financially penalize short-term vacation rental owners to provide housing for displaced residents.

My wife and I have owned a short-term rental condominium at the Noelani in Kahana for 16 years. We fell in love with Maui on our honeymoon in 1980 and have brought our two boys here throughout their childhood to vacation numerous times. In 2008, we chose to invest in a short-term rental to help supplement our retirement.

I am writing in opposition of HB1838. There are so many reasons that I oppose this bill.

Our rental income not only supplements our retirement but also provides good paying jobs for our property managers, housekeepers, handymen, construction personnel, grocery stores, restaurants, furniture stores, housewares, and others.

Our guests pay a hefty 17.25% TAT and GET tourism tax to the state and county of Maui. We as STR owners also pay the highest percentage of property taxes on Maui which accounts for almost 20% of the county's 1.7 billion dollar budget. This helps provide the necessary services for the county's economy.

Much of this goes away if this bill comes to fruition. Tourism accounts for approximately 40% of Maui's total economy. Many of these guests at our short term rentals spend a good amount to support the local businesses in Maui.

These bills if passed will hurt me, local businesses, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

I ask that you please do not move this bill forward.

Thank you for your time.

Wayne H.

Aloha Chair, Vice Chair, and Committee Members,

My name is Diondra Jordan, and I live on the island of Maui. My husband and I own Maui Life Realty, a small real estate and short-term rental business in West Maui. Our business supports our family and others. HB 1838 threatens our main source of income, which allows me to homeschool our five kids and be part of our community.

Our business doesn't just support us; it also provides jobs for local workers. If this bill passes, it could mean economic hardship for many families, possibly leading to job loss and relocation.

Short-term rentals are a big part of Maui's economy, especially for the county's budget and housing. The proposed restrictions could hurt not only business owners like us but also the entire community, including people needing temporary housing.

Please consider the impact of HB 1838 on families and businesses. We ask you to oppose this bill and let the counties enforce existing laws instead.

Thank you for your time and consideration.

Sincerely,

Diondra Jordan

Aloha Chair, Vice Chair and Committee,

My name is Scott Jordan, and I live on the Island of Maui.

I am the owner of Maui Life Realty, a small real estate and short-term rental management company located in West Maui. Today, I stand before you to express my strong opposition to HB 1838, a legislation that, if passed, will have devastating consequences not only for my business and family but also for the broader Maui community. This bill will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and other small businesses like me who live and work in my community.

My company is a source of livelihood for my family of seven. This business is our only means of income, supporting not just my immediate family but also employing a dozen community members in West Maui. These are hardworking individuals who depend on our business for their survival, and if this bill were to pass, they, along with my family, would face the grim prospect of unemployment, and the wide array of issues that come with unemployment including, possible relocation. Our business allows us to work with in a close proximity to where we live reducing our commute time and improving our quality of life.

For over 9 years our business has operated legally and compliant with local laws. Our rentals are properly zoned and follows all local laws. It also helps the local economy. We always pay our General Excise and Transient Accommodation taxes. We are contributing members to our community that supports us. But, if Bill SB 2919 passes, it would harm this good relationship, taking away our ability to make a living and causing wider economic problems.

It is crucial to understand the broader implications of this bill. On Maui, short-term rentals (STRs) are not merely a business; they are a vital component of our economy and community. STRs, including those managed by my company, account for 40% of the real property tax revenue for the county, a significant contribution to Maui's \$1.7 billion budget. This revenue is indispensable, especially considering its role as the top funding source for affordable housing on the island. If we eliminate or severely restrict STRs, the question remains: where will this revenue come from?

Furthermore, short and mid-term rentals serve a critical role in accommodating residents in various transitional states - whether displaced by natural disasters, such as the tragic Lahaina Fire, or those in need of temporary housing for medical treatment, family visits, or educational purposes. Our rentals offer a home away from home for

those in need, a service that will be greatly missed if our industry faces further restrictions or elimination.

In light of these points, I urge you to consider the far-reaching impacts of HB 1838. Its passage threatens not just my business and those employed by it but the very fabric of our community in Maui. We risk losing a significant source of county revenue, essential services for residents and visitors alike, and, most importantly, the livelihoods of countless individuals who depend on the STR industry.

I respectfully request that you oppose HB 1838 and consider the broader implications of this legislation on our community and economy. Please consider how this bill will hurt me and many individuals like me, putting at risk our ability to pay for our own housing and bills.

Let the counties enforce the laws that they already have.

Thank you for your time and consideration.

Sincerely,

Scott Jordan

HB-1838-HD-1

Submitted on: 2/29/2024 9:48:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Araceli Lopez	Individual	Oppose	Written Testimony Only

Comments:

My name is Araceli, and I am housecleaner. I oppose Bill HB1838 as it threatens my livelihood and the livelihoods of many in our community who rely on servicing on-island vacation rentals. This bill jeopardizes housing and living expenses for workers like me. Please support the enforcement of existing laws by the counties instead. Do not move forward with Bill HB1838.

Sincerely,

Araceli Lopez

HB-1838-HD-1

Submitted on: 2/29/2024 9:55:40 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blanca Tino	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to Bill HB1838, which poses a significant threat to my livelihood and that of numerous individuals in our community who depend on servicing on-island vacation rentals. This bill jeopardizes the financial stability of workers like myself, along with small businesses such as cleaners, electricians, and maintenance workers.

I am fortunate to be employed by a small business that provides fair wages and working conditions. However, the passage of this bill would impede my ability to meet housing and living expenses.

Rather than introducing new legislation, I urge you to prioritize the enforcement of existing laws by the counties.

I respectfully request that you refrain from advancing Bill HB1838. Thank you for your attention to this matter.

Sincerely,

Blanca Tino

HB-1838-HD-1

Submitted on: 2/29/2024 9:58:57 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
robert Petty	Individual	Support	Written Testimony Only

Comments:

An easy fix. Power to those who live here

HB-1838-HD-1

Submitted on: 2/29/2024 10:01:00 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Auralio Machuch	Individual	Oppose	Written Testimony Only

Comments:

I am reaching out to express my objection to Bill HB1838, which poses a significant risk to my means of livelihood and that of many others in our community who are involved in managing short-term vacation rentals on Maui. This proposed legislation has the potential to negatively affect the financial stability of workers such as housekeepers, electricians, maintenance personnel, and local businesses.

I am fortunate to be employed by a small enterprise that offers competitive wages and equitable working conditions. Nevertheless, the enactment of this bill could imperil my ability to cover housing and living expenses.

Instead of introducing new laws, I urge you to prioritize the enforcement of existing regulations at the county level.

I respectfully implore you not to advance Bill HB1838. Thank you for considering my perspective on this matter.

Warm regards,

Auralio Machuch

LATE, *Testimony submitted late may not be considered by the Committee for decision making purposes.

Thank you for the opportunity to offer our perspective on short term rentals (SRTs). We have been owners at Kamaole Sands since 1997 and have offered short term rentals for much of that time. As we age we are spending more and more time on island and feel as close to being local as Midwesterners can be. We are generous contributors to local charities as well as participants in various community functions.

I am amazed that the revenue produced from SRTs is not more heavily weighed during your discussions. Last year we generated rental related taxes just short of \$10,000. This year we will pay over \$10,000 in property taxes. I believe these numbers qualify us as valuable contributors to the community. And this doesn't include all the service companies that rely on our rentals. It is impossible to imagine how this revenue could be replaced.

We certainly draw a different clientele than the hotels and our availability allows families to stay together at a more reasonable cost. Often our bookings are for destination weddings or families travelling together. Our environment is more wide open and family friendly than most others.

My last point is that the welcoming nature of Maui makes it so dear to us that even with a good real estate market our kids and grandkids think of Maui as their 'happy place' and not a place to sell. We like to think we are not resented for offering a rental solution but it appears that we are with bills like this one.

We hope you continue to allow legal SRTs and maintain the solvency and the aura that is Maui.

Mahalo

Steve and Sharon Whipple

Hazelhurst, Wisconsin

HB-1838-HD-1

Submitted on: 2/29/2024 10:06:22 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Gillian	Individual	Oppose	Written Testimony Only

Comments:

I'm writing to voice my concerns about Bill HB1838, which could seriously impact my wellbeing and many others managing short-term vacation rentals on Maui. This legislation might destabilize the financial security of workers like housekeepers, electricians, maintenance staff, and local businesses.

Rather than creating new laws, I urge you to focus on enforcing existing regulations at the county level.

Please reconsider advancing Bill HB1838. Thank you for taking my viewpoint into account.

Best regards,

Mike Gillian

HB-1838-HD-1

Submitted on: 2/29/2024 10:16:34 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Dirks	Individual	Oppose	Written Testimony Only

Comments:

This is our part-time home. We spend a lot of money when on island and focus on local businesses. We will not be able to continue to do this if our area is no longer allowed to have short-term rentals. We paid over \$17,000 in property, TA, and GE taxes last year. Without short-term rentals this number would be less than \$2,000. This is not a good move for anyone.

HB-1838-HD-1

Submitted on: 2/29/2024 10:17:44 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bob Hansen	Individual	Oppose	Written Testimony Only

Comments:

This is one of the worse bills I have seen that will take away our property rights as well as our financial freedom. I have worked all my life to own property and vacation rentals. Please do not pass this bill

Bob Hansen

808-283-9456

Heather Carter
13373 Terraza Playa Cancun
San Dimas Ca. 92124

Regarding HB 1838
To Whom it may concern

I strongly oppose the government of Maui to stop Short Term Rentals.
My family & I come often to Maui for vacation staying at a condo in Kihei. It allows us to stay together as a family.

We spend several thousands of dollars during our stay and support the local restaurants, shops, and farmers markets.

It is my understanding that short term rentals bring in close to 2 million dollars a year to Maui's economy, where will this money come from to support this beautiful island without these rentals.

We would probably go elsewhere.

I also do not support this bill because of the impact on the owners of these rentals and all their workers that clean, manage and repair these homes that are Maui residents.

Sincerely,
Heather Carter

HB-1838-HD-1

Submitted on: 2/29/2024 10:26:28 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Martellaro	Individual	Oppose	Written Testimony Only

Comments:

Hello. My name is Anne Martellaro and I oppose HB1838. My heart goes out to all of the people who have lost their homes and loved ones. I do believe however, if short term rentals are not allowed the after effects will be enormous. There will be a huge loss of collected taxes, property tax as well as TAT. Also most people can not afford to stay at the hotels due to their exorbitant price. Without short term rentals tourism dollars will be lost which will cause a chain reaction of lost jobs and a greater decline in the economy. Personally my short term rental is my business. If I am unable to rent it out as a vacation rental I would have an extreme financial hardship. Please vote no on this measure. The currentl situation would implode if it passes.

HB-1838-HD-1

Submitted on: 2/29/2024 10:27:26 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dan Craig	Individual	Oppose	Written Testimony Only

Comments:

Aloha and Mahalo for taking the time to read my comments.

I own and run a short-term rental which is my full-time job here on Maui. I understand the need to regulate any business operation, but I have become concerned when business and personal rights to run a valid business are over regulated. There are a lot of assumptions and blanket comments that seem to be taken as fact in this conversation of short-term rentals, most are over generalized and only apply to a small factor of what is already a small industry. Taking away my livelihood or anyone who lives on this island and has their income attached to this industry is not a solution. This only creates a new problem and does not contribute in any meaningful way to the problem at hand. I am speaking from the standpoint of an individual who runs his business and in good standing with all the valid permits and pays all the required taxes. I feel that that the pond of opportunity is very much on the outside of this small industry of legal short-term rentals and the bigger fish are the non-permitted individuals that are not contributing to the community. I ask that there be consideration of the Island residence that have these permitted businesses and rely on them for income not only for themselves, but the vendors they also support. I am not a property I am an individual relying on my property to support myself and my family to survive here on Maui.

Mahalo for your time and consideration of my thoughts. Dan Craig

HB-1838-HD-1

Submitted on: 2/29/2024 10:30:15 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gary Hipp	Individual	Oppose	Written Testimony Only

Comments:

This looks like a bill sponsored by the hotel lobby. Individual owners should be protected and allowed to generate income from their property if they choose to do so without restrictions imposed by the government.

HB-1838-HD-1

Submitted on: 2/29/2024 10:34:04 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Covarrubias	Individual	Oppose	Written Testimony Only

Comments:

1. Revenue Loss - Vendors would lose a significant portion of their income stream.
2. Job Losses - Many jobs in cleaning, maintenance, and landscaping would disappear, potentially forcing workers to seek employment elsewhere.
3. Forced Relocation -Loss of jobs could result in some workers being forced to move off the island to find employment.
4. Decreased Demand - Fewer vacation rentals mean less need for services.
5. Local Economy - The local economy would suffer due to reduced spending.
6. Seasonal Work - Seasonal employment opportunities would decline.
7. Loss of Specialization - Specialized businesses catering to vacation rentals would struggle.
8. Investment Loss - Investments in equipment and supplies would be wasted.

Skip Carter
10385 Bonnie Lane
La Mesa California 92141

Regarding HB 1838
To Whom it may concern

I strongly oppose the government of Maui to stop Short Term Rentals.
My family & I come often to Maui for vacation staying at a condo in Kihei. It allows us to stay together as a family.

We spend several thousands of dollars during our stay and support the local restaurants, shops, and farmers markets.

It is my understanding that short term rentals bring in close to 2 million dollars a year to Maui's economy, where will this money come from to support this beautiful island without these rentals.

We would probably go elsewhere.

I also do not support this bill because of the impact on the owners of these rentals and all their workers that clean, manage and repair these homes that are Maui residents.

Sincerely,
Skip Carter

HB-1838-HD-1

Submitted on: 2/29/2024 10:39:16 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jenn Nowak	Individual	Oppose	Written Testimony Only

Comments:

Strongly opppse

HB-1838-HD-1

Submitted on: 2/29/2024 10:43:09 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James E Krage	Individual	Oppose	In Person

Comments:

My wife and I have owned two condos at Noelani Oceanfront Condos since 1973. We have no retirement income other than these two condos. We pay high real estate taxes and collect hotel taxes that benefit Maui County. Please continue to allow short term rental as this is our only income. Thank you for your onsideration

HB-1838-HD-1

Submitted on: 2/29/2024 10:43:25 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jon Chaudhari	Individual	Oppose	Written Testimony Only

Comments:

We vehemently oppose HB1838. We purchased a property on Maui in 2017 and conduct short-term rentals, a permitted use under the zoning classification. While we appreciate and understand Hawaii, like many markets worldwide, is looking for solutions to a housing affordability crisis, we believe HB1838 is counter intuitive as it would remove many of the economic drivers for the state and county (primarily the taxes generated but also the many jobs that include rental property management, cleaning, maintenance & repair, etc). Instead we propose the state and county focus on proven long term solutions including the development of housing that is restricted to resident-occupied owners or renters, a model that has been successful in other markets worldwide, rather than clawing back zoning from owners like ourselves.

HB-1838-HD-1

Submitted on: 2/29/2024 10:43:33 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melina Rajaei	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Melina

HB-1838-HD-1

Submitted on: 2/29/2024 11:06:39 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Peterson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Carol Peterson, and I am a homeowner on the Big Island. I am writing to express my strong opposition to bill HB1838, which threatens the livelihoods of those who earn extra income through renting and the ability of many of us to pay our bills and survive.

This bill only favors the out-of-state owners of hotels and doesn't consider the impact on the hardworking local residents. It seems to prioritize the interests of big hotel chains over the well-being of the local community.

Additionally, long-term rentals often create more traffic than short-term rentals. A family of four in a short-term rental typically has only one car, while a family of four in a long-term rental could have four cars, leading to increased traffic congestion in residential areas.

Tourists love to stay in private houses, and the short-term rental industry provides vital income for many working families in Hawaii. If HB1838 is implemented, it will have hard consequences for people like me who rely on this income to meet our financial obligations.

The implementation of this bill will not only affect homeowners like myself but also the hardworking individuals like handymen, gardeners, and cleaners who depend on the short-term rental industry for employment.

I fail to understand the reason for implementing Bill HB1838, especially when there have been very little problems with neighbors due to short-term rentals. It seems unnecessary to impose such restrictive measures that will have significant negative impacts on the local community.

Please consider the hardworking families who rely on the short-term rental industry for their livelihoods and reject bill HB1838.

Mahalo for your attention to this matter.

With warm regards, Carola Peterson

HB-1838-HD-1

Submitted on: 2/29/2024 11:07:06 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Coplon	Individual	Oppose	Written Testimony Only

Comments:

My name is Julie. I am a widow. With my husband's insurance money and a huge loan, I purchased my condo with the dream of moving to Maui after retirement in 5 years. Until that time, I planned to rent it LEGALLY on a short term basis to help me pay for my expenses while allowing me the flexibility to visit my Maui home throughout the year. Now, I hear that my dream will be taken away from me by HB1838 which disallows the short term rentals that I was relying on and the flexibility to visit my home in between shorter term STR stays.

Please OPPPOSE this bill.

THIS BILL IS A LOSE LOSE FOR HOMEOWNERS – It’s a huge takeaway for the almost 14,000 of us who purchased property that we were told could be LEGALLY rented on a short term basis. Many of us, including myself, will no longer be able to afford to keep our homes.

THIS BILL IS A LOSE LOSE FOR THE COUNTY - It’s also a huge takeaway for Maui which relies on these rentals for 40% of its property tax revenue. How will this revenue be replaced? It makes no sense to take away from us, as well as 18% of the county’s budget.

THIS BILL IS A LOSE LOSE FOR VACATIONING FAMILIES AND WILL LIMIT THEIR ABILITY TO VISIT MAUI – Short term rentals provide an alternative for families who can’t afford expensive hotel stays for their short term visits when the kids are out of school. Or displaced residents, or traveling nurses. Who will make up the revenue they spend in local restaurants, shops, etc. OR the taxes derived from their purchases?

FINALLY..... THIS BILL IS UNFAIR AND UNETHICAL TO EXISTING HOMEOWNERS WHO PURCHASED THEIR HOMES, RELYING ON THE ABILITY TO RENT SHORT TERM - It’s one thing to change the rules on STRs for property purchases MOVING FORWARD. It’s another thing to change the rules after the fact, and after people relied on rentals to help us keep our homes.

Please OPPPOSE this bill.

Please OPPPOSE this bill.

Please OPPPOSE this bill.

HB-1838-HD-1

Submitted on: 2/29/2024 11:23:56 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Betlach	Individual	Oppose	Written Testimony Only

Comments:

Phaeing out host rental , or owner occupied rentals

adverse to coomunity

where do arriving workers stay, federal , state and county workers stay per diem is not [400-4000](#) the hotels charge

service workers and farm workers, people in recovery , can not afford stay in places higher than 100 a night

neglect of vistors, Hawaiians returning to learn about hawaii , families coming to visit families, aloha pledge and hawaii ambassador - even heau , canoe carvers , stay with us , contact with the aina of the community or not if no can afford pay [400-4000](#) a night

disasters

we had people stay with us from Maui , hotels mostly booked and or in disaster zones , so how they cover the people.
not so long ago

fires , lava

Ocean view could have been hit , where those workers stay in Kona if no can get home , pay 400 a night, no way, also look at hawaii grassroots data

no inventory other than timeshares has been added since the 1990s

vacation rental fills the gap to keep tourism in hawaii , better prepared for disaster, and helps workers, farms , and ohana returning to island

I have worked as regional rep for rep cross not having enough beds is real in a disaster , supporters of this bill will have to explain next disaster why they forced families into gyms or schools to stay on floor and ask Maui , they no like stay in hotels with whole family . Best think of your voters and community . Host, occupied vacation rentals are needed and keep culture and ohana involved in ur community

this bill is against ohana please kill bill

HB-1838-HD-1

Submitted on: 2/29/2024 11:43:35 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Rohan	Individual	Oppose	Written Testimony Only

Comments:

Hello and thank you for taking my testimony. I purchased a STR condo in Kihei in 2019. My wife and I enjoy it during the winter months and we rent it or try to rent it when we are not here. We use Sunny Maui Vacations as our rental company. I've read articles that the government believes that we are getting rich with our expensive rental receipts but the fact is I lost \$16,000 last year on rents of \$39,000. My expenses were \$55,000, And I don't have a mortgage. Who's making all of this money that the claims talk about? Surely any condo owner with a mortgage is losing money. If you take away short term rentals, the owners with a mortgage are going to go under and destroy property values. It sounds like that might be part of the plan. Let me tell you what I have done to help the Lahaina homeless. I've contributed \$1000 two different times to charity and I'm bringing goods that I purchased to Lahaina this Saturday to help residents. I tried to do a long term rental to fire victims through the FEMA program but the three property managers that you hired are not very responsive. They don't return phone calls or emails and after an exasperated two weeks of trying back in January, my wife and I backed out and wouldn't sign a lease. That's not my fault. There should be a fire victim living in our condo right now. But there's not because you hired a bunch of people to manage the process who really don't care. You need to dump those Bozos. And I'm glad we backed out because there is still a moratorium on evictions in Maui and quite frankly I'm afraid I will never get my condo back. Who will the Governor protect after the the two years is up and the renter won't leave? It won't be me. And I read that the Governor recently happily announced that they won't need to use the \$1.5 billion dollar "rainy day fund" for Lahaina. Governor this is the rainy day. Wake up and stop blaming the STR's.

Mike Rohan

HB-1838-HD-1

Submitted on: 2/29/2024 11:49:03 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Roberts	Individual	Oppose	Written Testimony Only

Comments:

Please do not phase these rentals out. Please provide a reasonable pathway for homeowners to continue to make a living. If you are going to punish STVR's, then please phase out those owned by out of state residents. 52% of rentals are owned by out of state residents. That money does not stay here in HI, and it does not help our communities.

HB-1838-HD-1

Submitted on: 2/29/2024 11:49:05 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Johnston	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My Name is David, and I am writing to you to oppose HB1838 today. I believe there is a growing housing shortage in Maui, I also believe this bill is a misguided attempt that will not help to solve the housing shortages of Maui, will cause significant budget shortfalls in tax revenues, significant loss of local jobs, and give an unfair economic advantage to the Hotel industry and their lobbyist efforts.

As local citizens of Maui struggle to have affordable housing, no significant efforts are being made for rent controls, expanded development for low-income housing, or efforts to enable responsible development for the critical shortages that continue to grow as more jobs and prosperity come to Maui. Specifically, there are enormous amounts of agriculture zoned lands, with preferred property tax rates being held with no intention to ever use them for active agriculture. These lands are not active and have not been active for decades, yet the owners are allowed a free pass to not maintain the lands and their dangerous overgrowth that contribute to wildfire spread. Then when they do sell a small parcel, it is at a significant premium to what the county has taxed them for all those years.

I have owned my condo in Maui for about 8 years now. It is a poor investment and was not bought to be a big financial benefit. My family of 6 routinely travel from Alaska to Maui and contribute to the economy, and when we are not using our small condo that is deeded as a condo-tell built in the early 1970's for commercial uses, we have a local property management firm rent it out as a short-term vacation rental. **While I have not profited personally on these rentals, The county has collected a sizable amount of revenues in GAT and TAT taxes over the years, and my condo has been able to support several local jobs for people in need of work.**

Most recently following the horrific and tragic Lahaina fire, **I was able to make my home available immediately to friends that had lost their homes in Lahaina.** Many other owners were able to do the same, and **I'm proud that my condo is now part of the ongoing FEMA housing program and I have the ability to be part of the solution.** I have also made contributions by flying a family off of Maui days after the fire and providing housing for them here in Alaska. Many off island owners have helped to raise enormous sums of money and aid to the fire victims, now is not a time to allow the hotel lobbyist their opportunity to paint us as the

problem and give them the upper hand. As the Hotels want their rooms back for the premium season, it is important to fully understand how it is the Short Term Vacation Properties that are being used to support the displaced community members for the long term. We are the ones committed to the long term help! If there were no longer STR Properties where would these families go to start rebuilding their lives, what about the next event? What about a small home fire, or the loss of an apartment building... STR are the relief valve that Maui needs to meet these needs! Short term rentals are a large contribution to the community that this bill threatens:

- **Economic Contribution:** Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, **where will the \$306 Million in Tax revenue come from?**
- **Employment Impact:** Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment. **Where will these 40,000 local tax paying and voting residents get jobs from?**
- **Community Support:** Short-term rentals are used by more than just tourists, they are a vital need for the community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Instead of supporting the misguided HB 1838 I urge you to take the following actions to create a fair economic playing field for Hotels, Short Term Rentals, and the local citizens that need affordable housing now:

1. Apply fair tax rates to hotel reservations and Short-Term Rentals that are balanced in approach and also encourage Maui's primary industry of tourism.
2. Apply fair taxes to agriculture lands that are not in use for active agriculture. This will encourage large landowners to share this resource responsibly.
3. Adopt sustainable development plans that support low-income housing. Help modernize infrastructure to enable the required growth of the community and institute rent controls on those properties.
4. Rent controls - It is sad, but many landlords are taking advantage of this housing shortage and are raising rents in an unsustainable way. Instituting rent controls will allow for stability in housing prices and ensure a fair outcome for residents.
5. Monitor and enforce existing zoning laws. Most STR's are playing by the rules but come down hard on violators that are using housing inappropriately for commercial gain. Recognize commercial zoning and restrict residential zoning to residential uses.
6. Encourage better tax incentives for more long-term rental investments.
7. Streamline the Maui County Building Permit process to enable projects to move forward in a responsible manner.

Mahalo for allowing me the opportunity to comment and to offer real solutions to the urgent need for housing. I look forward to when my friends and family can move back to Maui after their tragic loss, and I look forward to the opportunity for my new tenants to have a chance to buy their own home and rebuild their lives after the fire! Please consider these recommended actions to help enable that in a timely manner.

Respectfully,

David J

HB-1838-HD-1

Submitted on: 2/29/2024 11:49:49 AM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kekoa McClellan	The American Hotel and Lodging Association	Support	In Person

Comments:

Attached comments offering strong support

Terry Carter
13373 Terraza Playa Cancun
San Diego, Ca. 92124

Regarding HB 1838
To Whom it may concern

I strongly oppose the government of Maui to stop Short Term Rentals.
My family & I come often to Maui for vacation staying at my parent's Condo in Kihei. It allows us to stay together as a family.

We spend several thousands of dollars during our stay and support the local restaurants, shops, and farmers markets.

It is my understanding that short term rentals bring in close to 2 million dollars a year to Maui's economy, where will this money come from to support this beautiful island without these rentals.

We would probably go elsewhere

I also do not support this bill because of the impact on the owners of these rentals including my parent and all their workers that clean, manage and repair these homes that are Maui residents.

Sincerely,
Terry Carter

HB-1838-HD-1

Submitted on: 2/29/2024 12:02:47 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Alfonso	Individual	Oppose	Written Testimony Only

Comments:

As an owner of a condo on Maui for over 35 years I oppose the HB1838 bill. My husband and I purchased the condo with my parents to use as a vacation home. We enjoyed many years of use without using short term renters but my parents were retired and able to visit several times a year. After my father's passing, my husband and I along with our children could only visit Maui but once a year for vacation. At one point we tried using a long term rental but the extended use on our furnishings and the fact that we no longer could enjoy our vacations in Maui was the reason we chose to use short term renters. Now our three children have grown and Maui has become their vacation place with families. Short term renters do occasionally help offset cost but our condo was never purchased for the reason of making money. It was purchased because my husband and I love the island, have created many memorable times with family and friends. If 40% of property taxes come from short term and visitors are limited in rental choices then legislators are only setting up Maui to fail. With limited choices in rentals available hotel and timeshare unit cost will soar. Visitors are important to Maui and employing the people on the island for their livelihood. Short term renters are more likely to use restaurants, stores, and shopping all over Maui, as where hotels and timeshares work to keep their visitors within their own facilities. A balance can be reached between the two but HB1838 is not the answer.

HB-1838-HD-1

Submitted on: 2/29/2024 12:29:24 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rose Crichton	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Rose Crichton

808-357-9424

RoseCrichton808@gmail.com

HB-1838-HD-1

Submitted on: 2/29/2024 12:33:38 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shailendra K Goel	Individual	Oppose	Written Testimony Only

Comments:

This bill is not good for prosperity of Hawaii and it is unfair to current owners.

HB-1838-HD-1

Submitted on: 2/29/2024 12:34:53 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leslie M Le Gaux	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Leslie M. Le Gaux

Lahaina resident 21 years

HB-1838-HD-1

Submitted on: 2/29/2024 12:57:59 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Portia Igarashi	Individual	Oppose	Written Testimony Only

Comments:

Do not take my livelihood away from me. I am in a vacation rental zoned area. My property value will decrease. Vacation rentals are needed as an option to hotels. Don't let the hotel industry be the only choice!!!

Stephen W. French
Condo Owner at the Papakea since 1993
P.O. Box 190009
Boise, ID 83719

February 28, 2024

Re: H.B. 1838, HD1

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

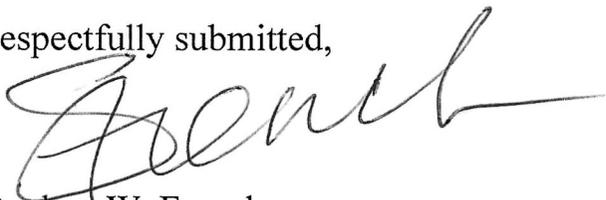
I **OPPOSE** H.B. 1838, HD1 for the following reasons:

1. Papakea was built in 1978 and has operated as vacation rentals for almost fifty years!
2. I and my late wife purchased our condo at the Papakea in 1993. Our family has spent our spring break vacation with our two children since they were each one-year-old tikes. Now they are 35 and 30 years old!
3. We have so many special memories of wonderful family vacations at our condo at the Papakea on Maui.
4. To destroy our ability to rent our unit when we are not visiting would have been and will be extremely damaging to our family's ability to afford our condo.
5. County property taxes this year were over \$6,800.00! and all the other monthly maintenance fees would make it extremely difficult for us to retain our condo.
6. About five years ago we spent over \$100,000.00 remodeling our condo in hopes of keeping it relevant in the condo rental market and this year our AOA will spend over 33 Million dollars completely upgrading all the plumbing in all 365 condos!
7. Is your proposed bill a government taking of private property without justification?

8. Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
9. Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.
10. Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.
11. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors.
12. Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
13. Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
14. Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the above reasons stated herein I OPPOSE H.B. 1838, HD1 and urge the committee to defer it.

Respectfully submitted,



Stephen W. French

Stephen W. French
Email: swf650@gmail.com
PO Box 190009 Boise, Idaho 83719

HB-1838-HD-1

Submitted on: 2/29/2024 1:37:55 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Ross	Individual	Oppose	Written Testimony Only

Comments:

I have owned a Maui condo since 1996. The complex was built in the 1980's and we have spent many enjoyable years in Hawaii throughout the islands because of it. I was married in Maui and had all of my family there over the year countless times. Hawaii is home to me now and I love the people and the culture. Due to the fact that most of my family lives on the East Coast I spend time there as well. With the ever increasing costs of Hawaii it is needed to rent the condo out when I am off island. This is a necessity of me being able to keep the condo. If I could not do that I would not be able to keep it. I can not image if I were not able to come back to Hawaii every year. The people that we have met over the years are some of our closest friends and have been for years. The people that work for the complex would also take a heavy hit in jobs and income. The state would lose billions in tax revenue and I don't know how that could even be made up.

Please do not take away thousands of peoples jobs and homes in banning short term rentals.

Thank you for your time and consideration.

HB-1838-HD-1

Submitted on: 2/29/2024 1:38:06 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Frances A Odoshi Waite	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I support HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Frances Waite

HB-1838-HD-1

Submitted on: 2/29/2024 1:39:25 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debbie Barba	Individual	Oppose	Written Testimony Only

Comments:

I am writing against new legislation for the increase of taxes or visitor fees coming into Maui. The extent of the taxes and fees has to stop or we will see a tremendous imploding of our economy. We already cannot support those that are without employment and the housing issues being redirected to short term owners as a solution simply doesn't compute...currently the short term market requires a minimum of \$3500 per month for the owners to afford their Taxes, Mortgage and AOA fees. This baseline is already above the affordability level of local residents. If continued pressure and change evolves into less tourism, you then create less jobs for the people who work in and benefit from the tourism industry. if this ends, you then will see a mass exodus of all residents and tourism will also flee. This will leave you with no tax revenue and no residents will stay to support our economy. Please recognize this negative spiraling effect your taxations and attacks on tourism, short term owners and our local economy and the tax revenues you require to effectively run our beautiful state of Hawaii.

Mahalo,

Debbie Barba

HB-1838-HD-1

Submitted on: 2/29/2024 1:50:09 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealohilani Minami	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*My name is Kealohi Minami, and I am a lineal descendent of Lāhainā Maui who now lives in California. I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.*

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii. We cannot lose more Hawaiians and local people who've built Hawai'i into the vibrant place that it is today. Without sustainable housing solutions, what will be left of a Hawai'i that is grounded in our cultural values and the people who've cared for the community and environment? As a Hawaiian who cannot afford to move back home, I hope you all consider the negative ramifications of this bill and keep our current residents where they belong.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Kealohi Minami

HB-1838-HD-1

Submitted on: 2/29/2024 2:04:33 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eve Hogan	Individual	Oppose	Written Testimony Only

Comments:

I submitted this yesterday. For some reason it did not go through.

My name is Eve Hogan and I am testifying against bill 1838.

My husband and I have lived in Hawai'i for over 30 and 40 years. I taught school here and we were both self-employed with our own businesses.

We are both in our 60's. I am a cancer survivor. My husband has heart challenges.

Our LEGAL vacation rentals are our retirement plan.

WE request that you find a solution to the housing problem that is a WIN/WIN instead of a wishful win and a definite Lose, Lose Lose Lose.

If you stop legal STR's you will cause a:

HUGE LOSS in revenue to the Counties and State.

A Loss of Employment to the 1000s of single mom's and other cleaners, local yard care providers and maintenance crews.

A loss in business to the last remaining few mom and pop businesses that survived the Covid shutdown.

A loss in Hawai'i's reputation in the already shaky travel industry due to cancellations.

A loss of Trust in Hawai'i's government for issuing LEGAL business permits that you then take away.

And you will cause devastation to people like my husband and I who are now "elders" and relying on this income for our welfare, our families welfare and others that we are able to

provide for. We are currently housing 5 displaced people for free (which we wouldn't be able to do if we didn't have our vacation rentals.)

In essence, you will severely damage the lives of many law abiding, tax paying small business residents in an attempt to help the lives of others.....BUT WILL IT??

The "WIN" you are seeking, affordable housing, is unlikely to be the actual result.

Shutting down LEGAL STRs will NOT LIKELY RESULT IN AFFORDABLE HOUSING....

because the properties were not affordable in the first place. Instead, more people with money will move here to buy or rent those highly desirable and expensive properties.

Lives will be ruined, but other lives will not actually be helped.

This plan is ultimately a LOSE IOSE LOSE LOSE.

IF you want to go after vacation rentals, go after the illegal ones that the law is already in place to address. This bill mentions "enforcement" repeatedly....and yet, if Hawai'i can't enforce the already existing Laws, creating new ones that target legal business owners is clearly not the solution.

Thank you.

Kathleen Gildred

February 28, 2024

Testimony re: Bill HB1838 ~ OPPOSE

I'm the owner of Hale Alana Vacation Rental in Maui Meadows. We've been permitted since 2002, and in those 22 years, we've had no complaints or problems with our neighbors.

Our guests have told us they would not stay in a hotel. They come for a private experience, and would only want to come to Maui if they can stay in a beautiful home. We provide a quality, private accommodation that makes people want to come back over and over again. And, these are people who contribute significantly to commerce on Maui.

If short term rentals were discontinued, it would mean less jobs for property managers, cleaning and maintenance people who we hire to continually keep the house in top shape for our renters. On a regular basis, we employ at least 10 people and a half dozen more temporary workers throughout the year. Specifically:

- 1) housekeeping staff
- 2) pool maintenance
- 3) yard maintenance
- 4) property managers
- 5) handymen

And others as needed.

A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state's economy and sustained 46,000 jobs. There would be a substantial loss to the Maui county revenue without short term rental property tax. Maui's STRs provide 40% of the real property tax revenue, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. We at Hale Alana alone paid over \$40,000 in taxes last year. Where will all that revenue come from if STR's are discontinued?

On a personal level, it's important for me to be able to come to my home in Maui. I'm an environmental consultant, and through the years have done much to ensure the sustainability of Maui, including producing an environmental report of the island that was used by Mayor Apana to improve the effectiveness of programs in waste management, energy, etc. I've initiated an agricultural program that identified and connected organic farmers in the Hawaiian islands, which started farmers markets and brought the Hawaiian Organic Farmers Association to Maui. I've worked with local organic farmers to determine how it might be possible to grow enough food to feed the people of the island with locally grown organic produce. I'm very dedicated to ensuring the sustainability of the island, however, I'm not currently able to live there full-time. It's important to me to have my home as a vacation rental so that I can be there part time.

Mahalo for hearing my testimony.

Kathleen Gildred
Hale Alana Vacation Rental, Maui Meadows
310-994-8368

HB-1838-HD-1

Submitted on: 2/29/2024 2:46:54 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Kuck	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

*I **support** HB1838 HD1, in order to control the STR mess that we have gotten into. We need viable solutions for local residents.*

How can we expect local people to be able to stay in Hawai'i when the prices continue to climb and the availability doesn't exist? What will the future look like?

We are fortunate and we plan to rebuild after the Lahaina fire. Can others afford to hang on that long with no where to live? Who will our neighbors be? What happens to those who didn't own, are the tourists really going to be given housing priority? Who then cleans their rooms and washes their dishes?

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Mahalo,

Danielle

HB-1838-HD-1

Submitted on: 2/29/2024 3:08:05 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Breslin	Individual	Oppose	Written Testimony Only

Comments:

If this passes, we will then have to see our prioperty. Real Estate values will decrease on Maui causing much less property tax income for the state

HB-1838-HD-1

Submitted on: 2/29/2024 3:21:51 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tiana-Malia Kelelii Kawaihoa-Marquez	Individual	Support	Written Testimony Only

Comments:

"Dear Chair Tarnas, Vice Chair Takayama, and esteemed committee members,

I **support** HB1838 HD1, a bill that allows counties to create zoning ordinances to gradually phase out short-term vacation rentals in residential areas. This bill has been recommended by the House of Representatives shelter working group, and I believe it is a crucial step in addressing our housing crisis not only in Lahaina but across the entire state.

The statistics are alarming. In Lahaina alone, 25% of housing units are listed as short-term rentals. In neighboring areas, this number rises to 41.8% and even as high as 87%. This leaves very few options for long-term housing for residents, especially in the aftermath of recent disasters like the wildfires.

Passing HB1838 HD1 would give counties the authority they need to address this issue and provide more stable housing options for our communities. It's a vital step towards ensuring that everyone has access to dignified housing, not just in Lahaina but throughout Hawaii.

I urge you to support this bill and help us tackle the housing emergency we are facing. Thank you for your attention to this matter and your dedication to the well-being of our community.

Maika'i no,

Keleli'i

HB-1838-HD-1

Submitted on: 2/29/2024 3:43:04 PM

Testimony for JHA on 2/29/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
PJ	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure.