

JOSH GREEN M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TAXATION

Ka 'Oihana 'Auhau
P.O. BOX 259

HONOLULU, HAWAII 96809
PHONE NO: (808) 587-1540
FAX NO: (808) 587-1560

GARY S. SUGANUMA
DIRECTOR

KRISTEN M.R. SAKAMOTO
DEPUTY DIRECTOR

**TESTIMONY OF
GARY S. SUGANUMA, DIRECTOR OF TAXATION**

TESTIMONY ON THE FOLLOWING MEASURE:

H.B. No. 1838, H.D. 2, S.D. 1, Relating to Zoning

BEFORE THE:

Senate Committees on Ways and Means and Judiciary.

DATE: Thursday, March 28, 2024

TIME: 9:45 a.m.

LOCATION: State Capitol, Room 211

Chairs Dela Cruz and Rhoads; Vice-Chairs Moriwaki and Gabbard, and Members of the Committees:

The Department of Taxation ("Department") offers the following comments regarding H.B. 1838, H.D. 2, S.D. 1, for your consideration.

H.B. 1838, H.D. 2, S.D. 1, section 2 expands county zoning powers in section 46-4, Hawaii Revised Statutes (HRS), and incorporates the definition of "transient accommodations" from section 237D-1, HRS. Section 3 of the bill expands the definition of "transient accommodations" in section 237D-1, HRS, to include the furnishing of "shelter" and the letting of vehicles providing or advertised as providing sleeping accommodations.

The bill has a defective effective date of July 1, 2040, provided that section 3 shall take effect on January 1, 2025.

The Department notes that it can administer the tax law change in section 3 of this bill by the January 1, 2025 effective date.

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



HB1838 HD2 SD1
RELATING TO ZONING
Senate Committee on Ways and Means
Senate Committee on Judiciary

March 28, 2024

9:45 AM

Conference Room 211

The Office of Hawaiian Affairs (OHA) is in support of HB1838 HD2 SD1, which would permit counties to implement a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time. This measure could assist the counties in better regulating short-term rentals in specific areas as needed.

The commercial use of short-term rentals (STRs) has become concerning as it further strains Hawai'i's limited housing inventory. There is an acute shortage of long-term housing options for residents¹, and it is exacerbated when existing inventory is reserved for visitor use only. While the counties are working to address the housing demand, they should also be empowered to gradually phase out the use of housing as STRs over time.

More than half of all STRs in Hawai'i are owned by people who do not reside in the state, and 27% of STR owners own 20 or more units.² Short-term rentals in Hawai'i have proven to be more profitable than renting to local families. But this profit often comes at the cost of the communities where they're located. By phasing out single-family transient accommodations over time, we can better encourage housing be used for the purpose of providing long-term homes for our residents.

This is especially concerning for Native Hawaiian residents. The 2020 U.S. Census showed us that more than half of all Hawaiians live outside of our state, their homeland. Preserving long-term housing inventory for residents can prevent the out-migration of Hawaiians and other members of our communities, who are forced to leave due to the increase in lack of affordable housing options.

¹ Inafuku, Rachel and Tyndall, Justin. "Short-term Vacation Rentals and Housing Costs in Hawai'i." The Economic Research Organization at The University of Hawai'i. April 13, 2023 <https://uhero.hawaii.edu/short-term-vacation-rentals-and-housing-costs-in-hawai%CA%BBi/> March 17, 2024

² Yerton, Stewart. "A Statewide Ban on Vacation Rentals? The Idea is Gaining Steam After The Maui Fires." Honolulu Civil Beat. February 2, 2024 <https://www.civilbeat.org/2024/02/a-statewide-ban-on-vacation-rentals-the-idea-is-gaining-steam-after-the-maui-fires/> March 17, 2024



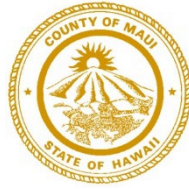
HB1838 HD2 SD1
RELATING TO ZONING
Senate Committee on Ways and Means
Senate Committee on Judiciary

Moreover, this approach can have a positive impact on our economy by increasing the availability of long-term housing options, which can attract more businesses and workers to our communities. This, in turn, can boost our economy and help Hawai'i stay true to our value of 'ohana, which emphasizes the importance of family and community.

OHA appreciates the opportunity to share our mana'o and urges the Legislature to **PASS HB1838 HD2 SD1**. Mahalo nui loa.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

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

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
Senate Committee on Ways and Means

FROM: Richard T. Bissen, Jr., Mayor

DATE: March 27, 2024

SUBJECT: **SUPPORT OF HB 1838 HD2 SD1-RELATING TO ZONING**

As the Mayor of Maui County, I am writing to express my **strong support for HB 1838 HD2 SD1**. This bill is a crucial step in empowering counties to regulate zoning effectively, particularly in response to recent legal developments such as the Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu case. Recognizing the paramount importance of home rule authority, HB 1838 HD2 SD1 reaffirms our commitment to allowing counties to guide the future development of their local jurisdictions in a manner that aligns with their unique needs and priorities.

HB 1838 HD2 SD1 seeks to amend existing law governing zoning authority, granting counties expanded powers to regulate land use through zoning ordinances. Specifically, the bill allows counties to regulate the time, place, manner, and duration of land and structure uses, providing them with greater flexibility to address local challenges effectively. Additionally, the bill enables

counties to amortize or phase out transient accommodations in residential or agricultural zoned areas, acknowledging the diverse landscapes and heritage of each county.

Furthermore, HB 1838 HD2 SD1 expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. By doing so, the bill ensures that counties have the necessary tools to manage the impacts of transient accommodations on their communities comprehensively. It is imperative that we support this bill to uphold the autonomy of counties and promote responsible land use planning for the benefit of our residents and the preservation of our island heritage.

Mahalo for your consideration.

Sincerely,

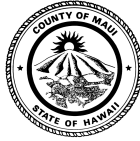
Richard T. Bissen Jr.
Mayor

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

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



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

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

COUNTY COUNCIL

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 27, 2024

TO: Committee on Ways and Means
Chair Donovan Dela Cruz; Vice Chair Sharon Moriwaki

Committee on Judiciary
Chair Karl Rhoads; Vice Chair Mike Gabbard

FROM: Councilmember Keani Rawlins-Fernandez 

SUBJECT: STRONG SUPPORT OF HB1838, RELATING TO ZONING

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 transient vacation rental use over a reasonable period of time.

I respectfully ask that your committees please consider the following amendment:

- 1) On Page 6, replace lines 16 through 19 with, “provided that transient accommodations uses may be amortized or phased out in all zoning districts.”

As previously noted by your committees on SB2919, neither measure would automatically phase out TVRs. The bills would simply provide counties the authority necessary to craft zoning laws that address the unique needs of our respective counties, as has always been the intent. Let each county balance their community’s interest for affordable housing and TVR revenue generated to benefit the industry, government, and overall economy.

Its undeniable that this measure has been long overdue, and its heartbreaking that it took our beloved town of Lahaina burning down - leaving so many without stable shelter - to finally get this common-sense legislation this far. Mahalo to each of you for rising to the occasion.

Please pass HB1838 today. Mahalo!

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

March 27, 2024

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 2359, HD 2, SD 1, RELATING TO THE HAWAII BROADBAND AND
DIGITAL EQUITY OFFICE
AND
HB 1838, HD 2, SD 1, RELATING TO ZONING
Senate Committee on Ways and Means
Senate Committee on Judiciary
Thursday, March 28, 2024
9:45 a.m.
Conference Room 211
Via Videoconference**

Dear Chair Dela Cruz, Chair Rhoads, and Members of the Committees:

Thank you for this opportunity to provide testimony in SUPPORT of HB 2359, HD 2, SD 1, Relating to the Hawai'i Broadband and Digital Equity Office and HB 1838, HD 2, SD 1, Relating to Zoning. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 2359, HD 2, SD 1 and HB 1838, HD 2, SD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 2359, HD 2, SD 1 and HB 1838, HD 2, SD 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, Kaua'i County Council

AAO:ss



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE SENATE COMMITTEES ON
JUDICIARY and WAYS AND MEANS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 211
Thursday, March 28, 2024 AT 9:45 A.M.

To The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Mike Gabbard, Vice Chair
Members of the committee on Judiciary
To The Honorable Senator Donovan M. Dela Cruz, Chair
The Honorable Senator Sharon Y. Moriwaki, Vice Chair
Members of the committee on Ways and Means

OPPOSE HB1838 HD2 SD1 RELATING TO PROPERTY

The Maui Chamber of Commerce **OPPOSES HB1838 HD2 SD1.**

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 contest 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.’*”

The Chamber strongly agrees with the comments offered by the Grassroot Institute of Hawaii when they say “... the assumption that greater regulation or a phase-out of short-term rentals is a desirable goal is not supported by an impartial analysis of the visitor industry and the actual participants in the STR economy. 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. 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.’*”



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

OPPOSE HB1838 HD2
Thursday, March 28, 2024
Page 2

“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.”

We feel the committee report #3014 from the Judiciary and Ways and Means committees of the Senate (for a similar bill) are not taking the whole of the industry and the nuances of short-term rentals into account when they say, “... *Committees find that not only do short-term rentals disrupt the State’s traditional and economically indispensable lodging industries, they also disrupt the character and fabric of residential neighborhoods.*” It is important to understand that not all short-term rentals are disrupting “the fabric of residential neighborhoods”, but it is widely recognized that some are. **This is because proper enforcement has not been done.** To place ALL short-term rentals in harm’s way because of a few bad apples is overreacting and could cause economic harm. We feel counties need to expand their enforcement efforts to protect neighborhoods where harm is being created and in doing enforcement would generate revenue through fines. There are many illegal short-term rentals who are promoting their units outside of Airbnb and VRBO and we need to look at enforcement beyond those two platforms. Many units are rented by private brokers and therefore, more consideration should be given to complaints that come in for properties that are not listed on those two platforms.

For these reasons, we **strongly OPPOSE HB1838 HD2 SD1** 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-SD-1

Submitted on: 3/25/2024 6:37:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Junior	Testifying for Puakukui Owners Residents Neighborhood Organization	Support	Written Testimony Only

Comments:

Aloha State of Hawaii,

We are writing in **SUPPORT** of HB1838 HD2 SD1 to allow the Counties to better self govern. We understand the counties will be allowed to make decisions in the best interest of their constituents. We hope the state can see that to allow the countries the ability to evaluate and set their own zoning, it will be best for the citizens of those counties.

The opponents to this bill are making crazy assumptions and they should take up their concerns with their County when/if anything is actually going to change. Right now the way this bill is presented, all the state is doing is giving the counties the ability to better control the zoning issues of their own county. This is evident by all the support this bill has received.

Please let each cunty do what is in the best interest of their people. The State has many things to worry about, shifting this back to the county is the right course of action. If the county decides to make changes, we can then talk to our local representatives. Please allow the Counties to have the ability to evaluate and make our own zoning decisions.

Mahalo for considering allowing Counties to make their own choices and decisions regarding zoning.

Junior

34 Puailima Pl

Lahaina HI 96761

March 28, 2024

The Honorable Donovan M. Dela Cruz, Chair

Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair

Senate Committee on Judiciary

State Capitol, Conference Room 211 & Videoconference

RE: House Bill 1838, HD2, SD1, Relating to Zoning

HEARING: Thursday, March 28, 2024, at 9:45 a.m.

Aloha Chair Dela Cruz, Chair Rhoads, and Members of the Joint Committees:

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, HD2, SD1, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. Takes effect 7/1/2040.

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.

Additionally, 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 are legitimate small businesses that pay real property taxes, general excise taxes, and transient accommodations taxes that contribute to both local county and State budgets. Instead of granting counties the



 808-733-7060

 808-737-4977

 1259 A'ala Street, Suite 300
Honolulu, HI 96817

power to phase out these legitimate small businesses that contribute to our economy, the focus should be on enforcement against illegal STRs.

Illegal rentals will not be affected by this measure, nor will it assist the counties with enforcement on illegal rentals. Therefore, we do not believe that this measure will have the impact that proponents believe it will and community concerns will continue to persist about illegal rentals. Counties already have the power to conduct enforcement and create reasonable regulations for this industry and we believe efforts should be concentrated in that area.

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."¹

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

¹ *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)





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

March 28, 2024

The Honorable Donovan M. Dela Cruz, Chair
Committee on Ways and Means

The Honorable Karl Rhoads, Chair
Committee on Judiciary

State Capitol, Conference Room 211

RE: House Bill 1838, HD2, SD1 Relating to Zoning

HEARING: Thursday, March 28, 2024, at 9:45 a.m.

Aloha Chair Dela Cruz, Chair Rhoads, and Members of the Committees

My name is Gary Saldana, I am the Government Affairs Director for the Realtors Association of Maui, providing comments in **opposition** of House Bill 1838, HD2, SD1 the purpose of which is to 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.

Even though this measure does not mandate that short term rentals be phased out from special districts, the objective of this measure is to encourage counties to reduce short term rentals to achieve securing long term rentals for our residents. Accordingly, we would respectfully request that you oppose this bill and consider redirecting your 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. According to a Maui Department of Planning official, providing TAT parcel information would be a useful tool in enforcement of illegal operations. The Zoning Administration and Enforcement Division of the Maui Department of Planning has indicated that providing TAT parcel information by the State would allow them to determine if the operation is legally permitted and is within the appropriate zoning classification. Pursuant to Section 19.65, Maui County Code, illegal transient vacation rental shall not apply for a transient vacation

441 Ala Makani St. Kahului, HI 96732
Office: 808-873-8585 • Direct: 808-243-8585
Gary@RAMaui.com • www.RAMaui.com



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

permit for five years. Considering this provision, it would be an opportunity for the property owner to use the unit for long term rentals.

Additionally, it is important to note that Mayor Bissen, in his State of the County address, announced that pursuing illegal short term rentals will be a focus of his administration in the upcoming year within the County of Maui.

As Maui County and the State focus on disaster recovery and relief, it's important to note that short term rental property owners played an integral role in our recovery. Hundreds of short term rentals have been secured to house many of the fire victims. Short term rental owners heeded the call by the Governor, Legislature, FEMA and County officials to provide their properties to help survivors of the wildfires. The very segment of the community this measure is seeking to remove is the segment of the community that has stepped up and provided shelter to individuals and families that have lost everything. On its face, this measure appears to undermine a segment of our community that has secured housing for wildfire survivors. Please don't abandon the property owners that helped in a time of need.

Furthermore, short term rental property tax revenue will play an integral role in funding recovery. 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 a high real property tax, local and State TAT. It is the illegal operators that are not contributing to the State and County revenue base, therefore the focus should be on enforcement. 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 that bring millions in real property tax revenue.

Accordingly, RAM would respectfully request your consideration in opposing this measure and refocus your energies to crack down on illegal transient vacation operations, by providing local authorities TAT parcel information for enforcement purposes and provide funding to allow this effort to continue on Maui and other Counties.

Mahalo for the opportunity to testify on this measure.



March 15, 2024

Senator Karl Rhoads, Chair
Senate Committee on Judiciary
Senator Donovan Dela Cruz, Chair
Senate Committee on Ways and Means
Senate
Hawaii State Legislature

Support for HB1838 HD2 SD1

Dear Chair Rhoads, Chair Dela Cruz and Members of the Senate Committees on Judiciary and Ways and Means,

Thank you for the opportunity to testify in support of HB1838 HD2 SD1, providing the counties the opportunity to enact zoning ordinances that phase out non-conforming single family transient vacation rental units, over a reasonable period of time.

We believe this measure supports home rule and provides the counties the authority to weigh the impacts of transient vacation rental units on their respective islands and legislate accordingly.

The County of Hawaii's Windward and Leeward Planning Commissions and Hawaii County Council are currently undertaking a review of three bills that will expand the regulation of transient vacation rentals to address owner-hosted, and operator-hosted rentals, in addition to the un-hosted rentals they currently regulate. This proposed state legislation would give the Hawaii County Council and administration additional authority.

According to the platform www.AlltheRooms.com there are more than 19,000 transient vacation rental units on Hawaii Island alone. There are more than 90,000 transient vacation rental units across the state. In comparison, the hotels along the Kohala Coast contain only 2,915 rooms.

When the resorts were developed, key infrastructure was put into place including roads, water, sewer systems, emergency services, environmental management programs, and coastal protection measures. We know it is our kuleana to adequately serve the needs of both visitors and residents. Unfortunately, the same cannot be said for the communities where many transient vacation rental units are located, and as a result, we often hear of the negative impacts on our neighborhoods, our housing availability, escalating cost of living and property values, and our quality of life.

Members of the Kohala Coast Resort Association pay more than \$40 million in TAT and \$40 million in GET each year. On behalf of our 5,000 employees and their 20,000 family members on Hawaii Island, thank you for providing the counties with this additional authority to address the proliferation of transient vacation rental units across the state.

Sincerely,

A handwritten signature in black ink that reads "Stephanie P. Donoho". The signature is written in a cursive, flowing style.

Stephanie Donoho, Administrative Director

HB-1838-SD-1

Submitted on: 3/26/2024 11:41:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair, Vice Chair and Committee,

My name is John Kevan and I live on the island of Maui for the last 25 years and for the last 15 years have built and run a property management company employing over 80 people and their families on Maui. I am writing in opposition of this bill because it will threaten my ability to make a living along with my employees. Our business is professional, follows all legal requirement and laws by providing management and support to our vacation rental owners whom many are Maui residents

Our industry for year has provided over 10,000 jobs on this island and lots of downstream jobs and careers in maintenance, restaurants, plumbers, electricians etc. Legal short term rentals provide over 40% of Maui property taxes, and probably close to 20% of tax revenues that pay government needs and jobs. Killing this industry makes no sense. We do support shutting down any and all illegal vacation rentals and believe if they all had to be managed by licensed realty companies, illegals would totally disappear.

We are local and have always been local. Fifteen of my employees lost their homes, 12 more lost their rentals they were in. We lost 2 offices, 2 warehouses and a laundry facility in Lahaina. We are trying to survive.

If you look at Hawaii Tourism Site research (and others), there is only 500 more vacation rentals now then there was 20 years ago, but a 35,000 increase in population. The issue to address is building, not stealing properties that produce value to the county and state.

This bill could force us to shut down or at least significantly layoff employees. Of course, after they are all laid off, most will leave island which in turn would open up more housing. If that is the goal, someone should state 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.

John



The Senate Committees on Judiciary and Ways and Means

Hearing Scheduled: March 28, 2024 9:45 am
State Capital, Conference Room 211

Re: HB1838 HD2 SD1, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Rhoads, Chair Dela Cruz, Vice-Chairs, and Members of the Committees,

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 strongly oppose HB1838 HD2 SD1.

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 HD2 SD1 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i.

HB 1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification. **This includes reinstatement of a 90 day minimum for all non-short-term rentals.** Aside from short-term rentals that meet the hotel definition, Oahu has less than 2,500 permitted short-term rentals. This would be the extent of temporary, furnished properties available to residents that are displaced or in transition as well as important visitors like traveling nurses, emergency contractors, temporary military and students. Just the Red Hill crisis alone resulted in 4,000 displaced residents. **Month-to-month rentals would be eliminated completely, creating another housing crisis for those renters that cannot qualify for an annual lease.**

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

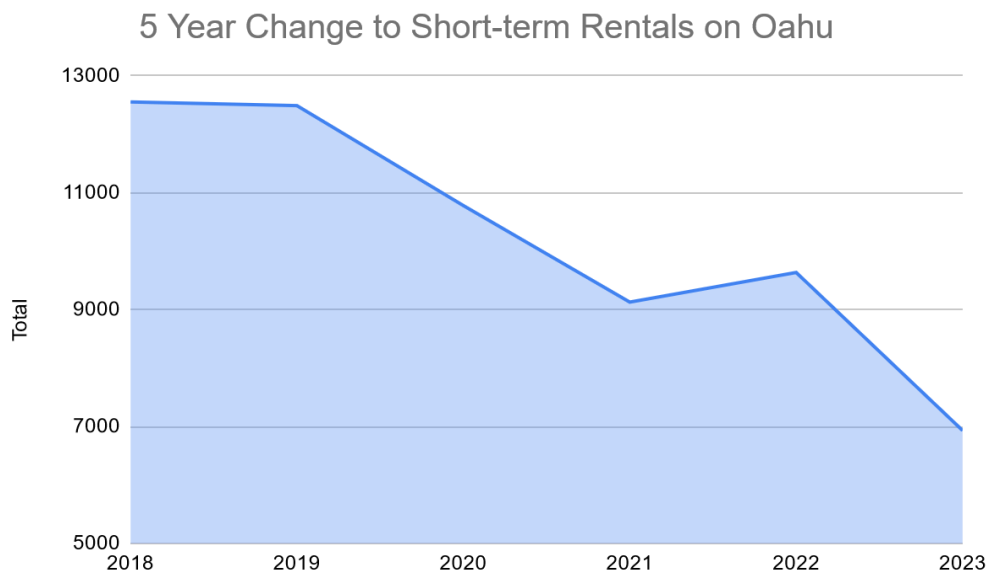
- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease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

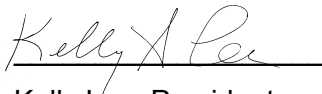
¹ Note, for O'ahu, the short-term rental (less than 30 days) industry is extremely small and increasingly owned by hotels due to recent changes in Honolulu County rules (and recently amended by the Courts due to successful litigation by a group representing owners called HILSTRA). Due to the litigation, 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 cursive script, appearing to read "Kelly Lee", is written over a horizontal line.

Kelly Lee, President
O'ahu Short Term Rental Alliance (OSTRA)
Contact@OSTRA.org

March 26, 2024

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee

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

My name is Norman Vesala and I am the owner of Papakea G205. Thank you for the opportunity to testify about this bill.

Papakea is a property that employs over 30 local residents that depend on the income they make to be able to stay in Maui. Also, because of the size of Papakea property, many other local businesses also depend on the services that this property provides – for example pilots & flight attendants, property management companies, electricians, plumbers, housekeeping, contractors, pest control & tree trimming companies to name a few. It is not only a short term rental property, but also a resident property to some people.

Also very important is that Papakea's Short Term Rentals support both the State of Hawaii & County of Maui via the property taxes, TAT, GET & MTAT that would otherwise not be collected and would have a significant impact on the States ability to support the County's affordable housing fund.

The tourists that come to Maui support many small businesses on the island such as restaurants, food trucks, tour companies, state & national parks and all the retail stores. Taking away the STR abilities will greatly impact all these local businesses negatively.

Papakea has a unique atmosphere because there are a very high percentage of guests that have returned year after year – some as long as 40 years! So as you can imagine, they have developed connections with the Maui community at large, not just at Papakea.

The quickest way to help house the displaced families from the Lahaina fires is to address the issues with the ILLEGAL short term rentals.

For the reasons stated herein I OPPOSE HB1838 and urge the committee to defer it.

Respectfully,

Norman Vesala, President
QNL Holdings Inc
Papakea G205



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON JUDICIARY SENATE COMMITTEE ON WAYS AND MEANS

March 28, 2024

9:45 AM

Conference Room 211

In **SUPPORT** of **HB1838 HD2 SD1**: Relating to Zoning

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Moriwaki, Vice Chair Gabbard, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS** HB1838 HD2 SD1, 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 Committees to **PASS** HB1838 HD2 SD1. Thank you very much for this opportunity to testify.

3/26/2024

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 HD2 SD1. 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 accommodations do not 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.

City & County need to enforce the laws that have been in place for years. And because of the lack of enforcing the illegal rentals, I'm afraid other "underground" means will be established for rentals of 30-day (and less) stays.

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**



KOBAYASHI SUGITA & GODA, LLP
Attorneys at Law

Bert T. Kobayashi, Jr.*
Alan M. Goda*

John R. Aube*
Charles W. Gall*
Neal T. Gota
Charles D. Hunter
Robert K. Ichikawa*
Christopher T. Kobayashi*
Jan M. L. Y. Kutsunai*
David M. Louie*
Nicholas R. Monlux
Jonathan S. Moore
Aaron R. Mun
Bruce A. Nakamura*

Kenneth M. Nakasone*
Harry Y. Oda
Gregory M. Sato*
Jesse W. Schiel*
Craig K. Shikuma*
Lex R. Smith*
Joseph A. Stewart*
Brian D. Tongg
David B. Tongg*
Caycie K. G. Wong

*A Law Corporation

Of Counsel:
Kenneth Y. Sugita*
Wendell H. Fujii*
Clifford K. Higa*
Burt T. Lau*
John F. Lezak*
Larry L. Myers*
David Y. Suzuki*

Andrew M. Carmody
Max A. Ching
Ying Gu
Austin H. Jim On
Stephen G. K. Kaneshiro
Travis Y. Kuwahara
Ryan D. Louie
Zachary K. Shikada
Timothy T. Silvester
Reece Y. Tanaka

March 26, 2024

SENATE COMMITTEE ON WAYS AND MEANS

Sen. Donovan M. Dela Cruz, Chair, Sen. Sharon Y. Moriwaki, Vice Chair

SENATE COMMITTEE ON JUDICIARY

Sen. Karl Rhoads, Chair, Sen. Mike Gabbard, Vice Chair

HEARING DATE: Thursday, March 28, 2024

TIME: 9:45 a.m.

PLACE: Conference Room 211

Re: TESTIMONY ON BEHALF OF AIRBNB OPPOSING
HOUSE BILL NO. 1838 S.D.1

Dear Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard and Committee Members:

We write on behalf of our client, Airbnb, in opposition to House Bill No. 1838 S.D.1 (“**HB 1838 S.D.1**”). We are concerned that this bill is likely to lead to unconstitutional actions that would result in substantial future legal action. First and foremost it is important to note that HB 1838 S.D.1 will not assist in any way to reduce the number of illegal short-term rentals that may be operating in the State of Hawaii. The sole effect of this bill would be to allow the Counties to eliminate the ability of landowners to use their properties in ways that are currently legal, and have been legal uses for decades. Although it may seem that the proposed legal change is merely an innocuous delegation of authority, the proposed changes included in HB 1838 S.D.1 would change statutory language that codifies existing constitutional rights that have been explicitly recognized by the Legislature for decades and has been enforced by courts in the State of Hawaii. As discussed more fully below, the proposed changes would potentially 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 has been to provide that a county was precluded from passing a law that discontinues any previously lawful use of any property. Additionally, the statute limits 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 This statutory protection has been in place for decades, causing many Hawaii residents to rely on its provisions. In enacting the protection, 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

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.

restrict the areas where the counties are allowed to amortize or phase out non-conforming uses to non-residentially zoned areas.”⁵

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 Many Hawai‘i residents purchased their property in reliance on the protections provided by the terms of Section 46-4 and made significant investments in their property .

B. HB 1838 S.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 S.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

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.”).

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).

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 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 S.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 S.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

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)).

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 H.D.2, § 1

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).

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

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.

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).

It should be noted that the distinction being created by HB 1838 S.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.²²

To the extent that HB 1838 S.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.”²³ 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,”²⁴ 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.**”²⁵ 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.²⁶

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 significant, as the character of the use is the primary factor. HB 1838 S.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 a university for a semester to teach a class. All of these uses are fundamentally the same in that they are all using

²² 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[.]”).

²³ *Hawai‘i Legal Short-Term Rental All.*, No. 22-CV-247-DKW-RT, 2022 WL 7471692, at *9.

²⁴ *Id.* at 8.

²⁵ *Id.* (emphasis added).

²⁶ *Id.*

Sen. Donovan M. Dela Cruz, Chair, Sen. Sharon Y. Moriwaki, Vice Chair
Sen. Karl Rhoads, Chair, Sen. Mike Gabbard, Vice Chair
March 25, 2024
Page 7

the rented property for ordinary living activities and all are providing great benefit to the State of Hawaii. The fundamental effect of HB 1838 S.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 S.D.1 should be held.

D. Conclusion

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

Very truly yours,

A handwritten signature in blue ink, appearing to be 'David M. Louie', written over a horizontal line.

DAVID M. LOUIE

JOSEPH A. STEWART

for

KOBAYASHI, SUGITA & GODA, LLP



March 28, 2024

TO: Chair Donovan M. Dela Cruz
Vice Chair Sharon Y. Moriwaki
Members of the Senate Committee on Ways and Means

Chair Karl Rhoads
Vice Chair Mike Gabbard
Members of the Senate Committee on Judiciary

FR: Alex April
Airbnb Public Policy, Hawai'i

RE: **HB1838 HD2 SD1 Relating to Zoning. - COMMENT**

Mahalo for the opportunity to comment on HB1838 HD2 SD1, 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 HB1838 HD2 SD1, 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, HB1838 HD2 SD1 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. HB1838 HD2 SD1 does not reflect the progress of short-term rental policy on the local level. The bill does not consider 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.

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 305

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TRANSIENT ACCOMMODATIONS TAX; Include Mobile Homes and Boats

BILL NUMBER: HB 1838 HD 2 SD 1

INTRODUCED BY: Senate Committees on Commerce and Consumer Protection, Energy, Economic Development, and Tourism, and Government Operations

EXECUTIVE SUMMARY: Expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

SYNOPSIS: As it relates to the tax laws, amends section 237D-1, HRS, to add to the definition of “transient accommodations” subject to the TAT, “vehicles with, or advertised as including, sleeping accommodations.”

EFFECTIVE DATE: July 1, 2040; provided that the TAT change shall take effect on January 1, 2025.

STAFF COMMENTS: Current law defines “transient accommodations” as the furnishing of a room, apartment, suite, single family dwelling, or the like to a transient for less than one hundred eighty consecutive days for each letting in a hotel, apartment hotel, motel, condominium or unit as defined in chapter 514B, cooperative apartment, dwelling unit, or rooming house that provides living quarters, sleeping, or housekeeping accommodations, or other place in which lodgings are regularly furnished to transients.

Accommodations on a vehicle, such as a mobile home or a boat, apparently have not been put in the TAT crosshairs before. However, it strikes us that an interpretation of existing language to include vehicles is plausible. A bill to clarify the language might be unnecessary.

Digested: 3/26/2024



Cade Watanabe, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Eric W. Gill, Senior Vice-President

March 26, 2024

Committee On Ways And Means
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

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

Testimony in Support of HB1838

Chairs Dela Cruz and Rhoads, Vice-Chairs Moriwaki and Gabbard, and Members of the Committees,

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 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.

Thank you for your consideration.

1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813-6452
Telephone (808) 531-8031
Facsimile (808) 533-2242
E-Mail: gwk@hawaiilawyer.com
www.hawaiilawyer.com

March 26, 2024

Senate Committee on Ways and Means
Senators Donovan M. Dela Cruz, Chair, and Sharon Y. Moriwaki, Vice Chair

Senate Committee on Judiciary
Senators Karl Rhoads, Chair, and Mike Gabbard, Vice Chair

Re: Testimony in Opposition to HB1838 HD2
Decision-Making Hearing: Tuesday, March 28, 2024

Dear Chairs, Vice Chairs, 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 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

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, Hawai‘i Session Laws 1957, § 9.



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Of Counsel
Jed Kurzban

Denis C.H. Leong
(1942-2023)
R. Charles Bocken
(1921-2020)
C. F. Damon, Jr.
(1926-2017)
Charles W. Key
(1929-2008)

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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.*

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 –

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).

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

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

⁶ *Ferris Trust*, 138 Hawaii at 312; *Waikiki Marketplace*, 86 Hawaii at 353.

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 HILSTRA 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 yearlong rental arrangements as their housing, employment or travel needs require.

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 of tax revenue, employment, household income, and spending is even greater. This is a direct economic benefit to Hawaii, which would be dramatically impaired by legislation like HB 1838.

⁷ *Haw. Legal Short-Term Rental All.*, 2023 U.S. Dist. LEXIS 227895.

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

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 under 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

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

¹⁰ *Haw. Legal Short-Term Rental All*, 2022 U.S. Dist. LEXIS 187189 n. 19.

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).

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found in Hawaii’s Constitution – held that the 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 the foregoing reasons, the Senate should decline to advance HB 1838.

Very truly yours,

DAMON KEY LEONG KUPCHAK HASTERT



Gregory W. Kugle
David H. Abitbol

GWK/DHA:rp
851928

¹² *Lamar Adver. Of S. Ga*, 389 S.E.2d 216.

¹³ *Hoffman*, 389 S.W.2d at 750.

HB-1838-SD-1

Submitted on: 3/26/2024 8:07:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Emery	Testifying for Hawaii First Realty LLC	Oppose	Written Testimony Only

Comments:

OPPOSE. This idea is not workable and in unconstitutional.

March 27, 2024

Dear Members of the Judiciary and WAM Committee:

- If this Bill passes, there will be no more month-to-month rentals in the State of Hawaii. This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.
- This is especially true for Oahu, the hub for business and medical care for the State. There is already a shortage of Nurses and other medical personnel on Oahu and their only affordable short term housing will be eliminated and could easily precipitate a medical crisis that reverberates to every island.
- 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, Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?
- Currently Oahu only has less than 2,000 short term rentals per AirDNA, we're already at a shortage of short term housing on Oahu.

Please do not take part in passing this extremely flawed bill.

Respectfully,

Michael Heh, Director OSTR
808-382-4515



OSTRA

**O'AHU SHORT-TERM
RENTAL ALLIANCE**

HB-1838-SD-1

Submitted on: 3/26/2024 11:19:35 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kenna Reed	Testifying for Help Maui Rise	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my **strong support for HB1838 HD2 SD1**, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Mahalo,
Kenna

March 28, 2024, 9:45 a.m.
Hawaii State Capitol
Conference Room 211 and Videoconference

To: Senate Committee on Ways and Means
Sen. Donovan M. Dela Cruz, Chair
Sen. Sharon Y. Moriwaki, Vice-Chair

Senate Committee on Judiciary
Sen. Karl Rhoads, Chair
Sen. Mike Gabbard, Vice-Chair

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

RE: HB1838 HD2 SD1 — RELATING TO ZONING

Aloha Chairs, Vice-Chairs and other members of the committees,

The Grassroot Institute of Hawaii would like to offer its comments on [HB1838 HD2 SD1](#), which would expand the zoning power of the counties in an effort to overcome the effect of a court decision that frustrated Honolulu's effort to limit short-term rentals.

In addition to specifically stating that the counties may phase out transient accommodations, HB1838 HD2 SD1 would allow county zoning ordinances to dictate “the time, place, manner, and duration in which uses of land and structures may take place.”

We at Grassroot fear that the overly broad zoning powers that would be created under this bill would negatively affect both the housing market and the economy.

The intention of the bill is to make it possible for counties to heavily dictate timing and use of residential property, but broadening the zoning powers of the counties could result in additional regulations that stifle housing growth.

In addition to being overly broad, this measure could be ineffective in achieving its primary goal. The court's decision in *Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu*¹ was decided based on Hawaii Revised Statutes Section 46-4, but it does not follow that a change to that Section would be sufficient to eliminate short-term rentals.

The jurisprudence in this space continues to develop, but courts have been clear that the issue touches upon constitutionally protected property rights. Hawaii's courts have specifically noted that preexisting uses are vested rights protected by the due process provisions in both the Hawaii and U.S. constitutions and thus cannot be abrogated by later zoning ordinances.² In other words, this bill would give the counties more zoning powers, but would not end litigation over short-term rentals.

Moreover, the assumption that greater regulation or a phase-out of short-term rentals is a desirable goal is not supported by an impartial analysis of the visitor industry and the actual participants in the STR economy.

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.³ 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.

As for possible legal challenges, the U.S. Supreme Court has in recent years indicated its willingness to uphold property rights against government regulations. In *Tyler v. Hennepin County*⁴ and *Timbs v. Indiana*,⁵ the Court sided with property owners on Fifth Amendment and Eighth Amendment grounds, respectively.

Given the uncertain legal and economic considerations in this approach to the issue of short-term rentals, we suggest your two committees defer this bill.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ [No. 22-cv-247-DKW-RT](#) (D. Haw. Oct. 13, 2022).

² *Waikiki Marketplace v. Zon. Bd. of Appeals*, 86 Haw. 343, 949 P.2d 183 (Haw. Ct. App. 1997)

³ "[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.

⁴ "[Tyler v. Hennepin County, Minnesota, et al.](#)" Supreme Court of the United States, May 25, 2023.

⁵ "[Timbs v. Indiana](#)," Supreme Court of the United States, Feb. 20, 2019.



Testimony of **Lahaina Strong**
Before the Senate Committees on
Judiciary and Ways & Means

In Consideration of House Bill No. 1838 HD2 SD1
RELATING TO ZONING

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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

Lahaina Strong stands in full support of HB1838 HD2 SD1, allowing counties to enact a zoning ordinance to amortize or phase out transient vacation rental units over a reasonable period of time, as recommended by the House of Representatives shelter working group.

It is crucial that individual counties have the autonomy to guide the zoning of their local jurisdictions according to their unique needs and visions. We do prefer the language in SB2919 specifically the line, "provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification," this language gives a more fully encompassing umbrella to properly address specific needs in each county. We would like to highlight that it is imperative to include apartment zones in this legislation to effectively address Maui's housing crisis, and more specifically West Maui's efforts to provide stable and affordable housing options for our community. According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing north of Lahaina is listed as short-term rentals.

A housing crisis has emerged on the island of Maui in the wake of the wildfires, leading to the relocation of over 25% of our Lahaina residents off island.. Giving the counties the clear authority to phase out vacation rental uses has been identified as a key policy tool by the House of Representatives shelter working group 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 HD2 SD1** 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



KOSTRO

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

Aloha, Chairs Rhoads, Dela Cruz, Vice Chairs Gabbard, Moriwaki
And Members of the Senate Committees on Judiciary and Way and Means

Those who want to take away owner-occupied renting like to use the word 'illegal' to describe renting. 'Illegal' is a fighting word when discussing any legitimate Hawai'i business. Owner-occupied renting has been legal since before statehood. (See **Exhibit B**).

Renting is legal because the United States Federal District Court has already established that renting is Residential Use. The City of Honolulu failed to establish that owner-occupied renting is commercial. Wherever an owner rents a property that is their primary residence, they do so as a residential use. See **Exhibit A**; HILSTRA v. City and County of Honolulu. "... *there is no doubt that these tenants are using the homes for residential purposes.*"

Any vote to forward this bill puts into effect the unconstitutional Honolulu Ordinance 22-7 and will have the effect of economically exiling our elderly owners—our kūpuna—from their island homes by taking their livelihoods. Taking away their livelihoods is a cruel use of legislative power and will cause great hardship.

Renting is allowed by state law and preempts county zoning ordinances. See **EXHIBIT B**.

" . . . provided that transient accommodations uses may be amortized or phased out in residential or agricultural zoned areas; provided further that residential uses do not include transient accommodations uses." . . . is SD1 language that does not protect our kūpuna.

Pent-up mainland demand for Hawai'i real estate will be unleashed as short-term rental owner residents are forced to sell their property.

A partial solution would be a variation of the Ward Amendment. See **EXHIBIT C**.

It's appalling that the previous committees moved this bill forward after hearing less than a dozen testimonies **for** the bill and many times more oral testimonies **against** the bill, not to mention one thousand pages of written testimony **against** the measure. The will of the people

is obvious. It seems that we trust you and elect you to a position in which you have power over our lives and you turn around and pass a bill that may well destroy us.

We are concerned that these measures pave the way for hotel industry acquisition of homes whose owners have been bankrupted or forced to sell by HB1838 and/or SB2919 when passed into law. Hotels on the mainland are further down the road with this practice and are now offering their own short-term rentals.

Mahalo for the opportunity to speak about this legislation critical for the survival of thousands of full-time Hawai'i legal residents who just want to continue to make a modest living by renting their own property.

With Aloha for KOSTRO,

Victoria Johnson
Margaret Aurand
Tonic Bille
Sue Alden
Ed Jones

EXHIBIT A

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.”

EXHIBIT B

Owner-Occupied renting is legal because contracts allowed 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.*

EXHIBIT C

WARD AMENDMENT

The Ward amendment, [HB1838 HD2 HFA2](#) introduced by Representative Gene Ward will protect renting by residents:

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 that are not owner-occupied over a reasonable period of time in an area of any zoning classification. In no event shall [~~such~~] the 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 that are not owner-occupied as provided in this subsection.

The Ward Amendment version of the definition for “Owner-occupied” is:

"Owner-occupied" means property which is used as the owner's primary residence and which property, or portion thereof, is operated as a transient vacation rental unit."

[The House of Representatives floor debate on HB1838 HD2 final passage is here.](#)

Our revised wording for the definition of “Owner-Occupied” is the following:

"Owner-occupied" means property which is the owner's primary residence. The owner of such a property resides in his or her primary residence and rents part of the property for any time period.

"Hosted property" means the rented portion of the primary residence, one other entire single-family dwelling, or the half of a duplex not occupied as the primary residence."

This variation would address the concerns raised by House Committee on Housing Chair Evslin's concerns:

1. Continue the Enabling Act exception on the kind of structures exempted: single family and duplex.
2. Require that the owner is required to occupy the premises during the rental.
3. There is no new loophole as there is no change in enforcement for owner-occupied rentals. The landlord continues to be governed by the Residential Landlord Tenant Code HRS § 521.

HB-1838-SD-1

Submitted on: 3/27/2024 7:55:16 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nevaeh DeSpain	Testifying for ZEN, Inc.	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838 - Protecting Local Livelihoods and Property Rights in Hawaii
Dear Honorable Members of the Hawaii House of Representatives,

My name is Nevaeh DeSpain, and I am a concerned citizen speaking out against the passage of HB1838. I am deeply troubled by the potential negative impact this bill could have on the local citizens of Hawaii and the freedom of travelers.

This bill threatens to financially devastate the lives of many local citizens who rely on short-term rentals as a means of income and stability. It has the potential to strip away vital economic opportunities and irreparably damage our freedom to meet the real needs of our communities.

As evidenced by the heartfelt testimonies of individuals affected by similar legislation, such as Karen Anderson, who has occupied a long-term rental unit for over 23 years to manage a vacation rental home in Kona, and Quentin Andrews Parker, a small business owner in South Kona, it is clear that the regulations proposed in HB1838 fail to consider mutually beneficial and affordable opportunities for long-term renters and self-employed individuals within the vacation rental industry. These regulations will create unintended consequences that could price local residents out of paradise, as highlighted by Karen Anderson and Quentin Andrews Parker. Philip Andriano, a resident of Volcano for over 18 years, also emphasizes the detrimental impact that restrictions would have on property owners who provide unique experiences to guests and rely on the income generated from short-term rentals.

Furthermore, the property rights violations entailed in this bill are deeply concerning. It allows counties to take away property rights from their communities and retroactively change the rules, as highlighted by Marbella Alford's passionate testimony. This creates a precedent for revoking non-conforming uses, destroying value, and generating uncertainty within the real estate and investment sectors, as mentioned by Kris Adair. The potential decimation of an industry that contributes significantly to Hawaii's economy, as noted by Quentin Andrews Parker and Philip Andriano, is a direct infringement on property owners' rights and a concerning overreach of government authority.

This bill has the potential to not only decimate an industry that contributes significantly to Hawaii's economy, as noted by Quentin Andrews Parker and Philip Andriano, but also to create uncertainty for investors and builders. Its impact will be far-reaching, affecting not only individuals' financial stability but also the economic health of the entire state.

In conclusion, I urge you to reconsider the ramifications of HB1838 on the livelihoods of local residents, the broader economic implications for Hawaii, and the fundamental rights of property owners. 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, and protecting property rights for families like mine.

Thank you for taking the time to consider my concerns regarding HB1838. I trust that you will make the best decision for the well-being of our community.

Sincerely,
Nevaeh DeSpain

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Testimony by Suzanne Young, CEO
Honolulu Board of REALTORS®

In Opposition to HB 1838, HD2, SD1
Relating to Zoning

COMMITTEE ON JUDICIARY

Sen. Karl Rhoads, Chair
Sen. Mike Gabbard, Vice Chair

COMMITTEE ON WAYS AND MEANS

Sen. Donovan M. Dela Cruz, Chair
Sen. Sharon Y. Moriwaki, Vice Chair

Thursday, March 28, 2024 @ 9:45 AM
Conference Room 211, Via Videoconference
Hawaii State Capitol; 415 South Beretania Street

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Gabbard and Moriwaki, and members of the committees:

Thank you for the opportunity to testify in opposition to HB 1838, HD2, SD1 which allows, in part, the counties to enact a zoning ordinance to amortize 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 SB 2919, SD2. 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.

Forced amortization is not necessary as we have witnessed natural attrition of NUCs. 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.

Counties already have enforcement powers to create reasonable regulations within existing authority and we continue to strongly support enforcement efforts that address the illegal short-term rentals that exist today negatively impacting our residential communities.

Thank you for allowing the opportunity to testify on this measure.



INTERNATIONAL LONGSHORE & WAREHOUSE UNION

LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikoula 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

March 27, 2024

The Thirty-Second Legislature
Regular Session of 2024

THE SENATE

Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
State Capitol, Conference Room 211 & Videoconference
Thursday, March 28, 2024, at 9:45 a.m.

STATEMENT OF THE ILWU LOCAL 142 IN STRONG SUPPORT OF HB1838, HD2 SD1 RELATING TO ZONING

The ILWU Local 142 represents 16,000 members across Hawai'i. We are in **Strong Support of HB1838**, 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

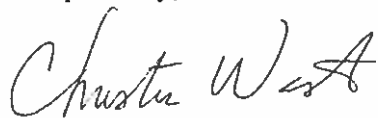


development. Many workforce housing developments across the islands were established through the work of the ILWU, including the Jack Hall Housing in Waipahu and even the Kelaweia Mauka neighborhood of Lahaina.

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 HB1838 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 cursive script that reads "Christian West".

Christian West
President, ILWU Local 142

HB-1838-SD-1

Submitted on: 3/27/2024 8:59:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sean ODonnell	Testifying for Aloha Vacation Rentals	Oppose	Written Testimony Only

Comments:

Aloha Esteemed Readers,

My name is Sean ODonnell. I oppose this bill because of the incredible adverse effect to local businesses if this bill is allowed to go through and legislators use it to close legal permitted rentals. I personally have recently purchased Kina's Maui Condo Rentals LLC dba Aloha Vacation Rentals on August 1st 2023. We employ different local companies for cleaning/ lawn maintenance/pool maintenance/ ac maintenance/ security and heating and more. All of these local companies and local families would loose their income if they didn't have these properties to maintain at the levels a rental demands. I know my family, my inspectors, cleaners and more would be so adversely affected that we would propably not be able to keep up with the increasing costs of living and need to move. Taking locals opportunities to get a real head start here is what is at greatest risk with this recent movement to get rid of still existing legal permitted rentals. We pay a lot in taxes to simply exist and ask for a chance to thrive in this economy here that is more and more subjecting locals to be employees of billionaires instead of working together to help each other become millionaires with our own companies. We have simple dreams of owning a home here and raising our twin baby boys born September 29th 2023. This has been a trying time for everyone living here and we need to come together and help, not point fingers and divide this community into different fighting groups. Our properties are on agricultural land and at oceanfront resorts, and although these are not normally where locals would live- they are being threatened as well just to pucker eve one because some are suffering. Let's end the suffering, not push it on others. Please help us, please come up with solutions that don't punish existing small local companies like us, it will hurt the community more than help. We know this bill doesn't in itself destroy us, but we know it's the step needed to allow our destruction.

mahalo for everything

Sean ODonnell

HB-1838-SD-1

Submitted on: 3/27/2024 9:09:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Amicone	Testifying for Serendipity Associates	Oppose	Written Testimony Only

Comments:

We strongly oppose this bill on the grounds that it will devastate Hawaii's economy.

The loss of revenue from GE and TA taxes from STRs in addition to the trickle down losses to GE/TA tax revenue from all supporting industries is unsustainable.

- 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 destroy people who rely on STRs for their livelihoods.
- STRs accommodate residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.
- It is discriminatory to phase out STRs in Hotel zoning and not include hotels, which are STRs also.
- Hotel Zoning districts are intended for short term rentals.

March 28, 2024



Subject: House Bill 1838 HD2, SD1 Relating to Zoning
HEARING: Thursday, March 28, 2024, at 9:45 a.m.

The Honorable Donovan M. Dela Cruz, Chair
Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary
State Capitol, Conference Room 211 & 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 HD2, SD1, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. Takes effect 7/1/2040.

WHAR promotes housing opportunities across all density levels, striving for socio-economic diversity in both ownership and availability and WHAR is also 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 address 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. We believe this measure will not have the impact that its advocates believe it will as illegal rentals will continue to operate outside local regulation.

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.

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





Senate Committee on Judiciary, and

Senate Committee on Ways and Means

Hawai'i Alliance for Progressive Action (HAPA) **Supports:** HB1838 HD2

Thursday, March 28th, 2024 9:45 a.m. Conference Room 211

Aloha Chair Rhodes, Chair Dela Cruz, and Honorable Members of the Committees,

I am writing on behalf of the Hawai'i Alliance for Progressive Action to express our strong support for HB1838 HD2 SD1. This crucial bill serves to 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 recent devastating fires in Lāhainā have underscored the significant role short-term rentals play in exacerbating our housing crisis. It is imperative that we take decisive action to address this issue, and HB1838 HD2 SD1 is a vital step in the right direction.

We would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lāhainā is listed as short-term rentals. Adding clearer language to HB1838 HD2 SD1 will give counties the power to gradually phase out transient vacation rentals in areas where it is needed most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in the Lāhainā community and other communities impacted by excessive short-term rentals impacting the supply of long-term affordable rentals.

Thank you for your attention to this matter. We look forward to your continued leadership in advancing policies that promote housing affordability and community well-being.

Sincerely,

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

Anne Frederick



Executive Director



March 28, 2024

Senator Dela Cruz, Chair of Committee of Ways and Means
Senator Rhoads, Chair of Committee on Judiciary

State Conference Room 211 - Via Videoconference 9:45 AM

RE: HB 1838, HD2, SD1 Relating to Zoning

Aloha Chair Dela Cruz, Chair Rhoads, and Members of the Joint Committees:

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:

HB1838 HD2 SD1 is likely to have long-term unintended consequences. It jeopardizes jobs, State and county tax revenue, GDP productivity, and is likely to generate litigation as zoning and government taking issues are challenged.

The State's own analysis sets forth the following *benefits of Short Term Rentals*: (HTA: report on Impact of STR dated 4/2020)

- Total spend in Hawaii associated with home and vacation rentals was **\$3.3 Billion** in 2018.
- Sales generated by STR spend is **\$6.0 Billion**
- Associated household income to Hawaiian families is **\$1.6 Billion**
- Over **46,000 jobs** in Hawaii are supported annually by home and vacation rental guests.
- State government tax revenue generated **\$347.4 Millon** and additional TAT revenue to each county.

This Bill seeks to cure a problem that does not exist:

Are Non-conforming uses "illegal.? No. Non-conforming is a county zoning terminology and does not identify a STR as illegal..

How many non-conforming STR are there? Each county has their own records of non-conforming. It is approximately several hundred in each county.

All there a lot of illegal operators? No. This is a point of misinformation put forth by those who wish to eliminate short term rentals.

How do the counties and state catch an illegal operator? The Department of Tax has tools that identify non-compliance with TAT payments and the counties have a Memo of Understanding with the Platforms that provides data of non-compliance with zoning. The counties are provided a monthly report by the Platforms.

This Bill allows counties to phase out ALL SHORT TERM RENTALS in ANY ZONE.

In the early 1950s as the neighbor islands were losing jobs due to the agriculture industry decline, each county was losing population as residents had to move to Oahu or the mainland to find work. In response, the Governor implemented a development plan to bring tourism to the neighbor islands. This was the beginning of what became known as tourist destination zones (resort zones). Those resort zones were not just for hotels, but included shopping, golf courses and “villas” or residences which were marketed and sold as vacation or second homes. This is Kaanapali, Kapalua, Kohala Coast, Princeville, etc. Each county approved these zones. These resort zones were always designated as transient accommodation zones and have been rented as STRs for decades.

STR is not new to Hawaii contrary to what some assert. They have existed for decades and are not the cause of today’s housing challenges.

Q. Is a STR in a resort zone a “conforming” use:

A. Yes, a transient accommodation is a conforming use in a resort zone whether it is a hotel, timeshare or personal dwelling.

It is unclear why this Bill would provide for every conforming STR in the entire state to be eliminated. The Bill does not give any justification for allowing a county to eliminate a STR in a conforming use zone.

How long have these conforming STR existed in resort zones? As noted above, they have existed since the 1960s - so over 50 years.

Have STR impacted the housing supply? No. The STRs are primarily in resort zones, where there is no infrastructure for families such as schools for children. Additionally, if all non-conforming STR were eliminated the volume would not be enough to impact the supply of available homes.

Why then is there a problem with housing supply in Hawaii? UHERO March 4, 2024 report which states *Hawaii has the most restrictive housing production laws in the nation .. extreme constraints on housing construction .. lowers the supply ..*

“High housing prices should provide strong incentives for developers to expand housing supply. However, regulatory barriers prevent a supply response. Hawai‘i has the most restrictive housing production laws in the nation. The extreme constraints on housing construction result in few units being completed, which artificially lowers the supply of housing and drives up prices”

A lack of housing supply is remedied by removing the extreme constraints to creating housing, not by Bills that would create hardships or confiscate someone else’s property.

We urge the legislature to hold this Bill as it would create unchecked restraint on every county in perpetuity. This could result in unintended consequences for each and every person or business who owns

property within Hawaii. It will destabilize a large sector of the economy, cause a loss of as many as 46,000 jobs and reduce tax revenue to the counties and State.

Thank you for the opportunity to testify.

Sincerely,

Alicia Humiston, President
Rentals by Owner Awareness Association

HB-1838-SD-1

Submitted on: 3/27/2024 9:24:33 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Raymond Romano	Testifying for Tiki Moon Villas	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Raymond Romano and locally own and represent Tiki Moon Villas near the Polynesian Cultural Center. We have been doing business with our boutique villa setting of several small bungalows and our guests & local workers love it! We pay our transient accommodation taxes along with the other taxes monthly. I oppose the bill HB1838 HD2 SD1 as it would adversely affect my income as a retired state worker who previously worked 11 years at Hawaii State Hospital as a Registered Nurse. We supply great experiences for mid-term stays 30+ days for tavelers from around the world traveling as couples and large famalies. This would also hurt our housekeepers who earn flexible income while raising their children along with our contractor that works nearly 40 hours per week, keeping the property running smoothly. I believe short-term & mid-term rentals play an important part in keeping the community alive with education & flexible incomes for local familes. We offer beauty & charm, visible in our interiors of each rental. Our exterior beachfront gardens are 2nd to none in their landscaping and views of the ocean panorama. Myself and friends at our church volunteer by going to Maui, alternating weekly to provide building of temporary housing to those in the difficult situation of the Lahaina fires. We care for our community and want to continue being a part of the solution.

Thank you for reading my letter,

Raymond Romano



03/27/24

415 South Beretania Street
Honolulu HI 96813

RE: HB-1838 HD2 SD1 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 HB-1838 HD2 SD1.

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 HB-1838 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.

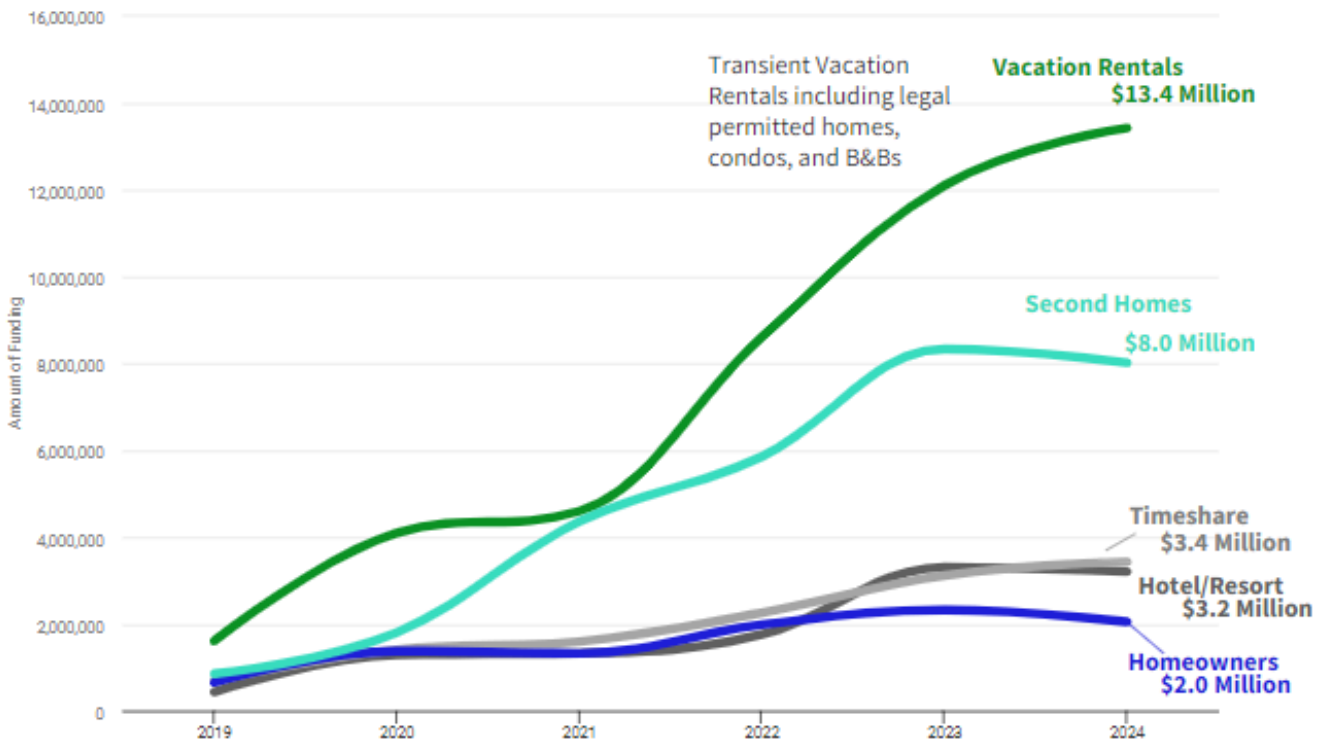
HB1838 would give the counties authority to enact ordinances to eliminate or phase out short-term rentals in any zoning classification.

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

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

Source: Maui County Real Property Tax

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	
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	

M A U I
VACATION RENTAL
 ASSOCIATION

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 KAAANAPALI	161,065,400	1,908,625	624,284	7,398	
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	

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

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.

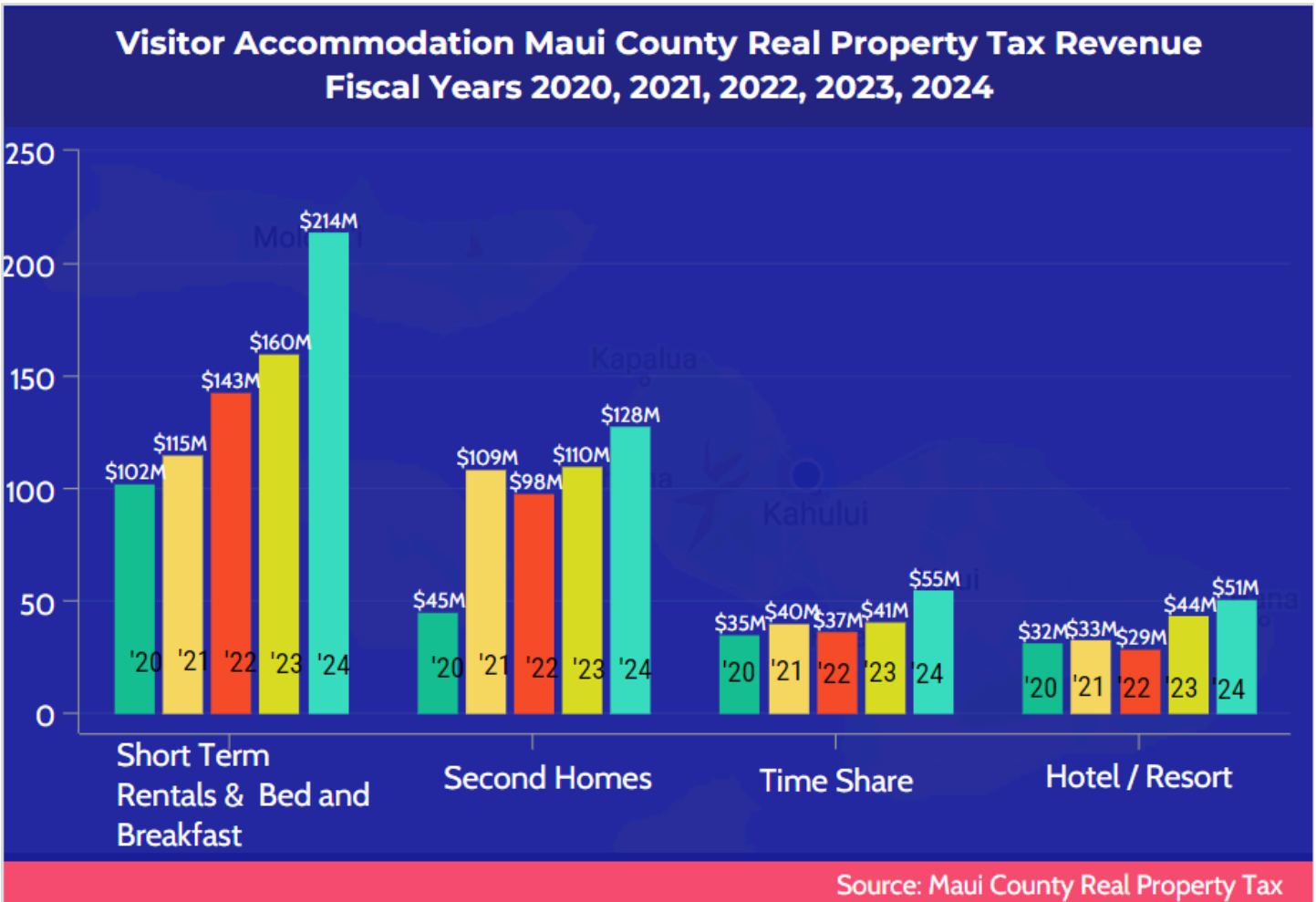
What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most 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





The Honorable Donovan Dela Cruz, Chair
and Committee Members
Committee on Ways and Means

The Honorable Karl Rhoads, Chair
and Committee Members
Committee on Judiciary

State House of Representatives
State of Hawaii
415 S. Beretania Street, Rm. 312
Honolulu, HI 96813



Dear Chairs, Dela Cruz and Rhoads, and Committee Members

RE: HB 1838 HD2 SD1 RELATING TO ZONING

On behalf of the members of the Hawaii Mid and Short-Term Rental Alliance (HIMAST), we testify in strong opposition to HB 1838 HD2 SD1 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 transient accommodations uses in residential or agricultural zoned areas. The definition of what is a transient accommodations unit is very broad. For example, the term "transient vacation rental unit" by definition also includes "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 allow the Counties 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.

Kahea Zietz, President HIMAST Alliance



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

March 27, 2024

The Honorable Donovan M. Dela Cruz, Chair
Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary
State Capitol, Conference Room 211 & Videoconference

RE: House Bill 1838, HD2, SD1, Relating to Zoning

HEARING: Thursday, March 28, 2024, at 9:45 a.m.

Aloha Chair Dela Cruz, Chair Rhoads, and Members of the Joint Committees:

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, HD2, SD1, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. Takes effect 7/1/2040.

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 are legitimate small businesses that pay real property taxes, general excise taxes,

and transient accommodations taxes that contribute to both local county and State budgets. Instead of granting counties the power to phase out these legitimate small businesses that contribute to our economy, the focus should be on enforcement against illegal STRs.

Illegal rentals will not be affected by this measure, nor will it assist the counties with enforcement on illegal rentals. Therefore, we do not believe that this measure will have the impact that proponents believe it will and community concerns will continue to persist about illegal rentals. Counties already have the power to conduct enforcement and create reasonable regulations for this industry and we believe efforts should be concentrated in that area.

Finally, this measure could be challenged as impacting vested rights and taking principles. "Under the United States and Hawaii Constitutions, pre existing lawful uses of property is generally considered to be vested rights that zoning ordinances may not abrogate."^[1]

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

Mahalo for the opportunity to testify.

¹ 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 Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

We are writing to you as a collective of Maui County residents and renters who have first hand experience navigating our housing crisis both prior to the August fires and after. We are writing in **support of HB1838 HD2 SD1**. We carry out our responsibility to our community through housing and tenant advocacy, education and research. As short term rentals in Maui County have come to represent 15% of our housing supply, our community based research has shown that our residents strongly believe STRs contribute to the untenable rental market and overall housing crisis. In an April 2023 UHERO blog, researchers Rachel Inafuku and Justin Tyndall found evidence to support community sentiment. Their research found that as STR supplies increase, so does the demand for local housing which drives up local housing costs. This legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time, would allow each county to manage its unique problem. In counties with higher percentages of STRs, like Maui and Kauai counties, there is a great need to regulate STRs and this bill would alleviate that need.

We ask that you pass HB1838 HD2 SD1 with the following amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

Renters are the ones who are suffering the most in this hostile market. We cannot find affordable housing nor landlords who care about the community in the same way they care about return on investment. This legislation would provide a path to recovery for our local housing market and a chance at stabilizing our community which has lost so much.

Sincerely,

Maui Housing Hui

HB-1838-SD-1

Submitted on: 3/27/2024 9:41:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joshua DK Lum	Testifying for Lahaina Strong	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Joshua DK Lum

HB-1838-SD-1

Submitted on: 3/27/2024 10:45:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
sherri curry	Testifying for Lahaina Strong	Support	Written Testimony Only

Comments:

Please vote for this bill to help local people with housing options.

HB-1838-SD-1

Submitted on: 3/27/2024 11:02:55 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Warech	Testifying for Jewish Voice for Peace-Hawai'i	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give Maui county the power to gradually phase out transient vacation rentals in areas where it is needed most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

The government promised to let Lahaina lead in the aftermath of the wildfires and so we urge members of the committee to make good on that promise and pass this legislation with the proposed amendment as the Lahaina community is requesting.

This bill also helps the government take steps toward its commitment to enacting legislation that help provide mechanisms to help improve the housing crisis across all islands.

Sincerely,

Jewish Voice for Peace-Hawai'i



HAWAI'I LODGING & TOURISM
A S S O C I A T I O N

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

Senate Committees on Ways and Means/Judiciary (WAM/JDC)
HB1838, HD2 SD1 RELATING TO ZONING
Thursday, March 28, 2024
Position: SUPPORT

Chair Dela Cruz, Chair Rhoads, and members of the Committees,

On behalf of the Hawai'i Lodging & Tourism Association, the oldest and largest private sector tourism organization in the state, we express our full support for HB1838, HD2 SD1 RELATING TO ZONING. This bill would expand the zoning powers of counties, and the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

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. 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.

We have always held the view that STRs should operate in appropriate areas such as hotel and resort districts where they are deemed legal, and can be held accountable to the same taxes, rules, and regulations that hotels and resorts are required to adhere to. As progress is made in reeling in short-term rentals within our residential neighborhoods, this clarification of jurisdiction will help strengthen our county governments' ability to enforce their rules and laws.

Mahalo for the opportunity to offer our testimony.



Maui Hotel & Lodging
ASSOCIATION

Testimony of
Lisa H. Paulson
Executive Director
Maui Hotel & Lodging Association

Senate Committee on Ways and Means
Senate Committee on Judiciary
House Bill 1838 HD2 SD1: Relating to Zoning
March 28, 2024, 9:45 am
Conference Room 211

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry for Maui County. We represent over 180 property and allied business members and 22,000 employees. **MHLA OFFERS COMMENTS for House Bill 1838 HD2 SD1**, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

MHLA wants to thank the Committee for taking on this challenging, delicate manner. This is about housing. Housing for our workforce, housing for our residents. In a recent report from the independent short-term rental data mining platform “All The Rooms,” there were more than 89,000 listings for short-term rentals in Hawaii in the last 12 months alone (<https://www.alltherooms.com/>). This is more than double our state’s entire hotel room inventory.

MHLA understands the different needs of our travelers and believes that short-term rentals should only exist in resort-designated areas where they are deemed legal, and they can be held accountable for the same taxes, rules, and regulations that hotels and resorts must adhere to. Our neighborhoods must be returned to their intended purposes, for our residents to live.

Additionally, we ask that this Bill include language for the State or counties to implement stricter regulation and enforcement against illegal short-term rentals.

We are providing comments on the Bill in support of our workforce and their housing needs.

Thank you for the opportunity to provide this testimony.

HB-1838-SD-1

Submitted on: 3/25/2024 8:07:05 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Panizzi	Individual	Oppose	Written Testimony Only

Comments:

Ioha Chair, Vice Chair and Committee,

I am writing in opposition of HB 1838.

As a property owner who owns a legally permitted short-term rental, I strongly oppose any legislation that seeks to phase out or restrict the operation of legal short-term rentals. Short-term rentals play a crucial role in supporting various segments of our community and local economy. First and foremost, short-term rentals provide essential accommodation options for travelling individuals, such as those travelling for medical care, military personnel, healthcare professionals, and individuals in various industries. Legally permitted short-term rentals (per Ord 22-7) are equally 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 a small hotel room can provide.

This bill will hurt the county and state due to the loss of revenue created by GE, TA, and OTAT taxes that current, legally permitted short-term rentals 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 current, legally permitted short-term rentals as temporary, furnished, and affordable housing. It will also threaten my ability to make a living along with the other residents we all employ, such as cleaners, electricians, plumbers, painters, maintenance workers, handymen, and small business owners who live and work in our community. 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.

Aloha Chair, Vice Chair and Committee,

My name is Janet Susan Holman and I live on the island of Oahu.

I am writing in opposition of this bill because it will threaten my ability to pay my mortgage and other fees as well as pay the huge assessments and association fees that I once qualified for with my initial mortgage loan. Also I am a 100 percent service connected disabled American veteran and on a fixed income and won't be able to make my mortgage along with the maintenance fees and assessments, or I'll have to get food and other assistance after going bankrupt? It's just not well thought out for small businesses and people like me, who live and in my community and do the best I can to serve the community.

I own a condo and had to start a small business that as a short-term vacation rentals in order to keep from going bankrupt after the huge assessment however I made the payment and managed to keep my head above the water. Also I was told our building was done by the very DPP office before I started my business when I phoned their office and then several months later I was told our ability to str was taken away overnight and without proper notice. This has put me under extreme duress and in extreme Financial hardship. Unfortunately there are now so many units for sale in our building that it's impossible to sell. Also the building was built as a condo hotel and the DPP took away our hotel resort status without properly notifying the owners in the building and now we are being told there are more assessments and currently I'm paying another one from this year. The overreach by the government will and is causing extreme hardship for me and many people like me who are doing everything they can to pay their bills due to the extreme rising costs also from insurance issues in the state. Why would you want more of us to end up bankrupt and homeless? We serve our country and our community also in many positive ways and deserve to be able to do what we can to pay our bills. Our constitutional rights are being clearly violated. So many units in the building for sale that it would be impossible to sell unless it's at a huge loss and I am not in any humor to sell my property or go bankrupt that I have worked very hard for and sacrificed as a 100 percent disabled veteran in order to own it in the first place. Please don't do this. Rethink what you are doing and how many people's lives are being negatively affected by this action.

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-SD-1

Submitted on: 3/25/2024 8:47:23 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Drew Crider	Individual	Oppose	Written Testimony Only

Comments:

Aloha. My name is Drew Crider and I am submitting my testimony to strongly oppose bill HB1838 which would ban all currently legal short term rentals on Oahu, specifically in the Turtle Bay Area. I have been a resident of the north shore for over 20 years. I live in the community and my children go to the local public schools. My wife teaches both in school and as a yoga teacher. We purchased a condo at turtle bay 7 years ago when we had our first child, who happens to have special needs and we needed the assistance, so her parents would stay there when they come out for 3-4 months during the winter time. The remainder of the year we open the unit up to guests who come to experience the North shore from all over the world . This allows us to keep up on our mortgage and even provide a better life for my family on the north shore which is where our life and community is but it is still so expensive to raise a family. These condos allow people to come and enjoy the various events turtle bay puts on without paying \$800+ / night at the hotel (without a kitchen for their families to cook). You cannot stay in the residential area when you come up north, this is the only option and it is tucked under a fully operating resort with several restaurants and activities that have enough service to go around for both hotel and condo guests alike.

Banning condos like these from operating isn't logical and will greatly impact visitors, event goers on the north shore, and residents who use these transient spaces for their families and as a supplemental income.

thank you for listening and for your consideration, care and kindness.

HB-1838-SD-1

Submitted on: 3/25/2024 9:03:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Don't we live in a democracy?

More people who live here in Hawaii oppose this bill.

By allowing this to go to individual counties big business and payoffs will speak louder than the middle class home owner who needs these short term rentals to help pay their mortgage, or the families wanting to get together family style, or the traveling nurses, or the ideal tourist who comes to join our community and be a part of Us.

Please enforce 30 day rentals.

My voice. Our democracy. Our middle class.

Mahalo,
April Perreira Pluss

HB-1838-SD-1

Submitted on: 3/25/2024 9:27:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Ochsenbein	Individual	Oppose	Written Testimony Only

Comments:

Please let common sense prevail here. There are so many times when our residents need lodging. I had a young lady that was escaping a bad relation ship that could not afford to sign a lease and only needed our place for a month. She would have been on the streets or back with her abuser had she not had the opportunity to sign a 30 day lease. I know that you are probably hearing about other situations, but this yet one other reason that this law would be bad. You will only be hurting the little guy. The rich folks on the mainland will get by without renting their places. People that depend on this income to help them with the very high cost of living here will be the ones to suffer.

Thank you for your time.

HB-1838-SD-1

Submitted on: 3/25/2024 9:34:09 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Skyler Ochsenbein	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass this. This is not a good idea. The only beneficiary would be offshore Hotel corporations. Studies have shown that less regulations will do more for our housing crisis than this bill will and this one will hurt the little guy.

HB-1838-SD-1

Submitted on: 3/25/2024 9:54:57 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs, and members of the committee,

I stand in support of HB1838, yet suggest a couple amendments.

Each county is unique with its own set of challenges, its own character, and its own goals, and should thus have the authority to regulate the short-term rentals in their county as they deem fit. As noted in the committee report by CPN/EET/GVO, short-term transient vacation rentals can dramatically alter the character and fabric of a residential area. The disruptive, non-consistent nature of a short-term transient vacation rental makes it extremely difficult for a community to build trust, safety, and strong relationships.

Thus, I suggest the following 2 amendments:

1. Amend Section 2 of the bill to state that “transient accommodations uses may be amortized or phased out in an area of any zoning classification.” This acknowledges that apartments and condominiums are also communities that are disrupted by short-term transient vacation rentals, and would allow counties to improve their character and fabric of these communities by phasing out or amortizing short-term transient vacation rentals there.
2. Amend Section 2 of this bill to delete the current definition of transient vacation rentals and insert the following language from SB2919, “For purposes of this subsection, "transient vacation rental unit" means "short-term rental home", "short-term vacation rental", "transient vacation rental", "transient vacation unit", or "transient vacation use", as those terms are defined by county ordinance.” This would allow counties to have true authority and ensure they are able to guide the overall future development of their county in a manner they deem fit and is aligned to their individual goals and plans.

Mahalo nui for your time and consideration,

Keoni Shizuma

HB-1838-SD-1

Submitted on: 3/26/2024 12:30:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Hing L Wong	Individual	Oppose	Written Testimony Only

Comments:

Short term rental is crucial to Hawaii's tourism industry. With the hotels being so expensive in Hawaii, people with family would be very hesitant to come without being able to have the whole group staying in a relatively cheaper condo. If short term rental is totally phase out, a lot of people working in this business would be unemployed.

HB-1838-SD-1

Submitted on: 3/26/2024 4:06:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

If this Bill passes, there will be no more month-to-month rentals in Hawaii. This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.

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? A \$700/night hotel?

HB-1838-SD-1

Submitted on: 3/26/2024 4:26:25 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
lillie mcafee	Individual	Oppose	Written Testimony Only

Comments:

PLEASE VOTE NO ON HB 1838 HD2 SD1

THIS IS SUCH POOR PLANNING BY OUR ELECTED OFFICIALS--PLEASE LOOK AT THE BIG PICTURE!

f this Bill passes, there will be no more month-to-month rentals in Hawaii. This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.

HB-1838-SD-1

Submitted on: 3/26/2024 4:40:48 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Jackson	Individual	Oppose	Written Testimony Only

Comments:



Don Maxwell <donmaxwell4@gmail.com> 9:39 AM (0 minutes ago)

to Pat

Many of today's visitors want an alternative to hotel accommodations. If you force STRs out of business it will have a serious negative impact on OAHU as a visitor destination.

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. 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."

Closing STRs will damage other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well grocery and other retail outlets, and job losses for workers employed in cleaning, repairing and maintaining the STR units.

It will result in the loss of jobs, and a huge loss of GE, TA, and OTAT revenue as well the visitor spending for those who will go where they have a greater choice in accommodations.

Abolishing STR NUCs, which have been legal since 1989, is extremely unfair and penalizes owners who have operated legally, and paid the applicable GE/TA/OTAT for many years. This bill, if allowed to take effect, will likely face 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.

Lastly, the thinking that this bill would ease the housing crisis on Oahu is greatly flawed, and has been disproved by credible local sources.

HB-1838-SD-1

Submitted on: 3/26/2024 4:42:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maria Morgan	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1838. By eliminating STR's you would hurting so many who rely on the much needed extra income that they provide. The 49,000 jobs that would be lost. How are they suppose to survive. There will also be a significant drop in tourists. They all do not want to stay in overpriced hotels.

HB1838 is so harmful to the small person trying to survive. We have a small 1 bedroom condo, 850sq'. That will not help the housing crisis. We need to rent it when we are not using it. If we cannot we will forced to sell it and leave the island for good. Please don't destroy our dream.
Sincerely Maria,

HB-1838-SD-1

Submitted on: 3/26/2024 4:51:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I oppose HB1838. It will be devastating to so many who need that income to survive. It hurts property owners, all the support people who clean and maintain properties and local businesses. Oahu has so many other problems to worry about than a property owner who needs to rent their home to visitors to make ends meet. Visitors who want a kitchen and all the conveniences of a home will not come back if they are eliminated.

help the small people not big business.

Vote No.

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

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

February 23, 2024

Re: Resolution 24-27, HB1838 and SB2919

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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.

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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-SD-1

Submitted on: 3/26/2024 6:13:53 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maggie Huang	Individual	Oppose	Written Testimony Only

Comments:

- **If this Bill passes, there will be no more month-to-month rentals in Hawaii.** This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.
- 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?

HB-1838-SD-1

Submitted on: 3/26/2024 6:37:45 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
SharLyn Foo	Individual	Oppose	Written Testimony Only

Comments:

Just wanted to pass along some info to be helpful in defense of NUCs. Oahu has around 750 total certificates on the island of Oahu . Certificates are given by the unit not TMK. These original NUC certificates were slotted since 1989.

The Numbers in other counties are just minor compared to illegal and newly given NUC

Non of which were given in residentially zoned areas on Oahu.

Honolulu city and county has been smart to limit certificates unlike Maui .I realize since Lahaina needs to deal with their lack of housing. Passing this bill will only hurt residents on other islands . On Oahu 80% of stas are owned by locals which allows them to afford to live here .

There are a total of 114 (units) NUCs in residential zoning on entire island of OAHU. I have not been part of housing market in over 30 years . I don't think taking away my NUCs will help with the housing shortage of over 15,000 units needed .

Once again my family has lived up to all rules and regulations and paid all taxes and fees

Increasing property taxes , increasing fees have really hurt us already

Please stop targeting legal vacation rentals. The problem is enforcing against illegal rentals Let counties prove they can enforce before giving them any more authority.

Mahalo

HB-1838-SD-1

Submitted on: 3/26/2024 6:39:31 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra Piro	Individual	Oppose	Written Testimony Only

Comments:

I highly oppose this bill. Talk about going back in time!! We need short to mid-term rentals for many reasons stated over and over, but more importantly enforcing a bill like this will take away all rights of home ownership and the choice to supplement income by renting out your home.

This is supposed to be a democracy! We need these rentals and the owners deserve to make choices to rent their homes.

What about the licensed non-conforming TVU? These owners went through an extensive approval process and maintain there licenses on a yearly bases.

Please do not pass this bill. It will hurt our economy more than you realize. We are already struggling to make it here in Hawaii. I personally work 3 jobs now.

HB-1838-SD-1

Submitted on: 3/26/2024 6:58:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Aimee Agnew	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB1838. Please do not rezone properties that were purchased with in an existing zone. How can you change the rules whenever you feel like it? We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local residents that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a government can come in and simply override a property that we purchased under a certain agreement and understanding. Our property is zoned as transient accommodation. Please do not proceed with this bill. Please oppose HB1838.

Thanks!

HB-1838-SD-1

Submitted on: 3/26/2024 7:00:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Agnew	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB1838. Please do not rezone properties that were purchased within an existing zone. How can you change the rules whenever you feel like it? We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local residents that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a government can come in and simply override a property that we purchased under a certain agreement and understanding. Our property is zoned as transient accommodation. Please do not proceed with this bill. Please oppose HB1838.

Thanks!

HB-1838-SD-1

Submitted on: 3/26/2024 7:01:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Moss	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB1838. Please do not rezone properties that were purchased with in an existing zone. How can you change the rules whenever you feel like it? We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local residents that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a government can come in and simply override a property that we purchased under a certain agreement and understanding. Our property is zoned as transient accommodation. Please do not proceed with this bill. Please oppose HB1838.

Thanks!

HB-1838-SD-1

Submitted on: 3/26/2024 7:04:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Randall Moss	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB1838. Please do not rezone properties that were purchased with in an existing zone. How can you change the rules whenever you feel like it? We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local residents that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a government can come in and simply override a property that we purchased under a certain agreement and understanding. Our property is zoned as transient accommodation. Please do not proceed with this bill. Please oppose HB1838.

Thanks!

HB-1838-SD-1

Submitted on: 3/26/2024 7:13:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Floyd	Individual	Oppose	Written Testimony Only

Comments:

This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.

HB-1838-SD-1

Submitted on: 3/26/2024 7:32:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Guthrie de Bruyn	Individual	Oppose	Written Testimony Only

Comments:

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, but 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

HB-1838-SD-1

Submitted on: 3/26/2024 7:34:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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.

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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-SD-1

Submitted on: 3/26/2024 7:38:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Barnfield	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairperson

Please do not pass bill HB1838. It is an over reach of control. There are too many needs for 30 day rentals and historically 30 day rentals have always existed. There are traveling nurses for example who are regular candidates for 30 day rentals. The condos were and are investment properties at large and they always have been. Yes they are housing for rentals and permanent live in but there has to be a balance and stopping 30 day rentals is not the answer. Please do not pass HB1838.

Sincerely,

Wendy Barnfield

HB-1838-SD-1

Submitted on: 3/27/2024 10:13:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nadine Ortega	Testifying for Tagnawa	Support	Written Testimony Only

Comments:

Testimony IN SUPPORT HB1838 HD2 SD1

March 28, 2024

Dear Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard, and Honorable Committee Members,

Tagnawa offers testimony IN STRONG SUPPORT of HB1838 HD2 SD1, which would empower counties to phase out short-term vacation rentals and alleviate our housing crisis. We echo the call of Lahaina Strong to prioritize kama'āina, Kānaka Maoli, and Lahaina fire survivors' housing needs.

Tagnawa is a Filipino immigrant-led organization dedicated to the long-term resiliency of Filipinos in Lahaina and Hawai'i-wide, and was one of the earliest community mobilizations on the ground for fires-affected immigrants alongside champions like Roots Reborn.

The increase of vacation rentals and loss of critical housing stock in Hawai'i has accelerated over the last decade to the point where at least one in every 24 homes in Hawai'i is a vacation rental.[\[1\]](#) This is a threat to the fabric of our community and to the Lahaina recovery.

Accordingly, we ask that the Committees pass this crucial measure.

Agyamanak for the opportunity to provide testimony,

Nadine Ortega, J.D.

[1] <https://www.honolulumagazine.com/heres-how-vacation-rental-companies-like-airbnb-actually-affect-hawaii-locals/#.Ws1QJIjwYdW>

HB-1838-SD-1

Submitted on: 3/26/2024 7:59:16 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ann Sarna	Individual	Oppose	Written Testimony Only

Comments:

My husband and I purchased a condo at the Papakea Resort in August 2022. We are currently renting our condo long term 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 for few weeks/months , 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. Eliminating the short term rental will force us to keep the unit vacant.

1. Papakea is a resort, which rents out to tourists since it was built in 1978 and consist of 364 units, most under 600 square feet. It was never intended to be an apartment complex. There is limited parking. The resort is located adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.

Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

1. resort generates significant 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...

Reducing short term rentals will result in a significant 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?

- **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 short term rentals are severely curtailed?

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, and only help the hotel industry. The hotels will raise prices, and make Maui a destination only affordable by the wealthy. I ask you to vote no on HB1838, and find a better way to create more affordable housing for the local people.

Please vote No

Thank you.

--

Ann Sarna



Add reaction

HB-1838-SD-1

Submitted on: 3/26/2024 8:04:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Quyên Pham	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, Senator Rhoads, Chair, Senator Gabbard, Vice Chair and Members of the Committee:

I oppose SB2919, SD1 AND HB1838 HD2 SD1

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 SB2919, SD1 and HB1838 HD2 SD1 and urge the committee to defer it.

Respectfully submitted,

Quyên Pham

HB-1838-SD-1

Submitted on: 3/26/2024 8:11:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Vlasta Hanson	Individual	Oppose	Written Testimony Only

Comments:

1.If this Bill passes, there will be no more month-to-month rentals in Hawaii. This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.

2. 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.

3. 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?

HB-1838-SD-1

Submitted on: 3/26/2024 8:12:55 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gordon Hanson	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.
- **If this Bill passes, there will be no more month-to-month rentals in Hawaii.** This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.
- 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?

March 25, 2024

Senator Donovan Dela Cruz
Ways and Means
Hawaii Legislature/2024 Hearings

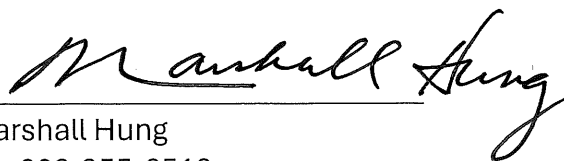
Re: HB1838-Support

Dear Senator Dela Cruz,

As a former affordable housing developer, I ask that you support HB1838 that gives the County Governments the right to eliminate vacation rentals outside of the tourist hotels and other designated tourist housing. The Honolulu County Government was correct to require a 90-day rental occupancy to eliminate the vacation rentals not designated for short term vacation rentals. Stronger measures might yet need to be taken by the County Governments.

The supply reduction of long-term rentals for the residents of Honolulu and Hawaii has grown to a crisis situation. As you know, the short-term vacation rentals provide higher profits. Many tourists prefer not being confined to tourist housing. However, strong measures must be taken to increase this existing housing supply for residents of Honolulu.

Sincerely Yours,

A handwritten signature in cursive script that reads "Marshall Hung". The signature is written in black ink and is positioned above a horizontal line.

Marshall Hung
Ph: 808-955-6513
Resident of Hawaii

HB-1838-SD-1

Submitted on: 3/26/2024 8:24:45 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sandy Tory	Individual	Oppose	Written Testimony Only

Comments:

As my Constitutional right allows, I have legally and diligently invested in legal short term rentals, I vehemently oppose this bill as my right to pursuit of happiness in this capitalist country.

HB-1838-SD-1

Submitted on: 3/26/2024 8:30:07 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Bianlou	Individual	Oppose	Written Testimony Only

Comments:

Please stop HB1838 and do not allow hotel groups to control the State of Hawaii. Hawaii is becoming a vast hotel that benefits hotels only. Property owners should be able to benefit from their investments and be free to do what they like with their properties. Policing property owners by the county's staff is wrong and un-American. Please stop Claire Kozai and Karlee Krishner from harassing and intimidating the public.

Thank you.

Sherry

HB-1838-SD-1

Submitted on: 3/26/2024 8:34:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
leila remainis	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I feel that is a home owners right to be able to rent a room at their property for the 30 day minimum. In my opinion if the homeowner lives at the property and are able to enforce the rules of living in a community for these vacationers, he should be able to rent a room. The homeowner is at the house to ensure that there are no disrespect towards neighbors or neighborhood rules, therefore there is no reason why in an area where there are no places for short term rentals travelers to spend time in besides \$300 hotel rooms, the government cannot prohibit such activity.

Besides you ask commercial stores in the area that have their businesses increased by visitors spending what they rather and they definitely rather have more visitors who will spend (eat at the restaurants, buy souvenirs) than less.

Mahalo

From: Carol and Dennis Shearer, small business owners, West Maui

RE: OPPOSITION TO HB1838 HD2

Aloha Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committees:

Mahalo nui for this opportunity to provide testimony on this bill.

We OPPOSE H.B. 1838 because it will create tremendous hardship for the people of Hawaii without solving any of the problems it says it intends to address.

Please recall the "Maui is closed" messaging immediately following the Lahaina fire, and the devastating economic consequences this messaging had. This bill provides a vehicle for PERMANENTLY creating that economic struggle.

Please bear with us as we share the following specific information and thoughts -

We own a condo at Papakea, a West Maui resort which was built in 1978 as a vacation property. Papakea was not built as, & never operated as, workforce housing. It has operated as a vacation rental property for almost fifty years.

Papakea has tennis courts, multiple pools and spas, putting greens, shuffleboard courts and cabanas, all on 13 ocean front acres with a 1200 foot seawall, and employs 35 local residents as staff. Papakea can only support the current personnel and maintain the property with high maintenance dues that rely on short-term rental income. (See attachment to this letter for a breakdown)

Plus - the units themselves just don't work for long term occupancy. Units have limited living space, VERY limited storage, and only 1 parking spot per unit.

ECONOMIC BENEFITS OF STR AT PAPAKEA -

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 Resort also supports local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming, and activities providers.

Short term rentals like ours also support a wide range of other small businesses including housekeepers, handymen, carpet cleaners and air conditioning maintenance experts, on-island agents, and contractors.

SHORT TERM RENTALS HOST MORE THAN JUST “TOURISTS”. STRs host:

- kama’aina from other islands vacationing or visiting family and friends
- traveling medical personnel
- people volunteering to assist local non-profits and businesses on Maui
- families that can’t afford the big hotels or need more space than a hotel room.

STRs encourage visitors to venture out into the community to visit small businesses, rather than confining themselves to the resort bubbles of big hotel resorts owned by multi-national corporations with NO ties to Maui.

THIS BILL HURTS LOCAL RESIDENTS - we’d like you to consider the example of our housekeeper, Arcelia Gama, who is afraid that this bill will put her out of work. She has already lost SO MANY units due to the fire and conversion of STRS to long term rentals, and is right now having to explore 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). Arcelia has a mortgage and all her other regular living expenses to pay, and supports both her aging parents & her two children, all of whom live with her.

Short term rentals like ours 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 Tax

REVENUE FROM SHORT TERM RENTALS SUPPORT ESSENTIAL SERVICES for Hawaii’s residents, and contribute substantial resources to important programs such as affordable housing initiatives.

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

When we first returned to West Maui after the fire, in November 2023, we had SO MANY small business owners and employees thank us for coming. They told us how incredibly hard it had been hanging on as the number of visitors dwindled and income dried up, and they saw their livelihood slipping away.

When we were there this past month, preparing our condo to host Lahaina fire survivors long-term, we heard the same message still - that visitors are fewer, spending less, staying more in the hotel/resort areas and frequenting areas like Paia and Hana less, and the businesses and employees out in those communities are hurting as a result.

On a personal note - We know the narrative you have heard, that short term rentals belong to uncaring mainlanders who buy these properties by the dozen. Nothing could be further from the truth for us.

We first visited Maui in 1984, and fell in love with the island and its people.

We own ONE SMALL CONDO, which we bought after dreaming of this for more than 30 years.

Because we have a special needs daughter whose future is uncertain, we know we can never move to Maui, but having a small place there has been a blessing for us and her. We have had to rent it to visitors to make ends meet; we aren't rich so we can't have it as a second home without it generating income. But we personally vet every guest, and share with them the incredible privilege traveling to Maui is.

And now, after the fire, we have rented it to Lahaina fire survivors. Out of our own pocket, we are paying our housekeeper to continue to clean because she has lost so much income.

We care about Maui and its residents, we suspect much more than the owners of the giant hotel chains that are trying to sell you on eliminating vacation rental properties like ours.

For all these reasons, we beg you to do the right thing, for Maui & its residents, reject HB 1838, and seek a permanent solution that would build comfortable, decent, affordable housing for our Maui ohana.

Respectfully submitted -
Carol and Dennis Shearer

THE ECONOMICS OF A PAPAKEA ONE-BEDROOM

Because Papakea is a 13-acre property right on the ocean, with a 1200 foot seawall, and was built as a resort, it is incredibly expensive to maintain, and units pay high AOAO dues, which make these units unaffordable as workforce housing:

For our small, 597 square foot 1-bedroom unit at Papakea, our monthly payment to the **AOAO right now is \$1,238** - approximately 80% of the HUD published fair market rent.

In the next two years, that cost **will rise to almost \$2,000/month** (due to a \$1.2 million increase in AOAO insurance that started December 2023, and a massive increase heading to us in 2026 due to a \$32 million plumbing project that will be starting in June 2024.)

On top of AOAO dues, there is also a **Facilities Use Fee of \$170/mo** that is also used to fund operating costs of the property.

After adding GET and property taxes to the AOAO costs, and **WITHOUT ANY MORTGAGE, the unit will cost close to \$2,600/month** to maintain as a long-term rental. That's **WITHOUT A MORTGAGE**, and without factoring in insurance, utilities, and maintenance costs.

If you believe the condo should be sold to a local resident for their own primary residence, even at only a fraction of its current market value, please consider that by the time you calculate even a modest mortgage, this condo makes no economic sense.

And let's remember - because it was built as a vacation property, there's very little storage space, and only 1 parking slot.

And just to be clear - slashing AOAO costs would require slashing maintenance of the property - and not maintaining the property would leave West Maui with a 50 year old, decrepit, unsafe, eyesore of an oceanfront former resort. Which we do not believe anyone wants.

Aloha Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, Senator Rhoads, Chair, Senator Gabbard, Vice Chair and Members of the Committees:

I am writing to express my strong opposition to HB1838

I've been coming to Hawaii for decades, and travel to Maui several times a year. I stay at Papakea, a condo-tel resort in West Maui. During my trips, I shop local, dine at small local spots, volunteer, and seek experiences that expand my understanding of Hawaiian culture and its people. I call many local residents my friends. I work hard to avoid the big, generic, hive-like experience of the big resorts like Hyatt and Marriott, and honestly detest the vibe of places like the Grand Wailea, Sheraton, or Westin properties that feel like they could be anywhere - Texas, California, or New York.

For me, it's not about the money. It's about spirit.

I will stop traveling to Hawaii and look elsewhere for travel if my only Maui option is a "big box" hotel owned by a multi-national corporation like Marriott. All I have to do is walk the grounds of the Grand Wailea - which has not one shred of the mana I so treasure on Maui - to reconfirm my feelings.

But for others, it may be a matter of cost. Or space. Or circumstance. Short term rentals offer visitors with families more space than a traditional hotel room, often at an equal cost but with greater comfort. They offer a vital alternative to visitors who have a desire to avoid the "resort bubble" cookie-cutter experience that is totally disconnected from the unique spirit of Hawaii. They offer traveling essential workers living space while they offer their services in Hawaii. They have provided vital housing for local residents displaced by disasters like the West Maui fire in 2018, and the 2023 Kula & Lahaina fires.

In other words - short term vacation rentals offer an essential alternative to hotels.

A recent committee reports incorrectly states: "*short-term rentals disrupt the State's traditional and economically indispensable lodging industries.*"

THIS IS RIDICULOUSLY FLAWED LOGIC.

It assumes that visitors will come stay in the giant hotels owned by foreign investors if short term rentals in small, aloha-filled condominium complexes are banned. You couldn't be more wrong. Families who need more space than a single hotel room, or who want that more zenful experience a resort like Papakea offers, will simply look to another destination rather than be shoe-horned into a Marriott hotel room on a miles-long corridor of hotel room doors and a view of the dumpster or the room across the courtyard.

As to hotels being economically indispensable. I did a little research before I sat down to write this to you. Short-term rentals on Maui produce FOUR TIMES the property tax revenues of hotels. And make FOUR TIMES the contribution to Maui's affordable housing fund. And generate substantially more TAT than hotels. And visitors who stay in STR are more likely to travel out into the community and spend their dollars in small locally owned businesses and restaurants than are the hotel guests, who often choose to stay in their bubble and spend their dollars on the resort amenities on property (sending profits back to their multi-national corporate owners) and not out in the community.

PLEASE - do not pass this bill.

Mahalo nui loa for your kokua.

Respectfully submitted -

Carol Thompson-Shearer, long-time Hawaii visitor

HB-1838-SD-1

Submitted on: 3/26/2024 8:49:45 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Arcelia Gama	Individual	Oppose	Written Testimony Only

Comments:

RE: OPPOSITION TO HB1838 HD2

Aloha Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committees:

My name is Arcelia Gama, and I live and work on the island of Maui.

I am writing in OPPOSITION to HB1838 because it threatens my ability to make a living - just like it threatens the other cleaners, electricians, maintenance workers, landscapers, shop keepers, restaurant owners and small businesses like me, who live and work in my community.

I own a small cleaning business that services short-term vacation rentals on my island. I make a good living. I create my own schedule, and work very near where I live, reducing my commute time. All of this contributes to a wonderful quality of life. It allows me to support not just myself and my two children as a single parent, but my aging parents who live with me as well.

The Lahaina fire destroyed several of the homes and condos I used to clean, and several others have been transitioned to long-term housing for Lahaina fire survivors. This has definitely created challenges for me and impacted my income.

But it's NOTHING compared to what this bill would do. This bill will hurt me and put at risk my ability to pay for my own housing and bills. It would literally put me out of business and destroy my livelihood.

PLEASE - let the counties enforce the laws that they already have.

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

Mahalo for your kokua.

Respectfully submitted -

Arcelia Gama, Maui resident and small business owner

HB-1838-SD-1

Submitted on: 3/26/2024 9:06:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathie Schmid	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing in opposition of this bill because short-term rentals are important to our communities.

- This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.
- 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?
- Will intentionally interfere with a reasonable lodging ecosystem and allow hotel's to monopolize a lodging sector that they are not even suitable to provide.

I 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.

HB-1838-SD-1

Submitted on: 3/26/2024 9:06:55 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Terrance	Individual	Support	Written Testimony Only

Comments:

Aloha Hawaii State for accepting my testimony.

As a resident in a residential zone we may as well be living in a hotel. We have a housing shortage and neighborhoods have been ruined. We purchased our home as not only an investment for our future, but it is also our only home. Now we are surrounded by mainland residents that due to a combination of taxes and fee's, now have turned it into a vacation rental. We see our friends still in hotels wondering what the future holds while mainland vacation rentals love to talk about spreading the Aloha spirit to visitors.

While visitors may bring in funding, why are we slowly eliminating housing for residents?

If each county could better determine their future, it will help all the residents stay at home. Are more people born in Hawaii now living away from Hawaii? Yes. Properties have gone from long term rentals to vacation rentals. Values have skyrocketed and price out just about everyone.

Mainland investors must live to get the flour times rental plus come over as they want. Why are we having ohana sleeping in cars or at the beach while we welcome visitors? Can we find a balance and let the counties decide?

We know this will not eliminate TVR's but rather allow counties to make the best decisions for their residents. Thanks to the State passing these kind of bills, the Counties can make those decisions.

So many opponents to a bill that will not make any actual change to their property. You can do this. We can do this. We need to do this for our ohana and our future. Get the state out of it and let the counties decide.

HB-1838-SD-1

Submitted on: 3/26/2024 9:12:13 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Gonzales	Individual	Oppose	Written Testimony Only

Comments:

This seems so unconstitutional I guess in the state of HI things work differently. We have fought for years just to get recognized and permitted. We pay tsaxes due we embrace the Tourist Industry we provide a service to the public that now has become mandatory to keep guest coming to HI. We legally have laws passed with much waiting to protect us we win but than we loose. Hotels have more rights than the residents because they give more money to certain people. The RIGHT PEOPLE. This is a big mistake to consider this Bill HB1838. Think LOCAL for once. Jennifer Gonzales

HB-1838-SD-1

Submitted on: 3/26/2024 9:17:20 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan M. Whalen	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838 HD2 SD1 because it will be 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. With 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 (i.e., 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 share our beautiful home with those who either visit Oahu as needed travel nurses, military families, educators, and finally vacationers; thereby spreading the magic of Hawai'i and its aloha spirit to our guests and continuing to be a positive impact to its economy. PLEASE VOTE "NO" on HB 1838 HD2 SD1. Thank you!

HB-1838-SD-1

Submitted on: 3/26/2024 9:25:13 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Lee	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable State Legislature,

I am writing to express my strong opposition to the proposed ban on short-term rentals in our community. As a resident and an advocate for responsible tourism, I believe that short-term rentals play a vital role in our local economy and offer numerous benefits to both residents and visitors alike.

First and foremost, short-term rentals provide an essential source of supplementary income for many homeowners, particularly in areas where the cost of living is high. By renting out a spare room or property, individuals and families can generate additional revenue to help cover mortgage payments, property taxes, and other expenses. For some, short-term rentals may even be the difference between being able to afford to stay in their homes or being forced to sell due to financial constraints.

Furthermore, short-term rentals contribute to the diversity of accommodation options available to travelers, catering to a wide range of preferences and budgets. This diversity fosters competition within the tourism sector, which ultimately leads to lower prices for consumers and a more dynamic marketplace. In addition, short-term rentals often offer unique and personalized experiences that cannot be replicated in traditional hotels or resorts, allowing visitors to immerse themselves more fully in the local culture and community.

Moreover, short-term rentals can help alleviate overcrowding in hotels during peak tourist seasons, spreading the economic benefits of tourism more evenly throughout the year. By encouraging visitors to stay in residential neighborhoods, rather than exclusively in commercial areas, short-term rentals promote economic development beyond traditional tourist hotspots, supporting local businesses and stimulating growth in underserved communities.

While concerns about noise, safety, and property maintenance are valid, these issues can be effectively addressed through targeted regulation and enforcement measures, rather than an outright ban. By implementing reasonable rules and guidelines for short-term rental operators, such as occupancy limits, noise ordinances, and inspection requirements, we can strike a balance between preserving the quality of life for residents and supporting the tourism industry.

In conclusion, I urge you to reconsider the proposed ban on short-term rentals and instead work towards developing a comprehensive regulatory framework that protects the interests of both

residents and visitors. By embracing responsible tourism practices and harnessing the economic potential of short-term rentals, we can create a more sustainable and vibrant community for generations to come.

Thank you for considering my perspective on this important issue.

Sincerely,

Christopher Lee

HB-1838-SD-1

Submitted on: 3/26/2024 9:39:40 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tammy Chu	Individual	Support	Written Testimony Only

Comments:

I support this proposed bill.

HB-1838-SD-1

Submitted on: 3/26/2024 10:00:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Monton	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Andrew Monton I live on the island of Oahu.

I am writing in opposition to this bill because it will threaten my ability to make a living for my daughter only 11 months old and my wife 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-SD-1

Submitted on: 3/26/2024 10:15:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Hitomi Yokoyama	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Hitomi Yokoyama, 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 who work for a 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 to work around my kid's school schedule, and am able to feed and take care of my family.

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-SD-1

Submitted on: 3/26/2024 10:22:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Matt Hubner	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Members of the Committee(s),

I write in **strong opposition** to this bill and ask that you defer it due to its unconstitutional nature. I understand the Attorney General has informed you that there is no constitutional liability; however, ask yourself why there is no single use targeted in the existing language of this measure. Would you consider phasing out of long term home rentals constitutional? If you see the conundrum this will create by targeting individual lawful uses, nonconforming or not, then you must realize that should this measure pass, there will be litigation. Beyond constitutional rights, you must consider the loss of income and jobs this action will result in.

Thank you for your time,

Matt Hubner

HB-1838-SD-1

Submitted on: 3/26/2024 10:24:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

strong support

HB-1838-SD-1

Submitted on: 3/26/2024 10:41:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

This will be a hardship for my tenants, my help and myself. I'm strongly opposed to this Bill.
Patricia Lille

HB-1838-SD-1

Submitted on: 3/26/2024 10:46:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Norm Nichols	Individual	Oppose	Written Testimony Only

Comments:

This bill is fundamentally wrong and offensive as a disabled vet and a retired senior citizen it infringes on my property rights and my ability to support traveling kamaaina who come to Hawaii as nurses or contractors who don't need to stay in overpriced hotels to offer their services.

HB-1838-SD-1

Submitted on: 3/26/2024 10:54:46 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Itsuji Hatano	Individual	Oppose	Written Testimony Only

Comments:

1. I feel this judgement to be premature. This massive tourism is rather common worldwide phenomena. Over regulation by government is dangerous.
2. The tourist in the residential district is a problem. However, this proposition is punishing too broadly so that it may be affecting unnecessary sector of livelihood of our economy. I believe there are unstudied blindside to this proposal.

180 days minimum for the whole island of Oahu except for a few resort zones. We need more deeper studies done before this big zoning issue.

HB-1838-SD-1

Submitted on: 3/26/2024 11:07:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Hocker	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time. As short term rentals in Maui County have come to represent 15% of our housing supply, we need all options available to the individual counties to keep our communities intact. Please pass HB1838 HD2 SD1 with the following amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Jordan Hocker

HB-1838-SD-1

Submitted on: 3/26/2024 11:07:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Lund-Fery	Individual	Oppose	Written Testimony Only

Comments:

If this bill passes, there will be no more month to month rentals in Hawaii. It will create another type of housing crisis for those that cannot qualify for long term rental or need for temporary furnished housing.

The county will lose out on alot of revenue generated by transient accomodation tax, general excise and property taxes that short term rentals generate.

Will create loss of income for residents that rely on the short term rental business for income. Cleaners, contractors, etc.

HB-1838-SD-1

Submitted on: 3/26/2024 11:09:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sonya Seng	Individual	Oppose	Written Testimony Only

Comments:

I regularly rent a furnished unit in my home on a month to month basis for people who need temporary housing. In the last year, this has included many people who have needed housing as they look for permanent housing, who have short term work in Hawaii or who have been doing renovations on their home. These have been kupuna, nurses, a doctor, a chaplain an appliance repair person and other professionals. Without short term rentals like mine, we would have a housing crisis that hurts our State's viability to support and attract important and contributing residents and visitors! I also housed a couple who had to leave Maui during the fires. Where will these displaced people go without an ongoing short term rental layer? I also employ a cleaner in my rental. We are local people who are providing a vital service and depend on this for our living!

I strongly oppose HB1838! Hear the voice of a born-and-raised in Hawaii citizen and vote against it.

HB-1838-SD-1

Submitted on: 3/26/2024 11:11:45 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Respected members of the Senate Committee ...

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 ARE NOT 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 setting exorbitant taxes year after year on law abiding citizens.

What will you do when you've eliminated the tax revenue that you count on to run most of the County by removing, cancelling places that provide the largest chunk of your tax revenue? I don't understand where that gets you!

HB-1838-SD-1

Submitted on: 3/26/2024 11:13:28 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I strongly oppose this bill for the following reasons:

1. STR's provide good paying jobs. Our housekeeper supports her family of six cleaning STR's on Maui's west side. She lost her home in the fire. Now you want to take away her ability to support her family? Hotels pay housekeepers minimum wage. STR's employ thousands with good paying jobs.
2. STR's are Maui's highest property tax revenue and the largest contributor to the county's housing affordability program. Exponentially more than the hotels. Do you plan on collecting the loss of revenue from the residents of Maui? Where else will you make up the shortfall?
3. STR's are not suitable housing for locals. They were not built, approved or designed to be long term housing. They are expensive (our one bedroom costs us \$4,400/mo just to own). They lack parking, privacy, storage. They have small kitchens and don't allow pets or smoking. No storage on the lanai. Do you know anyone who would pay \$4400/mo to live this way? I sure don't. There are over 250 condos for sale in Lahaina right now. Less than 10% are in escrow. No one wants to live in condos full time! They want homes with yards, neighborhood communities. Build neighborhoods like Kahoma Village and stop trying to stuff families into hotel-like accommodations. They don't want them!
4. This bill is backed by the Hotel Lobbyists and reeks of corruption. This bill will destroy jobs, destroy livelihoods of families, force more families to move off the islands and divert all that money to off-island hotel corporations.

Stop this insanity and vote NO!

HB-1838-SD-1

Submitted on: 3/26/2024 11:24:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I fully support phasing out short-term rentals in Maui, especially for single-family residences. Many of the owners of these single-family residence short-term rentals are not local Maui residents. Consequently, most local Maui residents are being priced out of single-family residences. Additionally, I urge authorities to investigate loopholes in current licensing, particularly those owned by LLCs or Trusts, as they can be easily sold without the county's knowledge.

HB-1838-SD-1

Submitted on: 3/26/2024 11:14:35 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Heidi Lea, and I live in Hāna on the island of Maui.

I am writing in opposition of this bill because it will threaten the ability for my employer, an 86 year old kupuna who has run her vacation rental property for 30 years, to make a living; along with the other cleaners, electricians, maintenance workers, and small businesses like Hanapapalani, who live and work in my community.

I am also the Executive Director for the Hāna Business Council. Several of our members own STR properties and would be gravely impacted if they were no longer able to operate as such. I understand the need for available AND affordable housing in Maui, but this is not the way to create that.

This bill will hurt me and put at risk my ability to pay for my own housing and bills, and would no longer enable me to support the owner of Hanapapalani, who is unable to do the work needed on the property herself. This would also put at jeopardy her capability to continue to live in Hāna based on both the cost of living and maintenance needs of her property.

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.

Malama pono ~ Ua Mau ke Ea o ka 'Āina i ka Pono

Heidi Lea

HB-1838-SD-1

Submitted on: 3/26/2024 11:28:17 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Allyson Mattox	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Allyson Mattox, and I am a resident of Hawaii, living in Kula, Maui.

I am very concerned about the potential impact of HB1838 on our community. This bill allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time, which unfairly targets single-family residential properties and could have damaging effects on our local economy and community.

Important factors:

1. Unfairly selects only single-family residential properties to allow counties to phase out short-term use. These properties are well-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.
3. Allows the counties to retroactively change the rules.
4. Creates a precedent for taking away other rights from homeowners and revoking non-conforming uses, which will destroy value and create uncertainty in investors and builders at a time when our community needs new construction **【11†source】** .

I urge you to oppose HB1838 and protect the rights of homeowners and the well-being of our community. This bill could have far-reaching and detrimental effects, and it's crucial that we stand together to prevent its passage.

Mahalo for your attention to this important matter.

Mahalo for your consideration,

Allyson Mattox

HB-1838-SD-1

Submitted on: 3/26/2024 11:30:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dino Rivera	Individual	Support	Written Testimony Only

Comments:

I Dino Rivera support HB1838 and insert the language from SB2919 to phase out STR's in an area of concern!

HB-1838-SD-1

Submitted on: 3/26/2024 11:32:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicholas Hart	Individual	Support	Written Testimony Only

Comments:

My name is Nicholas Hart, and I am a resident of Washington State and owner of a short-term vacation rental on Maui. I support HB1838. The lack of affordable housing for the people of Hawaii is a grave problem. For too long the tourism industry has grown unchecked and pushed native Hawaiians to the margins. Housing is scarce and unaffordable for many. People are leaving the islands to look for work and housing. The people of Hawaii make this beautiful paradise what it is, and their hard work makes the tourism industry possible. The state needs to prioritize the needs of their people before the interests of vacation rental owners. Please chart a path towards a more equitable future that is inclusive of the needs and aspirations of the people of Hawaii.

HB-1838-SD-1

Submitted on: 3/26/2024 11:36:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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 Hawai'i'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 Hawai'i residents stay when visiting friends and family?

Tourists and Hawai'i 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!

Hawai'i's not like other locations that have considered bans, Hawai'i's main economy is Tourism.

We as owners frequent Lowes, Home Depot and Ross - again providing jobs and feeding the Maui economy.

Is Hawai'i 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-SD-1

Submitted on: 3/26/2024 11:36:16 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
JOSHUA GRAVIN	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislature. I'm writing in opposition to HB 1838 HD2 SD1. My extended family have owned in Kapalua for around 20 years. Over the years we have formed countless memories and have been able to bring hundreds of people to Maui to experience all of its wonder. We have created friends on the islands over the years, and it is a home to many of us even though we travel back and forth from other places.

But unlike most people who can afford to own a home or condo in Maui, we can't just own it without having it generate income in the short-term program to help offset the high costs. If you get rid of STVR's, all of these places will be bought up by wealthy people who will then just keep the properties for when they visit only. These properties will not get turned over and used for long term housing.

Housing is an issue all over the world right now, and the only solution is to create more housing. There is space on Maui that can be zoned and used to build new housing and bring temporary housing in. This should be the top priority right now, not going after STVR owners. We bring lots of tax dollars into the island, along with lots of love for the island. So many workers rely on tourism and we know so many Hawaiians who just want to keep working and not get laid off because of lack of visitors.

We have opened up our home and have a long-term fire victim residing in our unit. Most of us owners want to help and have been by donating money, time, and housing to help people get back on their feet. But there's only so much one small group can do. It's too much to continuously ask one group of people to sacrifice. Everyone needs to play their part and help, not just STVR owners. Please keep the zoning as it is, and don't allow it to be changed. It's not fair to owners, and it's not fair to the people of Hawai'i.

Thank you for your time,

josh gravin

HB-1838-SD-1

Submitted on: 3/26/2024 11:38:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
C.L Smith	Individual	Oppose	Written Testimony Only

Comments:

My name is C.L. Smith. I am a 5th generation Hawaiian. I am a descendent of W.O. Smith, who you may know was elected by Queen Liliokalnai as a founding trustee of her own estate when she made her will in December 1909, was elected as deputy attorney general of Hawai'i in 1878 and was elected as a representative from Maui to the legislature of the Hawaiian Kingdom from 1878 to 1884. Smith St. in downtown Honolulu was named after my great great grandfather.

I vehemently oppose the proposals and the suggestions put forth in this document.

My grandfather used to tell us stories about old Lahaina whaling fleets arriving by the dozens each day with shipmates, tradesmen, and sailors and laborers of all kinds looking for room-and-board. With not a great deal of money, these travelers would be happily hosted by local families in their homes, guest homes, speak-easy's. Even a few Taverns in Lanai in those days had second floor sleeping arrangements with cots for the real price conscious sailor. It was a win-win situation. The laborers got a safe, affordable and friendly accommodation, and the local families were happy to support the whaling industry and earn a modest compensation for the service and deliver Aloha. This was a very important engine to the economic wellbeing of support business during the off-season.

Just as it was 150 years ago, it is today - a mutually beneficial arrangement between willing private parties both benefit and the community benefits as well. Hawai'i as a remote island in the middle of the pacific should always maintain this open-door policy and spirit to lend a hand to the weary traveler.

This Bill, and all those like it, purport translate directly to the generation of 'affordable housing' and the transformation of a low income, low net worth resident to suddenly be able to quality to purchase such a home.

It will do neither.

Since the introduction of Bill 89, **I know personally** of 4 homeowners in Lanikai that, intimidated by your bullying, and CCP style tactics, chose to sell their home which they grew up in rather than risk being harassed and vilified (**and they removed thier TAT/GET remittance to you in the process of moving!**). All 4 of these homes were purchased by mainland REIT LLC's and they sit empty. The house directly accross the street from me is a Chinese LLC and the house is overgrown with weeds and the roof is an eysore. The nice local long-time families

we used to have dinner with, and our children played together with - **gone. Moved to Florida, Las Vegas, Texas and Virginia.** And let me tell you, these 4 families had nothing good to say about the current occupants of State and City government, and they ONLY left because of your administrative incompetence and totalitarianism.

Let me be clear - a fact that you can easily check for yourself - The home sale prices in my neighborhood *have not dropped a single penny* since the aggressive harassment of Bill 89 (2 yrs ago), and Ordinance 22-7 (last year). Indeed, they have **gone up and the houses that do sell do not go to locals.**

The irony is that with each effort to meddle in the private affairs of the property owners of Hawai'i through ham-fisted legislation, you simultaneously cause unintended consequences which have the opposite effect of what you proclaim to address.

- Stop being a pawn for the Hotel Industry. They are not local. They do not have the best interest of the people of Hawai'i in mind.
- Stop trying to use mis-direction and scapegoating private property owners for the disaster of Lahaina which, through your inaction, poor oversight, and mis-management of relevant agencies - **you** allowed to happen.

The solution for more low income housing stock is to build low income housing projects. That's the job of all government if they see this as a problem. So stop bothering the people of this island who have found a way to make ends meet. If you feel that preserving low income workforce on this island is important, then the only solution is to build low income housing. **You to build them.**

CL Smith

HB-1838-SD-1

Submitted on: 3/26/2024 11:39:56 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Audrey Alvarez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawai‘i Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Neighborhoods are for neighbors! Let Lahaina lead by putting the well being and needs of our full time residents first.

Sincerely,

Audrey Alvarez

HB-1838-SD-1

Submitted on: 3/26/2024 11:44:55 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Paulin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and Committee Members,

I strongly oppose this bill as it would cause the elimination of all month-to-month rentals on Oahu. It would also eliminate any 30 - 90 day temporary, furnished rentals on Oahu. Many residents rent month-to-month or on a temporary basis. Many cannot qualify for a 6-12 month lease or are in transition. During the Red Hill crisis, 4,000 residents needed temporary, furnished housing. Oahu only less than 2,500 STRs (non-hotel units) after recent legislation. If we had a disaster, where would people stay? Please defer this bill until all the ramifications can be considered. The unintended consequences will hurt so many of your constituents.

Mahalo,

Jill Paulin

HB-1838-SD-1

Submitted on: 3/26/2024 11:47:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Christofferson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Mahalo,

Diane Christofferson

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-SD-1

Submitted on: 3/26/2024 12:00:30 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
James Hamilton	Individual	Oppose	Written Testimony Only

Comments:

Aloha.

Please do not hurt the economy of Maui by taking millions of dollars out of the budget and also hurting all the people who work as housekeepers and managers. Going after illegal STRs and also putting a cap on how many can be owned is a much better option.

mahalo

HB-1838-SD-1

Submitted on: 3/26/2024 12:08:35 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!

THE COUNTIES SHOULD CONTROL ZONING.

MAHALO!

HB-1838-SD-1

Submitted on: 3/26/2024 12:09:47 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amika Hisamoto	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Amika Hisamoto 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-SD-1

Submitted on: 3/26/2024 12:13:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lindsay grier	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing because I am in opposition to HB1838.

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 advance this bill.

Thank you for your time.

Aloha,

Lindsay Grier

I own two vacation rentals on hotel zoned property in Makena that provide the County with jobs, property taxes, TAT & GET, helping to support the economy of the island. They have been doing this for over 20 years, and have only been a positive contributor to Maui. Losing the ability to provide this service would yield no positive outcome, as there are some high-end vacationers who want to stay in homes, and will choose vacation destinations that provide these accommodations. I humbly suggest that HB 1838 HD2 SD1 would have a negative outcome for the island, not a positive one, and ask that you oppose its' passage.

Steve McCoy
Kihei, Hi 96753
818 434 2869 cell

HB-1838-SD-1

Submitted on: 3/26/2024 12:20:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
David W Medina	Individual	Oppose	Written Testimony Only

Comments:

Please vote no on bill HB1838

My name is David Medina and I am a resident of Lahaina. I have owned a legal vacation rental in Lahaina since 1989. I use this income to support myself. Legal vacation rentals on Maui provide 40% of the real property tax revenue 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? Maui is in a financial crisis since the fires in Lahaina. Eliminating short term rentals will only make this issue worse.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Additional it seems unfair to give the power to change our legal rights. Many local residents like myself have made investments in our community based on the legal right to rent our properties.

Finally, being one of the thousands of local residents which have lost their primary home in the Lahaina fires I find it despicable that this bill would even be considered at this time.

Respectfully submitted

David Medina

355 Front Street

Lahaina

HB-1838-SD-1

Submitted on: 3/26/2024 12:33:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Allen Benedict D. Donado	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

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 which 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.

Mahalo.

HB-1838-SD-1

Submitted on: 3/26/2024 12:34:00 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Ellis	Individual	Oppose	Written Testimony Only

Comments:

I DO NOT support this measure as it will result in irrevocable damage to the people of Hawaii as well as the tourism industry.

Tourists are turning to STR's because hotels are simply too expensive and/or inconvenient, and the result of this measure will *not* be to return tourists to hotels, but will rather make it so that those people simply do not visit the island at all, taking all their shopping and services dollars with them (restaurants, shops, activities). This will drastically affect the very livelihood of so many local Hawaiians working in those shops, restaurants and tourist attractions.

Furthermore, if STR's are no longer permitted, it will result in either all these units sitting empty during times owners are not on the island (so no spending on restaurants, shops etc), or mass sales of those units will flood the market, decreasing property values which affects property taxes currently accounting for a significant portion of the County budget.

Finally, STR's "employ" many, many locals to take care of these properties: there are cleaners, on-island contacts, repair people, grounds people, trades people, among others, who earn their living working with STR owners. All those people will lose their income if this measure goes through, putting even more of a strain on the islands and their people.

For these reasons, I do not support this measure.

HB-1838-SD-1

Submitted on: 3/26/2024 12:34:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
RODNEY MATHIAS	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

~Rodney Mathias

HB-1838-SD-1

Submitted on: 3/26/2024 12:35:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris McKeown	Individual	Support	Written Testimony Only

Comments:

I support bill HB1838

HB-1838-SD-1

Submitted on: 3/26/2024 12:38:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Melanie L Schultz	Individual	Oppose	Written Testimony Only

Comments:

My name is Melanie Schultz, and I am a local resident of Maui for the past 17 years. As a member of the community, I am deeply concerned about the potential impacts of HB1838. I strongly oppose this bill because it jeopardizes not only my livelihood, but also the economic well-being of many working families in our community. If this bill passes, it will threaten our ability to afford living on the island, as my career in property management is at risk. Moreover, my husband, a teacher, and I rely on both our incomes to make ends meet, as our household cannot survive on one income alone.

The short-term rental industry plays a vital role in our community, creating job opportunities and contributing to the local economy. Personally, I have witnessed how short-term rentals support our community and provide employment opportunities. I want to enjoy this beautiful island as so many visitors do and have them grow to appreciate this magical island like we do. However, HB1838 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui, undermining the very foundation of our community and putting the livelihoods of many at risk.

I urge you to consider the adverse effects this bill could have on hardworking families like mine and the entire community. The short-term rental industry not only supports local jobs but also fuels economic activity on our island. It's crucial to protect this vital sector and the opportunities it provides for our residents.

Mahalo for your attention to this critical issue.

HB-1838-SD-1

Submitted on: 3/26/2024 12:43:24 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Grier	Individual	Oppose	Written Testimony Only

Comments:

I'm in opposition to HB 1838.

The county should not have the authority to take away LEGAL Short-term rental homes. Short-term rental homes are regularly used to house recently displaced residents, new residents, and workers here to fill vital areas of employment (traveling nurses, doctors, construction workers).

Additionally, STRH provides 40% of tax revenue for Maui County.

Please oppose the passage of this bill and keep legal STRHs on Maui in operation.

HB-1838-SD-1

Submitted on: 3/26/2024 12:48:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Virginia Dudden	Individual	Oppose	Written Testimony Only

Comments:

Please vote to oppose HB1838 HD2 SD1. The State of Hawaii is best served by continuing the long-standing precedent of the 30-day minimum rental period. Handing this responsibility to the counties opens the door to emotional blackmail , corruption, and even bribery. All of which Oahu has recently been victimized.

Consider the long-term effects of changing the historic rental minimum. Please vote to oppose the passage of HB1838 HD2 SD1.

Thank you,

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-SD-1

Submitted on: 3/26/2024 12:57:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Jessica dos Santos

HB-1838-SD-1

Submitted on: 3/26/2024 12:58:46 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jaime Kawanabe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jaime Kawanabe. I elected to have my parents stay in a short term rental while their home was being renovating for a period of 8 weeks for a couple of reasons:

* Cost - The Airbnb option was a significantly more affordable option for my parents given their fixed (retirement) income.

* Convenience - The ability to stay close to their home on the Windward side prevented them from having to commute to/from the city (to obtain their daily mail) and remain close to their medical providers (also on the Windward side).

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.

Mahalo for your time!

Jaime Kawanabe

I own a Legal short term rental on Maui. I am Opposed to HB 1838 HD2 SD1.

I will have to sale my Condo Unit if this passes because I will no longer be able to cover the costs of Ownership without short term rentals.

I have provided housing to FEMA and other Emergency Contractors during the aftermath of the Lahaina Fires. I have housed inter-island residents, traveling nurses , family and friends.

Maui Short term rentals provide 40% of the Property tax Revenue for the County. Many visitors to Maui cannot afford the High costs of hotels. Condo rentals are so much more affordable and thus provide Tourism dollars to the local economy. Maui short term rental provide 18% of the county's 1.7 billion dollar budget. Please oppose this proposed bill.

Thank you,

James Wood

HB-1838-SD-1

Submitted on: 3/26/2024 1:03:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my **strong support for HB1838 HD2 SD1**, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

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According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Keala Fung

HB-1838-SD-1

Submitted on: 3/26/2024 1:05:41 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Marchello	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am a manager of short term rentals in West Maui. My family lost three homes in Lahaina. Our business lost 46 rental properties in the Lahaina fire. We still manage 21 in Kaanapali. We still have 3 direct employees and over a dozen vendors who help in maintaining these properties. The guests who visit go to restaurants and pay for activities that also hire dozens of West Maui resident's. My children, nieces and nephews all work in jobs that rely on visitors. We lost enough jobs with the Lahaina fire. With no jobs we won't need housing because our children will have to move off Island.

Taking other owners properties and dreams away is not right. This is not ethical or the right way to solve the housing problem. These condos weren't built for housing. We need to setup container homes, prefab, and tiny home communities. These would be affordable starter homes for our kids and can be quickly built.

Please vote no on this bill. Instead create housing - find a way!!!

Thank you,

Mark Marchello

HB-1838-SD-1

Submitted on: 3/26/2024 1:06:37 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christy Apolo	Individual	Oppose	Written Testimony Only

Comments:

I have been a housekeeper for 9 years for short terms rentals and this job has provided for my family of 8 to continue to live here on Maui. Without str we would not afford to live here where we are born and raised. I do not agree with this bill.

HB-1838-SD-1

Submitted on: 3/26/2024 1:10:57 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Victoria Bianchetti	Individual	Oppose	Written Testimony Only

Comments:

This bill will impact in my family economy a 100% . STR are big source of income for many of the Maui Families, Not only that but the chain of work they give to many other workers is enormous. The people that rents this kind of places spend money in the local groceries and shops, where the ones that goes to the hotels mostly spend inside of them.

In my presonal life this bill will leave my husband and me without incomes. We lived on Maui for 45 years and all our lifes savings are in the STR.

Sincelery

V. B.

HB-1838-SD-1

Submitted on: 3/26/2024 1:12:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul D Crawford	Individual	Oppose	Written Testimony Only

Comments:

Another thinly diguised attack on law biding citizens who were scraping by, to benefit the Big Hotel Industry. Again you will notice no effort has been made to differentiate between HOSTED and NON HOSTED rentals.

This takes away from people who were AFFORDING their high priced Hawaiian homes. Sorry, but my spare bedroom will never be a part of the long term rental solution. I guess it will be back to growing pot, or cooking meth. for a lot of folks now.

HB-1838-SD-1

Submitted on: 3/26/2024 1:16:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Oberman	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose bill HB1838. Not only would it eliminate a source of income for many retirees and those who count on these rental properties for their livelihood, but it would destroy Maui's tourism business by not providing adequate and affordable alternatives to expensive hotels. Families and budget-limited travelers will stop coming to Hawaii because it will be unaffordable. In addition, think of all the local businesses and workers (cleaners, handymen, restaurant workers, food truck workers, and beach activity businesses) who would all be out of business. Think of all the tax dollars and local sustaining revenues that would be lost. This would be a disaster on so many levels, especially as Hawaii is already struggling with tourism.

Aloha Chairman, Vice Chairman & Committee,

Our names are Thomas & Roxanne Broderick, and we live on the island of Maui for about 6 months a year.

We Oppose HB1838 HD2 SD1

When we decided to invest in Maui, with the idea some day we would live here, it was with the intent to have vacation rentals not long-term renters. We pay all the taxes and monies that are asked of us. We have 2 properties that we rent, have our family, friends visit and have repeat guest every year (which are becoming greater in numbers) then we are here the remaining time. If we have full-time renters, we will be turning away repeat business and not be able to visit our beloved Maui!! We will most likely be forced to sell our vacation rental properties. I wonder If there will be anyone that would want to invest in a property that has those limitations. It's our opinion that this will greatly reduce the property value!!

We are opposing the bill because we have retired & this will have an impact on our monies coming in that supplement our retirement income. This will affect our lives. We have a property management company we must pay to rent our properties since we do not live here full-time. This will greatly affect their ability to operate their business as well!!

We feel that the vacation rental program is a wonderful way for the ordinary family that can't afford the Resort Cost to stay on Maui. It will give them a chance to experience Maui on a budget!!

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 and consideration,

Thomas & Roxanne Broderick

Owners of J222 at Maui Eldorado & Royal Kahana 301

HB-1838-SD-1

Submitted on: 3/26/2024 1:21:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Briber	Individual	Oppose	Written Testimony Only

Comments:

I respectfully oppose HB1838. While it is clear (and has been for quite some time) that major changes need to occur to improve affordability of housing on Maui, I see HB1838 as a short-sighted, knee-jerk reaction to the Maui wildfire tragedy. This bill would hone in on one type of property ownership on Maui and require the owners of these properties to alone bear the burdens and sacrifices. The hotel industry has been heavily funding these efforts for years, and clearly saw the Maui wildfires aftermath as its opening for a kill shot to STRs. I believe enacting HB1838 would be exceedingly shortsighted and would have a vast array of unintended consequences.

As you know, 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 lost revenue come from? Where would all of the associated jobs go - the cleaners, property managers, etc. In addition to the STR property tax losses, the value of these units will tank, which will then result in a secondary massive property tax revenue hit at the County level.

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, seasonal workers, and our family & friends. What other options will these folks have if STRs cease to exist? Hotel stays are unaffordable for most, even before accounting for the added costs of having to eat meals out at restaurants every single meal. Hotels simply don't provide an affordable, healthy, realistic option to most people, visitors included. Are we prepared for the drop in visitation-driven revenue (and associated jobs) that will undoubtedly result when this important category of lodging is lost? I doubt it.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing with kitchens if STRs are further limited? Hotels are not a healthy, affordable option for most people - especially families.

I myself prefer staying in a STR, and only use hotels when I need a short cancellation window. Having a kitchen is essential and a way more affordable way to visit a place. I do feel that STRs should be limited to tourist zones and in apartment-type structures rather than single-family homes and accessory dwellings (these latter structures should be reserved for residents, who have

more gear, boats, surf boards, etc. that need storage). No resident wants to live closely among tourists if at all possible.

My suggestion would be to keep the STR revenue coming in, and bolster tax breaks given to landlords who rent to residents. There are many landlords on Maui (myself being one of them) who would gladly take a slight profit hit in order to have the simplicity of a long-term renter, and the knowledge that you are helping a local person and our local economy by providing housing.

Thank you,

Rebecca Briber, owner of one unit at Kamaole Sands in Kihei, Maui

HB-1838-SD-1

Submitted on: 3/26/2024 1:23:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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-SD-1

Submitted on: 3/26/2024 1:27:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
T Meeker	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Legislature body of our great state,

My math estimates a major loss of revenue to Maui County, the State and my own rental business if HB1838 passes. It will require me to spend time away from Maui further harming the tax revenues needed for Maui. I know the issues well and see this is not about helping improve the Aina and this bill will deter quality business including short term visitors.

Please do what is right and pass a "fair" Bill that improves the Hawaiian paradise.

Mahalo for your service!

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. HB1838 for the following reasons:

Thank you for receiving comments on this important issue.

I own a unit at Papakea Resort. Like virtually all of the units in Papakea, it has been used as a short term rental for the past 50 years. 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 to the fire, 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 in a predicament of not being able to do short term rentals and having a difficult time getting long term renters who will stay in our unit. I feel that this is detrimental to the housing stock in Maui and to the Papakea property since the lack of ability to rent will likely cause the property to deteriorate. This is not in anyone's best interests.

During my ownership and use as a short term rental, I have contributed substantially to the island economy by hiring rental agents, house cleaners, handy men, contractors and purchasing many items at local stores (we were on a first name basis with many of the stores). In addition, I have paid GE tax, TA tax, property tax and income tax. I feel that I have been a benefit to the local businesses and economy.

I don't understand the focus on terminating 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-SD-1

Submitted on: 3/26/2024 1:30:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Jones	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Hawaii Bill 1838

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 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-SD-1

Submitted on: 3/26/2024 1:38:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
James Loughead Jr	Individual	Oppose	Written Testimony Only

Comments:

Please vote against HB1838. I provide local employment for many Maui residents. I believe my operation also helps family have a better quality and cost effective vacation. We support the local economy.

Thanks

Jim Loughead

HB-1838-SD-1

Submitted on: 3/26/2024 1:40:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Baker	Individual	Oppose	Written Testimony Only

Comments:

Our state relies a great deal on tourism. Please allow responsible methods for including visitors in our communities. When I go somewhere I prefer to stay in a community. Aloha spirit should rule.

Mark Baker

HB-1838-SD-1

Submitted on: 3/26/2024 1:41:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cara Birkholz	Individual	Oppose	Written Testimony Only

Comments:

As a tax-paying long-time resident vacation rental owner I strongly oppose this legislation.

Cara Birkholz, Maui

Kelly A. Lee
808-225-0349

**The Senate Committees on Judiciary and Ways and Means
Hearing Scheduled: March 28, 2024 9:45 am
State Capital, Conference Room 211**

Re: HB 1838 HD2 SD1, Relating to Zoning

Testimony in Strong Opposition


Aloha Chair Rhoads, Chair Dela Cruz, Vice-Chairs, and Members of the Committees,

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 HD2, SD1 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.

HB 1838 HD2, SD1 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification. This includes reinstatement of a 90 day minimum for all non-short-term rentals. Aside from short-term rentals that meet the hotel definition, Oahu has less than 2,500 permitted short-term rentals. This would be the extent of temporary, furnished properties available to residents that are displaced or in transition as well as important visitors like traveling nurses, emergency contractors, temporary military and students. Just the Red Hill crisis alone resulted in 4,000 displaced residents. Month-to-month rentals would be eliminated completely, creating another housing crisis for those renters that cannot qualify for an annual lease. 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.

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-SD-1

Submitted on: 3/26/2024 1:43:18 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Manry	Individual	Oppose	Written Testimony Only

Comments:

This bill should not pass. It will hurt far too many individual tax paying Maui residents, as well as property owners, and do nothing to provide suitable housing.

I own two condos rented part of the year as short term in Wailea. These are managed by Destination Resorts and nearly 50% of amount paid by guests, plus gett and tatt, remain in the hands of Maui workers. Most of the rest goes to First Hawaiian Bank for my mortgage.

Additionally, if this bill passes my property values will collapse because the income potential is baked into the County assessment and market value for the property. What will I use to pay FHB when revenue collapses?.

Market values are already softening due to just the considerations of this bill. And condo properties are quickly flowing into the market for sale, beginning a buyers market but soon a real estate crash.

You are not providing Hawaii counties a long term good solution. This is not the way to solve your housing problems, on the backs of owners like myself, who have owned and rented for decades, and obeyed every HI law in doing so.

I urge you to reject this bill.

HB-1838-SD-1

Submitted on: 3/26/2024 1:44:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Milo McGarry	Individual	Oppose	Written Testimony Only

Comments:

I am AGAINST this bill because the bill will allow the state to shut down legally operating STR's. The effects on employment and the size of the economy will be far reaching. Hawaii won't have a housing supply problem because working people will be leaving in droves.

HB-1838-SD-1

Submitted on: 3/26/2024 1:45:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle McGarry	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838.

I am AGAINST this bill because the bill will allow the state to shut down legally operating STR's. The effects on employment and the effect on the economy will be far reaching. Hawaii won't have a housing supply problem because working people will be leaving in droves.

HB-1838-SD-1

Submitted on: 3/26/2024 1:47:50 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Roderick Yu	Individual	Oppose	Written Testimony Only

Comments:

Aloha, wish to submit my opposition in regards to this bill.

HB-1838-SD-1

Submitted on: 3/26/2024 1:52:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maria Rita Castro	Individual	Oppose	Written Testimony Only

Comments:

I believe that visitors contribute a lot to Maui, we provide the need for local employment and help fund the yearly budgets. We always stay in short term rentals in Wailea.

Don't allow the hotels to charge high rates. I'll probably stop coming to Hawaii.

Best. Ritz

March 26, 2024

RE: HB1838 HD2 SD1

To Whom it May Concern;

I am writing to oppose the above referenced bill. As an owner of a condo since 2000, I feel it is a burden on owners like myself who have been in the business of owning a condo that we use for ourselves but also rent to guests to be told I may not be able to continue to rent my unit. In addition to my personal use, I also use the rental income for my retirement. If I can no longer use my condo as a rental, it will affect my income in the future.

Sincerely,

Linda Waite

HB-1838-SD-1

Submitted on: 3/26/2024 1:52:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jackie Keefe	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Gabbard and Moriwaki, and Members of the Committees on Judiciary and Ways and Means,

My name is Jackie Keefe and I am a resident of Lahaina.

I am writing in **strong support of HB1838 HD2 SD1.**

I am sure that you will and have heard strong opposition to this bill, and I compel you to remember that most of those are coming from part-time or out of state short-term rental (STR) owners. It is the people of the state (who can actually vote) who you are elected to represent, and these folks do not qualify.

I was horrified to see in a recent hearing of SB2919, there were folks calling themselves "Hawaiian," simply because they have purchased a rental that they live in part-time as well as testifying multiple times after changing their outfit in an attempt to make the opposition of the bill seem stronger. The people of Hawai'i deserve better than for our laws to be dictated by the greed of STR owners and corporations.

Before the explosion of STR platforms like AirBnb over 15 years ago, Hawai'i was a thriving tourist destination. Now, as many of these STR owners have and will continue to state, offering options like this allow for more people to be able to afford to come to the islands. It is not the budgeting traveler that we should prioritize but rather the working people of our islands. Maui and Kaua'i especially are losing housing year after year as vacation rentals have taken over our inventory.

This bill does nothing to say whether or not STRs are banned. It simply offers the counties the opportunity to make these decisions for themselves. It is something that we deserve, and we need you to pass this bill and give the counties this power. Those who are against this bill do not have an understanding of the crises that we are facing in the islands, with housing topping the list.

This housing crisis is especially dangerous for west Maui, where we lost a significant portion of the inventory that was actually still available to our local people in the August 2023 wildfires. We inherently understand that the rental prices that were available prior to the fire will be near impossible to see again, as the cost of rebuilding far outweighs that insurance coverage that most people carried on their homes. We can and should move forward with this bill, as it would allow Maui County the decision to take back many of the areas that used to house our working people but have been slowly sold off out of state.

Since the fires, I have heard the phrase "the County couldn't afford the lawsuits" an infinite number of times when discussing the possibility of enacting a moratorium, outright ban, or even

making basic structural change to the lack of enforcement surrounding STRs.

In my 7 years on Maui, I have watched rental prices increase significantly and most of the condo properties that were once long-term rentals join the STR market. When those who own these homes are incentivized only by money, this is the natural result.

The thing that these folks forget is that when you treat property like a business, this subjects you to the same sort of losses that businesses are vulnerable to. The owners of these STRs plead with you not to pass this bill as "they need to rent it out as a STR in order to be able to afford it." But what about those of us who do live here full time? Do they not understand that we are in an even worse situation, because we don't have that option? Do they not understand that when tens of thousands of units of our housing inventory are sold to those who use them to make money,

1) this leaves the working class with nowhere to rent, and therefore forces our people to move away. Who do they expect to serve their guests if our population has to move away?

2) the fact that they "need to rent out their unit part-time" means that they've actually purchased outside of their buying power, and that's not our problem?

It is time for us to put people over profit, and grant the counties the power to make these decisions for themselves. Please do not let these folks testifying multiple times and pleading about their business losses sway you. You must stand strong against these folks who cannot even vote for you and protect the livelihoods those of us who can.

Thank you for your consideration.

Jackie Keefe

Lahaina, Maui

HB-1838-SD-1

Submitted on: 3/26/2024 1:53:55 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie Ringstad	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

Aloha, my name is Leslie Ringstad and I am submitting testimony to oppose HB 1838.

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.
- Governor Green noted that “we don’t need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.”
- The counties already have authority to regulate illegal short-term rentals
- This bill does nothing to solve the problem of illegal short-term rentals

Papakea’s Contributions to the Community

- Papakea’s resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui

community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- 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, fundraising events, cultural events, and shops.
- Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community and local customs.

For the reasons stated herein **I OPPOSE HB1838** and urge the committee vote no on this proposal.

HB-1838-SD-1

Submitted on: 3/26/2024 1:57:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Pooi Leng Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose the HB1838 HD2 SD1 bill. This bill will cause a housing crisis and loss of jobs.

Geoff and Karen Saunders

12221 2nd Ave. NW Seattle, WA 98177

Geoff-karen@comcast.net

March 26, 2024

Hawai'i State Legislature

Bill HB1838

Dear Committee,

I am writing to express my strong opposition to House Bill 1838 (HB1838) and the potential detrimental impact it could have on my retirement plans and the Maui community. As someone who has travelled to Maui numerous times over the last 25 years, my family and I have often utilized various lodging options, including hotels, timeshare condominiums, and short-term rentals. As we approach retirement, we made the decision to purchase a condominium in Kapalua Bay Villas in June 2022, with plans to spend extended periods on the island each year.

The income derived from our short-term rental during periods of non-personal use is a crucial factor in our ability to achieve our retirement goal in an affordable manner. The opportunity to utilize our property as a short-term rental not only supports our retirement plans but also contributes to the local economy in Maui.

HB1838 has the potential to disrupt our carefully laid retirement plans by jeopardizing our ability to continue utilizing our property as a short-term rental. This bill could have far-reaching implications for individuals like us who have invested in properties in Hawai'i, constraining our ability to derive income and enjoy the benefits of our investment. The impact extends beyond personal interests to the broader Maui community, as short-term rentals play a significant role in the local economy and provide vital accommodations for visitors.

I urge you to consider the real and tangible consequences that HB1838 could have on individuals, families and communities in Maui. I implore you to oppose this bill and seek solutions that balance the interests of property owners, the local economy and the community at large.

Thank you for your attention to this critical issue.

Sincerely,

Geoff Saunders

SB2919.

Good Morning Chair and Committee,

My name is Holly Vierra, a local Hawaii Island native.

5th generation Hilo wahine, Kupuna, owner of a Vacation Home in Haiku, Maui.

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. My business 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 SB2919 is passed I will no longer be able to continue to keep my property in Haiku.

It is my only source of income.

I'm very involved and love what I do! My guests are always very happy.

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 in Haiku and improve/maintain my home.

So much of my INCOME goes into the Haiku/Maui COMMUNITY .

And TAXES.

Taxes paid by the Vacation Rentals are a SIGNIFICANT percentage of the total tax REVENUE for the State and County Governments. We NEED this MONEY now MORE than ever!

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 traumatic 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 Lahaina Fire situation as well as for 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!

Maui HOTELS are SHOCKINGLY EXPENSIVE for ROOMS and FOOD.

This common knowledge.

Other destinations are far less expensive. Many people won't come to Maui if they can't rent a

home. It will just cost too much to bring a family.

I have a good number of guests every year from the other islands who come for weddings, work and reunions. And now that Hawaiian Home Lands has opened lands, I've been contacted by many who will return to plan and finally build their homes!!

I have HOSTED CREWS that built and regularly maintain the Safeway gas station, NASA Scientists, Boeing and US Department of Defense working on Haleakala, Engineers working with MECO for alternative energy projects, Cell Tower Companies, Solar Power Maintenance Co., Rockfall Mitigation Contractor and crew for Hana Hwy, Doctors, many Nurses. And so many more company crews ESSENTIAL for Maui over the years.

There is CLEARLY a need for short term homes.

We have gone through the arduous process of creating the licensing terms.

We have limited the number in each community.

Rules and regulations are in place and are effective.

We PROVIDE a very PERSONAL EXPERIENCE for our guests.

We are local and living here.

It's our source of income!

The "grandfathered" CONDO ZONES have BUILT IN short term rental that allow them to rent without any process.

Entirely different.

NOT PERSONALLY INVOLVED.

THESE are the UNITS that are NEEDED right away for our Lahaina FIRE SURVIVORS. And I don't understand why they won't STEP UP.

PLEASE DON'T PUNISH ALL FOR THE ERRORS of the MAINLAND OWNERS that DON'T GET IT!

We need to preserve and PROTECT our PROPERTY RIGHTS of RESIDENTS.

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 truly affordable housing. KAHOMA Village, built by West Maui Land and 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 unfortunately makes it more PROFITABLE for developers to build for the people who really CAN AFFORD it.

The focus must be on building temporary housing neighborhoods on the West Side for the Lahaina Fire survivors. There were several construction companies that came to Maui, attended County Council meetings to offer temporary modular and pop up housing.

Hopefully our government is in talks with them and the land owners who have stepped up on on the West Side.

The real ISSUE is that we are NOT building ENOUGH housing as the population grows. It's an issue that isn't just happening in Hawaii but EVERYWHERE in the United States.

Please DO NOT PASS this unfair discriminatory bill.
SB2919 TAKES AWAY the RIGHTS OF PROPERTY OWNERS.
This is UNFAIR AND UNLAWFUL.

This will also cause ILLEGAL short term RENTALS to increase and that's where the real PROBLEM will arise. NOT GOVERNED by any rules, regulations or laws ...
or PAY TAXES.

I WORKED hard TO BUY MY HOME and provide a very personal Maui experience for guests. No additional fees or parking.

Please DO NOT PASS SB2919.

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-SD-1

Submitted on: 3/26/2024 2:00:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Francisco Hodges	Individual	Oppose	Written Testimony Only

Comments:

Thank you for allowing my testimony. My wife and I bought a condominium unit in 2022. We love Maui and visit 2-4 times yearly with our children. Disallowing short term rentals would make it impossible for us continue to own our rental unit, and we would be forced to sell it. When the Lahaina fires occurred, we gladly allowed displaced employees of our property management company to live for free in our unit until they found other housing and would do so again in a similar situation. By our understanding, HB1838 could result in the phasing out of 13,744 LEGALLY permitted short term rentals. The loss of tourist income these units bring to the island would hurt businesses on the island. Additionally, STRs provide 40% of real property tax revenue to Maui. Families find it difficult to afford the multiple hotel rooms needed to house families of more than 3, striking Maui from the short list of possible vacation destinations if STRs do not exist. We have made friends with many business owners and citizens who rely on tourist dollars for work, and a decrease of this significance would put their employment and businesses at risk. We ask that you keep in mind that the donation of STR's allowed for temporary housing for displaced residents and traveling health workers. In the future, where would residents find temporary, furnished housing if STRs ceased to exist? Thank you again and please do not pass HB1838.

Francisco Hodges

HB-1838-SD-1

Submitted on: 3/26/2024 2:05:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
JANE MOY	Individual	Oppose	Written Testimony Only

Comments:

Dear Council Members,

My family and I strongly oppose this Bill HB1838 HD2 SD1. This Bill is not to stop illegally operating short-term rentals. This Bill goes after operators who are in full compliance of the law for possibly decades like my family who depends on this revenue. We have operated legally within our particular location with a legally nonconforming certificate as well as a unit without a NUC while paying state GE tax 10.25%, TAT tax 4% and Honolulu County 3% tax, .05% Oahu County Island surcharge. A total of 17.3% in taxes alone on each unit, not to mention our large HOA fees to help keep the maintenance and the economy running. We were never informed we were in the wrong otherwise as the city and state collected their taxes and fees from us.

This Bill is not a regulatory act to eliminate an illegal use, instead the focus is to eventually eliminate all short-term rentals even with NUC's who have been in compliance for many, many, many years. It will primarily help boost the bottom line for hotels and motels while eliminating their short-term rental competition. Why can't legal short-term rentals continue to coexist with hotels and motels? Eliminate the illegal operating short-term rentals. Oahu is down to only 2,000 legal short-term rental units excluding the hotel units. We cannot afford to lose more.

This Bill is not necessary. Many short-term rentals (STR's) have operated legally in Hawaii for decades. STR's are a big part of the economy and a big option choice for tourists and short-term employees such as visiting doctors, nurses, construction workers, educators, military, students as well as displaced residents, newly housed residents, residents in transition and inter-island residents coming for medical treatments and/or visit family. The STR's are an integral part of the Hawaiian economy from cleaners, transportation, realtors, suppliers and restaurants, to the grocery stores. Events like the Red Hill Crisis, Marco Polo fires and the Lahaina fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry of STR's is decimated?

When visitors come and stay in a STR, they usually have a kitchen and cook for themselves spending money all over in the economy from groceries to gas for their rental cars and activities, but saving at the same time from not staying in expensive hotels. If people did not have this STR choice, they might have never come to experience Hawaii, afford to bring their families or spend

their money thus destroying the economy. Our biggest part of the economy is tourism and its related businesses.

If you want to free up rental options for more permanent residents, eliminate the illegal short-term rentals. Don't attack the compliant short-term rentals. The inflation in our country and state has been significant and compounding that with additional loss of income that people depend on from STR's will be a real hardship on every island. In addition, the economy will suffer if homes, condos and all STR's lose the option to operate as legal STR's, the units will be devalued and not sell quickly or at all.

Please eliminate this Bill HB1838 HD2 SD1 immediately and protect the legal STR's now and in the future.

Thank you,

Jane Moy and Family

HB-1838-SD-1

Submitted on: 3/26/2024 2:06:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Sedlic	Individual	Oppose	Written Testimony Only

Comments:

Papakea has been operating as a legal vacation rental since conception date of 1977. I strongly oppose.

HB-1838-SD-1

Submitted on: 3/26/2024 2:09:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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-SD-1

Submitted on: 3/26/2024 2:12:23 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth Hodges	Individual	Oppose	Written Testimony Only

Comments:

Hello. My name is Beth Hodges and my family has owned a short term rental on Maui since 2022. Our unit has provided affordable housing for visiting families over the past two years. With hotel rates being as high as they are, many families with more than 2 to 3 members could not afford to come to Maui due to the expense of needing more than one hotel room. Being able to stay in a condominium setting, that can sleep more people affordably, allows Maui to be a popular vacation destination. The tourist dollars contribute heavily to Maui's economy, providing its citizens and business owners with income. The tax revenue generated by 13,744 short term rental units provides 40% of the tax revenue for the economy of Maui. If HB 1838 is passed, the short term political gain found with a segment of the island's populous will be long drowned out by the negative economic toll of losing tourist dollars and tax revenue. My family was happy to donate our unit for multiple weeks to displaced citizens who were employees of our property management company. Many owners of short-term rentals were happy to donate their units as well and some are continuing to do so under FEMA. In the event of another similar tragedy, where will temporary rescue workers and displace families find furnished places to stay if short term rentals no longer exist? We spoke to many friends and business owners in the months following the fires, and they all voiced desperation to get return of the tourists in order to sustain her or resume their jobs and businesses. Please listen to their voices and do not pass HB 1838. Thank you.

HB-1838-SD-1

Submitted on: 3/26/2024 2:16:53 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair, Vice Chair and Committee,

My name is John Egbert and I own a condominium on the island of Maui.

I am writing in opposition to **HB 1838 HD2 SD1**. Units like mine and my neighbors were constructed in the 1979-1980 timeframe as short term vacation rentals and were marketed and sold as short term vacation rentals. Guests in my unit usually stay from 5 days to 3 weeks. I employ an agent to manage the reservations and billings. I also employ a service to clean the unit between guests. If HB 1838 passes, the jobs and livelihood of both my agent and my cleaning service will be severely impacted, if not lost.

Fewer short term rentals equals fewer tourists. Consider the impact of fewer tourists – shops and restaurants will be closing left and right. Dive shops and charter boats will go out of business. Fewer people will be renting cars, impacting jobs at the airport. Owners of short term rentals pour a lot of money into the local economy purchasing furniture, appliances, TVs, drapes, towels bedding and other decor. We likely upgrade our units more frequently than the typical homeowner with things like new carpet and paint. In short, we pour lots of money into the economy and without the short term rentals, many jobs will be lost.

Cost is another factor. My unit is part of an AOA and our monthly fees are nearly \$800. Add \$200 for electric and we are at \$1000 before including the rent. Short term rentals are generally small units meant for short vacations as opposed to long term residency. Long term residents would need to live a minimalist lifestyle to live comfortably in one of these units. At my condo, as well as many neighboring complexes, there is one parking stall per unit and there is no outside storage for bicycles or other large items.

HB 1838 will hurt Maui and I respectfully request that you do not move this bill forward.

Respectfully,

John Egbert

HB-1838-SD-1

Submitted on: 3/26/2024 2:19:16 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Auth and Ronald Auth	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoad, Chair, Senator Gabbard, Vice Chair, Senator DelaCruz, Chair, Senator Mariwaki, Vice Chair, and Members of the Committee:

We strongly oppose HB 1838.

We have owned our one-bedroom unit at Papakea since 1977. This property was marketed and sold as a vacation rental property and is on twelve acres of land, which requires extensive operational management. As such many residents are employed. There are tree trimmers, electricians, plumbers, groundsmen, painters, and a plethora of other professionals needed to maintain the resort in high standards. This in turn attracts guests--people who love and respect the property and support local businesses such as restaurants, shops, grocery stores, gas stations, and car rental agencies. As a result of this short-term occupancy, many jobs are provided in the areas of housekeeping, management, and general maintenance repair work, to name only a few. Owners at Papakea buy their furniture from local businesses and hire local contractors for remodeling work including kitchens, bathrooms, floors, and walls. Owners pay very high property taxes. Guests pay transient accommodation taxes, general excise taxes, and Maui County transient accommodation taxes.

We have family who reside and work on Maui as well as Kauai. Please do not pass this legislation. Thank you for listening to our testimony and our reasons for opposing HB 1838.

Ronald Auth and Kathleen Auth

HB-1838-SD-1

Submitted on: 3/26/2024 2:25:00 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Stuart Simmons	Individual	Support	Written Testimony Only

Comments:

I strongly support "Home Rule" regarding zoning issues. Each County should be allowed to determine where and how vacation rental their islands should allow.

March 26,2024

Kevin L. Ross

Klross77.maui@gmail.com

(940) 390-7241

Dear Senator Rhodes, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice chair, and Members of the Committee

My name is Kevin L. Ross and I would like to thank the committee for the opportunity to testify about this bill. I own a condominium in the Papakea Resort and oppose HB1838 for the following reasons:

- Papakea is an ocean front property, completed in 1978, consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental properties.
- Papakea owners, have been operating legal vacation rentals for nearly 50 years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, insurance which prevents Papakea from ever becoming a sustainable long-term housing option.
- The counties already have the authority to regulate illegal short-term rentals. Governor Green noted that "we don't need new legislation to take initial action. We can start by encouraging and supporting to enforce the laws and regulations we already have on the books".
- This bill does nothing to solve the problem of illegal short-term rentals.
- Papakea's resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years. Some employees started at 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.
- Many small businesses owned and operated by local residents from the Maui Community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and stand operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (at the short-term rental rate), TAT, GET, and Maui Transient Accommodation Tax.
- Papakea guests support many small businesses on the island including restaurants, food trucks tour operations, State parks, National parks and locally owned shops and farmer's markets.
- 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 HB1838 and urge the committee to vote no on this bill

Respectfully yours,

Kevin L. Ross

To: listed below

From: Gregg Leitz

Owner, Papakea Unit C105

Lahaina, HI 96761

Re: HB1838

Dear Senator Rhoads, Chair; Senator Gabbard, Vice Chair; Senator Dela Cruz, Chair; Senator Moriwaki, Vice Chair; and Members of the Committee:

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

I am an owner at Papakea Resort near Lahaina, and I thank you for the opportunity to testify about this bill;

Background on Papakea Resort

Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums. It was originally marketed and sold as vacation rental property and has been operating legal vacation rentals for nearly 50 years.

Papakea has never been workforce housing, so it is not an example of a property that was converted from workforce housing to transient vacation rental use.

The majority of the units here are under 600 square feet, including many studios with no bedrooms. We have very limited parking as the typical STR's are allowed only one car per unit.

Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties, including many restaurants, beach rental, and souvenir shops that rely heavily on STR's for much of their income.

The resort operations require extensive maintenance which makes the monthly maintenance fees very expensive compared to properties designed for long-term housing with lower fees. This includes the maintenance of an old seawall that often produces dangerous sink holes behind it that we are not allowed to rebuild and therefore continuously maintain it.

In Governor Green's own words; "we do not need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books." The counties already have authority to regulate illegal short term rentals and this bill does nothing to solve the problem of those illegal rentals.

Papakea's Support to the Community

The resort's operations provide employment for approximately 35 local resident employees; many have worked here for over 15 years and several started as entry level and have since been promoted to supervisor roles.

Individual Owner Support

Many owners such as ourselves have become engrained in the community and have helped in various capacities of volunteer work, up to and after the Lahaina fire in 2023.

Many small businesses such as cleaners and housekeepers, plumbers, and contractors rely on the income that our STR's demand and without the need for these services, may find themselves out of business.

Papakea STR's support the State of Hawaii and County of Maui through payment of higher property taxes, Transient and General Excise taxes at State and County levels.

We have a high number of returning guests each year that have deep connections within the local community.

For the reasons stated herein I OPPOSE HB1838 and urge the committee to vote no on this matter.

Respectfully submitted,

Gregg Leitz

HB-1838-SD-1

Submitted on: 3/26/2024 2:28:13 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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 STRONGLY oppose this bill being passed. Short-term rentals are necessary on this island since they provide a lot of jobs including but not limited to management companies, housekeepers, maintenance, inspectors, and many more! Personally, lots of people, including myself will lose jobs and in effect will be forced to leave the island.

I believe in a managed hospitality industry for Maui. I 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.

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.

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.

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 legally operating small businesses without doing plenty of research first.

Again, I strongly oppose this bill being passed.

Sincerely,

Magdalena Odonnell

HB-1838-SD-1

Submitted on: 3/26/2024 2:28:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Amiot	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Jacob Amiot. I stayed in a short term rental because I needed affordable accommodations not in the hotel zone while vacationing in Hawaii.

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.

Furthermore, many visitors like myself prefer to stay in less touristic areas so that we can stimulate the local economy, rather than giving more money to the large developers and companies that are not local.

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-SD-1

Submitted on: 3/26/2024 2:30:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Moy	Individual	Oppose	Written Testimony Only

Comments:

Jeffrey Moy, 13704 Skyglitter Trl, San Diego, CA, njmoy8705@gmail.com, 8586996150, 3/26/24

The Honorable Members of the House Committee on Judiciary & Hawaiian Affairs State Capitol, 415 South Beretania Street Honolulu, HI 96813

Aloha,

I am writing to express my strong opposition to House Bill 1838. As a property owner with a long-standing connection to Maui, I have witnessed firsthand the value that short-term vacation rentals bring to our local community. My family and I have been visiting Hawaii for over two decades, enjoying the culture, food, and environment while actively contributing to the well-being of the islands. Furthermore, we have demonstrated our commitment to supporting the residents of Hawaii by volunteering our properties to those in need during times of crisis, such as offering our units to fire victims before any compensation was even discussed.

It is evident that HB 1838 specifically allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time. This is deeply concerning, as it directly impacts our ability to continue offering these important accommodation options to residents and visitors alike. The potential consequences of this bill, if passed, would have significant adverse effects on our ability to sustain our properties and contribute to the local economy. This legislation threatens the livelihoods of many families who depend on the vacation rental industry for their economic stability, and further exacerbates the already challenging affordable housing situation.

Additionally, the proposed amendments and the potential for counties to effectively eliminate all transient vacation rentals, based on their chosen definitions, represent an unjust aggregation of authority, creating uncertainty for property owners and investors. The impacts of HB 1838 on local employment opportunities, housing availability, and tax revenues cannot be overlooked. It is imperative that we address the affordable housing crisis with effective solutions that do not unduly burden law-abiding property owners and the local economy.

I urge you to consider the real-life impacts of this legislation on the individuals, families, and communities it directly affects, including the local Hawaiian residents. Please take into account

the shared concerns and compelling testimonies of residents and small business owners who stand to suffer from the passage of HB 1838.

Mahalo for your time and consideration. I respectfully request that you oppose House Bill 1838 to protect the well-being of the local community and the economy in Hawaii.

Sincerely,

Jeffrey Moy

HB-1838-SD-1

Submitted on: 3/26/2024 2:30:09 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly Beggrow	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern.

We are concerned that the resort area of Kapalua will be changed.

We bought our home in Kapalua because it was a beautiful resort area. It is right across the street from the Montage - not a hotel but beautiful condos. The Ritz Hotel is only 500 yards away from our condo. It is quiet and there is a no pet policy here.

We pay \$1200 a month for HOAs to keep with the ambiance of the resort area.

These things cost money: landscaping, mowing, planting, maintenance, pool and outside areas kept clean and maintained, trimming trees, enforcing noise ordinances, no smoking policies etc.

We are an elderly couple that worked 24 7 16 hour days in our family businesss and made sacrifices and saved for retirement, of course always contributing to the local churches, businesses and other charities.

This is our little home away from home where we bring our kids and grandchildren. We have paid our local taxes faithfully including all the rental taxes for 21 years. We are good citizens who even volunteer at local food banks delivering meals when we visit.

We have never asked for charity or a decrease in taxes and even accepted the increase in insurance to the tune of an additional \$5,000 per year.

I understand the hotels are hoping to hurt short term rentals instead of lowering their rates or improving their facilities so people will want to stay w them.

We are completely legal and have followed all the rules, unlike the underground renters who disobey the law.

The hotel next to us, The Ritz Carlton, will suffer greatly as will the Montage if the Ridge and Golf Villas are turned into long term rentals. Long term rentals mean whole families, extended families, pets etc. The beaches, the patios, the upkeep will make this place no longer a destination resort area but like any other subdivision in America and the hotels will suffer the consequences also w crowded infrastructures not designed to handle the load of humanity that this would entail.

Please rethink this as it will hurt all of us- hotels included.

To: listed below

From: Debbie Leitz

Owner, Papakea Unit C105

Lahaina, HI 96761

Re: HB1838

Dear Senator Rhoads, Chair; Senator Gabbard, Vice Chair; Senator Dela Cruz, Chair; Senator Moriwaki, Vice Chair; and Members of the Committee:

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

I am an owner at Papakea Resort near Lahaina, and I thank you for the opportunity to testify about this bill;

Background on Papakea Resort

Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums. It was originally marketed and sold as vacation rental property and has been operating legal vacation rentals for nearly 50 years.

Papakea has never been workforce housing, so it is not an example of a property that was converted from workforce housing to transient vacation rental use.

The majority of the units here are under 600 square feet, including many studios with no bedrooms. We have very limited parking as the typical STR's are allowed only one car per unit.

Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties, including many restaurants, beach rental, and souvenir shops that rely heavily on STR's for much of their income.

The resort operations require extensive maintenance which makes the monthly maintenance fees very expensive compared to properties designed for long-term housing with lower fees. This includes the maintenance of an old seawall that often produces dangerous sink holes behind it that we are not allowed to rebuild and therefore continuously maintain it.

In Governor Green's own words; "we do not need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books." The counties already have authority to regulate illegal short term rentals and this bill does nothing to solve the problem of those illegal rentals.

Papakea's Support to the Community

The resort's operations provide employment for approximately 35 local resident employees; many have worked here for over 15 years and several started as entry level and have since been promoted to supervisor roles.

Individual Owner Support

Many owners such as ourselves have become engrained in the community and have helped in various capacities of volunteer work, up to and after the Lahaina fire in 2023.

Many small businesses such as cleaners and housekeepers, plumbers, and contractors rely on the income that our STR's demand and without the need for these services, may find themselves out of business.

Papakea STR's support the State of Hawaii and County of Maui through payment of higher property taxes, Transient and General Excise taxes at State and County levels.

We have a high number of returning guests each year that have deep connections within the local community.

For the reasons stated herein I OPPOSE HB1838 and urge the committee to vote no on this matter.

Respectfully submitted,

Debbie Leitz

HB-1838-SD-1

Submitted on: 3/26/2024 2:32:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracey stefanyk	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose HB 1838 HD2 SD1 as it would be devastating to local economies and it would unfairly restrict the rights and freedoms of lawful property owners.

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. How would the counties operate with that large a shortfall? 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.

Short term rentals are also a solid source of income for local families, and in some cases, the sole source of income. I personally know several good, hard-working, local families who rely on income from housekeeping in short term rentals to support their families. They are very fearful of what the future holds for them if this bill passes, as it would be devastating to lose their sole source of income. There are currently 13 744 legal short term rentals in Maui. If they shut down, it would leave thousands of local families without income, and very few viable options for alternate employment on the island.

Many local business also 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, furthering the downward spiral of the economy and boosting the rise in unemployment.

Local families who have to travel inter-island for medical appointments and other important meetings rely on short term rentals as the only affordable, comfortable option for accommodation. They simply can't afford the \$400/night plus for a basic hotel with no cooking facilities. They would be left with no viable options.

Allowing counties to shut down short term rentals is 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 also represents gross government interference, placing unfair restrictions on the the rights and freedoms of lawful property owners. It's an unsustainable option. A wiser option is to keep short term rentals, protect private property rights, preserve jobs and the local economy, and use this revenue to support more affordable housing. Thank you for your time.

Public Comments on HB 1838 HD2 SD1

Chair, Vice-Chair and Honorable Committee Members,

MY NAME IS MIKE GIANNINI – OPPOSE HB 820

Please accept my thanks for taking the time to first, recognize the importance of working to effect positive change on the communities within the State and second, to consider the comments from the various constituency groups.

My wife and I own a short term rental on Maui. We are both retired, I was a firefighter and my wife a RN. We were able to purchase our rental after selling another property on the mainland that we owned for over 30 years. During that same span of time, we visited the islands at least once a year. We have worked long and hard to acquire our condo on Maui. We rely on the revenue to support our retirement.

As I am sure you are aware, While the intentions are well placed, this is not the solution that will resolve the problems that currently exist in Hawaii. From a fiscal standpoint, the potential loss of tax revenue to the State will be disastrous. If our unit was to be rezoned and not rented as an STR, our property tax contribution and TAT/GET payments would largely go away. This amounts to over \$40,000 annually for just our unit. Given that there are 27,000 STRs on Maui alone, this equates to a loss of over 27 million EVERY year. I don't see how the State and Counties could survive such a financial deficit.

While Hawaii is unique in so many ways, it shares the same challenges of government that encumber almost every other tourist destination in our Country. I implore you to take a step back and really explore the potential options for solving Hawaii's issues by taking a hard look at what other cities and states have done to best support their citizens and visitors.

Please don't make any decision that is not fully vetted and considered. There are a multitude of solutions available.

I strongly encourage you to NOT support this Bill.

With much respect and gratitude.

Michael Giannini

HB-1838-SD-1

Submitted on: 3/26/2024 2:36:09 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brandon Ringstad	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

Aloha, my name is Brandon Ringstad and I am submitting testimony to oppose HB 1838.

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.
- Governor Green noted that “we don’t need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.”
- The counties already have authority to regulate illegal short-term rentals
- This bill does nothing to solve the problem of illegal short-term rentals

Papakea’s Contributions to the Community

- Papakea’s resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui

community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- 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, fundraising events, cultural events, and shops.
- Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community and local customs.

For the reasons stated herein **I OPPOSE HB1838** and urge the committee vote no on this proposal

HB-1838-SD-1

Submitted on: 3/26/2024 2:41:01 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Gallagher	Individual	Oppose	Written Testimony Only

Comments:

Once again I am forced to have to defend my right to host my local citizens, thier families, and friends as well. Among the supportive tourists that frequent my vacation property, are community members who have been displaced and in need. (As well as being open to local pets). Please consider leaving my business alone, we pay our taxes and keep the elocal economy flourishing here on Maui. With out us, everyone would have to be forced to stay in tne corporate resort hotels, far from the north shore where they will be needing to spend thier time, weather visiting family, surfing, wind kite surfing, hiking, etc....

HB-1838-SD-1

Submitted on: 3/26/2024 2:41:42 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Sheehan	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 related to zoning. Phasing out short term rentals (STRs) will decrease tax revenue and hurt small local businesses. Legitimate STRS pay property taxes, transient accommodation (TA) taxes, general excise (GE) taxes and in Maui additional county TA taxes that contribute to the economy. These funds to the economy can't be recovered from long term rentals. STRs also employ locals (e.g., cleaners). And they bring in billions of dollars in tourist revenue that goes to local shops, grocery stores, restaurants and an array of other small businesses that employ locals. You can't make up for the loss of this revenue. The people who book STRs would book hotels if they liked hotels. They don't. They like STRs. They won't switch to staying in hotels. If you start phasing out STRs, they'll just go elsewhere e.g., to Florida or Mexico. Hawaii needs to focus on building long term housing for its people, not kill the goose that lays the golden egg.

HB-1838-SD-1

Submitted on: 3/26/2024 2:42:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cimi Morgan	Individual	Oppose	Written Testimony Only

Comments:

I am vehemently opposed to this bill and frankly outraged that the government thinks they can interrupt the economic viability of West Maui and Maui.

I have worked tirelessly day in and day for the last 35 years here on Maui as a single mom saving every penny and investing into short term vacation rentals as a means for my retirement. I did so based on the knowledge that these properties were vacation rentals, had been used as vacation rentals historically, were built to meet the demands of tourism and that there was no threat of this right to vacation rent these properties. I have been paying short term vacation rental transient taxes on top of the higher property tax rates willfully and happily knowing that this was the price I had to pay as a short term vacation rental owner.

These taxes, which account for 40% of the budget here on Maui that I have been paying into for all of these years have supported the government and its infrastructure. It is absolutely absurd that now the government is coming after short term vacation rental owners like we are the criminals. The shortage of long term housing has been an issue for a long time. The government should have been appropriating funds from the tax revenue and earmarking it to go towards affordable housing a long, long time ago. It is not our fault that the Government has misappropriated its funds that should have gone to affordable housing all this time.

All of a sudden we have a devastating fire that burns down our town (yes I live in Lahaina and I lost a property), and it is the short term vacation rental owners that have to take the hit? This is simply crazy and stupid on so many levels. It takes away from the very tax base that pays for a significant amount of the budget. It is currently and will continue, to cause the market to completely implode and drive down real estate prices. It is driving away investors, and vacationers which will further implode our economy. Further, the short term rental properties were NEVER meant to house long term residents. There is shortage of parking and storage at these resorts. The age and shoreline erosions issues make the HOA fees so high, people on a working budget cannot afford the HOA fees let alone a mortgage, utilities and property taxes.

The thinking behind banning short term vacation rentals makes it really clear that the people behind this bill never had their own businesses and never had to cover payroll. They don't understand that you have to make money before you can spend money. This bill is irresponsible and will undermine the local business and economy.

To add insult to injury, I personally have converted several of my short term vacation rentals into long term leases to house displaced Fire victims. I canceled the reservations, thousands of dollars of reservations I might add, to accommodate the end of January deadline that was given to us. Now it is several months later, and I still have a condo sitting vacant. One of the "displaced" fire victims that was supposed to go into the unit called and said she gave up on FEMA, and that they never got back to her. Instead she resourcefully found another place to live. So here, once again, I have sacrificed my income to help with the displaced fire victims because there was such a shortage and I was trying to do the right thing for my community, but the government was so unorganized the fire victim gave up on them. They found a new place... But yet, here we still are. There are still willing STR's that will open up their properties for displaced fire victims but the property managers the government hired state they are no longer taking properties. So, what is it? You want to ban STR's but you don't need any more properties to house them? I continue to get hit and betrayed by the government.

It is not my fault the fires happened, and yet as a STR owner, I am the one being singled out as a problem? This is egregious, and near-sighted to think banning STR's are a solution to a problem that the government does not want to take accountability for. I have done my part by paying my TAT's MCTAT's and STR's inflated Real Property Taxes every month and year. I have done my part to open my STR's to displaced Fire Victims.

It's time for the Government to vote NO on this Bill, be accountable, tighten the budget and earmark the funds out of its revenue to solve the problem and leave the STR owners alone!!!

I OPPOSE THIS BILL AND SO SHOULD YOU!

HB-1838-SD-1

Submitted on: 3/26/2024 2:45:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Elen Stoops	Individual	Oppose	Written Testimony Only

Comments:

Oppose

Employment Opportunities: Papakea creates job opportunities for local residents, providing stable employment in various capacities such as property management, maintenance, housekeeping, and administrative roles. This not only supports the livelihoods of individuals and families but also strengthens the local economy by circulating money within the community.

Support for Small Local Businesses: The operation of Papakea as a short-term rental property offers significant business to local enterprises such as restaurants, tour operators, souvenir shops, and transportation services. These small businesses rely on the influx of visitors facilitated by Papakea, contributing to their sustainability and growth.

Tax Contributions: Papakea's payment of taxes (TAT, MCTAT, GET, Property Taxes), including those supporting the County's affordable housing fund, directly benefits the community by providing essential funds for public services, infrastructure development, and initiatives aimed at addressing housing needs for low-income residents. This financial support helps improve the overall quality of life for community members.

Community Engagement and Connection: Papakea establishes unique connections with the local community through various means, such as hosting cultural events, supporting local festivals or fundraisers, and collaborating with community organizations. These interactions foster a sense of belonging and cooperation, enriching the social fabric of the area.

Volunteerism: Papakea encourages and facilitates volunteering efforts by both its staff, owners and guests within Lahaina. Whether through organized community service projects, beach clean-ups, or partnerships with local charities, Papakea and its guests contribute positively to the community through volunteerism, addressing pressing issues and promoting environmental stewardship.

Overall, Papakea's presence in the community goes beyond providing accommodation for tourists; it actively engages with and supports the local population, economy, and environment, thereby contributing to the holistic well-being and sustainability of the area.

HB-1838-SD-1

Submitted on: 3/26/2024 2:50:21 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Spencer Headley	Individual	Support	Written Testimony Only

Comments:

Good Afternoon,

As you consider the outcome of this bill, we as the community urge all the decision makers to take a honest look at the housing situation across all of Hawaii, and how its residents are impacted. I live North of Lahaina, and we all know we have a severe housing crisis throughout our island. I believe the new statistic came out by the University of Hawaii Economic Research Organization states that 87% of housing units North of Lahaina are listed as Short Term Rentals. This is unacceptable given the scope and acuity of the current housing crisis in the aftermath of the August 8th fires.

Other islands are also feeling the crunch to find housing, many times for Native Hawaiian Families that have lived out here for generations and generations. The short term rental market has played a major role in creating a literal Hawaiian diaspora, as hundreds of local residents are forced to the continent, simply in order to survive. Again, all of this disenfranchisement to the local community is to the benefit of an inherently extractive industry that benefits investors that have no direct connection to the island, at least compared to local residents.

This was all a problem at a crisis level for years before the fire. HB1838 gives home rule to each perspective County governments throughout Hawaii, allowing each to implement their own STR policy as it deems fit. This is urgently necessary, as each County can, if done correctly, strike the best balance in terms of housing options. This bill inherently benefits the local community, i.e. your constituents. If you do not support this bill, the most obvious question is: Why not? The local community deserves a place to live more than a second homeowner needs a supplementary income. That is a simple fact. This bill allows each County to best address this issue.

In short, if you do in fact value the community, your people, there is really no reason to oppose this bill at the end of the day.

Thank you,

Spencer Headley

HB-1838-SD-1

Submitted on: 3/26/2024 2:54:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Trevor Hite	Individual	Oppose	Written Testimony Only

Comments:

Hello,

My name is Trevor Hite, and my wife and I are owners of a single Condo at Papakea in Honokawai. We're just two people...no one with influence or power. HB1838 will not provide the housing and lifestyle it seeks to for the wonderful people of Maui. It will only increase the dependence on LARGE Organizations like Hotel chains and large companies, and it will decrease the power and influence of local people.

As a condo owner we have little power in Maui. We do not have large strong organizations and attorneys. Nor can we even vote. When taxes get raised on us...we pass it on to visitors in order to not lose money and therefore lose our property. When we need a repair, a realtor, a remodel, insurance, legal advice, property managers, facility management folks or gardeners and cleaners we hire local people (small businesses) to do the work. When a plumber gives us a price, we pay it and pass it on to the visitors who pay it in return. We take very good care of people not just because we care about them (although we do), but also because we depend on them, and so they have the power. We are good with that.

Our house keeper is an example. When her family comes to visit, they stay at our place for free. When she and her husband are working long hours on the west side, they stay for free. She raises the price, we don't even question her, as she is our friend, and we know she has the power to go get other projects, but we NEED her.

Can the same be said for hotels? They have their own plumbers, cleaners, electricians, and sign big contracts with big companys. Do those employees hold the power or does the Hotel? We all know the answer to that.

Here's the point...Short term rentals leave the power where it belongs...with the locals. HB1838 will put this power in the hands of the big companies and leave locals with less power. Who will be able to afford Papakea when we all have to sell? Not the locals. We have a \$30million project coming up. Which people working for hotels or big companies will be able to pay my \$150,000 share of this bill (on top of a mortgage and HOA and utilities and maintenance..etc)? As of now, visitors will indirectly pay this. If we cannot rent to visitors, We will have to sell. It will probably be to a mainlander who may move there and...vote. More lost power for locals. Also, we pay way more property taxes than someone who lives there

which is more lost income to the people of Maui. Here's a list of other lost income if we cannot pass the expenses on to visitors through short term rentals:

-Any small business providing services

-Property taxes

-Occupancy taxes...nearly 20% which is tens of thousands of dollars just from our unit!

-Entire staff at Papakea (All locals) Nobody will be able to pay 2500 per month to support them

-Major repair projects needed on all these short term rentals. What happens then? These places will become uninhabitable in 20, 30, 40 years without these massive maintenance projects.

-Obviously tourist businesses such as restaurants, rentals, tours etc (All local small businesses).

So does an island where everyone works for a big company sound better than an island full of opportunity to capitalize on the many small family businesses sound like a good idea? I get pictures from my house keeper with her feet on the balcony looking at the ocean while she's cleaning. She has a good job and makes good money. Would a Hotel allow that? Isn't that a better lifestyle than working at a sweatshop hotel?

When the tragedy happened in Lahaina, I was on the phone for days with our friends on the island. Once I knew everyone was ok, we let a friend of a friend stay in our place for free. I know many other condo owners who did the same. When the place was in bad shape after he left we just fixed it and moved on as we knew he was traumatized and grieving. We consider ourselves part of the community. We love Maui and it's people, and similar to the pecking order in a local surf spot we give right of way to the locals. Do Hotels??? See, we are the members of the community that take a back seat on purpose, as we know we are lower in the pecking order. Do Hotels feel the same?

Housing for locals is an issue. The biggest contributor paying for the worker housing projects are...you guessed it...Short term rentals. Our units are not great for living in. They are made to visit and leave (Papakea was built for this 50 years ago and has never been local housing). We have little storage, small spaces, little parking, bad access, etc. Local neighborhoods should not be available for short term rentals. What about using the tax money to build 1000's of cute ADUs owned by locals on their land? This way when local people buy a house they can help pay their mortgage by renting to locals in local neighborhoods not live in stuffy condos.

AGAIN...Keep the power with the locals, please! HB1838 does not magically give housing to locals it takes away their lifestyle and opportunity.

Thank you for listening,

Trevor and Heather Hite

Loving distant members of a wonderful community

In the aftermath of the Lahaina fire, encouraging short-term rentals in Maui can play a crucial role in facilitating recovery and revitalization efforts while also contributing to the community's well-being in various ways:

1. **Economic Stimulus:** Short-term rentals generate significant tax revenue for Maui County, including Transient Accommodation Tax (TAT), Maui County Transient Accommodations Tax (MCTAT), and General Excise Tax (GET). This revenue can be allocated towards fire recovery efforts, infrastructure repairs, and community development projects, providing essential funding for rebuilding and revitalization.
2. **Employment Opportunities:** The short-term rental industry provides employment opportunities for local residents in various roles such as property management, housekeeping, maintenance, and administration. By supporting these rentals, we can ensure stable jobs and income for individuals and families, contributing to economic stability and resilience in the wake of the fire.
3. **Volunteerism and Community Engagement:** Short-term rental properties can serve as hubs for volunteerism and community engagement, providing a platform for guests, owners, and staff to participate in recovery efforts, fundraising activities, and community service projects. Encouraging a culture of volunteerism within the short-term rental community strengthens social cohesion and fosters a sense of solidarity in rebuilding affected areas.
4. **Tourism Recovery:** Short-term rentals are essential for the tourism industry in Maui, attracting visitors and providing accommodation options for travelers. By promoting these rentals, we can help stimulate tourism recovery in Lahaina and other affected areas, bringing in revenue for local businesses, attractions, and restaurants while showcasing the resilience and beauty of the region to visitors.
5. **Diverse Accommodation Options:** Short-term rentals offer diverse accommodation options for travelers, ranging from vacation homes and condos to bed and breakfast establishments. By supporting a vibrant short-term rental market, we can cater to the diverse needs and preferences of tourists, enhancing their overall experience in Maui and encouraging repeat visits.

In conclusion, encouraging short-term rentals in Maui after the Lahaina fire is essential for economic recovery, community resilience, and tourism revitalization. By harnessing the benefits of short-term rentals, including tax revenue, employment opportunities, volunteerism, and diverse accommodation options, we can contribute to the long-term sustainability and prosperity of the region while rebuilding and healing from the impacts of the fire.

HB-1838-SD-1

Submitted on: 3/26/2024 2:54:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Franzen	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I OPPOSE HB1838

My name is Susan Franzen and I have owned a condominium property at Papakea since 1983. Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums that was initially marketed and sold as vacation rental property. The property has been in consistent operations since the 1970's with the majority of units under 600 square feet with limited parking for only 1 car per unit. Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea is a partner with Maui locals, with a workforce of approximately 35 residents, many with long term employment with the resort. Several employees spent their entire 40-year career with us starting at entry level and moving up the later to supervisor and then management level positions. Additionally, the owners of Papakea continue to support many Maui residents in a variety of occupations from pond maintenance, housekeeping, laundry to local general contractors, plumbers, electricians and more. Some of these workers are part of local small businesses who rely on Papakea for their livelihood. Our team of locals who love working at Papakea, stayed for days during the initial fire storm. Many of them lost their homes and they became some of the long term residents during August, September and October.

What makes Papakea unique is that each owner manages their own individual units, which make our ties to local businesses even stronger. A majority of units are managed by local small business teams like Chasing Rainbows, Maui Dreams Come True (business closed due to fires)

My Perfect Stays, Hawaii Life, Aloha Vacations and more. Unlike the hotels, these local management businesses look to Maui residents for the majority of their employees.

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. But more importantly, Papakea guests support many of the small businesses including restaurants, food trucks, tour operators, state parks, the national park, and shops. These taxes are a significant portion of the funds used to develop low-cost housing on the island.

Finally, Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. Until Covid, I had the same couple come and stay in my unit for 20 years in a row for multiple weeks as they escaped the cold in Illinois. They loved to support the community through volunteerism and eating at places like Down the Hatch and the Fish Market. Unfortunately, they have reached the age of not being able to travel anymore, but they felt Maui was their second home.

The owners at Papakea are not the enemy, but we look to partner with our neighbors and the county. So many of our owners opened their units to FEMA only to be rejected because of our bad plumbing that displaces people. Fortunately, a few of our owners were able to get their units through the FEMA process, and many more opened their units to locals during the initial displacement.

Please do not take away the jobs of the people who rely on our unit for their livelihood, because there is a housing shortage. We opened our unit to locals during the crisis and donated to the causes on the island. We hope to return and be able to support the small businesses and volunteer our time as appropriate.

For the reasons stated herein I OPPOSE HB1838 and urge the committee vote **NO** on this matter.

Respectfully submitted,

Susan Franzen

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 and should be maintained as such.

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.

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

In the aftermath of the Lahaina fire, encouraging short-term rentals in Maui can play a crucial role in facilitating recovery and revitalization efforts while also contributing to the community's well-being in various ways:

1. **Economic Stimulus:** Short-term rentals generate significant tax revenue for Maui County, including Transient Accommodation Tax (TAT), Maui County Transient Accommodations Tax (MCTAT), and General Excise Tax (GET). This revenue can be allocated towards fire recovery efforts, infrastructure repairs, and community development projects, providing essential funding for rebuilding and revitalization.
2. **Employment Opportunities:** The short-term rental industry provides employment opportunities for local residents in various roles such as property management, housekeeping, maintenance, and administration. By supporting these rentals, we can ensure stable jobs and income for individuals and families, contributing to economic stability and resilience in the wake of the fire.
3. **Volunteerism and Community Engagement:** Short-term rental properties can serve as hubs for volunteerism and community engagement, providing a platform for guests, owners, and staff to participate in recovery efforts, fundraising activities, and community service projects. Encouraging a culture of volunteerism within the short-term rental community strengthens social cohesion and fosters a sense of solidarity in rebuilding affected areas.
4. **Tourism Recovery:** Short-term rentals are essential for the tourism industry in Maui, attracting visitors and providing accommodation options for travelers. By promoting these rentals, we can help stimulate tourism recovery in Lahaina and other affected areas, bringing in revenue for local businesses, attractions, and restaurants while showcasing the resilience and beauty of the region to visitors.
5. **Diverse Accommodation Options:** Short-term rentals offer diverse accommodation options for travelers, ranging from vacation homes and condos to bed and breakfast establishments. By supporting a vibrant short-term rental market, we can cater to the diverse needs and preferences of tourists, enhancing their overall experience in Maui and encouraging repeat visits.

In conclusion, encouraging short-term rentals in Maui after the Lahaina fire is essential for economic recovery, community resilience, and tourism revitalization. By harnessing the benefits of short-term rentals, including tax revenue, employment opportunities, volunteerism, and diverse accommodation options, we can contribute to the long-term sustainability and prosperity of the region while rebuilding and healing from the impacts of the fire.

HB-1838-SD-1

Submitted on: 3/26/2024 2:59:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

As Lahaina fire survivors and residents of Maui, we strongly support this bill - with an amendment. We are asking for the language of SB2919 to be included in section 2 of the bill as follows

"; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification"

We need to ensure that our community has housing - not just what is left over after all the investment properties are filled with visitors. Without the community, there is no Lahaina, and we need to start putting people over profit.

Real estate investment is a risk. As someone who lost my home and will be paying my mortgage, along with rent, for the foreseeable future, we understand that risk and it is not right that STR owners believe that the risk of their investment is more important or provides value into the community.

Thank you for your consideration and we hope that this is finally the opportunity to change the current course of a broken and unjust system.

Mahalo,

Sara Bill & Kaliko Leialoha-Dutro

HB-1838-SD-1

Submitted on: 3/26/2024 3:03:01 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Vera	Individual	Oppose	Written Testimony Only

Comments:

This bill is not a solution to the housing crisis in Hawaii. It will mean no more month to month rentals in Hawaii. This will be a bad blow to those needing Mid and Short-term Rentals such as those displaced by disasters like the fires in Maui and the Red Hill clean up. It will also make it impossilbel for those needing temporary housing like residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. This bill would be a disaster for many people and would not provide housing for those in need.

HB-1838-SD-1

Submitted on: 3/26/2024 3:06:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I OPPOSE H.B. HB1838 for the following reasons:

My name is Karen Krauchek and want to thank the committee for the opportunity to submit my written testimony about this bill.

Our Maui condo resort, Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. It has never been workforce housing that converted to a transient vacation rental. It was initially marketed and sold as a vacation rental properly. The average size of the units is under 600 square feet, have no storage space within the unit other than a couple of closets and limited parking. These units are not practical dwellings for long term living. Passing this bill and phasing out STRs that were built for the purpose for renting short term will have an economic impact to the state and the local people.

Our guests, whom many are repeat visitors, support the local economy while they visit the island. They shop in the local stores/markets, eat at the local restaurants/food trucks, and support the local tourism business (whale watching, surfing, sun set cruises etc). They also support all the people who are employed in the airport, car rental agencies and big box chains. Without these visitors all local businesses would be hugely impacted without tourist dollars and would put many local people out of work with fewer employment opportunities available.

Our STR personally also supports many local businesses within Maui like furniture stores, HVAC companies, pest control, housekeeping businesses, contractors, rental management companies and other local trade professionals. These companies rely on our business to keep their employees and businesses running. STR owners spend more to keep their units pristine. As long-term residences generally don't need to place all their furniture every 4-5 years or schedule maintenance companies every 6 months to be proactive that things don't break down while a guest is staying in their units.

Papakea Resort itself employs approximately 35 local resident employees; some have worked at the property for over 15 years. Our resort operations require extensive maintenance and upkeep

which makes the monthly dues very high compared to other long-term housing. Unsubsidized long term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes and insurance which prevents Papakea from becoming a sustainable longer term housing option.

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 STR is phased out. How would the state make up for this lost revenue without putting more financial burden on the local people/economy?

For the reasons stated herein I OPPOSE HB1838 and urge the committee vote no on this matter.

Respectfully submitted,

Karen Krauchek

HB-1838-SD-1

Submitted on: 3/26/2024 3:11:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alex Abreu	Individual	Oppose	Written Testimony Only

Comments:

Subject: Strong Opposition to HB1838

Dear Legislators,

As a local resident of Maui, I am writing to express my strong opposition to HB1838. The vacation rental industry plays a vital role in Maui County's real property tax revenue, supports numerous small businesses, and provides essential housing options during times of crisis. Vacation rentals also serve as affordable solutions for residents in transition or those in need of temporary housing.

Many families, including mine, rely on work related to the vacation rental industry, ranging from cleaning services to construction to management. The impact of these bills could jeopardize our livelihoods and the financial stability of countless families in Maui. Furthermore, the availability of temporary housing provided by vacation rentals can be a lifeline in emergency situations, and we cannot afford to lose this valuable resource.

Considering Maui's recent history of hitting a 33% unemployment rate during the pandemic, the potential loss of jobs and economic instability resulting from HB1838 is deeply concerning. The vacation rental industry has been a crucial source of employment for our community, and any measures that threaten its existence would likely contribute to a surge in unemployment.

I urge you to consider the significant contributions of the vacation rental industry to our community and the adverse effects that HB1838 could have on Maui County. The proposed legislation could have far-reaching implications for our local economy and the well-being of residents who depend on the industry for employment and housing.

Thank you for your attention to this crucial matter. I sincerely hope that you will stand with the Maui community and reconsider the potential impacts of HB1838.

Mahalo, Alex Abreu

HB-1838-SD-1

Submitted on: 3/26/2024 3:17:43 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christina Kimble	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I am writing to urge you to vote NO on **HB1838 HD2 SD1**.

I first came to Hawaii on my honeymoon 33 years ago. Like so many others, we fell in love with the culture, and returned again and again. We purchased a short-term rental on Maui in May of 2021. My husband and I spend about 5 months of the year here and have become very connected to our local community, including our property management staff, and the various vendors (housekeeping, window cleaning, plumbers, electricians, photographers, appliance repair folks, etc) that help us keep our unit operational.

- Short term rentals provide 40% of the real property tax revenue for Maui County, which is 18% of Maui County’s budget. Every time a shortterm rental is “phased out”, there will be a significant loss of tax revenue that Hawaii needs.
- Our condominium is not suitable for the vast majority of local residents. The owner’s association fees total \$19,000 a year. This is out of reach for locals. It is a onebedroom condominium that lacks any real storage, and is not suitable for a family.
- Given the fact that our AOA fees are \$19,000/year, and our property taxes run \$15,500 a year, not being able to rent out unit will be an extreme hardship (not to mention utilities and mortgage and insurance!)
- I am concerned that if short term rentals are phased out, many local residents will become unemployed. The people have become our friends and neighbors, and we would like to see them maintain their livelihoods, so that they can continue to live in Hawaii.
- This is our community, and we have supported survivors of the Maui fire and local community. STR owners have provided a relief valve for the housing crisis caused by the fire. Eliminating short term rentals would eliminate this source of housing should another crisis arise on any of the islands.

I urge you to vote NO on this measure, both for the benefit of local community jobs, tax revenue, and to avoid putting thousands of STR owners into financial hardship.

Thank you,

Christina Kimble

HB-1838-SD-1

Submitted on: 3/26/2024 3:19:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kit	Individual	Support	Written Testimony Only

Comments:

I have lived next to a terrible STHR for 3 years. It was terrible. Then my neighbor sold their house and the new owners immediately requested and were granted a BNB permit.

STHR tear communities apart. When I asked neighbors on my street what they thought about the new BNB and it was split into approvers and non approvers. There are sufficient vacation condos and hotels for travelers.

We do not need STHR or BNB in neighborhoods. Thanks for reading.

HB-1838-SD-1

Submitted on: 3/26/2024 3:19:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry Gardiner	Individual	Oppose	Written Testimony Only

Comments:

I am opposed

HB-1838-SD-1

Submitted on: 3/26/2024 3:20:39 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Donavan OToole	Individual	Oppose	Written Testimony Only

Comments:

Phasing out short-term vacation rentals is an infringement on property rights and violates the principles of free enterprise. Prohibiting property owners from renting out their units for short durations not only stifles economic opportunities but also undermines the fundamental right to utilize one's property. Such regulations encroach upon individual freedoms and contradict the spirit of the Constitution, which upholds the sanctity of private property rights.

HB-1838-SD-1

Submitted on: 3/26/2024 3:25:45 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brett Hulme	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Brett Hulme and I live on the island of Oahu.

I am writing in opposition of HB1838 as current, legally permitted short-term rentals (per Ord 22-7) are important for tourism on the island of Oahu as they provide family, visitors, displaced residents, traveling nurses, emergency contractors, and temporary military & students, 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, need more space than one room, or have an extended stay.

This bill will hurt me, other residents, and important visitors that rely on current, legally permitted 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.

In addition, this bill will hurt the city, county and state due to the loss of revenue created by GE, TA, and OTAT taxes that current, legally permitted short-term rentals generate and pay to the county and state of Hawaii.

Please let the counties enforce laws that they already have.

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

Thank you for your time.

Brett

HB-1838-SD-1

Submitted on: 3/26/2024 3:31:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Danny Lisa	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to oppose HB1838.

We have owned a one-bedroom condominium in Ma'alaea, Maui since 2012. We have rented it to short-term renters since we bought it. We also use our condo for personal stays and plan to live there part of the year when we retire in less than two years.

We wouldn't be able to afford to keep our beloved condo if we didn't rent it to short-term renters. Between the property taxes and association dues, it would just be too expensive to keep. Please don't vote for this bill!

Renting to vacationers allows travelers to come to Hawaii at an affordable cost because hotels are so much more expensive. If short-term vacation rentals aren't allowed, many people couldn't afford to visit. I believe there would be fewer visitors to Hawaii.

By renting our condo short term, we are contributing to the county and the state by paying our property taxes and through the TAT taxes we pay each month. We are also contributing to society by helping to employ many people on Maui. This includes our property management staff, our housekeeper, and various people that do work for us, such as plumbers, electricians, and handymen.

Renting our condominium short-term is a large part of our retirement income plans. To lose this income would hurt us greatly in retirement, which is less than two years away.

Lastly, if this bill passes and short-term rentals are not allowed, many owners will have to sell. This would likely drive the values of the condominium market down, which would impact property values and ultimately property taxes.

Thank you for your consideration.

Warm regards,

Danny Lisa

HB-1838-SD-1

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

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sylvia Dahlby	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

PLEASE VOTE NO ON HB1838

I am a retiree who rents a room in my house in Hilo via AirBnB. I cater mostly to kama'aina from neighbor islands visiting ohana and friends on the Big Island and inter-island business travelers.

Some of my guests are people in transition relocating to or from the Big Island. My last guest was from Kona side relocating to the mainland. He needed a few days in Hilo to ship his car and handle last minute moving arrangements.

I am located near Hilo Medical Center, so some guests have been health care practitioners, or have come to be near family that are in the hospital.

My place is also near the downtown area and University, so many students and professionals have stayed at my place for conferences, seminars, industry events and short-term work assignments.

I've even hosted a few of the Maunakea visitors during the protest and hearings.

I have also hosted displaced residents during times of hurricanes, floods and volcanic eruption - AT NO COST to my neighbors in need of temporary shelter.

My room is a finished basement apartment with its own bathroom; there is no kitchen or cooking so it makes the place impossible to rent long-term. I depend on the supplementary income to make ends meet.

I'm dismayed that HB 1838 will likely put me out of business. Are you trying to price kupuna like me out of paradise?

This Bill will authorize the County to phase-out short-term rentals like mine in any zoning. If passed, this Bill put a 90 or even 180 day minimum on all non-registered, non-hotel rentals. I have some regular and frequent renters from Oahu and Kona, and typically fully booked with inter-island visitors for the Merrie Monarch festival every year.

Where are these local folks supposed to stay when hotels are cost-prohibitive or rooms are fully booked?

Where will residents find temporary, furnished housing if the STVR industry is destroyed by punitive taxation and unfair regulation that renders it unprofitable for small business owners & local residents like me?

If this Bill passes, there will be no more month-to-month rentals in Hawaii. It would likely create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.

Losing my rental unit will be a loss of my TAT/HCTAT taxes paid - and DO NOTHING to remedy the lack of affordable housing on the Big Island.

The Bill raises my cost-of-living significantly and makes my own home less affordable.

Please vote NO and stop scape-goating the locally owned & operated STVRs for a housing shortage that's been going on for decades.

Mahalo.

HB-1838-SD-1

Submitted on: 3/26/2024 3:32:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Melissa Riley	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Melissa Riley. I stayed in a short term rental because of family vacation.

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.

Subject: Testimony in Opposition to HB1838 HD2 SD1

Dear Members of the Committee,

We are writing to express our vehement opposition to HB1838 HD2 SD1, 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 HD2 SD1 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 HD2 SD1 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 HD2 SD1 would deprive these individuals of crucial housing options and disrupt the fabric of our community.

In conclusion, we urge you to reject HB1838 HD2 SD1 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 our testimony.

Sincerely,

Craig and Jill Tompkins
2777 S Kihei Rd. #J115
Kihei, HI 96753

Good afternoon and thank you for accepting my testimony regarding HB 1838.

I am a homeowner at Papakea, and I strongly oppose this legislation. I have grave concerns regarding this bill for the following reasons.

*Papakea was marketed and sold as a vacation rental property since its completion in 1978 and has been operating legal vacation rentals for nearly 50 years.

*The majority of units at the Papakea are under 600 square feet and parking is very limited.

*Papakea is adjacent to hotel zoned properties and has many loyal return residents and guests who provide a boost to the economy, supporting many local businesses. They have a deep connection with the community, and many were the source of financial help and resources following the fires.

*Many small businesses rely upon short-term rentals including housekeepers, handymen, contractors, on island agents, food trucks and establishments, shops, national parks... that will lose income or be forced out of business. Hundreds of locals will lose jobs that are important to supporting their families. With job loss is the loss of purpose and human dignity of those affected.

*Papakea short-term rentals support the state of Hawaii and County of Maui through payment of property taxes (at short-term rental rates), Transient accommodations tax, General excise tax and Maui transient accommodations tax.

*Papakea's resort operations require extensive maintenance, which causes monthly maintenance dues to far exceed long-term housing fees. Unsubsidized long-term rental rates will not cover the maintenance dues, special assessments, mortgage payments, property taxes and insurance.

*Papakea is currently undergoing a massive internal plumbing re-pipe project spanning over 2 years. The cost of this project is estimated to be over 33 million dollars! Special assessments have increased even more for homeowners to pay for this project. Insurance rates have also increased substantially due to failure of the pipes in many units, necessitating this project.

The county of Maui has established authority to regulate ILLEGAL short-term rentals and this bill does not solve any issue regarding illegal short-term rentals.

It is for these reasons and more that I strongly oppose HB1838.

Thank you.

Mary DiCaro

HB-1838-SD-1

Submitted on: 3/26/2024 3:38:34 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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 Hawai'i 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-SD-1

Submitted on: 3/26/2024 3:38:49 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joyce Whitegon	Individual	Oppose	Written Testimony Only

Comments:

Two or Three years ago a new law was put in place to address the problem of out law, trouble making TVU's with a long list of fines for breaking that law. Three percent O TAX was supposed to give the funds to support that law with enforcement personnel. To my knowledge no enforcement has ever been done.

The law designated areas where TVU and NUC were legal.

Now the legislature is trying to get rid of the law before it has even had time to take effect.

The small amount of legal NUC and TVU left by some estimates (2500) is small enough to be insignificant when the housing stock is totaled up.

Maybe we should convert some hotels to long term housing!!

Sincerely

Joyce and Dave Whitegon

HB-1838-SD-1

Submitted on: 3/26/2024 3:41:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Reader	Individual	Oppose	Written Testimony Only

Comments:

Thank you for the opportunity to oppose HB1838. I am a 23 year Maui resident and I lost my beautiful home in the Lahaina wildfire on August 8, 2023.

I oppose this bill for the following reasons.

- Short-term rentals and their owners are not the root of Maui's housing crisis.
- Most short-term rentals would not be able to house whole families. They are mostly studios and 1BR units. They lack parking, storage, etc.
- The short-term rental units were not intended for long-term housing (see above).
- People may not agree with how things were intended in the past, but people purchased them under a law that allowed them to short-term rent because they were intended that way. People that purchase them are not the devil. They were allowed to purchase them and rent them. In fact, many many people jumped in right after the fire to allow fire victims to stay. I don't think anyone would intentionally purchase something in order to take away housing for someone else. People are making these people seem so horrible. They are not. They were allowed to do so by the government.
- Please focus your efforts on infrastructure and rebuilding Lahaina. Please come up with REAL long-term housing solutions that are appropriate and respectable for Maui's working families. We don't want Maui to become over built but it can be done smartly.
- We need the income from the short-term rentals to rebuild Lahaina. So many people are leaving. The loss of income from the loss of short-term rentals and tourism would be detrimental to Maui. IF you want to replace tourism as the main source of income then please come up with a solution first. We cannot afford to lost more Maui people.

I am a Lahaina fire victim. I am not a short-term rental owner. Let's focus on the real issues at hand. Too much energy is being spent on this issue. We need real solutions where our kids can go to college and return back to Maui and live, where families can live together in a respectable and suitable house for them, where they can park their car!

Thank you for your consideration.

HB-1838-SD-1

Submitted on: 3/26/2024 3:41:30 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kirsten Fagerback	Individual	Oppose	Written Testimony Only

Comments:

I'm a short-term rental host and your constituent. I'm writing to ask you to reject proposals that limit our ability to continue hosting. I'm 61 years old and I lost my job last year. In my new job I earn 1/3 of my previous salary and it's very difficult for me to work multiple jobs. Home sharing helps me earn supplemental income that is essential for me to cover expenses and keep up with the rising costs of living. The majority of us are responsible hosts who take extra care to ensure our homes, guests, and local communities on the island are safe and taken care of as we operate.

Short-term rentals are an essential part of our economy. In Volcano it is important to have options for visitors to the National Park who don't want to drive 2 hours back to Kona late at night. Not only do hosts help employ local workers but our guests also help support small businesses and provide economic benefits to the broader community. Only recently has the economy begun to recover from the pandemic, and it is disappointing to learn that County Supervisors are considering severe limits on short-term rentals, which benefit so many residents like me.

Please protect my livelihood and support residents living in our community.

HB-1838-SD-1

Submitted on: 3/26/2024 3:42:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Margo Brower	Individual	Oppose	Written Testimony Only

Comments:

Testimony Against HB1838

3/27/24

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.

HB-1838-SD-1

Submitted on: 3/26/2024 3:43:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

I SUPPORT bill HB1838 HD1 SD1 which would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

After reading more about this bill including statements from the Maui community who is most severely affected at this time due to the serious events of last August, I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919: *provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.*

Quoting the University of Hawaii Economic Research Organization, "a staggering 87% of our housing left north of Lahaina is listed as short-term rentals." **Adding** clearer language to HB1838 will give Maui county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs. In support of the Maui community at this time and looking into the future sustainability of all our islands, I would ask that you pass this legislation which would provide much-needed stability and security to those who have already endured so much.

AGAIN, I support this bill and ask that you consider adding the additional wording. Mahalo.

HB-1838-SD-1

Submitted on: 3/26/2024 3:46:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Don Kimble	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my name is Don Kimble. My wife and I fell in love with Maui on our first anniversary visit to Kaanapali and have returned to Maui with our family so many times during our 33 year marriage. We have grown to love the people, the community, and of course this beautiful paradise and we want to be here as much as possible and continue to give to our second home community. We recently retired and bought a condo in Lahaina in 2021 for our personal and family use for 3 – 5 months each year. We rent our condo to the public during the rest of the year. Our condo is a STR; one of the 6919 STR units on the Minatoya List. Our monthly AOA costs and our property tax costs alone add up to \$3,000 per month. These high monthly costs are simply way too high for a local homeowner to be interested to pay for a 1 bedroom, 2 bath condominium but it works okay as a STR that brings in visitors who contribute lots of dollars to the local community while also employing property management, cleaners, and repairmen, and many other trades that live and work locally.

Without my STR and others like mine, the jobs would disappear for the locals as there would not be as much need for property managers, cleaners, repairmen, restaurant workers, car rentals, and so many other trades. There would also be so much less 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.** The question arises: If STRs are curtailed, where will the equivalent revenue come from?

Our condo was already used to house displaced homeowners from the Lahaina fire and it is still available for that purpose. Lahaina is still going to go through many more phases of planning and rebuilding over the many years. While many of those contractors involved in this planning and rebuilding will certainly be local personnel, there will need to be a lot of imported contractors due to the sheer number of buildings that need to be rebuilt within a reasonable time. All these non-local people need to be housed somewhere. STR are the best resource available to house 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, and contractors from the mainland involved in the rebuilding of Lahaina.

In conclusion, legal, permitted STR are vitally important on Maui. They provide so much tax revenue and support so many local jobs. Still, STR should be regulated and penalties should be imposed if rules are broken. If we eliminate the legally permitted short term rentals, we will

irreparably harm our beautiful community by killing jobs and dramatically cutting the tax revenue. As such, my wife and **I oppose HB1838.**

Thank you.

HB-1838-SD-1

Submitted on: 3/26/2024 3:51:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Harris	Individual	Oppose	Written Testimony Only

Comments:

Thank you to the Committee for listening to our concerns. I am opposed to HB 1838. To reinererate on how STR's help out the community.

- Legal STR's support the small business that are involved with their units. Things such as housekeeping companies, maintenance companies, management companies, grocery stores, restaurants, home improvement and appliance companies, on island guest, handymen, and a variety of trade professionals such as plumbers, electricians, HVAC, and pesr control.
- Since 2019. STR's have paid over 45 milion dollars to the Maui Affordable Housing Fund. Projected for 2024 is payout of 13.4 million to the same Affordable Housing Fund.
- With the increased budget for Maui County, 52% of that increase or 53 million came from increase revenue in the STR catagory. Hotels and Resorts were 7 times less that the STR's.
- Over 40% of real estate property tax revenue comes from STR's. FY23-24 was around \$213.7 million. That is approximately 20% of the County's operating budget.

If this bill is passed, It would be catastrophic for this Paradise. Not only woud the county and individuals loose the money that would be collected and help needed individulas, but you would see businesses take a big hit again, when they are just beginning to open up. Maui has seen its share of disasters that has affected this island. First was the CoVid outbreak and then the second was the devastaing fire. We all have to take care of one another during this time. Please don let there be a third.

HB-1838-SD-1

Submitted on: 3/26/2024 3:53:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dianna Feeley	Individual	Oppose	Written Testimony Only

Comments:

I wish to express my concern that Short Term Rentals are at risk in an effort to somehow offset the tragic loss due to the Lahaina Fires. While I'm deeply sorry for the loss of so many the aftermath of that devastating event shouldn't perpetuate causing undo-hardship and grief for the many legally owned and operated Short Term Rental operations. I respectfully oppose this bill in its entirety.

HB-1838-SD-1

Submitted on: 3/26/2024 3:55:34 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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-SD-1

Submitted on: 3/26/2024 3:59:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

HB-1838-SD-1

Submitted on: 3/26/2024 4:03:02 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
D M Cheney	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

HB-1838-SD-1

Submitted on: 3/26/2024 4:06:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Montoya	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838. While I understand the critical need for housing in our community, it is unjust to penalize property owners who have invested in residential properties on Maui for the purpose of providing temporary accommodations for visitors and residents alike.

As a property owner with financial obligations such as mortgages, maintenance bills, property taxes, and insurance, the income from short-term rentals plays a vital role in meeting these obligations. The County should focus on collaborating with large landowners like Maui Land and Pineapple, Kaanapali Land Management, and others to develop temporary housing solutions rather than targeting property owners who contribute to both the local economy and the availability of accommodations for our community.

I urge you to consider the impact of this bill on individuals and families who rely on short-term rentals for their livelihood. It is essential to find a balanced approach that addresses the housing needs of our community without disproportionately burdening property owners.

Thank you for your attention to this matter. I strongly urge you to oppose HB1838 and to seek alternative solutions that benefit both our community and property owners. Sincerely, Nancy Montoya

Subject: Testimony in Opposition to HB1838

To Whom it Concerns,

March 26, 2024

My name is Scott Burns. I am a US citizen and have visited and worked in Maui for over 30 years. My wife and I have spent countless days in Napili and Lahaina with our children and friends. We have many friends in Maui. We volunteer and care so much for the Hawaiian culture and natural beauty of the area. Maui is special!

A few years ago we decided to sell our property in San Diego and buy a condo in Maui, at Napili Ridge. This was our investment for our retirement and our planned residence once we retire in 8 years. We are not wealthy. We live in a modest 2 bedroom apartment in San Diego.

We rent our STR out legally part time and stay part time. We are in Maui every other month. We pay the 17.5% tax as a STR. We have friends that live in Maui and when they have friends or family visit from the mainland, or inter-island they rent our place. Our fee is less than half that of hotels and allow many that are not wealthy to visit.

We employ cleaners, carpenters, HVAC service people, plumbers, not to mention the support our guests provide to the restaurants, bars, shops, etc. in the area. We spend over \$16.7k per year for these services. These jobs are the lifeblood of Maui. Our rental contributes more than \$22.5k per year in taxes alone for the support of the state of Hawaii, County of Maui. These taxes help people that are in need of financial assistance.

If our STR is eliminated, we will keep it and offer our place for free to our friends, our local friend's families that come to visit and our family, if they cannot afford hotels. And that is most of these people. The tax revenues to the State and County will be eliminated of course and our retirement plan will be eliminated.

Napili Ridge is zoned, and always has been (since 1972) as short term rental. The local government has had over 50 years since then to manage the development and supply of affordable housing, and has not. The government had the opportunity to take the recommend safety measures to protect Lahaina from a fire disaster, and did not. Now, the government wants to attempt to solve a problem by taking the rights and livelihood away from hard working, tax paying citizens. That is unacceptable and will result in far reaching unintended consequences.

Respectfully submitted,

Scott Burns

HB-1838-SD-1

Submitted on: 3/26/2024 4:11:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Hopkins	Individual	Oppose	Written Testimony Only

Comments:

Giving power to the counties is not the answer and will only bring a new set of problems. Vote no!

HB-1838-SD-1

Submitted on: 3/26/2024 4:10:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Twilling	Individual	Oppose	Written Testimony Only

Comments:

March 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 HB1838. 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 loan it to our friends. 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-SD-1

Submitted on: 3/26/2024 4:11:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Blake Drown	Individual	Oppose	Written Testimony Only

Comments:

I am 100% supportive of prioritizing housing for locals, especially those native to the 'aina. Hawaii needs better solutions for housing and we need to determine how to fund these solutions with contributions from STR and Hotels. However, I am opposed to the county being able to reverse an approved short term rental due to 1) the significant immediate financial impact to thousands of workers and small businesses who are dependent on the current tourism economy. 2) the immediate devaluation of property, especially for individuals (not large investors) who have stretched their financial position to invest in Hawaii's economy. 3) creating an economy where only the extraordinarily wealthy can afford to invest, and participate in tourism in Hawaii.

I am deeply concerned that without the right path forward, Hawaii will devolve into an economy consisting of the poor and ultra rich with no middle class participation. I feel that Hawaii's government should be more focused on specifically restricting how the wealthy can exploit the middle class and poor within the current system. Hotels, who funnel billions of dollars off island, should be the focal point of restrictions and funding in Hawaii. I am not, however, proposing that we continue on the current trajectory with the housing crisis. I am supportive of a large shift in how Hawaii moves forward with vacation rentals and tourism. I am supportive of: restricting any new vacation rental zoning, subsidizing conversion of STR zoning (to ensure the middle class does not take a disproportional loss), rent control, investment in affordable housing, creating more restrictions on tourism (including capping the number of visitors, lottery system?), prioritizing economies for Hawaii outside of tourism, any venture that will prioritize the right balance of tourism with local housing.

Outside of this, I want the state legislature to know what Hawaii means to me and how my STR has supported the community. My family and I live in Maui and initially purchased a condo in Kihei with the intention of living in it full time. We stretched our budget to buy a STR knowing that the flexibility would be helpful. Due to some complications we were not able to move as intended and opened up our STR to help us pay bills while we figured out our move. Since then we have not only supported vacationers, but were also able to provide longer term accommodations to those providing community support such as transient medical workers, and those working on Lahaina's infrastructure. We were also able to immediately house victims of the Lahaina fire (without compensation) in August/September and have signed a 12 month lease with FEMA to continue this support. I would like to also make it clear that we are not profiting from the FEMA lease. Due to increasing HOA costs, monthly expenses, a separate HELOC loan, insurance, taxes, and our mortgage, we are breaking even.

Words cannot describe how much the community of Maui means to us, and we hope to continue to support the community as long as we can. If our STR permit is revoked we immediately lose the opportunity to support Maui's tourism and community support. We would be able to move back into our condo, however, the reduction in property value would deplete a large portion of our life savings that we invested into the down payment on the property.

We urge the legislature to consider that not every STR is owned by wealthy investors who are not contributing to the community. We hope that there is at least a consideration for those who are supporting the community and would incur a significant personal loss. If this bill passes, we ask that there is a consideration or application process small families such as ours to maintain our permit. You have our commitment that we will continue to support the communities in Maui and Hawaii regardless of your decision. Thank you for your consideration.

HB-1838-SD-1

Submitted on: 3/26/2024 4:12:00 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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-SD-1

Submitted on: 3/26/2024 4:13:29 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Arleen McKenzie	Individual	Oppose	Written Testimony Only

Comments:

Oppose

March 26, 2024

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. HB1838.

Thank you for your time today to hear my testimony. My name is Sonia McLeod, and I am representing my parents, Hugo and Brigitte Eppich. My parents have been visiting Maui for over 40 years and purchased a unit at Papakea back in 2016. I am writing to express our strong opposition to HB1838. As a property owner in Papakea and someone deeply invested in the island's community and economy, I urge you to reconsider this legislation and its potential impact on local and offshore owners like my parents.

Short-term vacation rentals in Papakea are not only a source of income for local and offshore owners but also a means of maintaining a connection to Maui's unique culture and lifestyle. Many Canadians, like ourselves, have invested in Papakea with the intention of enjoying it as a vacation home and renting it out when not in use. This arrangement allows us to contribute to Maui's economy while also affording us the opportunity to enjoy the island's beauty and hospitality.

Furthermore, Papakea's short-term vacation rentals play a crucial role in supporting Maui's tourism industry and small businesses such as: cleaning and maid service, small maintenance companies, restoration, pest control, construction companies, furniture retail, building supply retail, and so much more. In addition, Papakea Resort has created 50 years of employment for local residents with jobs covering management positions to grounds keeping and other building maintenance. Papakea also retains contracts to sub-contractors specializing in garbage disposal, window replacement and just recent, a complete upgrade to plumbing. This adds another level of financial support to several local businesses for the people of Maui.

It appears the government has invested heavily on advertisement on tourism commercials, we see presently on the mainland. We assume that tourism is a significant driver of its economy. The advertising dollars spent on promoting tourism we assume aim to attract visitors, with government idea to boost local businesses, and create job opportunities. Limiting or removing short-term vacation rentals seem contradictory to these advertising efforts, as it reduces accommodation options for tourists.

In conclusion, I respectfully urge you to oppose HB1838 and protect the short-term vacation rental property owners, local and offshore, at Papakea. By doing so, we can uphold the principles of fairness, economic prosperity, and community well-being that are integral to Maui's identity.

For the reasons stated herein we **OPPOSE HB1838** and urge the committee vote no on this matter.

Sincerely,

Sonia McLeod, representing, Hugo and Brigitte Eppich, Owners
604-834-4182

HB-1838-SD-1

Submitted on: 3/26/2024 4:24:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Swanson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose this bill because it is not fair to property owners who are already doing short term rentals. I think instead, you should prohibit any NEW short term rental permits and applications. I also think you should crack down on the illegal rentals in residential areas (houses) as these are the places the residents need long term housing. Most condos don't have adequate parking, storage, etc. for a long term family. Also please allow more than 2 farm dwellings on the big AG lots where there is plenty of space. Thank you! Gail

HB-1838-SD-1

Submitted on: 3/26/2024 4:36:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christy Abelov	Individual	Support	Written Testimony Only

Comments:

As a 33 year West Maui resident, I have experienced the negative impact of TVRs in my RESIDENTIAL neighborhood. I purchased my home because it had a local ambiance made up of families, seniors and professionals. As homes were sold over the years (mostly to non-residents) locals were evicted, and applications were submitted to the Planning Dept. Most of my neighbors and I wrote letters in opposition to the permits, however EVERY SINGLE TVR permit submission was approved. Now my small street has one third of the homes as vacation rentals. It is extremely disturbing... loud parties, strangers roaming around, people and vehicles arriving late at night, waking you up. My business was lost in the Lahaina fire, however I am fortunate to have my home. There is enough community trauma without vacationers adding to the grief, and taking away local housing. Mahalo for the consideration.

HB-1838-SD-1

Submitted on: 3/26/2024 4:47:06 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger R. Pleski	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to House Bill 1838. As a resident of Kihei, this bill directly impacts the livelihood of many in our community. If this bill passes, it would allow counties to phase out non-conforming single-family transient vacation rentals, posing a serious threat to the vacation rental industry and the local economy. So many employees would be impacted from cleaning personell to front desk employees. The financial impact to families across Maui will be devaststing as you would be shutting down one industry, but NOT replacing it with another.

The Lahaina fire devesation was enough, people cannot take much more!!

I urge you to consider the personal stories of the individuals and families who rely on the vacation rental industry for their income and livelihood. If this bill is enacted, it would have a devastating effect on our community, taking away property rights from homeowners and creating uncertainty for investors and builders. Additionally, it would decimate an industry that pays significant taxes and generates substantial visitor spending in our state.

I strongly encourage you to reconsider the potential impacts of HB1838 and to oppose this legislation. Thank you for taking the time to consider the concerns of the local community.

Mahalo, Roger Pleski Kihei Resident

HB-1838-SD-1

Submitted on: 3/26/2024 4:47:20 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynette Bennett	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair Senator Gabbard, Vice Chair , Senator Dela Cruz,Chair, Senator Moriwak, Vice Chair, and Members of the Committee:

I OPPOSE H.B. HB1838 for the following reasons:

My husband and I have enjoyed the island of Maui for over forty years and have enjoyed sharing our Papakea condo with thousands of travelers over the last 13 years. We fell in love with Papakea in North Kaanapali because of its oceanfront location which has been operating as a Short term rental resort since it opened in 1978. It consists of 364 individual condos and most are under 600 square feet. It has operated as a legal vacation for almost 50 years.

Papakea was never workforce housing and was originally marketed and sold as vacation rental property. Our resort is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.

Papakea operates as a resort and has thousand of return guests who expect top notch amenities. The upkeep on our 12 acre property requires extensive maintenance which makes our monthly maintenance dues very high compared to properties designed for long term housing which has lower dues. Unsubsidized long term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property insurance and property taxes which prohibits Papakea from ever becoming a sustainable long term housing option.

Governor Green stated that "we don't need new legislation to take initial action. We can start by supporting the counties to enforce the laws and regulations we already have on the books" This could look like the counties regulating the illegal short term rentals. Sadly, this Bill does nothing to solve the problem of illegal short term rentals.

Papakea has been a part of the Maui community over 50 years and we employ over 35 local residents on a full time basis and we hire countless community businesses to maintain our property from pool and pond maintenance, painters, HVAC , plumbing and electrical technicians. These small businesses set their own rates, pick their work hours and clients and their standard operating procedures. Shutting down Papakea would result in countless job losses with fewer employment opportunities.

As one of 364 Short term rental owners at Papakea losing this resort would mean the loss of small businesses that clean, manage , do handiwork and paint our condos. We owners support the State of Hawaii and county of Maui through payment of property taxes(at the high Short term rental rate), and state TAT, GET and Maui county TAT taxes. This source of income would be removed.

Our resort guests who return annually have a deep connection with the Maui community and support the many services and small businesses on Maui including food trucks, restaurants, tour operators, state and national parks and neighborhood shops.

This Bill, if passed, will have devastating consequences for our Island that is supported by the travel industry.

For the reasons stated herein, I OPPOSE HB 1838and urge the committee to vote NO on this matter.

Sincerely,

Lynette Bennett

Owner at Papakea

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-SD-1

Submitted on: 3/26/2024 4:55:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I oppose HB1838 because the counties will eliminate monthly rentals which are an important part of our housing inventory. Furthermore, it will potentially thrust the state into expensive lawsuits about vested property rights. Please defer this bill until these types of unintended consequences are properly evaluated.

HB-1838-SD-1

Submitted on: 3/26/2024 5:00:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nimr Tamimi	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-1838-SD-1

Submitted on: 3/26/2024 5:02:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra Merle	Individual	Oppose	Written Testimony Only

Comments:

Please don't pass this bill. I believe people who travel want to have options when it comes to places to stay. Not everyone (myself included) wants to stay in a hotel room. What about people who travel with kids? How would you like to be locked up in a hotel room with 2 or 3 kids? Wouldn't you like the choice to be able to prepare meals at your home away from home? I have nothing to gain financially by opposing this bill. My husband and I own 2 long-term rentals and we have no plans to ever own a short term rental - but we do believe in private property rights - and we don't think you should be more restrictive than you already are.

File=HB1838 submission

Dear Senator Rhoads, Chair

I am an owner at Papakea and see all the people who work to support this institution.

I thank you for this opportunity to provide this testimony.

I OPPOSE H.B. HB1838 for the following reasons:

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.
- Governor Green noted that "we don't need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and

regulations we already have on the books.”

- The counties already have authority to regulate illegal short-term rentals
- This bill does nothing to solve the problem of illegal short-term rentals

Papakea’s Contributions to the Community

- Papakea’s resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.
- 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 HB1838 and urge the committee vote no on this matter.

Myra Plant
49 Polohina Unit 2, Lahaina, HI 96761
1myraplant@gmail.com
808-342-5454

March 26th, 2024

Aloha,

As a local Realtor and vacation rental manager in Hawaii, I am writing to express my strong opposition to HB1838. This legislation poses a significant threat to the livelihoods of many local residents, including myself, and has broader implications for our community's economic stability.

The vacation rentals I manage not only offer me a steady income but also provide an essential service for individuals and families visiting our island. Many of my clients, who cannot afford a second home, rely on vacation rentals to help service the debt, and the loss of this opportunity to offer these accommodations would be a significant financial setback for them.

Moreover, it's evident that the intent of this bill creates the potential for more people to leave the island rather than staying and embracing the fact that Hawaii relies on tourism. As a local Realtor, the opportunity to sell vacation rentals represents a significant portion of my income. The passage of HB1838 would not only impact my business but also have cascading effects on the local economy and the community's engagement with our most vital industry – tourism.

In addition to the personal impact on my livelihood, it's important to consider the broader implications of this legislation. Hawaii's economy heavily relies on tourism, and the proposed restrictive measures in HB1838 create insurmountable challenges for both business owners and individuals who depend on the vacation rental industry. The potential negative impact on the economic stability of families like mine and many others in our community cannot be overlooked. 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?

I urge you to carefully consider the ramifications of HB1838 on the livelihoods of residents who rely on the short-term rental industry and the broader implications for our community. 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 taking the time to consider my concerns. I respectfully request that you oppose HB1838 and support policies that enable the responsible operation of short-term vacation rentals in our community.

Sincerely,

Myra M Plant

HB-1838-SD-1

Submitted on: 3/26/2024 5:12:31 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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, 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 rental spend a good amount to support the local businesses in West 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.

Mahalo for your time.

Wayne Hartstein

HB-1838-SD-1

Submitted on: 3/26/2024 5:13:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sebastyen Jackovics	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this legislation. I depend upon monthly rentals when I travel fro work to and from the island to support my home. Stop taking away our property rights!

Dear Sen. Jarrett Keohokalole, Chair, Senator Carol Fukunaga, Vice Chair, Senator Lynn DeCoite, Chair, Senator Glenn Wakai, Vice Chair, Senator Angus L.K. McKelvey, Chair Senator Mike Gabbard, Vice Chair, and members of the Committees:

My name is Neil Hoyt, and I am an owner and 10-year full-time resident at The Papakea Resort in Honokowai, Maui.

I **OPPOSE** H.B. 1838 HD2 for the following reasons:

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- Most units at Papakea are under six hundred square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea's Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea's resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by residents from the Maui community rely on Papakea short-term rentals including housekeepers, handypeople, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.
- 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 HB1838 HD2 and urge the committee to vote no on this matter.

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I have been an owner of a condo in the Papakea property located on Maui since 2011 and I **OPPOSE** HB 1838 for the following reasons:

- The Papakea is one of the top revenue generating STR properties in Maui, with each unit within the property contributing an average of nearly \$8000 in taxes per unit. With over 300 units in the complex, that adds up to over \$2.4 million in taxes per year to the county of Maui that will be lost if HB 1838 becomes law just from one property.
- The STR classification properties in Maui generated \$213.7M in real property tax revenue in FY23-24, representing approximately 20% of the county operation budget. This property tax will be decimated if HB 1838 passes. How will the county replace this revenue and continue to support local residents without a reduction in services?
- The impact to the local labor market will be hugely negative. For example, we paid over \$9000 in 2023 to our cleaning company alone. Multiply this by the number of clients they have and it's clear that this local business would cease to exist if HB 1838 passes. And this is just one example. You need to consider the impact to restaurants, bakeries, tour operators, local musicians, chefs....and the list goes on. Passing HB 1838 would be devastating to these businesses and local residents.
- STRs provide employment to 18,000 residents in Maui County and 49,000 state wide. These jobs include cleaners, property managers, contractors, and their families. Where is the data that shows these impacts? How many jobs and taxes would be potentially lost with a measure like HB 1838?
- STRs will contribute \$13.4 million in revenue to the Affordable Housing Fund, the largest contribution to this fund to date. Over the last 5 years, the STR classification has generated \$45 million for this fund. How could this fund replace this revenue that would be lost for the most part if HB 1838 passes.
- For the reasons stated herein, **I OPPOSE HB 1838 AND URGE THE COMMITTEE TO VOTE NO ON THIS MATTER.**

Respectfully submitted,

Joseph Consul
Papakea STR owner since 2009

Dear Sen. Jarrett Keohokalole, Chair, Senator Carol Fukunaga, Vice Chair, Senator Lynn DeCoite, Chair, Senator Glenn Wakai, Vice Chair, Senator Angus L.K. McKelvey, Chair Senator Mike Gabbard, Vice Chair, and members of the Committees:

My name is Linda Hoyt, and I am an owner and 10-year full-time resident at The Papakea Resort in Honokowai, Maui.

I **OPPOSE** HB1838 for the following reasons:

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- Most units at Papakea are under six hundred square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea's Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea's resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by residents from the Maui community rely on Papakea short-term rentals including housekeepers, handypeople, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.
- 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 HB1838 and urge the committee to vote no on this matter.**

HB-1838-SD-1

Submitted on: 3/26/2024 5:23:09 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda C. Mitchell	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass HB1838. As a legal short term vacation rental owner, I am against taking away people's right to do business. It would greatly affect my retirement income is the zoning for our condo is changed. This bill could have disastrous consequences for many.

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. We employ many locals for cleaning, furnishings, and repairs. Please don't make it possible to change our way of doing a legal business that has benefited Maui and its people.

HB-1838-SD-1

Submitted on: 3/26/2024 5:26:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Erik Lawson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a property owner on the island of Kauai I have seen how my short term rental has provided income for 5 individuals in my cleaners and co hosts. If short term rentals are taken away those folks will go from making great income to minimum wage jobs at hotels if they are lucky.

Short term rentals also help many families stay in their homes with ohana units. Taking away a families right to earn income and support themselves is morally wrong.

There are many other ways to address housing issues in the state such as tax breaks for developers, less hoops to jump through in the planning process and removing foreigners from buying property in Hawaii.

Please do not pass this bill as it will do more harm to the state and its citizens than if it passes.

HB-1838-SD-1

Submitted on: 3/26/2024 5:29:14 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Leilani Soliven	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Leilani Solive. I stayed in a short term rental because of business. I travel back and forth from my home address on Oahu to the Big Island, where my office is located.

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.

OPPOSITION TO BILL HB1838

This bill will impact us as owners of a short-term rental, possible put us in foreclosure of our property along with many other short term rental owners.

This bill could result in the phasing out of 13,744 LEGAL short-term rentals on Maui. This can change the future of Maui forever.

- Limit the number of tourists that come to the island
- Decrease jobs on the island, most tourist related jobs
- Restaurants would close their doors, more jobs lost
- Maui's short-term rentals provide 40% of real property tax revenue for the county as well as being the top funding source for affordable housing for Maul.
- Short term rental property tax revenue represents 18% of the county's 1.7-billion-dollar budget. Where will that revenue come from?
- Short term rentals house many that are coming to Hawaii to visit family, traveling nurses, emergency contractors, temporary military, students, family & friends.
- Taxes such as GET & TAT will be greatly reduced
- The Cities, Counties, and State will lose so much money

Please vote no on Bill SB2919

HB-1838-SD-1

Submitted on: 3/26/2024 5:34:16 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SDi, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely & Mahalo

Athena Roebuck & Family

TRONG

bit.ly/3VAmUkV

officiallahainastrong

3

!! HB1838 has its final ...

Liked by ourhawaii808 and others

37

• 7 people

Send gift

..

Add comment...

• Try it

HB-1838-SD-1

Submitted on: 3/26/2024 5:34:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Consul	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill due to the significant impact of the local economy and the citizens of the county.

Being that tourism is vital to the residents and having this STR market available would facilitate this piece of the tourism market.

HB-1838-SD-1

Submitted on: 3/26/2024 5:35:14 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura snorsky	Individual	Oppose	Written Testimony Only

Comments:

I am opposed as this will create a loss of jobs for people that take care of resorts with short term rentals.

HB-1838-SD-1

Submitted on: 3/26/2024 5:36:06 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronald Gross	Individual	Oppose	Written Testimony Only

Comments:

My wife and I purchased our villa in KoOlina Kai in 2017 knowing we could offset some of our mortgage and HOH fees by renting for a few 30 day periods during the year. We live in our property 3 months usually February to May. While in Hawaii we spend thousands to make improvements, repair and supply. We shop and dine out and use many vendors on Ohahu. We have guests that visit who utilize many tourist attractions. Our renters pay spend and pay taxes. It makes no sense to eliminate this flow of revenue. We pay local vendors for carpet, window and upholstery cleaning. Our property manager with their staff and vendors also boost the local economy. We hired local plumbers and maintenance professionals. As seniors we use local doctors and hospitals. We strongly oppose HB1838

HB-1838-SD-1

Submitted on: 3/26/2024 5:36:41 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Noelle Bali	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concered about the welfare of our communities to express my strong support for HN1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to reas as taken from SB2919: "; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification".

Accoridng to the UH Economoic Research Organization, 87% of housing north of Lahaina is listed as short term rentals. Adding clearer language HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provided much-needed stability and securiy to those who have already endured so much in our community.

Sincerely,

Noelle Bali

HB-1838-SD-1

Submitted on: 3/26/2024 5:37:10 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christian Klotter	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I oppose this bill along with about 3 others youre trying to pass right now. It's dumb and in no way will bring back the town of Lahaina. Funny how the people of Lahaina need the housing but I am only seeing FEMA employees getting the units. I OPPOSE these bills as it will be devastating to Maui, and the surrounding communities.

HB-1838-SD-1

Submitted on: 3/26/2024 5:41:21 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tristie Licoan	Individual	Support	Written Testimony Only

Comments:

I support HB1838

HB-1838-SD-1

Submitted on: 3/26/2024 5:44:10 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
George Fischer	Individual	Support	Written Testimony Only

Comments:

I am a real estate agent in Lahaina and have been in the real estate business for 30 years. On Maui, the long term rental pool was decimated by the Minatoya Act which allowed properties zoned apartment and built before 1980 to be used as STR's without a permit. For decades these condominiums were either long term rentals or Canadian Snowbirds that would come for 6 months and then rent out for 6 months. In the 80's and 90's there were no shortage of apartments. Once the STR use started, long term tenants were evicted. I watched my neighbors who had rented for decades be tossed out. The more the STR's made in profits, the more apartment complexes converted to STR's or started allowing them. Pohailani was a complex where young families bought their first condo for 100K and hundreds of kids played in the huge open lawn areas of Napili. STR use profits drove the values up to the 600K + range and squeezed out the young families. Due to this lack of supply, the prices of homes and condos all over the island went sky high. Because we are an island, there is no "further out area" where young families and working class folks can afford to buy or even rent. Without a massive immediate increase in long term rentals, families have no choice but to move off island. The only way to get this massive increase in dwellings is to eliminate all STR use outside the Hotel zoned properties. There is plenty of land available for the hotels to add additional units on their grounds, or adjacent lands could be rezoned to hotel. While the owners of STR's will try to persuade you that it will hurt the tax base or workers that service the STR's, the reality is that eliminating ALL STR's outside the hotel zone will create many more higher paying union positions in the hotels and across the building industries with the hotels expansions. I have to say I am shocked and saddened by the vast number of long time multigenerational local families who are being forced to move away. People that have deep roots. Families that are the soul of our community. Please approve this bill to save our communities from becoming sprawling vacation zones. Please support the people who are the backbone of our islands. Tens of thousands of them are out there and most don't have the ability to submit testimony here. But trust me, they are struggling and need your support. Thank you for taking the time to listen to my thoughts.

HB-1838-SD-1

Submitted on: 3/26/2024 5:46:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Hugh O'Reilly	Individual	Oppose	Written Testimony Only

Comments:

One of the serious concerns I have about this bill is removing the income from Maui residents so we can no longer help our fellow citizens. A day is coming when all the Federal funds will disappear, and only the residents will be left to help each other. This amounts to more citizens being impacted by an already tragic event. Focus as you are on building permanent and temporary accommodation, expedite permitting for those able to rebuild, and we can still invite the world so that income can be earned by many to help others.

Hugh O'Reilly

HB-1838-SD-1

Submitted on: 3/26/2024 5:47:29 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Edward Codelia	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Edward Codelia, a longtime resident of Kula, Maui, and a realtor with Maui Real Estate 808. I've been immersed in the real estate landscape here since 1994, witnessing firsthand the transformation that has unfolded over the past three decades.

Maui, once a haven of tranquil island living, has been swept into the whirlwind of relentless tourism-driven development. Since the 1990s, the state's relentless push to prioritize tourism as its primary revenue source has fundamentally altered the fabric of our community.

Back then, Maui real estate struggled to garner interest, with realtors eagerly awaiting the seasonal influx of visitors in hopes of securing a few sales. However, as tourism became the golden goose, the island's allure was marketed globally, thrusting it into the spotlight as a premier destination, albeit one of the priciest, according to Conde Nast and other travel authorities.

This marketing frenzy birthed special interest groups and powerful lobbies advocating for the expansion of the travel industry and the proliferation of vacation rentals. While this strategy did bolster the state and county coffers, it came at a steep cost.

Over the years, the unchecked growth in tourism, coupled with lax enforcement of zoning regulations, has wreaked havoc on Maui's once-idyllic landscape. The proliferation of short-term vacation rentals, both legal and illegal, has eroded the very essence of our island home, transforming it into a commercial venture devoid of its intrinsic charm.

Maui, at its core, is not a commodity; it's a sanctuary with finite resources. Yet, daily inundation by throngs of tourists and rampant violations of zoning laws have pushed our island to its breaking point.

I held out hope that the state and county would implement measures to rein in tourism and curtail vacation rentals, but alas, the pandemic's aftermath saw a return to business as usual. Maui, in particular, found itself overrun by rental cars, tourists, and continued flouting of zoning regulations for short-term vacation rentals.

Had these properties been utilized for long-term rentals as originally intended by zoning laws, perhaps the housing crisis exacerbated by the wildfires of August 8, 2024, could have been

mitigated. Instead, we're left grappling with a tangled mess of mismanagement and missed opportunities.

My testimony is straightforward: it's time for the counties to uphold zoning laws and crack down on short-term vacation rentals operating outside their designated zones. Those opposing this stance may tout the economic benefits, job creation, and purported housing contributions to our local community. However, the reality is starkly different.

Since August 8, 2024, short-term vacation rental owners, enticed by inflated rents offered by the state and FEMA, have begrudgingly accommodated displaced locals. Yet, the tax advantages of these rentals pale in comparison to the detrimental impact they've had on our neighborhoods.

It's high time we prioritize the well-being of Maui and its residents over short-term gains.
Approve this bill!

HB-1838-SD-1

Submitted on: 3/26/2024 5:49:05 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
William minikel	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I'm writing in opposition to HB1838 HD2 SB1.

This bill has been moving along for a few months now and over that time, something has become clear that wasn't known back at the beginning when housing for fire victims was urgently needed: the survivors of the fire do not want to live in STR's, even for free. I own one of at least four 2 bedroom units in an excellent complex in S Kihei that remain empty since January.

FEMA literally can't give these STR's away for free. Why eliminate STR's when so many of them are sitting empty now?

You now have real time data and feedback from the folks you want to help, and locals don't want to live in condotells, even for free for a year or more.

Personally, I bought my STR to live in, and did for five years, but have used it as an STR for the last three years. I just turned 65 and this STR is my retirement plan. If I lose the ability to rent it short term, I will be forced to return to work in a workforce hostile to older folks.

STR owners did not create the housing shortage, we shouldn't be looked at as the cure, particularly with real time data showing even homeless fire survivors don't want to live long term in a place built for STR's.

Of course, lost jobs for locals, massive reductions in tax revenue and giving a monopoly to hotels will result from this also.

mahalo for your time and consideration.

Bill Minikel

HB-1838-SD-1

Submitted on: 3/26/2024 5:57:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Waite	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members,

As a local resident and business owner on Maui, I urge you to oppose HB1838. As a local resident of Hawaii, I am deeply concerned about the potential impact of this bill. It can shut down short or mid-term rentals, even if they are permitted and legal, and will have severe, detrimental effects on our community.

HB1838 could potentially decimate an industry that pays \$740M in taxes and generates \$4.8B in visitor spending each year. As someone who resides on Maui, I can attest to the critical need for temporary housing, and short-term rentals have been a vital resource in emergency situations.

Each county has latitude to regulate short-term rentals, authority that was granted to them by the state of Hawaii. On Maui, HB1838 could result in the phasing out of over 13,000 legally permitted short-term rentals on Maui, creating a severe economic crisis for the county. 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. If STRs are curtailed, where will the equivalent revenue come from?

The real problem lies in government red tape, as there are empty homes and tiny homes ready to provide temporary housing but are constrained by bureaucratic processes. I urge you to join me in opposing HB1838 to protect the rights of homeowners and the valuable contribution of the short-term rental industry to our community.

Lastly, if you are going to seek to create more housing, why not put more effort into shutting down the illegal short term rental operations? Not only are these owners taking away housing that could be used by a local family, they are also not paying their fair share of the tax burden as most don't bother to pay GET or TAT, but most are collecting it from their guests.

Mahalo,

Mark Waite

HB-1838-SD-1

Submitted on: 3/26/2024 5:57:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Jensen	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

HB-1838-SD-1

Submitted on: 3/26/2024 5:58:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana McDonald	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I OPPOSE H.B. HB1838 for the following reasons:

My name is Dana McDonald and first I would like to thank the committee for the opportunity to testify about this bill.

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.
- Governor Green noted that “we don’t need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.”
- The counties already have authority to regulate illegal short-term rentals
- This bill does nothing to solve the problem of illegal short-term rentals

Papakea’s Contributions to the Community

- Papakea’s resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- 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 HB1838 and urge the committee vote no on this matter.

Sincerely,

Dana McDonald

HB-1838-SD-1

Submitted on: 3/26/2024 6:01:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas Mitchell	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to HB1838. I have owned a condo in Maui for 32 years. I have used it as a STR during that time. I have paid property taxes, submitted GE, TA and now Maui County taxes during that time. It seems to me that these represent a significant amount of money allowing government to operate at its current level. As prices rise in every category, I wonder what the government will do to maintain its current spending. Also, I believe this attempt to do away with STR's is an infringement on my rights. Will the government be forced to defend itself in legal battles adding to the costs of operating? The people who operate various businesses that I use will be forced to close. Cleaners will be pushed out of business. Please defeat this bill.

HB-1838-SD-1

Submitted on: 3/26/2024 6:03:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee P Kaiama	Individual	Support	Written Testimony Only

Comments:

To the Honorable Members of the Hawaii State Legislature,

Aloha, my name is Renee P Kaiama, a resident of Kula, Maui, and the broker/owner of Maui Real Estate 808. I in support of this bill. I am in support of this bill.

Thanks to the State's relentless focus on tourism, and the short term vacation rental epidemic, the State's revenue streams have fattened, but at a cost to the local populations.

Unleashing a deluge of tourists into an island required expanded accommodations which in turn led to issues with condominium zoning, as some units were designated for residential use while others for resort or hotel purposes. Opportunistic property owners exploited this ambiguity, engaging in unauthorized short-term rentals within residential complexes, brazenly flouting zoning regulations.

Fast forward to today, and the consequences of unchecked tourism and zoning violations are painfully evident: overpopulation, strained infrastructures, and a pervasive sense of disillusionment as Maui's distinctive lifestyle crumbles under the weight of commercialization. The tragic fires of August 8, 2024, serve as a grim reminder of the urgent need for decisive action.

Maui isn't just a business; it's a cherished island community with finite resources, now besieged by an unrelenting tide of tourists and the proliferation of unauthorized short-term rentals. Despite hopes for strategic interventions to mitigate these challenges, the post-pandemic resurgence has seen Maui once again inundated with rental cars, tourists, and zoning infractions related to vacation rentals.

Had properties adhered to their designated long-term rental zoning, the housing crisis exacerbated by the August 8 fires might have been more manageable. Instead, we find ourselves ensnared in a web of repercussions.

I implore the legislature to take decisive action by approving this bill. The surge of short-term vacation management organizations that peddle their influence and threaten economic collapse must be addressed. Maui's full-time residency has surged alongside out-of-state property ownership, resulting in overpopulation and housing oversupply. The exorbitant cost of living,

coupled with sky-high housing prices, has made it impossible for locals to attain homeownership.

While proponents of short-term rentals tout their economic benefits, I challenge the notion that they outweigh the social and environmental costs incurred. Moreover, I trust the state to devise alternative revenue streams that don't compromise Maui's unique character and quality of life.

In conclusion, I urge the prioritization of Maui's preservation over short-term financial gains. By upholding the integrity of our island's design and enforcing zoning regulations, we can pave the way for a sustainable future that honors Maui's essence. Approve this bill.

HB-1838-SD-1

Submitted on: 3/26/2024 6:13:20 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Anthony Cadiz	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern:

I am writing to urge you to oppose HB1838, as it threatens the very fabric of myand my wife's livelihood in Maui Hawaii, the place we have lived as a permanent residents taxpayers since 2010, and our ability to to continue to afford living in Hawaii in our retirement. My family and I have made Maui our home with the intention of continuing to reside here in retirement at age 65. I am at the cusp of retirement, being presently 64 and 10 months. We have invested in our property with the hope of sharing the beauty of our unspoiled area in Kula (Ulupalakua) 96790, with visitors that would bring joy to us in retirement, (as well as to our visitors), purpose for us to continue living, and the ability to spread the aloha we have grown to embrace ... through our home becoming a legal short-term rental under the present rui.es. We have followed all the present existing rules, having owned our home for just over five years, so as to be able to make the legal application to become a short term rental How could you consider changing the rules to our detriment and robbing us of our well intentioned plan to survive here on Maui in retirement?

If HB1838 proceeds, it would have devastating effects on our planned retirement. The bill's restrictive measures bring insurmountable challenges that would make the operation of our short-term rental impossible. This would not only rob us of anticipated retirement income but also jeopardize our ability to sustain our lives in this unique economic landscape, ultimately forcing us to consider leaving Maui, the place we hoped to spend our retirement years, with no other place we'd rather be

As a resident who would rely on the tourism industry, I cannot overstate the impact of this bill on our, and others, financial stability. The potential inability to continue with our plan to become a short-term rental would significantly decrease our property value and limit our ability to provide for our family, gravely affecting our livelihood, as well as jeopardize our plan to leave this magical place to our only daughter, and her children. This impacts us AND THE FUTURE GENERATIONS OF OUR FAMILY!

I implore you to consider the far-reaching ramifications of HB1838 on the lives of residents like myself who rely on short-term rentals. Please, please, please, work together to find solutions that balance the needs of this 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 important matter. I hope you will carefully consider the profound impact of HB1838 on the lives of its Kamaaina and make decisions that support the well-being of our community.

Sincerely,

Anthony Cadiz

1521 Kanaio-Kalama Park Road

Kula, HI 96790

808-298-0992

anthonycadiz@gmail.com

HB-1838-SD-1

Submitted on: 3/26/2024 6:14:14 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joe Restagno	Individual	Oppose	Written Testimony Only

Comments:

I feel that eliminating short term rentals would have multiple negative impacts on the economy in HI.

Tax revenues (property, etc) would be reduced, therefore reducing income to the state/county. While taxes are high, I feel they are fair and I'm willing to pay those. Second, local businesses, in areas with more ST rentals vs hotels, would suffer a significant loss in business, again reducing tax revenues and increasing unemployment.

In addition to the above, I bought a ST rental property now, so that I can visit the beautiful island of Maui on occasion now and in a few years when my wife and I retire, we can spend a significant portion of the year here. If this bill goes into effect, I will no longer be able to afford this property and would likely suffer financially.

Finally, our ST rental is one that we agreed to house a family of displaced Lahaina residents. It makes me feel good knowing that ST rental units can make a big difference in the quality of life for many families in times of crisis, like the recent Lahaina fires.

Mahalo for allowing me to provide this testimony.

HB-1838-SD-1

Submitted on: 3/26/2024 6:18:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Les Moy	Individual	Oppose	Written Testimony Only

Comments:

Dear Sir and Madam,

I oppose this bill and it would creat hardship on my family and others that are in the same situation. Thinking of the long term viable terms instead of short terms to the positon is important.

I know many are still coming back financially from covid and other financial dificuties, oppositon to this bill should be hightly recongnized

Thank you,

Les moy

HB-1838-SD-1

Submitted on: 3/26/2024 6:21:39 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorenzo Lotti	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838 and to share with you the real and personal impacts this bill would have on me and my community.

As a new owner in the vacation rental industry, I was thrilled to be able to contribute to both the local economy and the unique experience of visitors to Hawaii. However, after witnessing the detrimental effects of similar measures, as articulated by individuals like Marbella Alford and Kris Adair, I am deeply concerned. The proposed bill has the potential to not only jeopardize the livelihoods of hardworking individuals like Marbella and Kris but also to eliminate valuable job opportunities and further exacerbate the housing challenges faced by local residents.

The personal stories shared by those directly affected by similar measures, such as those provided by Marbella Alford and Kris Adair, underscore the detrimental impact this bill could have on our communities. If HB1838 were to pass, it would not only threaten our economic stability but also limit opportunities for citizens to participate in Hawaii's vital tourism industry.

I urge you to reject HB1838 in consideration of the livelihoods of individuals like me and the well-being of our local communities.

Thank you for your attention to this matter.

Sincerely,

Lorenzo Lotti, 940.372.0470

HB-1838-SD-1

Submitted on: 3/26/2024 6:31:18 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cathy Medina	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am concerned about the consequences of HB1838 that is being proposed. Many of the STR's that would be affected by this bill are not appropriate for affordable housing. Some are in HOA's that are not set up for families, ie, limited parking, no pets, studios, some are very expensive with high homeowner dues and property taxes, etc. These properties have been LEGALLY renting to guests that spend money in local mom and pop retail establishments. Guests in hotels typically spend their dollars at their resort property and that does not support the local economy.

Local families are leaving the island due to loss of their homes and jobs and HB1838 would only add to the exodus. The rebuild process is becoming cumbersome and local families whose livelihood was tied to tourism will eventually give up if they see their customer base being eroded.

How can a bill such as HB1838 be considered fiscally responsible. The revenue provided by LEGAL STR's to the local community, and to the County by way of taxes, is significant and would be lost if these properties lose the ability to rent short term. The Westside needs to have accommodations for guests as well as local families. HB1838 is not the answer!

Please vote NO on this bill.

Mahalo for your consideration,

Cathy Medina

HB-1838-SD-1

Submitted on: 3/26/2024 6:37:47 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Please protect homeowners in resort communities that were developed with the explicit right to rent homes out on a 30-day basis. The hotel lobby is too powerful and will push counties to do things that are unconstitutional, which will cost taxpayers a lot of money in legal fees. There are not many legal 30-day rentals in resort zones, so you can't blame them for the housing crisis. Like in every major city, the cause of the crisis is lack of new development and inflation. The hotel lobby is just using 30-day rentals as a scapegoat to regain their monopoly, but the cost to HI will be losing much needed short term housing as well as tax revenue, plus there will be significant legal expenses that taxpayers have to cover. And after all that, there will still be a housing crisis and the tourism industry will be negatively impacted. The only winner is the hotels and the politicians they help to get re-elected.

HB-1838-SD-1

Submitted on: 3/26/2024 6:41:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Charles R. Cerini	Individual	Oppose	Written Testimony Only

Comments:

Charles and Sharon Cerini

3543 Lower Honoapiilani, Lahaina, HI 96761

March 26, 2024

Regarding: Opposition to HB1838

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

By way of introduction, our names are Charles and Sharon Cerini, owners of the condominium at Papakea Resort D104 and we strongly oppose HB1838. We also thank you for the opportunity to share our concerns.

We have been visiting Maui for the past 25 years and because we fell in love with the island and its people, the culture and the beauty that Maui offers, we decided to purchase property at Papakea so that we could spend more time on-island and share our home with others so that they could experience Maui as we have.

Being a part-time resident, we have met many of the local Papakea employees from the maintenance team to the supervisory and management staff who have been employed for many years. From our understanding, there are 35 local employees working at Papakea. We would hate to see how this change would impact them.

Being owner-occupied and renting our apartment on a short-term basis, we have enlisted many local business and trade professionals, to keep our apartment at a 5-star rating. Such trades that we have employed directly are: carpet cleaners, pest control, plumbers, painters, carpenters, electricians, contractors, handymen, and housekeeping. Shutting down short-term rentals at Papakea means putting these people out of business with fewer employment opportunities and greatly disrupting their livelihood.

Also involved in ownership is our property management company who handles the reservations and oversees the apartment when we are not on-island. Our property management company is a mid-size company that also employs many local people including administrative and trades people. Needless to say, the passing of this bill would also affect their lives.

We, along with our guests, support many small businesses including markets such as Foodland, Island Grocery Depot, and Time Market, restaurants/cafes and especially our local food trucks which are down the street from Papakea. This is all in addition to the large number of excursions, luaus, and activities.

We'd also like to mention that as soon as we were able to return to Maui in mid-September, we purchased an abundance of clothing and school supplies for the KiKei Relief Project. We also made personal visits to both West Maui fire stations to provide food and to thank them personally for their service.

Papakea is not only a resort, it's home for us and for our many returning guests year after year. Short-term rentals, especially those with families, prefer to stay at Papakea rather than a large chaotic resort, given the fact that we offer a kitchen, washer and dryer, and many items that make this a home rather than a resort hotel.

Lastly, 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. Without this, your income generated from STRs would be eliminated.

For the reasons stated above, we strongly OPPOSE HB1838 and urge all members of the committee to vote 'No' on this matter.

Respectfully submitted for all of those who will be affected by these changes.

Charles R. Cerini

Sharon L. Cerini

To Whom It May Concern,

We own a vacation rental in Lahaina, Maui. We love Maui and come every year for many weeks to enjoy our home. When we are not using the property for our personal use we rent it out as a short term rental. Our short term rental provides the necessary revenue to help us pay for our mortgage, taxes, insurance, etc. Without this revenue we will be forced to sell the property and we will stop coming to Maui as hotel accommodations are far too expensive (\$10k USD for 7 days). Other travelers will also be forced to stop vacationing in Maui as short term rentals provide affordable accommodations. They also allow renters the option to cook at home which hotels do not.

I am writing to express my deep concerns about the potential impacts of HB1838 on short-term rental owners like myself. As a part of the vibrant vacation rental industry in Hawaii, and a long time strong supporter of Maui, I strongly oppose this bill, which I believe will have detrimental effects on our ability to provide accommodations for visitors to the beautiful islands.

HB1838 threatens to impose restrictive regulations and additional taxes on short-term rental properties, which will directly impact Maui's tax revenue and thousands of livelihoods.

I urge you to consider the significant contributions that short-term rental owners make to the local economy and the opportunities we provide for travelers to experience Hawaii's unique culture and beauty. Rather than imposing overly burdensome regulations, I encourage you to consider alternative solutions that support the coexistence of short-term rentals and the communities in which we operate.

Thank you for taking the time to understand the concerns of the short-term rental owners who have and continue to support the local economy for years.

Sincerely,

Jamie Goehring

HB-1838-SD-1

Submitted on: 3/26/2024 6:44:57 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lourdes Shiota Uno	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition to this bill as it will take many jobs away from those who work in this field. There are people who need housing for 30 days or less and those who rent space for income to make ends meet.

There are many people who are in transitional stages in their lives and already have so much to think about.

Buying property is a big deal and some people save for a long time to make it happen.

Please consider these people as you make your decision.

HB-1838-SD-1

Submitted on: 3/26/2024 6:55:23 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Bernadette Cho	Individual	Oppose	Written Testimony Only

Comments:

I am a kamaaina (70 years old) and my husband and I operate a vacation rental on Hawaii Island. It is my husband's family home that was passed down to him and we spend a portion of the year on Hawaii island because of our easy access to affordable housing.(our home). It allows me to share the space with our family who may need a short term place to stay when they are visiting the island for family reunions, or thos already on the island who need a place when their own house is being repaired or having maintenance tasks done.

In addition, we employ app 5 people to do various tasks including, housekeeping, repair and maintenance, yard service among others. We pay them well because we know the high cost of living on Hawaii Island. They have come to rely on the income they receive from our rental.

So in addition to the exorbitant amount of taxes (property, excise, TAT) I pay on the rental, I also provide income for local residents who don't make a whole lot of money to begin with. And it allows us to go back to stay there. We could never afford the hotels as we are on fixed income (social security & pensions) and would probably not travel to Hawaii Island as often. And it allows us to support the county through our excise, TAT and property tax payments..

There are a variety of other reasons that I urge you to be mindful of. There are always people who are moving to Hawaii Island (or for various other reasons) who need short term housing (one-month,6-week, three-month,stays). This bill will create a short-term housing crisis if month-to-month rentals are also included in the bill. Mid-term and short-term rentals help these people who are in transition. Think of traveling doctors and nurses, people who have come from Oahu to work on the island, displaced residents from accidents created by events like fires, water pollution, volcano eruption. Where will these residents find temporary furnished housing on the island?

I know the hotel industry is lobbying very hard for this bill. It's for their bottom line. BIg Corporations continue to use their power to get their way. It is time for you to stand up for the little guy and say 'A'OLE.

Respectfully Submitted,

Diane B. Cho

HB-1838-SD-1

Submitted on: 3/26/2024 6:55:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Good afternoon and thank you for accepting my testimony regarding HB1838

I am a Maui homeowner at the Papakea. I strongly oppose HB1838.

For years, the Papakea resort has embraced the beautiful spirit of Hawaii and its people. The resort contributes to the local culture and wellbeing of local Hawaiians. The Papakea employes many local Hawaiian people and contributes to the local economy by supporting local businesses, shops, national parks, the payment of taxes, both sales and property taxes.

Income generated via rentals contributes and support the local economy via, taxes, eateries, housekeeping services, maintenance workers, contractors, on island property managers, agents, rental car service fees, taxes and insurance agents. The Papakea alone generates and contributes thousands of dollars into the local economy.

Via the hard work, dedication, and commitment to excellence the local Hawaiian community has maintained this older property as a jewel of Maui. A longstanding example of the spirit and courage of the Hawaiian people commitment to excellence. I fear without the source of funds generated by short term rentals, the Papakea and other similar complexes will lose their ability to maintain the high standard established over the past 50 years.

I strongly oppose HB 1838

HB-1838-SD-1

Submitted on: 3/26/2024 6:59:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alyssa	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Alyssa Harada

HB-1838-SD-1

Submitted on: 3/26/2024 6:59:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I am asking that you please insert into HB1838 the language of SB2919 (in section 2) as an amendment to this bill which would greatly facilitate the county being able to enforce crucial changes to the short term rental market that is destroying housing for Maui families. 87% of housing on the west side of the island is currently STR which is 100% wrong on many levels. Maui has enough hotel and resort options for visitors, no need the STR!

Mahalo,

Elizabeth Clapper

HB-1838-SD-1

Submitted on: 3/26/2024 7:00:20 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Shaffer	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838

HB-1838-SD-1

Submitted on: 3/26/2024 7:07:00 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

John Sweetland's testimony re SB2919

I am a senior citizen, retired company President, and Maui resident.

My wife and I were fortunate in 2022 to be able to buy a place in Lahaina in the Puamana community. Like many of the owners, we set it up as a short-term vacation rental (STR) to cover the operating costs of property taxes, insurance, HOA fees, and maintenance for the months we would not be on Maui.

Like 93 other owners of the 230 units in Puamana, we lost our place in the Lahaina wildfire. We are committed to rebuilding the unit and our community.

I am opposed to SB 2919 for the following reasons:

We were contributors to the 40% of real property tax revenue for the county that STRs provide. In addition we paid the associated excise and temporary accommodation taxes required. With the demands on its budget, Maui needs this revenue stream to help its citizens enjoy their quality of life.

We also created regular employment for house cleaners. We know from talking with them since our return to the island that they are struggling to find work and housing. The loss of the short term rental market will hurt their ability to support their families.

We also know residents are leaving the island because they cannot find tourism-related jobs. Short term rentals help bring visitors to the island by stretching budgets and making it easier for families to come and spend money.

Short term rentals can serve other needs beside tourism. If we had not lost our unit we would have been open to helping with short term housing needs for contractors, traveling nurses, or residents in transition.

Making STRs illegal does not solve the problem of building low cost housing in the long term. Many of the housing units doing short term rentals have built in costs like HOA fees and

insurance plus community rules to follow that make them less than ideal for lower income buyers or renters.

This also sets a poor example for the private investment capital needed to rebuild Lahaina. Long term investment needs regulatory certainty that the investment can recover costs and generate profit. SB 2919 shows them that the government can change the rules arbitrarily.

The Senate can help set conditions for building low-income housing that will be the best solution long term. I am sure there are creative ways to streamline regulations and incentivize construction.

As a long-time observer of history, political rhetoric and results, I caution the Senate to consider the law of unintended consequences. It is more likely than not that the outcome you intend will not be achieved.

HB-1838-SD-1

Submitted on: 3/26/2024 7:07:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ann Schultz	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

As a teacher in Kihei, I witnessed first hand the effects the devostation in Lahain cause to parents, families, children, and all members of our community. Lahaina families have been left unsupported by the state and our representatives. HB1838 HD2 SD1 with the amended language above is a tiny step in the right direction. I urge you as our elected officials to represent the people you serve by supporting this measure.

Sincerely,

Ann Schultz

HB-1838-SD-1

Submitted on: 3/26/2024 7:22:22 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gary Gless	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I oppose this bill because my wife and I just purchased this lovely rental to provide a place for tourists to visit Lahaina and spend money supporting the economy which will be lost if this bill passes. Also on a more personal note we also purchased this ocean front rental to help subsidize my mother in law's medical care She is bed ridden and we do not know how to provide her future care as her bills are astronomical at 24 Thousand a month. If this bill passes we won't even be able to sell. It would also drive many others to leave the island that We truly love and have worked so hard to get here. Please find it in your collective efforts and hearts and do the right thing for us remaining Lahaina residents we have suffered enough.

Many Mahalo's

Gary and Leslie Gless

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 you to do the same.

Respectfully,

Judy Guglielmana

HB-1838-SD-1

Submitted on: 3/26/2024 7:24:49 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Koller	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my deep concern about HB1838 and its potential impact on the individuals and families involved in the short-term vacation rental industry. This bill has the potential to adversely affect the livelihoods of residents who rely on short-term rentals to make ends meet and provide for their families.

Before the Lahaina fire, our short-term rental business provided essential employment opportunities to cleaners, landscapers, maintenance personnel, and other service providers, benefiting numerous families in our community. Additionally, our guests frequently patronized local shops and restaurants, contributing to the vibrancy of our local economy. These vital connections between the short-term rental industry and various sectors of our community underscore its multifaceted importance.

The short-term rental industry provides 40% of the property tax revenue in Maui county and represents 18% of the county's budget. This revenue directly contributes towards affordable housing initiatives and many vital social services. How will this revenue be replaced?

HB1838 has the potential to create unintended consequences, pricing local residents out of paradise and threatening the financial stability of many individuals and families. I respectfully urge you to reconsider the implications of this bill on the local residents, small businesses, property tax revenue, employment, and the broader community. 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 in Lahaina, on Maui and in all of Hawaii.

I urge you to oppose HB1838. Mahalo for your consideration in this matter.

HB-1838-SD-1

Submitted on: 3/26/2024 7:28:38 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
YUAN WANG	Individual	Oppose	Written Testimony Only

Comments:

Urgent Concerns Regarding Bill HB1838's Impact on Temporary Housing Solutions

Chairman Donovan Dela Cruz
Committee on Ways and Means
Chairman Karl Rhoads
Committee on Judiciary
Hawaii State Senate
25 Aupuni St.
Unit 1502
Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on our community, particularly regarding the availability of month-to-month rentals and temporary housing solutions in Hawaii. As a resident of our beautiful islands, I understand the importance of maintaining the aloha spirit and ensuring that all residents and visitors have access to suitable housing options.

Bill HB1838 threatens to eliminate month-to-month rentals, a critical component of our housing ecosystem. These rentals serve as a lifeline for individuals and families who are in transition, such as those displaced by natural disasters like the eruption of Kilauea, or those coming to our islands for medical treatment, education, or temporary work assignments. Without these flexible housing options, many will struggle to find affordable and appropriate accommodations, exacerbating our existing housing crisis.

Moreover, mid and short-term rentals play a vital role in accommodating our kama'āina who are displaced, newly housed, or visiting family and friends. They also support essential workers, such as traveling nurses and emergency contractors, who contribute to our community's well-being. The loss of these rental options would not only impact those in need of temporary housing but also harm our local economy and the spirit of ohana that defines our islands.

I urge you to consider the far-reaching consequences of Bill HB1838 and to seek amendments that preserve the availability of month-to-month and short-term rentals. Our community relies on the flexibility and diversity of housing options to meet the needs of all residents and visitors.

Mahalo for your attention to this matter. I hope we can find a solution that upholds the values of our community and ensures that Hawaii remains a welcoming place for everyone.

Me ke aloha pumehana,

YUAN WANG
1080 Ala Napunani St.

HB-1838-SD-1

Submitted on: 3/26/2024 7:30:00 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
B. Hansen	Individual	Support	Written Testimony Only

Comments:

Strong **SUPPORT** for HB1838! Empower the counties to regulate STRs so that we may take a positive step toward housing solutions in Hawaii.

Mahalo

HB-1838-SD-1

Submitted on: 3/26/2024 7:30:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kayo Malik	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Kayo Malik

HB-1838-SD-1

Submitted on: 3/26/2024 7:30:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gina Zbikowski	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1838 HD2 and urge you to think about the many local residents that would be negatively impacted - local trade professionals such as pest control, HVAC, plumbing, electrical, tree trimming, housekeepers, handymen, on-island agents, contractors, plumbers, etc. As condo owners, we personally hire and rely on the services of many small business professionals on a weekly to monthly basis to maintain our condo. There are also a number of employees that work and are employed at the condominium property itself that has been operating as primarily a short-term vacation rental property for nearly fifty years. I urge you to oppose HB1838.

HB-1838-SD-1

Submitted on: 3/26/2024 7:43:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
tom wood	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure as a frequent visitor to maui and believe from my experience thus will harm the local economy due to lack of visitors and lesson taxable gains to maui county as well as retail sales and loss of jobs to current local residents.

aloha

HB-1838-SD-1

Submitted on: 3/26/2024 7:46:14 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Hancrable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 5D1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time

I would like to suggest an amendment to Section 2, inserting language to read as taken from 582919

provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

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This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Shalom Costa

HB-1838-SD-1

Submitted on: 3/26/2024 7:46:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Aurand	Individual	Oppose	Written Testimony Only

Comments:

HB1838, as currently constituted, has morphed into a lean, clean, killing machine. **Here are the casualties:**

Those who benefitted from the federal court decision in HILSTRA v City and County of Honolulu;

Those who believe in *res judicata* and *stare decisis*;

Short-term rentals in general, and consequently:

People traveling between islands for medical care or to help an ailing family member;

Medical caregivers coming to the islands to provide much-needed medical services;

Construction and other workers;

Displaced families from the Maui wildfires and other (future) emergency situations;

Hawaii citizens while remodeling their homes;

Military between duty stations or other situations such as the contamination of the water supply at Red Hill;

Mom and pop host-on-site short-term rentals—meaning elderly hosts will likely lose their homes and be forced to leave the Islands as a result of HB1838’s becoming law.

Landlords in general, as the verbiage **fails to define** “transient accommodations uses.” If it means any rental for which the Transient Accommodations Tax must be paid (1 to 179 days’ lease duration), then all short- and mid-term renting will be prohibited.

This version of HB1838 in the sentence “The zoning power shall be exercised by ordinance which may relate to:”

fails to include what the ordinance(s) may relate to.

"Phase-out over a reasonable period of time" is **not sufficiently nor succinctly defined**. All these things will lead to numerous **lawsuits**, many with valid complaints for takings, **which have already and will continue to prove rather costly for the defendant legislative bodies who passed bills of this ilk and the county bills that it spawns**.

At the last hearing, there were a dozen oral testimonies for the measure and 55+ against, not to mention 1,600 pages of testimony against it—a **clear expression of the will of your constituents, who trusted you when they elected you to vote with the will of the people in mind, not to ruin the lives of elderly people who depend on short-term rentals for their retirement income**.

My Ask:

That the text of HB1838 SD1 be amended to read:

“In no event shall the amortization or phasing out of nonconforming uses apply to any existing building or premises used for residential (single-family or duplex) or agricultural uses, ~~; provided that transient accommodations uses may be amortized or phased out in residential or agricultural zoned areas; provided further that residential uses do not include transient accommodations uses.~~ including owner-occupied short-term rental properties. "Owner-occupied" means property which is the owner’s primary residence. The owner of such a property resides in his or her primary residence and rents part of the property for any time period. “Hosted property” means (a) the rented portion of the primary residence, (b) one other entire single- family dwelling, or (c) the half of a duplex not occupied as the primary residence.” The owner must occupy the premises during the rental. These rentals continue to be governed by the Residential Landlord--Tenant Code (HRS §521).

OR

KILL THE BILL!

Respectfully submitted,

Margaret L.H. Aurand

Edward E. Jones

HB-1838-SD-1

Submitted on: 3/26/2024 8:03:06 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Brant	Individual	Oppose	Written Testimony Only

Comments:

This shotgun approach is NOT the way to handle zoning issues! The Honolulu City Council took months of work to come up with legislation fair to all stakeholders, and the new program is working well. Now the State proposes to helicopter in with a devastating blanket proposal that would simply destroy the livelihood of many small businesspeople who have been operating legally for years, and providing a service desired by many visitors and local people, AND providing the State with significant tax revenue. This proposal will ultimately be found illegal by the courts and the State should not shame itself by moving it forward. Thank you.

HB-1838-SD-1

Submitted on: 3/26/2024 8:04:41 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Charles Voigt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Charles Voigt, and I am a local resident and vacation rental owner in Hawaii. As a small business owner who has been renting out condos in South Maui since 2010, I am deeply concerned about the potential impacts of HB1838 on my livelihood and the livelihoods of others in our community.

The vacation rental industry has been a crucial source of income, not only for my family but also for the cleaners, handymen, and others we employ. We contribute significantly to the local economy through various taxes such as TAT, GET, MCTAT, and property taxes. HB1838, if passed, could make it extremely challenging to continue operating our vacation rentals and supporting our family and those who work with us.

I urge you to consider the broader implications of HB1838 on the local community's economic stability and the diverse workforce it supports. 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.

Mahalo for your consideration.

Warm regards,

Charles Voigt

HB-1838-SD-1

Submitted on: 3/26/2024 8:09:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Louise Fenton	Individual	Oppose	Written Testimony Only

Comments:

Subject: Urgent Concerns Regarding Bill HB1838's Impact on Temporary Housing Needs

Chairman Donovan Dela Cruz Committee on Ways and Means Chairman Karl Rhoads
Committee on Judiciary Hawaii State Senate 25 Aupuni St. Unit 1502 Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on our community, particularly regarding the availability of temporary, furnished housing. As a resident of Hawaii, I have witnessed firsthand the importance of mid and short-term rentals in supporting our community during times of need.

Our islands have faced numerous crises in recent years, such as the Red Hill Crisis, the Marco Polo fires, and the eruption of Kilauea. These events displaced thousands of our neighbors, who then relied on short-term rentals for immediate, furnished housing. These accommodations are not just a convenience; they are a necessity for displaced residents, traveling nurses, emergency contractors, and families visiting for medical treatment or to support loved ones.

As well, my job depends on the income generated from these types of rentals. My family could not survive without the work provided by this industry and there so many members in my community just like me with families who depend on the work.

Bill HB1838 threatens to eliminate month-to-month rentals, a critical component of our housing ecosystem. Without these options, where will our community members go during their times of transition or in the aftermath of a disaster? The bill, as it stands, could inadvertently create a new type of housing crisis, one where temporary housing is scarce and inaccessible for those who need it most.

I urge you to consider the far-reaching implications of this bill on our community's ability to provide temporary, furnished housing. It is essential that we find a balance that protects our neighborhoods while also ensuring that we can support our residents in times of need.

Mahalo for your attention to this matter. I hope we can work together to find a solution that benefits all members of our community.

Me ke aloha pumehana,

Louise Fenton 13-1313 Malama St 3106001408

HB-1838-SD-1

Submitted on: 3/26/2024 8:12:22 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tanya Preising	Individual	Oppose	Written Testimony Only

Comments:

Chairman Donovan De La Cruz Committee on Ways and Means Chairman Karl Rhoads
Committee on Judiciary Hawaii State Senate 25 Aupuni St. Unit 1502 Hilo, HI 96720

Aloha Chairman De La Cruz and Chairman Rhoads,

I am writing to express my deep concerns about Bill HB1838 and its potential impact on our community, especially regarding temporary housing options. As a resident and many family generations of Hawaii, I understand the importance of maintaining and ensuring that everyone has a place to call home and the right to make a living. This bill ensures that seniors and those not able to make a living in any other way will become destitute, and our medical community that needs these types of housing to keep our people alive will die. We have many generations here, and these unconstitutional laws are literally killing us.

This bill, if passed, would eliminate month-to-month rentals, a critical option for many residents and visitors in our state. These rentals are not just a convenience; they are a necessity for those my family; inter-island residents coming for medical treatment, traveling nurses, emergency contractors, and even our military personnel and students. They provide a flexible housing solution that long-term rentals cannot offer.

Moreover, our islands have faced numerous crises. We had to sell our family home because of the State-backed Covid eviction moratorium. WE had to fund 11 people living in our home and had no recourse for the \$225,000 they owed us with blessings from the government. Do you realize what HB1838 does to the people who are already suffering because of poor government? And in recent years, such disasters as the Red Hill Crisis, the Marco Polo fires, and the eruption of Kilauea. These events displaced thousands of residents, many of whom relied on mid and short-term rentals for temporary, furnished housing. Without these options, where will our community members go in times of need? Where will we go now that poor governance has taken our money and time?

STOP Bill HB1838 on our ability to provide temporary housing solutions. It's not just about tourism; it's about taking care of our own people in times of transition and crisis. By pushing all of these bills through, you and those supporting all of these housing bills, are literally killing us and many generations.

Mahalo if you are the one to stand-up and stop those who want to destroy the only livelihood we have left.

Regards,

Tanya Preising 74-5136 Paliholo Pl

HB-1838-SD-1

Submitted on: 3/26/2024 8:17:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tryg Jon Fortun	Individual	Oppose	Written Testimony Only

Comments:

1. OPPOSE HB1838. We have had our Maui vacation rental for decades. We hire housecleaners, pool technicians, landscape maintenance people, trades people, etc., to help us provide a great experience for our Guests. We pay these workers very well; for instance, our housecleaners average between \$50 and \$83 an hour. We pay substantially higher property taxes because we have a vacation rental, and very significant GET and TAT taxes. Our Guests also buy services and products from Maui business. This money helps other residents and businesses, as well as Maui & Hawaii government. We also have housecleaners living in our home who lost there homes in the Lahaina Fire and who help us with our vacation rental. We urge you to oppose HB 1838.

Thank you.

Tryg & Barb Fortun

HB-1838-SD-1

Submitted on: 3/26/2024 8:25:35 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosaline Wang	Individual	Oppose	Written Testimony Only

Comments:

I oppose the bill 1838!

The bill won't improve the affordability of living in Hawaii. For those travelling nurses, engineers, professors, real estate owners after selling their units and waiting to move in new unit and the mainland attorneys came to Hawaii to do business, such as Maui fire lawsuit, they want to stay in a place that is either short term or 30 days in residential neighborhoods, but definitely not to stay in the resort areas. Getting rid of both short term and mid term rental would only cause the State lose the significant amount of general excise tax and transit accommodation tax, besides each county's transit accommodation tax. The general excise tax derived from the long term rentals can never replace those of the tax derived from the long term rental. The illustration is as follows,

Example: Current market the short term rental or mid term rental charge 1 bedroom unit for \$6000/30 days rental; The taxes paid is \$270 for GET, \$615 for TAT and \$180 for the county TAT. A total amount of \$1065 is for the Hawaii State, comparing to the long term rental for 1 bedroom average rental \$2200, the GET generated from the long term is only \$99. The difference is \$966 loss of the tax revenues. How would the State recover the loss of the tax revenues, once it gets rid of all short term and mid term rentals? Taxing more to the residents?

Therefore, please think through before your vote.

HB-1838-SD-1

Submitted on: 3/26/2024 8:36:22 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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 Hawaii'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 Hawaii.

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.

I love Hawaii and I would be sad to have to sell my condo that I love so much due to the greed of the hotels.

Testimony in Support of HB1838 HD2 SD1

To Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I am writing as a concerned member of the Lahaina community to express my **support for HB1838 HD2 SD1**, which grants counties the authority to phase out transient vacation rental units over a reasonable period.

In our West side community, the urgent need for housing stands as our paramount concern. Over time, transient vacation rentals have encroached upon our neighborhoods, occupying units that were initially earmarked for our hardworking, working-class community. This shift has not only disrupted the fabric of our neighborhoods but has also exacerbated the already pressing housing crisis.

I would like to offer a recommendation for an amendment to Page 6, Section 2, Line 3 to adopt wording from SD2919 SD2 HD1,

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

To amend the language to a more clean and comprehensive language will help each county tackle their own specific needs to address transient vacation rentals as they see fit.

In Lahaina, where 25% of housing units are listed as short-term rentals, and percentages soar to 41.8% to the south and 87% to the north, we are facing a housing emergency on Maui. Providing clear authority to counties for phasing out vacation rental uses is crucial for helping residents find dignified housing, especially in the aftermath of recent wildfires.

In the aftermath of the wildfires, the scarcity of rental options, particularly north of Lahaina, presents a pressing challenge. Over 25% of our West Maui residents have already moved off island and more are doing so daily.

During my engagement with tourists at Ka'anapali beach through Lahaina Strong, I've had numerous discussions highlighting the negative impact of transient vacation rentals on communities worldwide. It's evident that the phase-out of TVRs in cities and tourist hubs globally has yielded positive results, particularly in destinations where locals have been priced out of their own neighborhoods.

The benefits are twofold: not only does this initiative pave the way to help address our immediate housing crisis, but it also fosters long-term sustainability. As TVRs are phased out and rental supply stabilizes, an anticipated gradual decline in rental prices and costs for purchasing homes paves the way for families to reclaim their roots and return to their communities.

This proposed legislation is a critical step in providing stability and security to those who have already endured significant challenges. I urge the legislature to **pass HB1838 HD2 SD1** giving our county the power to offer 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,
Katie Austin

HB-1838-SD-1

Submitted on: 3/26/2024 8:46:35 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Martine Aceves-Foster	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Thank you for taking the time to read my testimony on HB 1838.

My name is Martine Aceves-Foster, and I oppose HB 1838.

I raised my children here in Hawaii, taught for 27 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 why 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. Renting one bedroom in my home has made it more manageable to pay the mortgage, property taxes and utility bills.

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.

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 exactly 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 acquire 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 which allows individuals and couples who reside in their home to supplement their income by renting a room or two in their own home. I and others like me are part of our community. We are your neighbors, your friends and your family. Please, keep that in mind as you legislate.

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-SD-1

Submitted on: 3/26/2024 8:54:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I fully SUPPORT this bill and humbly ask that you all support this too. There's way too much short term rentals. Hotels were built for this purpose. Hotels are not being used due to short term rentals. We need more housing for us residents. Our islands have very limited land space, thus very important that there's land available for our people. Thank you very much h for your support.

HB-1838-SD-1

Submitted on: 3/26/2024 8:57:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Baxter	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

It seems there is still no end to the greed of the hotel industry and the politicians who are controlled by this entity. We have been testifying for years about the benefit to ourselves, visitors, and the State of having options for short term rental besides resort hotels. Ways to allow people to utilize their homes and provide for non-traditional visitors, as well as methods to safely monitor this cottage industry have all been proposed ad nauseum. My husband (79 years old) and myself (65 years old) gave up doing Airbnb as soon as it was shut down by the hotels and their politician posse years ago. We recently started providing longer term housing for traveling nurses. We pay state tax, general excise tax and provide a service to the healthcare system on the island. We use that money for upkeep on our small historic home. It's a win-win and the tourist industry seems to be none the worse for it. That we are responsible for the lack of affordable housing is just subterfuge. Everyone knows the real cause of *that* problem is The Rail and other foolishness conjured up to further enrich those who are already wealthy and powerful.

Kathleen Baxter

Aloha,

My name is Charlene Casserley and I live on Maui.

Thank you for the opportunity to testify on HB 1838. I am writing to oppose this bill. Defunding a significant revenue source directly impacts our ability to address affordable housing.

STR contributes 37% of total property tax revenue: STRs, Short Term Rentals, real property tax revenue accounts for over 37% of the total property collected and 15% of the total budget. The STR revenue significantly surpasses that generated by hotels, time shares, and homeowners as the largest contributor for affordable housing, \$12.1 million this year. Charging higher rates to short term rentals keeps resident property taxes low.

Many guests are family members of residents: Our vacation rental serves both tourists and residents, with many of our guests being island residents or visiting family. For many, the option of a home rental provides a more affordable alternative to hotels.

STRs provide jobs for other local businesses: Legally permitted short-term rentals (STRs) represent legitimate small businesses, distinct from large corporations. These businesses keep tax dollars circulating within Maui. Additionally, they provide employment opportunities for other local small businesses involved in cleaning, maintenance, and repairs,. **The money generated by STR's stays on Maui and in Hawaii.**

Personal Impact: I am 70 years old and this is my small business I have been operating since 2015 as a permitted STRH. This business has been essential for our livelihood, enabling us to sustain and improve our small family farm keeping the property for future generations. Growing food on island is important. Permitted STRs contribute positively to the local economy while providing vital housing options for various groups, including traveling island families, students, and temporary workers. Moreover, they offer income opportunities for older generations who may not be employable otherwise.

In conclusion, I urge careful consideration of the unintended consequences of reducing Maui County revenue and forcing small businesses out of business.

Thank you for the opportunity to provide testimony on this matter.

Respectfully,

Charlene Casserley

HB-1838-SD-1

Submitted on: 3/26/2024 9:06:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
elizabeth evans	Individual	Oppose	Written Testimony Only

Comments:

Good Morning - I am writing to you to share my thoughts regarding HB1838 and the impact it will have on my life. I am newly widowed and count on the income to support myself and my four daughters. Without the revenue from my home on West Maui I have no idea how I will replace the revenue and support my family. It is very scary to have my families livelihood in the hands of those who would like to see STVR banned completely. Although I do not live on the island myself my family and I have spent months each year on island enjoying our home and everything Maui has to offer. It pleases me greatly as well to also be able to share it with others either visiting or working on the island temporarily for the last 10 years. We care very much about our neighborhood very much as well and have created a homeowners association of which my husband was the president for several years. Through the association we provided our neighborhood with a new road, new streetlights, upgraded internet and a sense of community that has been appreciated by all that live there.

Our rental home provides direct employment for housekeepers, propane gas provider, The Bug Man Extermination Company, roofing company, gardeners, poolmen, our management company and all the people that are employed by them. In addition all serviceman that provide maintenance services on our home anually. The restaurants, markets, tourism activities, spas, gyms etc that benefit from our guests staying at our home which is more affordable and comfortable than a hotel is endless.

It is also no surprise that the economic contribution STR's is 40% of the real property taxes for the county as well as being the top funding source for affordable housing for Maui. The STR property tax revenues represents 18% of the 1.7 billion dollar budget. How will that revenue be replaced?

HB1838 benefits doesn't benefit ANYONE!

Thank you for your time

Elizabeth Evans

HB-1838-SD-1

Submitted on: 3/26/2024 9:12:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Julayna Smith	Individual	Support	Written Testimony Only

Comments:

I support phasing out vacation rentals and other short term rentals. We are in a major housing crisis on Maui. We had a housing crisis before the Lahaina Fires and it is now tenfold.

Many of the STR owners are not Maui residents. Many are from out of the country. Most of the STR owners this is their second or third or eighth home. We have residents who do not have ONE home let alone a second home. I have friends and family affected by the Lanaina fires that are unable to find housing. Our residents needs long term hosing, not short term vacation rentals. We need to support our people. We need housing. We need Affordable housing. Vacation rentals drive up rental prices. A normal local family can not afford \$5000 or more a month in rent.

My husband and I were both born and raised on Maui. We are losing our ability to survive here and will soon be driven out like many others. We need to do something to end this housing crisis. Phasing out or minimizing short term rentals would open up many more housing options, make a less competitive rental market and give local families a place to live. Possibly even a place to buy to call home forever.

As Gov Josh Green said, "We have too many short term rentals owned by too many people on the mainland and it's BullSh*t". We need to support our people and stop catering to tourism. If we don't do something soon, we will lose the residents who really matter and make this island the special place it is.

HB-1838-SD-1

Submitted on: 3/26/2024 9:14:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeannie Kong	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of Hawaii State Legislature,

I would like to respectfully submit my point of view.

As a member of the community, I urge you to consider the detrimental effects that House Bill 1838 (HB1838) could have on our local economy and housing situation. Getting rid of short-term rentals, especially by unfairly targeting legal short term rentals, will not alleviate the housing crisis but rather exacerbate it. Here are the key points to consider:

Impact on the Housing Crisis: By allowing counties to phase out short-term rentals, especially from legal short term rentals, HB1838 overlooks the role these rentals play in providing rentals for short and long term and the huge impact to our economy. Mayor Bissen just announced the huge increase in needs for his budget for the next fiscal year.

Loss of MAJOR Tax Revenue: The vacation rental industry contributes a substantial amount in taxes, generating millions of dollars in revenue annually. Eliminating or heavily restricting this industry could result in a significant loss of revenue for the state, affecting essential public services and initiatives.

Loss of Jobs: It's essential to recognize that the vacation rental industry supports significant employment opportunities for local residents, including housekeepers, maintenance workers, designers, furniture stores, grocery stores, and other service providers. The loss of this industry would have a severe impact on the livelihoods of thousands of families, leading to widespread financial hardship and unemployment.

HB1838 not only allows counties to retroactively change rules but also sets a detrimental precedent for taking away property rights and revoking non-conforming uses, creating uncertainty for investors and builders at a time when new construction is integral to our community's growth and development. Additionally, the potential decimation of an industry that pays \$740 million in taxes and generates \$4.8 billion in visitor spending each year could have lasting negative consequences for our local economy.

I implore the committee to carefully consider the wide-reaching impacts of HB1838 and the potential harm it could inflict on our community. Instead of rushing to phase out short-term rentals, I urge you to explore constructive and inclusive solutions that address the housing crisis without causing further harm to our local economy and employment opportunities.

Sincerely,

Jeannie Kong

HB-1838-SD-1

Submitted on: 3/26/2024 9:15:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alex Cocuzzo	Individual	Oppose	Written Testimony Only

Comments:

My family started **visiting** Maui 20 years ago. At first it was just two of us, and we could only afford to stay for a week at some of the less costly establishments for a week when lucky and we did this in 3-4 year gaps for the first 10 years. Economic circumstances changed for the better and we started to **visit** Maui on a much more regular basis for the next 5 years staying at some of the nicer resorts when possible. However, over those years we started to realize just how much Maui meant to us. We spent more time speaking to locals and we wanted to experience what it was like to love the island as they did, to have the connection with the land. Over the last 5 years (before the pandemic) we started staying at private rental homes, made friends with neighbors and started to feel that our visits transformed into **stays**.

This experience was only possible by having the ability to stay in private home rentals. By not staying in resorts and hotels one has the ability to feel like a local.. to leave the mundane life behind and even if for a short while live the dream of **living** on the most beautiful island paradise. Not only do private rentals afford this gift, but they also permit a family like our to share the gift with more family and friends by staying in the same place for less money, so that we can spend the money where it counts most, local businesses!! During our last visit we even visited the Garden center in Kihei to buy potted plants for our local friends... we have never done this before on a "vacation", but it felt normal as we did not feel we were on "vacation" but more so spending time with friends.

Hearing that this way of life, being able to rent private homes, which is normal all around the world is being threatened by new laws is disheartening to say the least. I have had Hawaiian friends since college and I have always heard about the special love and care for the land that a true Hawaiian should feel and represent. My family heard that same message time and time again and we experienced it ourselves... this through spending time with local people, with normal people that want the same as any other, to be able to provide for their families and live their lives. These normal locals may work for the resorts, however when they have the opportunity as with any other American, they will leverage what they have with their families and friends to open a business or rent a room or home to gain more independence and strive for the American dream.

It is with these small businesses and home rentals that the culture of Maui can stay alive! By putting the vacation dollars into the hands of locals vs the mainland corporations the community will continue their to grow and prosper. The island lifestyle needs to be maintained, no one needs to visit an island as beautiful as Maui only to find the same monotonous 7 to 7 work style the mainland offers. Maui should never become Oahu!!

Keep the aloha alive, ensure the dream of the island life is kept safe for generations for anyone lucky to visit Maui... do this by maintaining freedoms not enacting rules that limit the prosperity of locals and anyone looking to live "like" a local.

Reject bill HB1838!

thank you for your time

HB-1838-SD-1

Submitted on: 3/26/2024 9:16:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Crispin Casserley	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this as it makes no sense. Especially to small business owners using permits.

HB-1838-SD-1

Submitted on: 3/26/2024 9:28:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Cadiz	Individual	Oppose	Written Testimony Only

Comments:

I oppose the portions of this bill that expand County Zoning authority.

I support the portions of this bill that add vehicles and campers to the TAT and GET taxing authority. It should include tents for short-term rentals as well though.

Regarding the Zoning authority question, I quote the testimony from Kobayashi, Sugita and Goda, LLP: "...It is noted that HB 1838 H.D.2 will not assist in any way to reduce the number of illegal short-term rentals that may be operating in the State of Hawaii. The sole effect of this bill would be to allow the Counties to eliminate the ability of landowners to use their properties in ways that are currently legal, and have been for decades. Although it may seem that the proposed legal change is merely an innocuous delegation of authority, the proposed changes included in HB 1838 H.D.2 would change statutory language that codifies existing constitutional rights that have been explicitly recognized by courts in the State of Hawaii."

The changes to STVR laws on Oahu may in fact have increased the number of illegal vacation rentals because the demand for that type of rental still exists. But now you are not collecting any tax revenue.

"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."

For locally owned and operated STVRs especially, any effort to take away a previously legal use of the property is essentially displacing one resident to (supposedly) help another.

I strongly oppose the proposed zoning authority changes.

Regarding the expansion of the definition to include vehicles, campers (and should include tents): I strongly support this. I further urge rule making to ensure that these mobile STVRs are parking in appropriate locations - specifically in a place that offers bathrooms. Rules should also be imposed on open fires for camping and cooking associated with these types of STVRs. Unregulated vehicular camping, and tent camping put our precious natural resources at risk, and it is unsafe for our budget visitors. Therefore I support the regulation and taxation of any vehicular camping offering.

Thank you for your consideration,

Patricia Cadiz

HB-1838-SD-1

Submitted on: 3/26/2024 9:33:49 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Irene Yamagata	Individual	Oppose	Written Testimony Only

Comments:

This is the third time I have written opposing this bill and any bill that is trying to remove short term rentals in Hawaii. Can you imagine is you no longer allowed short term rentals? Loss of transient taxes, loss of property taxes, loss of retail taxes, possibly many foreclosures if people cannot rent their properties, high unemployment. Look what happened to Mexico due to crime, without tourism, the whole environment changes and suffers.

How will residents survive, almost all residents depend on tourism either by sales, jobs, manufacturing, hotel service, restaurant work, etc. All jobs revolve around tourism in some way.

My dad was raised in Maui and was the original owner of our unit which we inherited when he passed away. Our whole family visits Maui but none of us live on the island. In order for us to pay our high HOA dues we cannot afford to leave our unit vacant. People love Maui, what will visitors do if they can't rent short term? There is really no place in the US like Hawaii. Passing HB 1838 will absolutely kill Hawaii and its economy.

We pay a lot of property taxes, transient taxes, HOA fees, what will Hawaii do if they lose all the tourism dollars as well as taxes from short term owners.

This us just craziness that you are thinking of crushing Maui in so many ways.

Sincerely,

Irene Yamagata

HB-1838-SD-1

Submitted on: 3/26/2024 9:37:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam Engel	Individual	Oppose	Written Testimony Only

Comments:

Honorable Senator Rhoads, Chair, Honorable Senator Gabbard, Vice Chair, Honorable Senator Dela Cruz, Chair Honorable Senator Moriwaki, Vice Chair and Members of the Committees

This is Sam and Kathryn Engel and we are the owners of a condominium at the Papakea Resort in Honokowai Maui. We oppose the adoption of HA1838. We have previously submitted testimony regarding the unique circumstances of our particular property and why it should be exempted from the authority the legislature is proposing to grant the County of Maui.

We are writing to you now to request that you vote “no” on HB1838. Our testimony this time is that HB1838 is bad housing and land use policy. It is bad governance. Like many well-intended, but poorly thought-out government policies, it is overly broad and will result in unanticipated problems.

Background

Our condominium complex was constructed and permitted between 1975 and 1978. It was originally developed as a low-density, low-rise condominium project designed to be vacation homes. This was in keeping with Maui’s general plan at the time which was to provide a variety of accommodation options for Maui visitors; with our complex serving as a mid-range option between the high-end resort hotels and the traditional hotels and motels (such as the Pioneer Inn and Travelodge) serving island visitors. Further, the design of our project deliberately separated it from the residential areas of Honokowai, so as to minimize potential visitor impact on any residential neighborhoods that might be nearby. Papakea has quietly fulfilled this General Plan objective for nearly 50 years, operating quietly in the community, while providing jobs and employment!

Problem #1 with HB1838

Section 1 of the bill includes the statement that “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.” Papakea has never been permitted to be, or even operated as a complex of residential dwelling units as defined by the proposed statute. These units were never removed from the housing stock.

It would seem that the first priority of the legislature would be to compel the County to first deal with this part of the problem, that is, IDENTIFYING HOUSING THAT WAS CONVERTED FROM RESIDENTIAL USE TO SHORT-TERM RENTALS, rather than focusing on housing that was lawfully developed as short-term rental units. Yet your legislation does not make this differentiation, even though it is the primary argument in support of the bill.

Problem #2

Section 1 of the bill recognizes the legal impracticality of phasing out lawfully permitted short-term rental units, no matter how the legislature might decide to slice and dice the law. It states: 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.”

It is reasonable to expect that the Courts would continue to take a similar stance for those properties, like Papakea, which have ALWAYS been permitted and certified for occupancy as short-term vacation rentals. This is where the statute is overly broad. If it focused solely on those properties which had been converted over time from residential dwelling units to short-term rentals, the statute might withstand legal challenge.

Problem #3

Section 1 of the bill states that “there is an increased need for housing on the island of Maui in the wake of the 2023 wildfires.”

There is no arguing with that statement. However, what is striking about the statement is that it completely omits the observations of nearly every housing advocate that this housing need existed long before the tragic Maui wildfires. The housing deficit is a problem that has existed for many years, years during which Maui County continued to approve construction of hundreds, if not thousands of additional short-term rentals, regardless of the zone in which they were developed, while neglecting to incentivize the construction of low and moderate income housing. If short-term rentals were such a problem why did the county continue to encourage their development?

It is neither ethical, or legally justifiable to pursue the phase-out of some short-term rentals when the dust has not yet settled from the construction of the latest batch of short-term rentals.

Summary

The housing shortage is real, and it is a problem that has been developing for many years. There are many contributing factors to it. Everyone, including the mom & pop owners of short-term rentals wants the problem to be resolved. The solution involves a change in Maui County housing construction policy that focuses on residential construction rather than more and more resort construction. If HB1838 is passed, it should be amended to focus solely on granting authority to phase out short-term rentals that have been converted from residential dwelling units, and not those that were constructed for this purpose. If that amendment cannot pass, then the bill should be voted down in its entirety.

Thank you for the opportunity comment.

HB-1838-SD-1

Submitted on: 3/26/2024 9:43:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emmaline Padeken	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Mahalo,

Emmaline Padeken

HB-1838-SD-1

Submitted on: 3/26/2024 9:55:23 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christina Sanchez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my **strong support for HB1838 HD2 SD1**, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

In solidarity,

Christina

HB-1838-SD-1

Submitted on: 3/26/2024 10:04:31 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Anita White	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to passing HB1838. You will be sending a negative message about owning property in Hawaii. If the State can take away the source of income for these Short Term Rental owners, where is the security in owning property on Maui?

Millions of tax revenue dollars would no longer be generated for the State.

Where are the tourists going to stay? Tourism would also take a hit.

Taking away Short Term Rentals would take away hundreds of jobs for the folks that service these condos. I feel that this is not being thought about all the way through and it is not a smart solution.

HB-1838-SD-1

Submitted on: 3/26/2024 10:09:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan J Kessler	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition of HB1838. Elimination of short-term rentals will results in a huge disruption and have a negative impact to the county of Maui's tax base. Currently ~ 20% of tax revenues come from short-term rentals. Without the tax base, the county of Maui will be materially impacted in a negative way, thus impacting the local population. Further, HB1838 will negaitvely impact key services personnell who must use short-term rental to deliver their valued services. These include traveling healthcare professionals, construction and other important trades. These are they very trades necessary to help rebuild devistated Lahina over the coming days, weeks and years. The Maui County tax base will be further negatively impacted by the reduction of taxes resulting from the sales and purchases of short-term rental properties.

Thank you for your consideration.

Alan Kessler

Property owner, Kaanapali Alii

HB-1838-SD-1

Submitted on: 3/26/2024 10:11:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Darcey L Lewis	Individual	Oppose	Written Testimony Only

Comments:

My Name is Darcey Lewis and I have been a Maui Resident and bussiness owner for 14 years. I have been able to stay here in Maui because I have a very small but seccessful condo cleaning bussiness for vacation rentals. I am opposed to this Bill because if it passes, I will be out of bussiness and will be forced to give up everything I have worked very hard for. Please understand the impact this Bill will have for all of us small business owners and our livelihood should this bill pass.

Thank you for your time

Darcey L. Lewis

HB-1838-SD-1

Submitted on: 3/26/2024 10:35:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicholas Bartholomew	Individual	Oppose	Written Testimony Only

Comments:

I am speaking as one who knows. From high peak, to low valley. I have crossed oceans in search of truth. From the dirt and rabble of the lowborn rapsallion. To the high towers of great power and shining example. I have courted men, and woman alike in search to have their wisdom. I am both one of the most evil men you could ever know, and a gentle soul weeping for peace. Sir, Ma'am, or Self Empowered, I come to you as one who knows.

How can one appeal to you? As one who knows what it is to know unlimited power, as one who knows what it is to have all the answers and solutions. As one who knows what it is to be confused eternally and at same time eternally helplessly hopeful. How does one appeal to you? I have no compassion in my heart, yet I know what is right and true and just and I know what it is to war in one's self over these things. Does this appeal to you?

Then please, know and understand. You can do nothing. You, as the body of legislation, can do nothing but watch. Whatever you have certainly already decided, you must now watch. Either the people are empowered to rise up and claim their island for the good of man and God(s) alike, or you will issue forth further dictates of death and destruction by stealing the freewill of your legion of unstoppably optimistic citizens.

Know me, I am one who has walked in the carnage of nations in struggle for their souls. I have witnessed the falls of humanity and I have had my hand in the destabilizing effects of resisting the true anarchy of life. Every pound of control you apply, will by natural law and human spirit, result in further entropy.

Understand. You can only watch. Understand, your people do not have that luxury. People do not respond well when you're unresponsive, and I've never a met a committe that knew better than an entire population. Please, if only for selfish reasons. Know my wisdom and take it for your own. If only for your sake.

HB-1838-SD-1

Submitted on: 3/26/2024 10:48:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronald Michael Auth	Individual	Oppose	Written Testimony Only

Comments:

Hi my name is R. Michael Auth, I am the son of Kathleen and Ronald Auth who own unit C309 at Papakea Resort. I am also a Maui home owner.

I OPPOSE HB1838 and urge the committee vote no on this matter.

Sincerely,

R. Michael Auth

HB-1838-SD-1

Submitted on: 3/26/2024 11:07:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Chloe Hartwell	Individual	Support	Written Testimony Only

Comments:

Dear Members of the Committees,

I am writing to express my strong support for HB1838 HD2 SD1.

I have never seen a more acute example of our housing crisis than in the aftermath of the Lahaina fires and was shocked to read that nearly 90% of remaining housing north of Lahaina are listed as short-term rentals.

In the wake of such tragedy, it is rare to receive an opportunity to directly address a crisis in a way that would so broadly benefit the people of Hawaii for generations to come, and this legislation would provide critical stability and security to some of our state's most vulnerable.

I also support the suggested amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

Adding clearer language to HB1838 will give the county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

Mahalo,

Chloe Hartwell

HB-1838-SD-1

Submitted on: 3/26/2024 11:15:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Aja Toscano	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawai‘i Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Aja Toscano

HB-1838-SD-1

Submitted on: 3/26/2024 11:24:10 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dalton Harrington	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Dalton

HB-1838-SD-1

Submitted on: 3/26/2024 11:28:16 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana Cross	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I work for short term rental owners in kihei as a condo cleaner. This is my sole income.

I grieve for those that have lost everything in the recent Lahaina fire. But, it is not necessary to take jobs away from the rest of the hard working Maui residents.

With all of the donations that have been sent to support our west side loved ones in need of homes, I truly hope you can find a resolution other than taking away the only income that some of us have. I have 2 daughters (9 and 10 years old).

I work work for myself. I do not know how I will survive without the job that I have. I agree that Lahaina residents need support. But I also strongly agree that Maui needs the support of tourism. And without these short term rentals and cleaners, like myself, Maui will be on another downfall.

Please vote to oppose this unnecessary bill!

Mahalo Nui Loa,

Dana Cross

HB-1838-SD-1

Submitted on: 3/27/2024 12:19:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Colleen Sutton	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Colleen Sutton. 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. 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 and 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 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.

This bill will hurt my family and may prevent us from visiting Maui. I know that tourism is important to Hawaii in general, and Maui especially. I have spoken to residents working in the tourism industry and they were so happy that we came to visit in October 2023 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-SD-1

Submitted on: 3/27/2024 12:23:02 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosemary Hedge	Individual	Oppose	Written Testimony Only

Comments:

For 20 years we have owned an apartment in 4 Paddle with a valid NUC licence and every two years we have paid for the privilege of owning that licence as well as paying all the TAT and GET taxes and Body Corporate taxes.

We should be able to continue as legal owners of a legally acknowledged short term rental facility to continue to rent this out when we or our extended family members are not occupying it. To suggest that you are considering taking this individual right away from us is against our individual freedom as in the Bill of Rights.

As important as our freedom to live where and how we choose, is the consideration that we pay as much tax as hotels and by renting out our apartment through Captain Cook Rentals for 20 years, we have contributed greatly to the success of tourism in Waikiki.

To think that everyone is financially able to stay in the horribly inflated prices of the Marriotts, Ritz Carlton, Outrigger and Hilton and Trump Tower is to kick yourselves in your own feet. Many families with young children need the self contained and roomier facilities than the hotels provide, military, nurses and other busines people on secondment or short term jobs want a "home away from home" that our apartment provides, and our daughter and family have used our apartment while their own was being renovated, and we appreciate coming for extended stays.

If we are not allowed to continue to use our apartment for short term rentals, then the tourist industry is losing an essential part of the varied types of accommodation that Honolulu currently provides. Hotels are a big part of the tourist industry but no way should be the only part.

People are not all the same in interests, needs and financial ability and the Honolulu Tourist Industry should take that into account in good times and also when there have been disasters and roomier self-contained "homes away from home" are needed for kamaiana who need a refuge.

Hopefully common sense will prevail with those of you discussing these issues and you will not be coerced into making decisions that in the longterm will badly negate the current freedom that tourists and kamaiana have when deciding where to stay in Honolulu.

Rosemary and Brian Hedge

HB-1838-SD-1

Submitted on: 3/27/2024 12:27:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Tucker	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Paul Tucker. I am a property manager of LEGAL short term rentals in Waikiki. I have been working in the industry for over 15 years. I am opposed to the elimination of 30 day rentals. Here are some examples of guests I have hosted in 30 day legal rentals:

1. Flight simulator trainer for Hawaiian Airlines
2. Traveling Doctors and Nurses.
3. Parents of UH students.
4. HART engineers
5. Court witnesses
6. Medical patients from outer islands
7. People transitioning in and out of Hawaii
8. Of course, vacationers

The 30 day rental is an essential component for certain renters. I could support restricting 30 day rentals in certain areas but complete elimination will drastically effect not only the owners of these properties but also their clients.

HB-1838-SD-1

Submitted on: 3/27/2024 1:07:24 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

As a Maui County property owner I think it is very shortsighted to consider banning STR's in the county. The facts as i understand them are that STR's contribute 40% of Maui County tax revenue. If that revenue source goes away then the county will make up the defecit on the backs of the remaining property owners in the county. Or, they will have to make draconian cuts to their budgets. I believe this to be an ill informed piece of legislation based on fear and resentment rather than facts. The ripple effect of passing the ban will be an enormous hit to the Hawaii economy and result in more lost jobs, lost tax revenue, and only drive the cost of housing higher.

Respectfully, John Chapman, Maui County

HB-1838-SD-1

Submitted on: 3/27/2024 1:20:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Shepherd	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838. This is NOT a solution to Hawaii's housing problem. When we bought our condo in 2012, it was purchased knowing it was a zoned mixed use property that we could put into the Vacation Rental market and provide for us an income that would sustain us in retirement. (with no pensions, this was key). To allow counties to arbitrarily tell us what we can and cannot do with our fully legal properties is not right. Hawaii depends on tourism, and legal short term rentals should NOT be targeted.

HB-1838-SD-1

Submitted on: 3/27/2024 2:28:20 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Hilsen	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

I have cherished visiting your lovely Island with my family. We enjoyed to Road to Hana, the many beautiful beaches, the local culture, many fish tacos, beautiful sunsets, whales, tropical fish, waterfalls hikes and many found memories. In visiting we rented a condo and enjoyed having space to cook and relax. We often chose to rent and we treat others properly with respect and appreciation that they share their peice of paradise with us. It seems to me a great thing to support the beauty of the island by sharing in the joy especially when many people can't live there full time, please don't make short term rentals illegal or change the ability for a property owner to share with those who would like to visit. Staying in a hotel uses more resources and it does not connect people to the land the way a house or condo does. It is an infringement on happiness and the ability to make money to restrict the rental. Please don't over extend government control in this way.

Sincerely and thank you for your service

HB-1838-SD-1

Submitted on: 3/27/2024 2:34:12 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
johannes a Wunderl	Individual	Oppose	Written Testimony Only

Comments:

Tourists groups renting my condo are on average 5-7 people.They can not afford 2-3 hotel rooms, if this option disappears, they wil go to neighboring islands. No more Maui taxes.

HB-1838-SD-1

Submitted on: 3/27/2024 2:48:39 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Noelani Sturdevant	Individual	Oppose	Written Testimony Only

Comments:

I have provided a vacation rental since 2012 in an area of Puna that visitors are drawn to for it's natural beauty, and there are no hotels or motels in this area.

This is a family business benefitting my daughter and I, and also benefitting many local businesses in Pahoā.

I also host family and friends in my simple house, and am renting by the month since Hawaii changed it's stvr regulations.

The now nearly 18% tax is a huge amount of funds when you add all of these rentals up, and could certainly be used to augment help for long term housing.

My family, the town businesses, and our area benefit from rentals like mine. I've worked hard to create this small business and have paid a very considerable amount in taxes to Hawaii in order to do so. I will not rent long term ever, so this proposal will create a loss in revenue and opportunity for sustainable lodging and income.

HB-1838-SD-1

Submitted on: 3/27/2024 2:52:21 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lennard Gonzales	Individual	Oppose	Written Testimony Only

Comments:

AS A RESIDENT AND SHORT-TERM RENTAL OWNER ON THE BEAUTIFUL ISLAND OF MAUI, I STAND BEFORE YOU TODAY TO EXPRESS MY DEEP CONCERNS ABOUT THE PROPOSED HB1838 BILL. THIS LEGISLATION, WHICH SEEKS TO DRASTICALLY CURTAIL THE NUMBER OF LEGALLY PERMITTED SHORT-TERM RENTALS, THREATENS NOT ONLY MY LIVELIHOOD BUT ALSO THE ECONOMIC AND SOCIAL FABRIC OF OUR ISLAND COMMUNITY.

PERSONAL IMPACT: OWNING AND MANAGING A LEGALLY PERMITTED SHORT-TERM RENTAL HAS NOT ONLY BEEN A SOURCE OF INCOME FOR MY FAMILY BUT HAS ALSO ALLOWED US TO MEET PEOPLE FROM ALL WALKS OF LIFE, SHARING THE ALOHA SPIRIT AND WHAT IT TRULY MEANS TO EXPERIENCE MAUI. THE POTENTIAL PHASING OUT OF 13,744 LEGAL STRS, AS PROPOSED BY HB1838, WOULD NOT ONLY DEVASTATE OUR FAMILY'S FINANCIAL STABILITY BUT WOULD ALSO DIMINISH THE UNIQUE, PERSONAL EXPERIENCES WE OFFER OUR GUESTS.

ECONOMIC CONTRIBUTION: THE ROLE OF STRS IN MAUI'S ECONOMY CANNOT BE OVERSTATED. STRS CONTRIBUTE SIGNIFICANTLY TO THE COUNTY'S REAL PROPERTY TAX REVENUE, ACCOUNTING FOR 40% OF THE TOTAL. THIS REVENUE IS VITAL FOR FUNDING ESSENTIAL SERVICES AND AFFORDABLE HOUSING INITIATIVES. OUR STR ALONE CONTRIBUTES TO THIS TAX BASE, SUPPORTING THE ISLAND'S INFRASTRUCTURE AND COMMUNITY PROGRAMS. THE QUESTION OF REPLACING THIS REVENUE IF STRS ARE CURTAILED LOOMS LARGE, WITH NO CLEAR ANSWER IN SIGHT.

COMMUNITY SUPPORT: BEYOND ECONOMIC CONTRIBUTIONS, OUR SHORT-TERM RENTAL SERVES AS A FLEXIBLE HOUSING OPTION FOR VARIOUS COMMUNITY MEMBERS. WE HAVE HOSTED INTER-ISLAND RESIDENTS SEEKING MEDICAL TREATMENT, TRAVELING NURSES, EMERGENCY CONTRACTORS, AND FAMILIES

IN TRANSITION. ESPECIALLY IN TIMES OF CRISIS, SUCH AS THE DEVASTATING LAHAINA FIRE, STRS LIKE OURS HAVE PROVIDED ESSENTIAL, FURNISHED TEMPORARY HOUSING FOR DISPLACED RESIDENTS. CURTAILING STRS WOULD NOT ONLY IMPACT TOURISTS BUT ALSO OUR LOCAL COMMUNITY WHO RELY ON THESE ACCOMMODATIONS IN THEIR TIMES OF NEED.

HOUSING OPTIONS IN CRISIS: THE PROPOSITION TO PHASE OUT A SIGNIFICANT PORTION OF OUR ISLAND'S TEMPORARY HOUSING OPTIONS IS ALARMING. IN EMERGENCIES, THE AVAILABILITY OF FURNISHED, FLEXIBLE ACCOMMODATIONS IS CRITICAL. OUR RENTAL HAS SERVED AS A HAVEN FOR THOSE AFFECTED BY NATURAL DISASTERS, OFFERING A PLACE OF COMFORT AND NORMALCY IN TUMULTUOUS TIMES. IF HB1838 WERE TO PASS, WHERE WOULD OUR COMMUNITY MEMBERS TURN IN THEIR TIMES OF GREATEST NEED?

IN CONCLUSION, WHILE I UNDERSTAND THE CONCERNS THAT HAVE LED TO THE PROPOSAL OF HB1838, I URGE POLICYMAKERS TO CONSIDER THE PROFOUND AND WIDE-REACHING IMPACTS OF THIS BILL. IT'S NOT JUST ABOUT THE NUMBERS OR THE REVENUE; IT'S ABOUT REAL PEOPLE, FAMILIES, AND A COMMUNITY THAT THRIVES ON THE SUPPORT AND FLEXIBILITY THAT SHORT-TERM RENTALS PROVIDE. LET'S FIND A SOLUTION THAT PRESERVES THE BENEFITS OF STRS WHILE ADDRESSING THE CONCERNS THAT HAVE BEEN RAISED. THANK YOU FOR CONSIDERING MY TESTIMONY.

Stephen Scrivano
12852 Bellaire St
Thornton CO 80241

Regarding HB1838

As a frequent visitor to Maui where I had the honor of exchanging vows with my beloved, I am writing to express my deep concerns about HB1838 and its potential impact on visitors like myself. The ability to afford our trips to Maui hinges on the availability of private condo rentals. If this bill proceeds, our cherished visits to Maui will face an uncertain future. It is likely they will come to an end since hotels are not only too expensive for us to rent but they lack the amenities desired for our visits such as kitchens and larger living area.

The testimonies of local residents, such as Kris Adair, Marbella Alford, Karen Anderson, and many others, shed light on the far-reaching consequences of bills like HB1838. For example, Karen Anderson raised a critical point about the unintended consequences of eliminating hosted rentals. The impact goes beyond just visitors like myself. It affects the livelihoods of individuals who rely on the vacation rental sector, including housecleaners, gardeners, site managers, handymen, and more. Furthermore, it could lead to inflated rents, pricing local residents out of paradise.

The unique economic landscape of Hawaii provides opportunities for mutually beneficial, affordable long-term rentals and empowers self-employed individuals to support their families while contributing to the local economy. Bills like HB1838 fail to recognize the intricate web of economic dependencies and how mainland individuals can now work remotely from anywhere they desire, impacting the rental housing market and the local community.

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 and ensuring the economic stability for families like mine, as emphasized by Kris Adair.

In conclusion, I respectfully urge you to reconsider the potential ramifications of HB1838 on visitors, local residents, and the dedicated workers in the vacation rental industry. Let us work together to find solutions that uphold the unique economic landscape of Hawaii, ensuring that it remains accessible and sustainable for all.

Thank you for your attention to this vital matter.

Warm regards,

Stephen Scrivano

HB-1838-SD-1

Submitted on: 3/27/2024 3:15:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gloria Squitiro	Individual	Oppose	Written Testimony Only

Comments:

Bill HB1838 / SB2919 Letter Tool

Subject: Urgent Concerns Regarding Bill HB1838's Impact on Temporary Housing Solutions

Chairman Donovan Dela Cruz Committee on Ways and Means Chairman Karl Rhoads
Committee on Judiciary Hawaii State Senate 25 Aupuni St. Unit 1502 Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential consequences of Bill HB1838 on our community, particularly regarding the availability of month-to-month rentals in Hawaii. As a resident of our beautiful state, I have witnessed firsthand the importance of mid and short-term rentals in accommodating a wide range of needs within our community.

These rentals are not just a convenience; they are a necessity for displaced residents, newly housed individuals, 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. They provide a critical housing option that is flexible, furnished, and available when traditional long-term rentals are not suitable or accessible.

We must remember the challenges faced by our community during events like the Red Hill Crisis, Marco Polo fires, and the eruption of Kilauea. These events displaced thousands of residents, many of whom relied on mid and short-term rentals for temporary, furnished housing. If Bill HB1838 passes and further restricts our ability to offer these types of rentals, where will our residents turn during times of crisis?

I urge you to consider the broader implications of this bill on our community's housing flexibility and to seek amendments that preserve the availability of month-to-month rentals. Our community's resilience depends on our ability to support each other, especially during times of transition and crisis.

Mahalo for your attention to this matter.

Me ke aloha pumehana,

Gloria Squitiro 82-6016 Manini Beach Rd Captain Cook, HI 96704 2027257782

HB-1838-SD-1

Submitted on: 3/27/2024 3:28:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven Bartel	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838 and its potential effects on the community. This bill, if passed, would have a significant negative impact on Maui's residents, economy, and the availability of temporary housing during crises.

One of the primary concerns is the potential loss of legal rentals. Many families and individuals rely on these rentals for their temporary housing needs when visiting. These non-hotel rentals contribute significantly to the general and local economy, both through the direct spending of tourists and the tax dollars generated.

Furthermore, limiting the availability of these rentals would also reduce the community's ability to provide temporary housing during crises, such as natural disasters. These rentals often serve as a lifeline for those displaced and in need of immediate shelter.

Another important aspect to consider is the impact on families who prefer accommodations with kitchens. Many families, especially those with young children or dietary restrictions, rely on the ability to prepare their meals while on vacation. Limiting this option would make Maui less accessible and appealing to these families.

In conclusion, I urge you to reconsider HB1838 and its potential negative impacts on Maui. Instead, let's work together to find solutions that support our community, economy, and the diverse needs of our residents and visitors.

Thank you for considering my perspective.

Sincerely,

Steven Bartel

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

HB-1838-SD-1

Submitted on: 3/27/2024 3:39:50 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Davis	Individual	Oppose	Written Testimony Only

Comments:

Hello thank you I am here to testify against HB 1838 because my short term rental is my retirement income. I am 69 years old. I very carefully chose this location because it was already legal. Please leave it legal. my biggest expenses are the taxes which I am glad to pay you in support Of MAui. short term rentals provide 40% of tax revenue. where were that come from if you take away the choice. I am currently supporting my rental with my Social Security because of the fire. My son is a Marine on Oahu. I'd like to keep it as a short term rental so that he can come visit Maui along with others who need short-term housing while they look for permanent homes, I have reached out to help those affected by the fire. tourism is one of the biggest industries on Maui not everybody wants to go to a big hotel. I am legally part of that resource, and I need the income when it comes back to not be dependent on government assistance, thank you for your time.

HB-1838-SD-1

Submitted on: 3/27/2024 3:41:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Fender	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill. My husband and I own a property in Puamana where short term rentals have been allowed for decades. This was our dream vacation home and planned place of retirement before the Lahaina fire. The ability to use this home as a short term rental between our visits made it possible for us to purchase and maintain this home and plan regular visits to our beloved Maui while we are still working on the main land.

Maui's STRs provide 40% of the real property tax revenue for the county and almost a fifth of the entire county operating budget. The tourism industry supports the livelihood of so many on Maui - tour operators, restaurant workers, cleaners, and more. Besides tourists, 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 displaced thousands of residents. While our home is currently uninhabitable due to lack of services (water, sewer), we are open to future renting of the home to house displaced residents. Please do not further decimate our property value (the fire did enough!) and destroy our dreams by removing our ability to short to mid term rent this home. Where will residents find temporary, furnished housing if our industry is further destroyed?

Anne and Christopher Fender

HB-1838-SD-1

Submitted on: 3/27/2024 3:42:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

As a voting resident, business owner, taxpayer of west Maui for 47 years, I would strongly like to voice my OPPOSITION to HB1838. Short term rentals provide JOBS for our citizens, TAX revenue for the State and County, Opportunity for all. Short term rental units do NOT work for Maui families. Short term rental units are generally, small with extremely limited parking, no pet rules, small closets, high maintenance fees (due to high rates for insurance, water and electricity). Short term rentals provide a driving force to keep our economy going. Short term renters buy groceries, rent cars (high tax item), eat in restaurants, enjoy our many diverse tours. WEST Maui needs short terms rentals.

This bill is short sighted and not well thought out. If you eliminate short terms rentals you have nothing to replace them with. Our economy is in dire shape, we need short term rentals. Not everyone can afford a hotel room. Some people like the option of having a kitchen.

PLEASE OPPOSE HB 1838

With Aloha, Laurie Lowson

A concerned citizen and taxpayer who votes in every election.

I oppose Bill HB 1838 for the following reasons:

- 1) My family wants to help local Maui residents affected by the 2023 fires and have agreed to give up our property for 12 months as of February 1, 2024, even though this will have a negative impact on our finances.
 - 2) Based on the fact that short-term rentals were permitted by law and the market for such was very strong and forecasted to continue to be so, we decided to purchase a home with the expectation the returns on our investment for several years would provide retirement funds that would assist us in achieving our desire to reside in Maui upon retirement.
 - 3) If the ability to rent short-term is rescinded our financial losses will be significant and will necessitate having to dispose of the property at what is very likely to be a significant loss given this property was purchased as recently as 2018. The legislated change of use would make the property far less desirable to investors or those looking for supplemental income so that they can afford to purchase.
 - 4) If all of these properties are lost to the tourist market, many Mauians will lose the many jobs provided by this sector. Many will have to leave Maui to find work elsewhere. This will lead to many of these properties being left empty as there will be fewer employed Mauians to rent them.
- 5) We own a short term rental condo 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.
- The resort employs many local resident employees.
 - As owners we also support a local management company, housekeepers and contractors.
 - Guests support many local small businesses and their employees on Maui including restaurants, tour operators, shops and local businesses.
 - Guests also support employees at the airport, car rental companies, national parks, and state parks.
- 6) Our development was never an owner occupied complex. It has always been a vacation rental property. It isn't a desirable property for permanent residents, our unit and many of the other units are only one bedroom.
- 7) The complexes short term renters 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. Short term rentals provide 40% of the real property tax revenue for the county, tax revenue for the state and county would significantly decline if there wasn't a short term rental market.
- 8) We are currently working with FEMA and they are currently housing a local couple in our unit who are displaced by the horrible Lahaina Fire. These local individuals would likely be unable to find temporary, furnished housing if the short term rental market was eliminated

HB-1838-SD-1

Submitted on: 3/27/2024 4:10:31 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alix Noda	Individual	Oppose	Written Testimony Only

Comments:

I truly believe that owner residents of the state of Hawaii should be able to do 30 day rentals with their property. It would be unlawful to change the minimums to 90 or 180 days. Traveling nurses, relocated persons, vacationers all should have the ability to live in other options than just hotels. I have grown adult children that will not be able to visit with their families to visit if they're not able to stay at short term rentals. Who can afford \$900/night for a double occupancy hotel room?

also, I have a friend who owns a hostel and has done so for decades. How can you consider not renewing those NUC's? Please consider the local people who are trying to maintain their properties, and don't just care about the big money with hotels .

thank you.

HB-1838-SD-1

Submitted on: 3/27/2024 4:16:16 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emily Kueker	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I OPPOSE H.B. HB1838 for the following reasons:

My name is Emily Kueker and I thank the committee for the opportunity to testify about this bill. I have been a visitor to the beautiful islands of Hawaii over 15 times, including visits to four of the islands, each time, staying in a Short-Term Rental (STR) because I've found it's the most convenient way to visit and is the best option for myself and my family. Short-term rentals allow us to use more of our budget on activities and restaurants in the evenings because we can use the kitchen, grill, and fridge to store food and be intentional about our spending while on the islands. In fact, we loved our STR experience so much that we purchased a condo on the island because we love to visit and see what a positive economic impact tourism has on the locals and islands. In addition to supporting the employment of employees at the condo resort, money also goes to contractors, house cleaners, grocery stores, our property management company, tour companies, retail stores, and restaurants, to name a few. The taxes paid by STRs also strongly support local initiatives and government. I would hate to see the economic development and opportunities created by STRs decrease. Surely, there is another way to address the local housing crisis without hurting the number one industry of Hawaii. Condos that are used as STR that are 700 sq ft are not the cause nor the solution to the housing crisis. If there is a decline in tourism, it would have a devastating impact on locals who depend on employment and contracting opportunities from visitors using STRs.

For the reasons stated herein I OPPOSE HB1838 and urge the committee vote no on this matter.

HB-1838-SD-1

Submitted on: 3/27/2024 4:26:54 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jan Stahl	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Senator Gabbard, Vice Chair, Senator DeLa Cruz, Chair Senator Moriwaki, Vice Chair an members of the committee:

I OPPOSE HB1838 for the following reasons:

My name is Jan Stahl thank you for the opportunity to tesify aout this bill"

Papakea is an ocean front property completed in 1978 and consisting of 364 individual condominiums.'

Papakea was initaly marketed and sold as vacation rental property. My family purchased our unit in 1977 and owns it till this date.

Papakea owners have been operating legal vacation rentals for almost 50 years.

Papakea has never been a workforce housing so Papakea is NOT an example of a property that converted fom workhouse to transient vacation use.

The majority of units at Papakea are under 600 square feet and the property ha limited parking.

Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.

Papakea's resort operations require extensive maintenance which makes the monthly dues vry high. Unsubsidized long term rentals do not come close to covering the dues, special asesments, mortgage payments, taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

This bill does nothing to solve the problem of illegal short term rentals.

Papakea provides employment for approxiately 35 local resident employees, some have worked on property for over 15 years.

Papakea supports local trade professionals including pest control, HVAC, plumbing, electrical and tree trimming.

Many small businesses owned and operate by local residents rely on Papajea short term rentals including housekeepers, handyman, on island agents and contractors. These providers set their own rates, hours etc. Shutting down short term rentals at Papakea means putting these people out of work.

Papakea STR'S support the State of Hawaii and County of Maui through payment of property taxes, transient Tax, general Excise taxes and Maui Transient Taxes.

For these reasons and many more I OPPOSE HB1838 and urge the committee to vote no on this matter.

HB-1838-SD-1

Submitted on: 3/27/2024 4:28:42 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
christy bode	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my deep concerns regarding bills SB2919 and HB1838 and to advocate for the preservation of legal short-term rentals in our community. My personal story underscores the critical importance of legal short-term rentals and the potential impact of these bills on my livelihood and financial stability.

As a Respiratory Therapist working at my local children’s hospital, my plan to continue working as a traveler at Maui Memorial and rent out our condo during the times between contracts plays a vital role in ensuring financial stability for my family as we prepare for retirement. We are legally a Short-Term Vacation Rental (STVR), and when we purchased our condo, we ensured that our property was zoned as an STVR, enabling us to both live on the property as full-time residents and legally rent it out. The loss of our rights to continue legally renting out our condo would not only result in a loss of income for my family but also impact the tax revenue for Maui as a whole, further highlighting the far-reaching economic consequences of these bills.

The potential impacts of SB2919 and HB1838 go beyond my personal circumstances. Mid and short-term rentals play a crucial role in accommodating displaced residents, including those affected by events like the Red Hill Crisis and Marco Polo fires. Additionally, these rentals provide housing for newly housed residents, residents in transition, traveling nurses, emergency contractors, and temporary military personnel, demonstrating their essential role in meeting various community needs. The economic contributions of Maui's short-term rentals, a significant portion of the real property tax revenue for the county, are indispensable and contribute substantially to the local economy.

Specifically, SB2919 creates a state-wide framework for heavily regulating vacation rentals, including pre-approval for all listings, a state-operated database and API for validating listings, and heavy fines for non-compliance. These regulations not only pose an unconstitutional taking of property owners' economic rights but also present significant financial hardship for families depending on this income to make ends meet. Additionally, the legislation does not address the unintended consequences that may arise, such as the impact on local housing prices and the increase in the number of vacant homes.

I urge your reconsideration of these bills and your support for policies that balance the needs of our community while preserving the opportunities for citizens to participate in Hawaii's vital tourism industry, ensuring economic stability for families like mine. I strongly encourage you to

consider the far-reaching impact of these bills and make your voice heard in opposition to this legislation.

Thank you for your attention to this matter. I hope for your continued commitment to the well-being of Maui's residents and its economy.

Sincerely,

Christy Bode

HB-1838-SD-1

Submitted on: 3/27/2024 4:29:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Webb	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. HB1838 for the following reasons:

My name is Peter Webb, and I would first like to thank the committee for the opportunity to testify about HB1838.

My wife and I purchased a single condominium at Papakea Resorts 11 years ago. It is a small 597 sqft one bedroom unit. This short term rental condominium is part of a larger complex named Papakea that is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.

We normally spend one to two months on the island in our condo.

We engage with a local on island management company to obtain rental income when we are not there. This on island company takes 30% of the rental income.

It is also important to understand that the remaining amount of rental income essentially goes to the local AOA fees and Maui county property taxes. This condo is NOT a major source of income, most years we actually have a loss on the operation of the unit.

Virtually all the rental income that is collected is distributed back to the local economy on the island of Maui.

AOAO fees are used to pay for the maintenance of the property and the hard working associates on site at Papakea. Also, local contractors HVAC, Pest control, Electrical, Plumbing, etc, all local Maui based businesses.

Over the last 11 years we have also contributed to the local economy in the form of money spent at restaurants, food trucks, grocery, pharmacies, car rentals, equipment rentals, boat excursions as well as the sales tax associated with all the above items.

It can be logically assumed that in addition to our expenditures, all the individuals that used our unit during the other 10 months of the year did the same and provided the same economic benefit to the island of Maui.

It is important to note that Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rentals.

Papakea also housed and is housing a large number of local displaced residents.

For the reasons stated herein I OPPOSE H.B. HD1838 and urge the committee to vote no on this matter.

Respectfully submitted,

Peter and Vickie Webb

HB-1838-SD-1

Submitted on: 3/27/2024 4:31:49 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Vicki Stewart	Individual	Oppose	Written Testimony Only

Comments:

I have owned my licensed legal vacation rental since 2001 and always paid taxes on time. It generates substantial TAT and GE taxes paid to the county. My condo is also used to often house traveling nurses, and workers who are helping rebuild Lahaina. I am 73 and count on this income to help support my social security. I could not afford to support myself if I didn't have this STR. Please don't take away my lifesaver.

Vicki and John Stewart

HB-1838-SD-1

Submitted on: 3/27/2024 4:40:38 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
An Lam	Individual	Oppose	Written Testimony Only

Comments:

I oppose

HB-1838-SD-1

Submitted on: 3/27/2024 4:42:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mali Hawes	Individual	Oppose	Written Testimony Only

Comments:

This bill is an inexcusable attempt to strip long held property rights. Most likely unconstitutional.

And extremely bad policy during this economy. Retired residents like myself rely on mid term rentals to make ends meet.

Stop favoring the global corporate hotel industry - not local owned! - over the rights of residents.

March 17, 2024

To Whom It May Concern,

My parents moved to Oahu in the 1980's and my sisters and I were fortunate enough to grow up on the North Shore. I moved away in 2007 for college, and have lived on the mainland ever since as that is where the best job opportunities presented themselves to me.

Since moving away, I have seen the rise in popularity of short-term rentals, both on the mainland and in Hawaii. I have spoken with my family and friends in Hawaii, San Diego, and ski towns like Park City that all struggle finding a balance between having enough housing for residents and having short term rentals for visitors. I truly believe that to eliminate short term rentals on Oahu, especially on the North Shore, would make it impossible for former residents like myself to visit and stay close to family.

I am getting married on the North Shore in early May. A basic room at Turtle Bay is about \$630 per night. If my partner's family had to rent rooms there, it would cost over \$13,000 for 5 nights for 4 *basic* rooms. Without short-term rentals, the only other alternative is to stay in Honolulu and drive more than 2 hours a day round trip to be able to spend time with my family on the North Shore. I recognize that short-term rentals can cause problems, but I believe that banning them entirely only makes it extraordinarily hard for people like me to return home to visit my family. I hope you can find a solution that allows short-term rentals to continue so that people like me can return to visit loved ones.

Sincerely,
Ariana Forgeron
Kahuku High School, Class of 2007
Delta Air Lines Pilot

HB-1838-SD-1

Submitted on: 3/27/2024 4:46:21 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
mike stango	Individual	Oppose	Written Testimony Only

Comments:

I Strongly Oppose this bill - its unconstitutional (and will lose on appeal, costing \$\$\$ to all parties concerned) and more importantly unamerican . If you want to pass laws applicable to New development - fine , but changing the "rules" mid game is unacceptable. In addition

this bill will put Hard Working Hawaiians OUT of work .

Thank you,

Mike Stango 631 848-8103

HB-1838-SD-1

Submitted on: 3/27/2024 4:48:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Valerie Anne Jones	Individual	Oppose	Written Testimony Only

Comments:

I vehemently oppose this measure.

HB-1838-SD-1

Submitted on: 3/27/2024 4:51:35 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Brill	Individual	Oppose	Written Testimony Only

Comments:

My family and I have been coming to Papakea for years and love the atmosphere there. Papakea employs many locals and when we visit we buy from the small local shops and restaurants. Please vote NO on this bill and retain Papakea's character and its positive affect on the local community!

Thank you!

Michael Brill

Aloha Chair, Vice Chair and Committee,

HB1838 HD2 SD1

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 HD2 SD1 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

Gloria Simmons,OWNER

73 N Kihei Rd # 204

Kihei, Maui, Hawaii 96753

I am submitting, with respect, my testimony in opposition of HB1838. I originally wanted to be a full time resident in Kihei, however, family issues keep me in California. Thus, I have been renting it out since 2016. This has always been a legal short term rental property even prior to my purchase. It is in the resort section next to all hotels- large and small.

Through my rental income I have paid thousands of dollars of taxes , GE, TA and now Maui. I understand as a whole, our small industry brings in 40% of the real property tax revenue. But wait! I also pay my regular property taxes, which because I rent it out, is higher than it would be for a resident!

If this bill passes where will all the local wonderfully employed people find work? I hire weekly cleaners, appliance repair people, locksmiths, drapery installers, window washers, handymen, contractors, purchase all my supplies locally, etc.

If this bill passes then where will the residents who are remodeling, or otherwise out of their homes(including Lahaina disaster needs) nurses, emergency contractors, students, family and friends visiting locals go for stays less than 30 days? Lahaina people do not want to come to Kihei as their life is on the west side! If they do, and you pass this bill, they will not find furnished places to live either!

We are respectful of Hawaii and have indulged in the Spirit of Maui. Please consider keeping STRs open so we can bring the spirit of Maui to others. Also, stop the negative press about how STRs displace locals. If this ends, the locals that support themselves by renting out rooms will lose their income, pride and have to move!

Respectfully Submitted:

Gloria Simmons

March 27, 2024

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

We **OPPOSE** H.B. 1838, HD1.

We own a condominium at Papakea, an ocean-front property completed in 1978 and consisting of 364 individual condominiums. Papakea was initially marketed and sold as vacation rental property. Most units at Papakea are under six hundred square feet and the property has limited parking. It is located adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.

We purchased our unit in 2019, and have used it for personal use, as a short-term rental, and for housing a displaced Lahaina family.

I would like to share with you our costs associated with owning a property at Papakea.

Total investment in property maintenance 2019-2026: \$264,000

- Paid \$22,000 in special assessments for seawall repairs and exterior renovation, which was completed by Maui workers.
- Paid \$4,800 to cover the cost of an unplanned and significant increase in insurance premiums for the complex, beyond our personal insurance on our condominium.
- Paid \$135,000 to hire Maui contractors and designers to bring the condominium up to date (electrical, plumbing, water heater, bathrooms, sheet rocking, flooring, etc.)
- Due in 2026: \$103,000 in special assessments to cover our share of the costs of replacing the water pipes in the condominium complex.

Annual investment in Maui economy: \$92K

In addition to our investments in the Maui economy to hire workers for property maintenance as described above, our unit contributes the following to the Maui economy annually:

- \$55K per year for local property management
- \$26K per year in GET/TAT/MCTAT
- \$11K/year in property tax

In the five years that we have owned the property, the rental income has not even come close to covering the costs of owning the property, even though we do not have a mortgage on the property.

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

Aloha Chair, Vice Chair and Committee,

HB1838 HD2 SD1 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 HD2 SD1 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-SD-1

Submitted on: 3/27/2024 5:00:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn Breslin	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.

HB-1838-SD-1

Submitted on: 3/27/2024 5:00:47 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tammy McGee	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill hb1838, it will devastate your economy. People will loose their jobs and have to leave the island.

HB-1838-SD-1

Submitted on: 3/27/2024 5:01:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Marco Missinato	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill

March 27, 2024

COMMITTEE ON WAYS AND MEANS
COMMITTEE ON JUDICIARY

RE: **OPPOSITION TO HB 1838 SD1**

Aloha Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

It seems propaganda and nefarious “big hotel” influences have already encouraged a final outcome but in the hope critical thinking prevails, below is my testimony rooted in logic and facts.

While the State believes or is pretending to believe that this is a benign clarification of zoning, HB 1838 would remove the constitutional protections contained in the State statute (section 46-4). On Maui County there is also no question on if the authority from this bill will be used but when. To believe that there aren't already designs to enact unconstitutional phase outs is beyond naive.

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 marketed, developed, and approved for vacation use, and having operated in such manner legally for almost 50 years, it is on the Minatoya list. While that should denote the vested rights to operate as it always has, this notation has become weaponized with false narratives. 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.

Thinking that half-century old ocean front condos on West Maui will solve the affordable housing issue is ridiculous. Here are just a few reasons why - these properties routinely have special assessments (currently my studio AOA is \$1500/month to absorb reduced post-fire resort revenue as a means to avoid reducing staff/operations) and escalating insurance costs (ours increased by 530% in the past year). These properties are incredibly expensive to maintain, the property where I own will be starting into a several years-long repiping project that will cost \$32,000,000.00 minimum to complete.

The best and highest use of a tiny studio condo is for what it has been legally doing for almost 50 years. The legal STVR status allows such a small and expensive space to support local jobs and the local economy through a variety of means (high taxes, tourist dollars, etc.). Our condo supports the businesses of no less than five West Maui residents. 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 fact that the hotel industry has imbedded itself so much into this issue is deeply troubling.

Further, the sweeping negative statements about STVR properties is wholly unfair. The following are just a few of the practices we stand behind: we don't use single use plastic, we encourage visitors to wear reef-safe sunscreen, to not walk/stand on the reef, give sea life plenty of space, to support local businesses, to leave no trace and pick up trash where it is found, and to volunteer. We don't "churn it and burn it." We review each potential guest and routinely turn down visitors that pose concerns as far as conduct while on island. I've never heard of a hotel vetting a visitor.

Other testifiers have pointed to how this bill will negatively impact individuals that need short and mid-term housing. These are individuals are incredibly important and necessary - just a few examples include traveling medical personnel, laborers/contractors, and researchers. As a specific example, we hosted a researcher that came to Maui post fire to study air quality. With hotel rates so astronomical, some research would be cost prohibitive, some traveling medical personnel may choose different assignments, and some projects may be delayed due to a lack of housing for laborers/contractors.

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. Owners have cited the escalation of hateful/vengeful rhetoric as disturbing. Imagine someone comes to your door and says a bunch of vile things about you...compares you to "rapers and slavers" as a previous testifier did and then says but open your home to me. Confusing, no? Unfavorable landlord/tenant laws coupled with local voices saying they will squat in people's properties is also problematic. The expense of these units also makes the concept of subsidizing someone else's life indefinitely impractical.

There is already increased unemployment and uncertainty in the Maui community. Why aren't real and sustainable housing solutions being considered? Why aren't illegal short-term rentals being managed first? Governor Green just posted that new legislation isn't needed and that cracking down on illegal rentals can work to solve the issue. Why are luxury single-family homes approved and built so easily? Why even in the recent past have counties rubber stamped hotel and resort development? Here are just a couple of examples I find perplexing if the housing crisis has actually been a concern on Maui:

- The West Ka'anapali Ocean Resort Villas (2003)
- Honua Kai (2009, 2020)
- The Westin Nanea Ocean Villas (2017)

Mahalo for reading my testimony. I strongly OPPOSE HB1838, SD1 and urge the committee members to vote no.

HB-1838-SD-1

Submitted on: 3/27/2024 5:13:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Steele	Individual	Oppose	Written Testimony Only

Comments:

Bill 1838 2024

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 considering our concerns.

Randy & Deb Steele

HB-1838-SD-1

Submitted on: 3/27/2024 5:14:53 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ava Roark	Individual	Oppose	Written Testimony Only

Comments:

Where is the county revenue going to come from if you eliminate short term rentals?
Tourism is a huge money maker for the county of Maui as well as the state of Hawaii. You are not seeing the big picture. If tourism declines where would the revenue come from to support the entire state. You are shooting yourself in the foot. You saw what happened when tourists quit coming to Maui. Is that what you want? Don't shoot the golden goose!

HB-1838-SD-1

Submitted on: 3/27/2024 5:18:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
pat weber	Individual	Oppose	Written Testimony Only

Comments:

Your ACTIONS have CONSEQUENCES Maui does not want.

1, This bill will put many Maui residents out of work: cleaning businesses, office staff, managers, and rental businesses of 13,744 legal short-term rentals. These tourists will not be coming to Maui because they cannot afford the high price of hotels that support your destructive ideas.

2. It will hurt small businesses and restaurants that these average-income tourists support.

3. You will lose tax money that has been a top funding source of affordable housing.

4. How many people can you house in our Kihei Kai Nani 621 sq. ft. condo? Use the taxes we and cleaning businesses are giving you for small homes and trailers for displaced families.

5. What happens to our renters from So. Dakota and Canada who have bought their airplane tickets for next Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec. trips to Maui?

Many owners know nothing about this bill and have not had the opportunity to comment. We learned of it from our cleaning lady. Please let counties enforce the laws they have.

Get small homes and trailers that would be better than our 621 sq. ft. condo which will sit empty when we are not there. **DON'T SHOOT YOURSELF IN THE FOOT! THINK ABOUT REAL POSSIBLE CONSEQUENCES, not your dream consequences.**

Thank you,

Pat Weber

HB-1838-SD-1

Submitted on: 3/27/2024 5:19:46 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Charlene K. Rowley	Individual	Oppose	Written Testimony Only

Comments:

As a life long resident of Kula Maui I strongly OPPOSE this Bill which employees small buisnesses in my community including landscapers, house keepers, property managers, etc. I personally know many island families who rely on income from Short term rental cottage industry. I also know folks who were born and raised in Maui who would not have been able to afford to buy in Hawaii were it not for short term rental zoning and income helping to subsidise their mortgages. When visitors stay in communities they spend more money at community based buisnesses, they get refered to go to local owned restaurants and stores rather than shopping in corporate gift shops. They also develop a personal connection to Hawaii that changes the experience for us and for them, for example they are more likely to contribute to our community such as volunteering with Hands On Maui where we still have a strong flow of visitors coming through to help at many non profit organizations. Please dont cut off this income stream for many local residents.

Short term rental owners already pay a significantly larger percentage back into our property tax fund and affordable housing than the hotel industry. I hope that the legislature abandons HB1838 and continue to see alternative solutions.

Thank you for considering my testimony.

Sincerely,

Charlene Kiana Rowley

March 27, 2024

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

RE: OPPOSITION TO HB1838 SD1

Dear Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

We have heard time and time again that a main contributing factor to the housing crisis is *illegal* short-term rentals. This bill does not address illegal short-term rentals. The counties already have that authority to regulate illegal short-term rentals but have mismanaged the authority for over 10 years and are now claiming they need new, different authority to fix the problem.

The Legislature is making important decisions that impact thousands of local residents, billions of dollars of property value, and hundreds of millions of dollars of tax revenue. This decision needs to be made based on actual data, not based on underdeveloped, unresearched clickbait theories perpetuated by various organizations supporting this legislation. To date, none of the committee reports have included any actual data supporting any of the legislative findings, and at no hearing has any legislator clarified any cognizable data supporting the effectiveness or legality of this legislation.

HB1838 Does Not Address “the Problem” Which is the Proliferation of Illegal Short-Term Rentals

The hotel industry lobbyists said “the problem is illegal short-term rentals.” During the March 15, 2024 hearing on SB2919, Representative Evslin said “the problem is the proliferation of short-term rentals.”

Any increase in short-term rentals could only be due to: 1) new County approved short-term rental projects; 2) new *illegal* short-term rentals that the counties have allowed to continue operating for years; or 3) hotel zoned properties that have historically been long-term rentals but have recently converted to short-term rentals such as with Kahana Manor.

At my property, the number of units and transient occupancy have not changed since completion in 1978. My property is located in a resort area, next to a long string of hotel-zoned and commercial properties. The property was built for vacation rentals and has never been workforce housing. Before Airbnb started in 2008, there were other platforms such as HomeAway (2005), and VRBO (1995). Before online rental platforms, owners rented units through property managers who worked with travel agents. The rise of Airbnb has not resulted in any increase to transient occupancy at my property which has only ever had 364 units and steady transient occupancy since 1978. This type of information would be available to the Legislature if any actual investigation or study were occurring. The real problem is actual long-term housing that owners are converting, illegally, to short-term rental use. That conversion takes away legitimate long-term housing supply.

Mayor Bissen’s State of the County Address Confirmed that Maui County Has Not Made Reasonable Efforts to Crack Down on Illegal Short-Term Rentals in 13 Years

Since 2011, Maui County has imposed a standing rule that it would not investigate any anonymous complaint regarding an illegal short-term rental. Governor Green just confirmed that

“we don’t need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.” Despite having the clear authority to regulate illegal short-term rentals, the County has failed to investigate complaints for 13 years! Given that illegal short-term rentals exist in actual neighborhoods, it is not surprising that local residents were not comfortable submitting complaints if their identity would be known because those illegal operators are neighbors. Airbnb was founded in 2008, so Maui County has not made reasonable efforts to regulate illegal short-term rentals since Airbnb has been present in Hawaii. Less than 5 minutes of online searching reveals numerous single-family homes made available for short-term rental.

Mayor Bissen just announced that Maui County is now removing this rule and will start investigating complaints of illegal short-term rentals. Given the new policy change with Maui County, a reasonable approach would be to allow the counties some time to start actually regulating illegal short-term rentals which everyone agrees are “the problem.” Maui County will have little incentive to ever regulate illegal short-term rentals if the County believes it can simply eliminate thousands of legal short-term rentals. Few, if any, of those units will become long-term housing, illegal short-term rentals will continue to operate in actual neighborhoods without payment of any GET, TAT, or MTAT and “the problem” will persist unresolved and the State and counties will be left with drastic budgetary consequences of eliminating the largest sources of tax revenue while still incurring costs to create actual housing opportunities.

HB1838 Sets Up the State and Counties Pay to Attorney Fees to Short-Term Rental Owners

Following its loss in the HILSTRA case, the Honolulu City Department of Planning and Permitting, corporation counsel and other defendants must now pay \$292,514.27 in attorney fees to HILSTRA after losing the case. This is taxpayer money. The Legislature is supposed to be passing constitutional laws. By stripping away constitutional safeguards and creating the appearance for the counties that they have the ability take unconstitutional actions, the Legislature is disregarding its obligations to taxpayers and creating unnecessary risk for the State without having a well-founded and informed public purpose. Additionally, by passing this Legislation, the State would be directly enabling the counties to take unconstitutional actions. The result will be that taxpayers in all districts will be paying for attorney fees incurred by short-term rental owners.

HB1838 is Not a Simple Clarification of County Home Rule Authority; It is an Impermissible Attempt to Erode Constitution Protections

While Representative Evslyn scolded members of the public on both sides for “not understanding what the bill does” during the March 15, 2024 hearing on SB2919, it seems that the rest of the Legislature and the Attorney General do not seem to understand the bill either. When Representative Tarnas emphatically stated that the Attorney General had no concerns with the constitutionality of HB1838, the legal authority cited related to the enforceability of a New Jersey and a California zoning ordinance. HB1838 and SB2919 do not involve any actual zoning ordinance, making the Attorney General’s advice and Representative Tarnas’ explanation completely irrelevant to the constitutionality of either bill.

There was no caselaw cited in support of the real issue which is removing the constitutionally-rooted safeguard from an enabling statute. Reliance on two irrelevant, cherry-picked, non-binding district court opinions from outside of Hawaii, while ignoring, the Hawaii Constitution, a long line of Hawaii appellate caselaw, and a 2022 District of Hawaii decision by the Honorable Derek Kahala Watson¹ should indicate that this legislation has not been well-researched and needs to be actually studied instead of rushed through without any meaningful discussion.

The Legislature cannot legislate around constitutional protections. But, that's exactly what HB1838 attempts to do. HB1838 is an unconstitutional attempt to strip away the "grandfather protections" currently present in HRS 46-4 which have been recognized by numerous Hawaii courts as "grounded in constitutional law." *See e.g. Waikiki Marketplace v. Chair of Zoning Bd.*, 949 P. 2d 183. In *Waikiki Marketplace*, the court proclaimed that "the right of a property owner to the continued existence of uses and structures which lawfully existed prior to the effective date of a zoning restriction is grounded in constitutional law." *Waikiki Marketplace*, 949 P.2d at 193.

Nine years later, the Hawaii Intermediate Court of Appeals in *Ferris* similarly stated "the requirements of HRS § 46-4(a) as well as the constitutional protection provided to property owners with vested rights to pre-existing lawful uses of their property." *Robert D. Ferris Tr. v. Plan. Comm'n of Cnty. of Kaua'i*, 378 P.3d 1023, 1029 (App. 2016). Just last year, the Hawaii Intermediate Court of Appeals repeated this same well-established principle in *Campos* by confirming that "in accordance with the Hawai'i Constitution, **the counties cannot prohibit "continued lawful use" of a building or premises at the time an ordinance takes effect.**" *Campos v. Planning Commission of County of Kauai*, 539 P. 3d 170 (quoting HRS 46-4) (emphasis added).

HB1838 eviscerates the constitutionally grounded guardrails in Section 46-4 by expressly authorizing the counties take away vested property rights that are currently legal without payment of any compensation. Eliminating 50 years of legal and vested use offends the very nature of the Taking's Clause. *See Palazzolo v. Rhode Island*, 533 U.S. 606, 618 (2001) ("the purpose of the Takings Clause, [...] is to prevent the government from "forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.").

Thus, HB1838 is not a simple clarification of home rule authority by counties to address zoning matters; HB1838 is an impermissible attempt to erode constitutional protections in an enabling statute that will result in unfortunate and costly litigation without any credible and informed public purpose.

HB1838 Narrows the Labor Market and Limits Competition in the Lodging Industry

The big hotel industry's support for this bill is disingenuous. The big hotel industry sent its professional lobbyists, but noticeably absent have been any hotel industry executives or even

¹ Judge Watson graduated from Harvard Law School and was a former U.S. Attorney for the District of Hawaii until President Obama appointed him to the federal bench.

representatives, despite the industries' claimed sincere concern about importance of this legislation.

One big hotel lobbyist stated “our members cannot afford to live here.” Let that comment soak in a bit. Stated differently, the hotel industry does not pay its workers enough to afford to live here. The hotel industry is admitting that it knowingly pays its workers wages that do not allow them to afford housing. While supporters of this bills slander short-term rental owners as “rapers” and “slavers”², none of the biggest hotels are based in Hawaii or owned by Hawaii residents. The big hotels are the ultimate colonizers and extractors. They constantly maneuver for new development opportunities, fight labor unions on payment of fair wages, impose oppressive corporate policies, extract profits from the islands, use excessive amounts of land, water, electricity, pay executives obscene annual compensation, and contribute less tax revenue per unit than short-term legal short-term rentals. Do the hotels not make enough money to pay employees fair wages to pay for housing? To answer that question, let’s take a quick look at the top 3 highest annual compensation earners for three big hotels in Hawaii according to SEC filings so we can see where the extracted profits are allocated in these organizations:

Marriott	2020	2021	2022
	4,276,462	18,391,882	18,686,271
	3,698,561	11,293,045	9,754,915
	3,516,648	12,979,631	6,089,397
	11,491,671	42,664,558	34,530,583

Hilton	2020	2021	2022
	14,702,221	13,006,023	24,070,053
	4,307,222	4,239,645	6,843,433
	3,035,377	2,582,541	6,011,929
	22,044,820	19,828,209	36,925,415

Hyatt	2020	2021	2022
	9,902,214	10,217,451	11,001,328
	3,369,192	3,755,410	4,017,018
	3,334,762	3,503,824	3,781,117
	16,606,168	17,476,685	18,799,463

In 2022, these **9 executives collectively earned total annual compensation of \$90,255,461.00**. When the big hotels were firing and furloughing thousands of employees in 2020, these same **9 people collectively earned total annual compensation of \$50,142,659.00**. Now, in fairness to these hotel executives, many did take pay cuts in 2020. For example, the CEO of Hilton was right there feeling the pain with the thousands of local residents who were fired³ when

² See March 15, 2024 Testimony of Kai Nishiki on behalf of Lahaina Strong.

³<https://labor.hawaii.gov/wdc/real-time-warn-updates/2020-warn-notices/>

he took a \$10 million pay cut, leaving him just **\$14,702,221.00 in annual total compensation for 2020.**

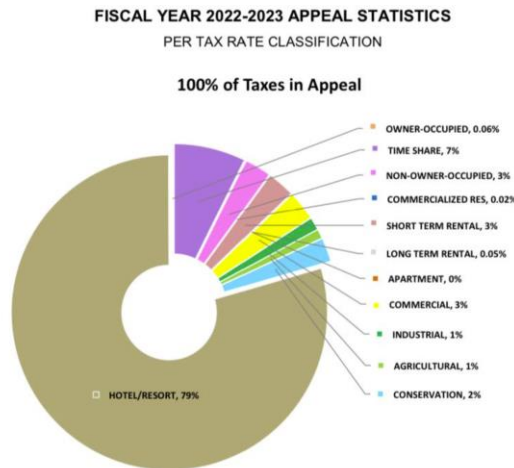
While the big hotels fight labor unions over fair wages, our short-term rental business asks our service providers “what is your rate?” We pay on net zero terms upon receipt of invoice. Our services providers have total control to set rates, work hours, operating procedures, payment terms, dress, and co-workers. **Most importantly, our team have small businesses that they own, operate, build equity in, expand, and can even sell.** Many short-term rental service providers have worked in the hotel industry at some point and decided to leave to have more control over their lives, income, and future. Suggesting that small business owners can just get a job at one of the hotels or somewhere else is a theory that could only be perpetuated by people who do not understand the hard work, dedication, and pride associated with building and running a small business. Attempts to shame and judge local residents for choosing a profession that supports the short-term rental industry are disgustingly entitled opinions from privileged individuals that don’t understand what it means to work hard to support a family.

Local news sources have highlighted issues with labor practices in the hotel industry:

[‘They’re working us to death’: Hotel workers calling for change](#)

[Ilikai Hotel workers rally for better wages and benefits](#)

The hotels kick and scream the most when it comes to taxes, objecting to tax responsibility more than any other property type:



The Committee should think long and hard about who actually benefits from HB1838. There has never been a situation where limiting competition in a labor market benefits the employees. HB1838 will place too much control with the big hotels.

HB1838 Will Not Enable the Counties to “Convert” Short-Term Rentals to Long-Term Rentals

The Legislature’s goal of creating affordable housing is admirable but unfortunately this bill has been incorrectly characterized by some as enabling the conversion of short-term rentals to long-term housing options. Even if this bill becomes law, the counties cannot “convert” a short-term rental to long-term. The only way for the government to “convert” a short-term rental to a long-term rental would be to actually exercise eminent domain and fully take ownership to the properties. The underlying assumption that the elimination of short-term rental use will automatically result in conversion to long-term housing is not supported by any actual evidence, studies, or legitimate findings. The monthly association dues for many condo properties exceed the unsubsidized long-term rental rates, without even considering mortgage payments, insurance, and property taxes. Long-term rental is not sustainable in oceanfront condo properties where the monthly carrying costs exceed the unsubsidized long-term rental rates. Additionally, the increasingly hateful and threatening messaging from organizations supporting these measures has created an adversarial situation that makes it unlikely that property owners will be willing to rent long term to those that demonstrate such unhinged rage and hate.

The concept that covering monthly carrying costs is somehow greedy, is absurd. Any of the many Hawaii residents that own properties and engage in long-term rental attempt to cover monthly carrying costs with rent payments. The new narrative characterizing short-term rentals as a “commodification of housing” is also interesting coming from politicians who own multiple properties and conduct long-term rentals themselves. If short-term rentals are commodifying housing, then so are long-term rentals because both involve collecting money in exchange for allowing use of a property. In many ways, owning a long-term rental is worse than owning a short-term rental because the owner of a long-term rental is selfishly commodifying housing for personal gain at the cost of another local resident getting on the property ladder whereas very few want to buy short-term rental condos to live in because the maintenance dues are simply too high. The Legislature’s job is to look past these unfounded theories and make sometimes difficult decisions based on actual data. Unfortunately, there has not been any actual study, investigation, or data supporting any aspect of this legislation.

I appreciate the Committee’s attention to this important matter and I hope each of you will have the courage to vote NO on HB1838 SD2.

HB-1838-SD-1

Submitted on: 3/27/2024 5:26:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Loftus	Individual	Oppose	Written Testimony Only

Comments:

- **Personal Impact:** My wife and I love Maui and purchased our condo in North Kihei in 2020 to allow us to connect to the island and the local people. We can only continue to support the unit through future short-term rentals. We are currently working with FEMA on a long-term lease through July 2025 in an effort to support local people displaced by the tragic Lahaina fire after which time we expect to revert back to short-term rentals. HB1838 would eliminate this possibility and force us to sell our unit, cutting our ties with Maui. As you can imagine, this is a very upsetting possibility for my wife and I and something we strongly object to.
-
- **Economic Contribution:** As 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, we are at a loss to understand why the legislature is planning to enforce HB1838 and the disastrous economic impact it will bring locally. In addition, as short-term rental property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are eliminated, where will the equivalent revenue come from?
- **Community Support:** As already stated, my wife and I responded to a FEMA 'call for help' in converting our condo to a temporary long-term rental to help 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?

Please reject HB1838, we do not see how this will at all help the local community and economy, and will only introduce further hardship to an already difficult situation to many residents of Maui.

HB-1838-SD-1

Submitted on: 3/27/2024 5:26:40 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas Kueker	Individual	Oppose	Written Testimony Only

Comments:

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

I am a property owner at the Papakea in Maui County and proud to be part of a business that has operated as vacation rentals for families and individuals visiting Maui for almost fifty years. Thank you for the opportunity to submit written testimony.

This bill is too broad to achieve the desired outcomes of expanding long-term housing options in West Maui. The majority of units at Papakea are under 600 square feet and the property has limited parking. Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties which may not be suitable for long-term housing. Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use. Governor Green has also noted that “we don’t need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.” The counties already have authority to regulate illegal short-term rentals. This bill does nothing to solve the problem of illegal short-term rentals

Continuing to allow short-term rentals is critical to the local economy and community. The Papakea employs approximately 35 local resident employees. The Papakea also 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 Hawai‘i 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 Hawai‘i'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 and urge the committee to defer it.

Respectfully submitted,

Douglas Kueker

HB-1838-SD-1

Submitted on: 3/27/2024 5:28:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Adrian Olson	Individual	Oppose	Written Testimony Only

Comments:

Adrian Olson

Colorado Springs, CO, USA

skiluvr18@gmail.com

913-302-4360

3/27/24

Dear Members of the Hawaii State Legislature,

I am writing to express my strong opposition to House Bill 1838, which threatens the livelihoods of property owners and infringes upon their rights. As a visitor who has cherished the beauty of Maui and witnessed the contributions of the vacation rental industry to the local economy, I am deeply concerned about the potential impact of this bill.

House Bill 1838 poses a significant threat to property owners who rely on short-term rentals as a means of livelihood. By imposing restrictive measures, the bill not only jeopardizes the ability of property owners to sustain their economic well-being but also diminishes market competition. Furthermore, there is a genuine risk that the dominance of large developers in the vacation rental sector, as a result of this bill, could lead to long-term economic harm.

As someone who values the unique charm and opportunities that vacation rentals provide to visitors and local residents, I urge you to reconsider the implications of House Bill 1838. I believe that preserving the rights of property owners and maintaining healthy market competition are crucial for the well-being of the local economy and the preservation of the distinct cultural and economic landscape of Hawaii.

Thank you for considering my testimony, and I implore you to seek solutions that balance the needs of the community while safeguarding the rights and opportunities of property owners in the vacation rental industry.

Sincerely,

Adrian Olson

HB-1838-SD-1

Submitted on: 3/27/2024 5:30:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Ferguson	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

My name is Justin Ferguson. Thank you for the opportunity to provide written testimony to this bill.

I **OPPOSE** H.B. HB1838 for the following reasons:

Papakea was built in 1978. It was designed and has operated legally as a vacation rental since its completion. It is directly next to a stretch of hotel zoned properties and commercial business.

Papakea is an aging ocean-front complex of 364 smaller units with limited parking. It is only well maintained because its short-term rental income, high monthly dues, frequent special assessments and committed association of owners.

Papakea supports a great number of local trades.

Papakea employs around 35 local employees, many worked for years on the property.

Papakea supports local professionals, maintenance staff, and management groups.

Papakea rentals support the State of Hawaii and the County of Maui with an array of taxes.

Papakea's transient guests look forward to supporting local small business on the island.

Papakea has been a vacation destination for so many returning guests and families. Many of whom return year after year building connections with the community. My first visit to Papakea was in 1978 at the age of three. I have passed on those same experiences to my children and hope one day they can do the same.

For the reasons written above I **OPPOSE HB1838**.

Respectfully,

Justin Ferguson

HB-1838-SD-1

Submitted on: 3/27/2024 5:40:50 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Patty Goldberg	Individual	Oppose	Written Testimony Only

Comments:

I own a legal short term vacation rental. I have been in business for 12 years. The folks who come to stay with me do so because they want to have an affordable place to stay that offers them a kitchen. I think that the hotel industry is the only one to benefit from this bill. Tourism in Hawaii will slow down if visitors only option is staying in over priced hotels. My rental has enough room to accommodate a whole family up to 6. If this family had to stay in a hotel the cost would be outrageous. Plus they would be forced to eat out all the time. The beauty of a family vacation at my place is the family is all together and sharing meals.

HB-1838-SD-1

Submitted on: 3/27/2024 5:45:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Priscilla DeSpain	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposing HB1838

Protecting Our Short-Term Rentals

Aloha,

I stand with many others, as a citizen of this great, free nation, in opposition to HB1838 HD2 SD1 which would authorize the counties to phase-out short-term rentals in any zoning. If passed, this bill could have detrimental effects, including placing minimum day requirements on non-registered, non-hotel rentals and phasing out non-conforming use certificate properties as well, hurting citizens' income, disturbing the provision of housing to so many, and unwittingly disabling an entire community as well as destroying the freedoms of both locals and people abroad.

Our collective voice is crucial in opposing this bill. We must make every effort to ensure that our opposition is clearly heard and considered. I strongly encourage you to join me in opposing HB1838 by testifying in opposition to this legislation.

Mahalo,

Priscilla DeSpain

HB-1838-SD-1

Submitted on: 3/27/2024 5:46:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Heath	Individual	Oppose	Written Testimony Only

Comments:

My husband and I are fortunate to own a small one-bedroom condominium in Kuilima Estates West, Turtle Bay. We are not residents, but do have strong family ties to the islands. We operate our condo as a short term rental for most of the year, but visit once or twice a year to do maintenance and enjoy the north shore. The revenue from our rental helps supplement our retirement income. If this bill passes, we will not be able afford to keep our condo. We will no longer employ two property managers, a house cleaner, a pest control company, and assorted handymen who keep our place operational. We won't be spending money on island for furnishings, linens, kitchenware, supplies, and everything else that's needed to keep up with frequent transient use. We will no longer be able to provide affordable temporary housing to 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.

Our condo is too small to be seriously considered a permanent residence; there is no storage, inside or out. Kuilima is a resort community that is not located in or even near a residential neighborhood. We respectfully request that you oppose HB1838.

Thank you

HB-1838-SD-1

Submitted on: 3/27/2024 5:47:50 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah Smith	Individual	Support	Written Testimony Only

Comments:

I support this bill. As a 70+ yr resident of Hawaii, I have seen our islands shift from a home for local folks to a popular destination for the very wealthy. Yes progress is inevitable and usually a good thing, but the trajectory for our islands, particularly the neighbor islands has been unhealthy for many of the people whose families have lived here for generations. I see my children and their peers struggling to pay exorbitant rents and unable to buy land or a home on the island where their families have lived for many generations. We have devolved to a community of the malihini demanding services and the local folks struggling to get by. We do NOT need to continue to provide second homes for people to have a short term rental income and a place to visit annually. We need to focus on providing affordable housing for local families. Please continue to work on behalf of the fulltime hard working residents of our islands and look towards supporting and encouraging economic sources other than tourism so our moopuna have a place in their ancestral homelands.

HB-1838-SD-1

Submitted on: 3/27/2024 5:51:28 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Adrielle Knight	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Adrielle Knight. My father grew up in Honolulu and is now retired here, and he lives with a caretaker so I can't stay with him when I visit every few months. When I come to visit him, I stay for a few weeks at a time. Staying in a hotel is prohibitively expensive with parking fees, no kitchen (eating out all the time is not sustainable on the island!), and are in traffic-intense areas such as Waikiki. I'm not a tourist...I'm a daughter of a local.

I am writing in opposition of this bill because it will hurt me, other residents and other 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 and consideration. Mahalo!

Adrielle Knight

HB-1838-SD-1

Submitted on: 3/27/2024 5:53:59 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Niranjan Krishnamurthi	Individual	Oppose	Written Testimony Only

Comments:

There will always be tourism - unless the plan is to ban that as well? If we can accept that there will always be tourism - we should think ahead about what kinds of tourists we'd like to come visit this treasured place. Option A: A tourist who spends weeks here, exploring the culture, local businesses and learning about the rich history of the islands or Option B: A tourist who spends a long weekend partying, living their best life and think of the islands as nothing more than islands with beautiful beaches and Mai Tais... which would you prefer?

Please think 2 steps ahead when passing bills like these. What are the unintended consequences? What are you really trying to solve? And what is might the actual solution be instead of these kinds of laws?

Good luck.

HB-1838-SD-1

Submitted on: 3/27/2024 5:54:47 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Davey-Bates	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair

Senator Gabbard, Vice-Chair

Senator Dela Cruz, Chair

Senator Moriwaki, Vice-Chair, and,

Members of the Committee,

My name is Lisa Davey-Bates, and I want to thank you for the opportunity to express my opposition about HB 1838.

My husband and I own a unit at Papakea oppose this legislation because of the negative impacts it will have to that property. Papakea was initially sold as a vacation rental property and has been operating as such for almost 50 years. This property was not covered from workforce housing to transient vacation use. There is limited parking and the property is designed for a resort-like setting, with a reception area, limited parking, and many social settings that offer more of a hotel-like setting.

Counties already have laws and regulations in affect that should be enforced because they ahave the authority to regulate illigal short-term rentals.

I worry about the local residents who work at Papakea, some who have worked there for over a decade.

Many businesses, restaurants and local residents rely on short-term rentals such as housekeepers, contractors, tour operators, State and National parks, and island agents.

Papakea short-term rentals support the State of Hawaii and County of Maui through property taxes, Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax.

For this reason I **oppose HB1838** and urge the committee to vote no on this legislation.

With regards,

Lisa Davey-Bates

The Ways and Means Committee

Hearing Scheduled: March 28, 2024

Re: HB 1838

Testimony in Strong Opposition

Aloha Members of the Ways and Means 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 will allow counties to place a 90 or even 180 day minimum on all non-registered, non-hotel rentals. They will also be able to phase-out non-conforming use certificate properties as well as TVU's.

This bill would give each County the ability to eliminate existing property rights without compensation, which is unconstitutional.

Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more. 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. Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

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, each county can 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 further erosion of an essential right and component of housing for our residents and important visitors.

Thank you,
Karen Shimabukuro

HB-1838-SD-1

Submitted on: 3/27/2024 6:11:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark and Pam Svore	Individual	Oppose	Written Testimony Only

Comments:

I am a individual retired homeowner. I own and rent 2 short term rental units at The Whaler on Maui.

I recently housed victims if the Lahaina fire in our units thru the Red Cross for several months. We have developed many friendships on island over the years including artists, employees of the resort, contractors, students etc and feel we have contributed to their well being as they have ours Our retirement, their financial successes , an understanding of their culture etc would not be possible without us owning a place we can come to that also produces income that is distributed to so many on island

This measure, if passed, will add tremendous burden to those already suffering from recent events: Covid and the Lahaina fire

Please vote no on this measure

Sincerely

Mark Svore

HB-1838-SD-1

Submitted on: 3/27/2024 6:12:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Bob Hansen	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose bill HB1838 regarding making it easier for government to take away more of our property rights. We are a small mom and pop owner of a couple of vacation rentals on Maui and have worked to our retirement age and rely on this income to live properly during this time. In addition don't you realize that we now have a great balance between long-term inventory and short-term inventory. Yes we need more long-term housing but that is the fault of Maui County building department and their draconian rules, not vacation rental owners. Please STOP THIS MADNESS. That government is best that governs least. Most times government is not the answer, government is the problem.

Bob and Donna Hansen, 808-283-9456

HB-1838-SD-1

Submitted on: 3/27/2024 6:15:39 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mr. Michael F. Rowley	Individual	Oppose	Written Testimony Only

Comments:

Thank you for the opportunity to testify on HB 1838. **I am writing to oppose this bill.**

In 5 years from 2019 to 2023 Short Term Rental's paid \$31.5 million in real property taxes

Short Term Rental's pay \$12.1 million to the affordable housing fund.

Over the last 5 years the short term rental classification has generated \$31.5 million dollars for the affordable housing fund.

Visitor accommodations raise 82% of Maui's property tax revenue including second homes. Collecting tax revenues from STR's has kept resident property taxes low.

Short term rentals are a significant contributor to the County of Maui, and a legitimate and critical part of the economic engine for Maui.

Short term rentals will contribute \$12.1 million this year in revenue to the Affordable Housing Fund, the largest contribution of all the classifications. More than second homes \$8.3 million, more than time shares \$3.1 million, more than Hotels \$3.3 million, homeowners \$2.3 million

The county will raise \$430 Million in property tax revenue.

Vacation Rentals will raise \$160 Million in RPT tax, 12% more than last year. This is an increase of \$17 Million in tax dollars.

*This year Short Term Rentals represents 37% of the real property tax revenue, and 15% of the total operating budget.

Short Term Rentals are small businesses that support other small businesses. The money earned and circulated here stays here on Maui and in Hawaii.

Short term rentals are legitimate businesses providing housing to students, traveling families, locals, temporary workers; not just tourists.

HB-1838-SD-1

Submitted on: 3/27/2024 6:19:50 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I am a short term rental owner who is now renting long term to a fire survivor. We are a fully permitted STR/Hotel-Resort community and it always has been. In addition to losing TA tax revenue and high property tax generation, phasing out or changing length of rentals would be devastating to the local economy and workers whose livelihoods depend on STRs. While it seems an easy solution to use STR as the scapegoat for lack of housing locals, these units were never intended for long term occupancy. For example, each condo in our community can only accommodate one parking space per unit. Long term tenants have difficulty finding spots for a second vehicle. There is also very little storage and maybe one basic closet per unit. As a resort, we have major upkeep of the property including having a manager, pool and gardening maintenance, and Reserve requirements. Our HOA fees alone are projected to top \$2000 per month for a one-bedroom unit between monthly maintaince, reserves, and insurance which will quadruple in costs post-fire. I don't understand how anyone can afford a mortgage, AOA Fees, and other assessments associated with a resort/hotel property without the short term rental income to cover costs, let alone a down payment. Certainly, even for long-term owners of STR, we are finding it difficult to make ends meet. LLimiting or ending STR would not result in more housing options for our local ohana, but only more extremely wealthy individuals buying up the properties and having them sit empty as second homes. Perhaps a better idea would be to have additional taxes on those who own more than one STR or to those who only use as second homes. There has to be a better way to solve the local housing problem than targeting high ownership costs of STRs and millions in losses of tax revenues they generate. Mahalo for your consideration.

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair and Members of the Committee:

I OPPOSE HB1838 for the following reasons:

My name is Catherine Love, thank you for the opportunity to testify about this bill.

I own a studio condo at Papakea Resort (under 500 sf) that I use as a short term rental when I am not in Maui, as such we employ many local residents who provide services such a repair, maintenance, cleaning and management. Our short term tenants contribute to the local community as well by frequenting local restaurants, and renting swim gear and taking the various tours offered.

Papakea resort is an ocean front property that was built and sold as a vacation rental property and has operated as such for almost 50 years. It is designed more like a hotel than long term living. Most of the units are under 600 square feet with very limited parking. It is located in the long stretch of hotel-zoned properties and multiple commercial properties. In addition to what each of the 364 unit owners contribute related to providing jobs for locals, TAT and GET tax and property tax, Papakea's operations provide direct employment for about 35 local resident, some having worked there for over 15 years. Papakea supports a wide variety of local trade professionals like pest control, plumbing, electrical, etc.

We have many short term renters who return many times over the years to our unit at Papakea and have deep connections with the community. They appreciate the Hawaiian culture and it's people and contribute by buying local artisan's artwork, taking tours that teach about the island and it's people. Staying in a home is a great way to feel a part of the community and thus contribute more to it.

Please vote NO on HB1838 as Governor Green has noted "we don't need new legislation" there are already laws and regulations on the books to regulate illegal short-term rentals.

Thank you

HB-1838-SD-1

Submitted on: 3/27/2024 6:22:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Leonard Nakoa III	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual

HB-1838-SD-1

Submitted on: 3/27/2024 6:23:18 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Hansen	Individual	Oppose	Written Testimony Only

Comments:

Simply want to say **if you love the Hawaiian Islands** you will not let the local political ever changing County Councils and Mayors control the stability of the economies of each island by their own prejudices. The lack of economic education and how it effects how the different islands survive is dangerous to give them any more power than they already have. We are counting on all of you to think about the population and not a few individuals that change their moods and votes according to their personal preferences whether than in what is best for each Island.

Respectfully, Donna Hansen 808-280-1650

HB-1838-SD-1

Submitted on: 3/27/2024 6:26:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sachiko Pelkaus	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Sachiko Pelkaus 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-SD-1

Submitted on: 3/27/2024 6:28:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr Marion Ceruti	Individual	Oppose	Written Testimony Only

Comments:

"Vote NO on HB 1838 HD2 SD1. In addition to being a threat to private property rights and a short-sighted approach to solving our problems, it is a shockingly awful piece of proposed legislation that threatens to upend the livelihoods of many Hawai'i residents.

Short term rentals (STRs) are not just for wealthy people on vacation from the mainland. When we Hawai'i residents want to vacation, we like to use STRs on other islands, or even in other parts of our home island. If STRs are phased out so they are Kapu, or if they become more expensive, it will be more difficult to vacation here in Hawai'i. Flying to the mainland will become cheaper. Is this what the legislature wants to achieve?

STRs provide significant income to the economy of Hawai'i through all kinds of taxes and by helping tourism-related business make money. Local Hawai'i residents depend on this income to feed their families by helping to maintain STRs and by providing services and products to guests.

Notwithstanding the efforts to diversify out of the hospitality industry, no one has identified an industry that can provide the income of tourism. Let's keep tourism going in Hawai'i until we find a replacement, if possible.

In addition to the loss of hospitality-related income the legislature needs to pay particular attention to likely violations of our property rights and other existing laws that HB 1838 HD2 SD1 would cause. Harm could result because:

1. Requirements for hosting platforms to verify registration violate due-process laws by providing no means reasonable of compliance.
2. Provisions requiring hosting platforms to verify content are potentially in violation of the Communications Decency Act.
3. Proposed amendments to Section 46-4 of the Hawai'i Revised Statutes would potentially lead to impairment of property rights arising from the Hawai'i State and United States Constitutions.
4. HB 1838 HD2 SD1 could result in violations of the State and Federal Constitutions by impairing existing vested rights and by enacting an unconstitutional special law.
5. This proposed legislation potentially implicates the Equal-Protection Clauses of the Hawai'i and United States Constitutions.
6. A fundamental principle is that the Hawai'i State Legislature has a duty to pass laws that are consistent with and effectuate the protections of the Hawai'i State Constitution. HB 1838 HD2 SD1 would result in less protection, not more.

Passage of this bill without clarification is very likely to result in unnecessary litigation regarding the vagueness of its language, which would be time consuming, costly, and harmful to Hawai'i's residential landowners. Regardless of who wins, the real losers would be the Hawai'i residents who will pay the court costs arising from this litigation through their taxes when a class-action lawsuit is filed in federal court.

Other substantial harm for Hawai'i residents from HB 1838 HD2 SD1 is that this bill could result in a decrease in our property values due to a decline in desirability of the property and a decline in the ability of property owners to pay maintenance fees, insurance costs, and maintenance fees. This will have a ripple effect through our economy that could result in a decline in the standard of living for many working families.

Moreover, rather than force STR owners to provide long-term housing, which is not in their business plan, they could sell (at a loss) to a wealthy buyer on the mainland who would not rent to anyone and just treat it like a second home. This would result in the opposite impact of the bill's intent.

As expected, lawyers for the hotel industry have testified in favor of this bill. Whenever you rob Peter to pay Paul, you always can depend on the support of Paul. HB 1838 HD2 SD1 is a case in point demonstrating why we need to get rid of "Certificate of Need" laws and anything that resembles them. Competition is good for the consumer. It promotes better quality and efficiency.

Stop treating other people's property like you own it. This bill is evil and there is no way to sugar coat it.

Please, kokua, don't make all our decisions for us, let us decide how to use our property.

VOTE NO on HB 1838 HD2 SD1.

HB-1838-SD-1

Submitted on: 3/27/2024 6:29:41 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Janis and John Haine	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

Our names are Janis and John Haine and we are owners at Papakea Resort. Thank you for this opportunity to testify about this bill.

WE OPPOSE H.B. HB1838 for the following reasons:

About Papakea:

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as a vacation rental property.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking. • Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.
- Governor Green noted that “we don’t need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.”
- The counties already have the authority to regulate illegal short-term rentals

- This bill does nothing to solve the problem of illegal short-term rentals.

Papakea's Contributions to the Community

- Papakea's resort operations employ approximately 35 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. Individual Owner Contributions to the Community
- Many small businesses owned and operated by residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.
- 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 who have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein, we OPPOSE HB 1838 and urge the committee to vote no on this bill.

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-SD-1

Submitted on: 3/27/2024 6:33:31 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffery Averill	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838. I am a resident of Lahaina, Maui County as stated on my HI state Drivers License. The only way I can afford to live in Lahaina is to rent out my personal Residence as a short term rental a week out of every month. During that week I stay with my step son. Without that income I will lose my home and be another displaced Lahaina citizen.

- 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-SD-1

Submitted on: 3/27/2024 6:33:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Taylor	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838

To Whom It May Concern,

My name is Jennifer Taylor, and I want to express my strong opposition to HB1838. This bill directly threatens the freedom and property rights of every individual in Hawaii. By imposing limitations and control over property rights, this bill significantly reduces housing options for many people, leaving them without reasonable alternatives.

The stories of individuals like Kris Adair, Marbella Alford, Karen Anderson, Quentin Parker, and many others reveal the real, human impact of this bill. These hardworking people, including housekeepers, gardeners, site managers, and self-employed individuals, rely on the vacation rental industry for economic stability and vital income. The unintended consequences of this bill, as detailed in their testimonies, will disproportionately affect local residents, pricing them out of their own paradise.

It's crucial to consider the broader implications of HB1838 on the livelihoods of residents who depend on short-term rentals to make ends meet. I urge you to reconsider and seek solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry.

Thank you for taking the time to consider my perspective and the perspectives of those impacted by this bill. I implore you to stand for the freedom and well-being of our fellow citizens by opposing HB1838.

Sincerely, Jennifer Taylor

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

Subject: Urgent Concerns Regarding Bill HB1838's Impact on Temporary Housing

Chairman Donovan Dela Cruz
Committee on Ways and Means
Chairman Karl Rhoads
Committee on Judiciary
Hawaii State Senate
25 Aupuni St.
Unit 1502
Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on our community, particularly regarding the availability of month-to-month rentals in Hawaii. As a resident of Waikoloa, I have witnessed firsthand the importance of flexible housing options, not only for those in transition but also for our visiting ohana such as traveling nurses, emergency contractors, and inter-island residents who come for medical treatment or family visits.

The passage of this bill threatens to eliminate these crucial month-to-month rental options. This change could lead to a new type of housing crisis, affecting those who cannot qualify for long-term rentals or who need temporary furnished housing. Our islands have faced numerous challenges, from the Red Hill Crisis to natural disasters like the eruption of Kilauea, which have displaced thousands of our residents. In these times of need, mid and short-term rentals have provided a lifeline, offering temporary, furnished housing to those affected.

Without these options, where will our displaced residents, our visiting ohana, and those in need of temporary accommodations turn? It is essential that we consider the broader implications of this bill on our community's housing flexibility and ensure that we do not inadvertently create additional hardships for our residents.

I urge you to reconsider the provisions of Bill HB1838 and to seek solutions that preserve the availability of month-to-month rentals in Hawaii. Mahalo for your attention to this matter and for your ongoing efforts to serve our community.

Me ke aloha pumehana,

Richard Roberts

69-200 POHAKULANA PL, Apt D23, Waikoloa, HI 96738

12063106093

HB-1838-SD-1

Submitted on: 3/27/2024 6:37:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Georgia Krause	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838

HB-1838-SD-1

Submitted on: 3/27/2024 6:48:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Timothy Sullivan	Individual	Oppose	Written Testimony Only

Comments:

- **Personal Impact:** Curtailing short-term rentals in Maui would be economically devastating to me personally. I rely on the income from my two condos to support my retirement. Not only would I lose significant rental income, but the decrease in property value would also create a massive hit to my estate. At this point in my life, I would not have time to recover from this catastrophic loss.
- **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? Simply raising taxes on hotels and any remaining STRs would decrease the number of visitors, making this a poor means of solving the problem. Property tax increases for these types of properties are passed along to guests, and if costs increase, fewer travelers will visit Maui.
- **Community Support:** Short-term rentals contributed to the effort to house those displaced in the Lahaina fire. They also 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. Penalizing owners of these properties to address systemic housing issues, mainly caused by parties other than STR owners, is an abuse of power.
- **Impact on Local Small Business and Residents:** I personally spend over \$60,000/year on housekeepers, on-island contacts, the employees at Wailea Ekahi, local restaurant and activities providers. My guests, in total, probably spend twice that much in the course of a year. Fewer guests / travelers on the island mean few dollars spent on the Island. The resulting loss of jobs, as seen during the travel restrictions imposed during the COVID pandemic, shows that reducing travel will not solve Maui or Hawai'i's long term housing issues. It will only make them worse and cause long-term economic harm.

HB-1838-SD-1

Submitted on: 3/27/2024 6:51:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Williamson	Individual	Oppose	Written Testimony Only

Comments:

Chairman Donovan Dela Cruz Committee on Ways and Means Chairman Karl Rhoads
Committee on Judiciary Hawaii State Senate 25 Aupuni St. Unit 1502 Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on our community's housing flexibility. As a resident of Hawaii, I have witnessed firsthand the importance of mid and short-term rentals in supporting our community, especially during times of crisis.

Mid and short-term rentals have been a lifeline for displaced residents, including those affected by natural disasters such as the eruption of Kilauea and the Marco Polo fires. These rentals have also supported inter-island residents coming for medical treatment, traveling nurses, emergency contractors, and even our military personnel and students. They provide a crucial option for those in need of temporary, furnished housing.

However, if Bill HB1838 passes, the availability of month-to-month rentals could be severely limited, creating a new type of housing crisis. This would leave many residents without a viable option for temporary housing, exacerbating the challenges faced by those who cannot qualify for long-term rentals or need furnished accommodations for a short period.

I urge you to consider the vital role that mid and short-term rentals play in our community and to seek amendments to Bill HB1838 that will preserve the availability of flexible housing options. It is essential that we maintain a balanced approach that supports both the needs of our residents and the health of our housing market.

Mahalo for your attention to this matter. I hope that you will take my concerns into consideration as you deliberate on this bill.

Me ke aloha pumehana,

Andrew Williamson 73-1221 Melomelo St 8089895467

HB-1838-SD-1

Submitted on: 3/27/2024 6:55:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Wellborn	Individual	Oppose	Written Testimony Only

Comments:

Dear HB1838 Committee,

As a short term rental owner I am deeply invested in the well-being of the Maui community, I am profoundly concerned about the potential ramifications of House Bill HB1838 on the local economy and the livelihoods of hardworking individuals and families.

The selective targeting of short term rental properties through HB1838 raises serious concerns about the erosion of property rights and the creation of uncertainty for investors and builders. This could ultimately diminish the value and stability of our local housing market, affecting the long-term prosperity of our community.

Moreover, the potential economic impact on the vacation rental industry is substantial. The industry not only contributes a significant amount in tax revenue but also generates substantial visitor spending, bolstering our local economy. The passage of HB1838 could deal a severe blow to an industry that plays a pivotal role in our economic landscape.

It is crucial for our legislators to consider the far-reaching effects of HB1838 and to seek a balanced approach that safeguards both the housing market and the economic well-being of our community.

Sincerely, Michael Wellborn, Kihei HI 96753

HB-1838-SD-1

Submitted on: 3/27/2024 6:57:20 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rex Bentley	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill as my 30 year old carpet cleaning business relies primarily on work received from Property Management Companies that manage vacation rentals.

If this bill passed I could have to close my business and be in very serious financial trouble.

HB-1838-SD-1

Submitted on: 3/27/2024 7:00:23 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

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-SD-1

Submitted on: 3/27/2024 7:05:08 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
scott hammond	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the County Council,

I am writing to express my strong opposition to Bill 121. As a property owner, the potential impact of this bill on my ability to maintain my property and provide for my family is deeply concerning. Operating a short-term rental has been essential for meeting mortgage payments and sustaining our lives in this unique economic landscape. If this bill proceeds, it would make the operation of my short-term rental impossible and jeopardize our ability to continue living in our home.

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. The restrictive measures of Bill 121 create insurmountable challenges for ordinary citizens to engage in this vital industry. The bill's potential impact on my ability to pay my mortgage and continue providing for my family is daunting.

I implore the council to reconsider the ramifications of Bill 121 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,

Scott H

HB-1838-SD-1

Submitted on: 3/27/2024 7:05:23 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jann Mittlestead	Individual	Oppose	Written Testimony Only

Comments:

OPPOSED.

SANDRA B. WORTHINGTON
RICHARD A. SHEPPARD
902 Walton Road
Blue Bell, PA 19444

March 27, 2024

Dear Members of the Hawaii County Council,

We write to you today as deeply concerned residents who have personally experienced the transformational impact of short-term rentals in Hawaii. Our story with this beautiful land began 34 years ago, as we celebrated our honeymoon in Kaanapali. It was during that time that we captured a panoramic sunset photo from the lanai at the Hyatt Regency, a moment that sparked a lifelong dream – to one day purchase a retirement home in Lahaina. This dream led us to invest and reinvest in real estate in NJ, all with the goal of making our dream a reality.

After decades of dedication and hard work, we finally achieved our dream and now proudly own a condo in Lahaina. We performed renovations and improvements to the condo at great personal expense. We are utilizing the property as a short-term rental until such time as we can stay there or share it with family and friends for six months or more per year. We have returned each year (except 2021 during the pandemic) to celebrate Christmas and New Years or family birthdays for six years (since we acquired the condo). However, the proposal of Bill HB1838 threatens to take away this hard-earned possession, which holds deep sentimental value for us. The potential impact of this bill on our ability to make use of our condo for short-term rentals is distressing, particularly given the significant role it played and continues to play in our journey to homeownership.

The value of short-term rentals extends beyond our personal story. Our experience with leasing to FEMA for people displaced by the Lahaina Fire highlighted the critical role short-term rentals play in providing essential support to displaced individuals during times of crisis. The ability to offer temporary, furnished housing through short-term rentals has proven to be a vital resource and embodiment of community care.

I implore the council to consider the tangible benefits that short-term rentals bring to our community. The proposed measures in Bill HB1838 jeopardize not only our personal investment but also the broader impact that short-term rentals have on our community's resilience and support network.

Please take our personal experience to heart and consider the invaluable contributions of short-term rentals in times of need. I urge you to reconsider the potential implications of this bill and work towards solutions that safeguard the opportunities and benefits that short-term rentals provide to our community.

With heartfelt sincerity,

Sandra Worthington and Richard Sheppard

4242 Lower Honoapiliani Road, Lahaina 96761

Email: sbw@worthingtonlawgroup.com

HB-1838-SD-1

Submitted on: 3/27/2024 7:10:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dawn Wood	Individual	Oppose	Written Testimony Only

Comments:

Good afternoon

I oppose this.

Our short term rental is 435 sq feet. This unit is a studio and is set up like a hotel room with no seperate bedroom space.

This short term rental provides jos for resort staff, our cleaning crew and handyman.

Thank you

Dawn

HB-1838-SD-1

Submitted on: 3/27/2024 7:11:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Grace D	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Legislators,

I am writing to ask you to please consider that the short term rentals remain and allow Maui to be an affordable place to visit for the average person. You cannot make the island accessible only to the wealthy who can afford \$800/night and up hotels. It's important that we allow families to come on island.

We also pay our share of TAT and Maui TAT and GET taxes as well as the property taxes that help the Hawaii budget.

Additionally , we have funded the local economy with all of the various upkeep of the condo, from electricians, plumbers and other various trade professionals.

The people that come and stay are respectful of the land and the economy. They frequent the local small businesses that surround the area and not the resort areas.

Also, during the LaHaina fire, we were able to house 5 residents for 2 weeks immediately after the fire for free as a small but ohana way to care for those in need.

Please take these comments into account when voting on the bill.

Respect and love,

Grace

HB-1838-SD-1

Submitted on: 3/27/2024 7:12:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Adrienne Chow	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

Thank you for your time. It is SO important for the people to be supported.

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

March 27, 2024

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. HB1838 for the following reasons:

My name is Randy Hnatko and I thank the committee for the opportunity to testify about this bill.

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Governor Green noted that “we don't need new legislation to take initial action. We can start by encouraging and supporting the counties to enforce the laws and regulations we already have on the books.”

- The counties already have authority to regulate illegal short-term rentals.
- This bill does nothing to solve the problem of illegal short-term rentals.

Papakea's Contributions to the Community

- Papakea's resort operations provide employment for 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.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.
- 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 HB1838** and urge the committee vote no on this matter.

March 27, 2024

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I **OPPOSE** H.B. HB1838 for the following reasons:

My name is Dee Hnatko and I thank the committee for the opportunity to testify about this bill.

Background on Papakea

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- 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 HB1838** and urge the committee vote no on this matter.

HB-1838-SD-1

Submitted on: 3/27/2024 7:14:20 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Ulanowski	Individual	Oppose	Written Testimony Only

Comments:

I'm a senior who has been cleaning vacation rental homes for the last 12 years! If STVR's are eliminated I would be in dire straits! I would have No income and would likely suffer greatly from this change! Please do not pass a bill that would make STVR's a thing of the past! I am pleading with the state to stop this now! Owners already had to jump through hoops a few years ago to eliminate the ones who weren't legally operating! Sincerely,
Kathleen Ulanowski Sunrise Cleaning Company 🌻

HB-1838-SD-1

Submitted on: 3/27/2024 7:19:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maurice Schreiber	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Maurice Schreiber and I live on the island of Oahu.

I am writing in opposition of HB1838 as current, legally permitted short-term rentals (per Ord 22-7) are important for tourism on the island of Oahu as they provide family, visitors, displaced residents, traveling nurses, emergency contractors, and temporary military & students, 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, need more space than one room, or have an extended stay.

This bill will hurt me, other residents, and important visitors that rely on current, legally permitted 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.

In addition, this bill will hurt the city, county and state due to the loss of revenue created by GE, TA, and OTAT taxes that current, legally permitted short-term rentals generate and pay to the county and state of Hawaii.

Please let the counties enforce 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-SD-1

Submitted on: 3/27/2024 7:21:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ada E Eschen	Individual	Oppose	Written Testimony Only

Comments:

As a long time legal tax paying STR owner in a legally zoned resort condo, I oppose this bill,
Ada Eschen

I support bill 1838 with amendment: Provided that transient vacation rental units may be amortized or phased out in an area of any zoning.

Gov Josh Green Hawaii now quotes:

If we significantly increased property taxes on STR this would provide the incentives for the people to get out of that market and make it available to

To get homes back into local Hawaiian hands ...he wants to offer tax exemptions to STR owners who sell their property to an owner local family or someone to turn home into long term rental for a local family

In the last few months since the fires STR have rebounded almost entirely

It is hard to find sympathy for these owners about their fear of not living in luxury

in comparison to the homeless fire survivors, or homeless families on Maui or even the 26 faces who committed suicide living in the hotels

Josh Green says in his state of address speech:

Believe me when I say I'm going to put our people first and I will be forced to declare a moratorium on all STR in West Maui until we find enough housing for the displaced families

STRs are artificially inflating the cost of housing and displacing residents.

Gov has pinned on his Instagram

Hawaii loses an average of 20 local residents per day

In 2023 we lost plus 4000

These numbers represent thousands of our ohana children grandchildren who have left Hawaii because cost of housing has spiraled out of reach.

75000/89000 are not legal according to our existing laws...Green has instructed attorney general to start cracking down on illegal units now

Hawaii's homeless rate is 43 per 10000 people, this is double the national rate

So to the owners of the STRs the Lahaina fires have only illuminated the FAULT of this housing crisis. We have had a housing crisis for years and no one has been able to put legislation in to stop or regulate you. You have heard the facts , you have heard the pleas from your governor of Hawaii and the pleas from the residents of Maui, the pleas from the families who represent the culture and aloha you fell in love with here, those who are called upon by God and blessed with these beautiful islands to steward. The tremendous amount of aloha, mana and wisdom that this culture is embedded with can be seen in the tears and cries of our kapuna. It can be seen in the voices and hearts of our keiki and the Lahaina Strong community. This land is perpetuated in righteousness and the true warriors of Maui and this sacred land will not rest until truth be made public knowledge and we get housing and justice for our people.

NO HOUSING NO PEACE!!!

Opposition of Maui Property Owner to HB 1838

My wife and I own a two bedroom condo in Wailea Maui and have for 11 years rented to vacationers, including Maui residents and their family members, when we are not there.

The property is zoned hotel / resort and we have paid all property taxes, at the highest rate, and all Transient Vacation Rental 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 least 40% of all tax revenue for Maui, and provides 18% of the County's total annual budget. We also make substantial annual donation to Maui Food Bank.

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 both collect and pay substantial TVR related taxes and fees – and benefit illegal, non-registered TVR owners/managers who would continue to rent short term and profit regardless of what any laws say, without paying a dime into local public coffers. A far better and logical solution would be to spend government resources to enforce **existing** laws – returning 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 long term rental 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.

Testimony of Marilee J. Allan regarding HB 1838 - on 3/27/24

1. I have visited Maui from California since 1982, and my husband and I have come yearly with our toddlers (in 1986 and on; they are now adults with their own very young children, who come to be on Maui too). We were lucky enough to buy a one-bedroom condominium in 2005, in Wailea Ekahi, and have continued to come several times a year since that time. We are both over 70 years old, retired, and we are not wealthy; we have a mortgage to pay for our Ekahi condo for at least 10 more years plus our homeowner association fees. We do rent out our condo, for a week at a time or occasionally a month, but not at a high dollar rate. With the mortgage and all costs we only break even. HB1838 if it passes could phase out so many thousands of LEGALLY permitted short-term rentals on Maui. We would be crushed and could not meet our own costs. Nor could we provide our Maui-resident working friends a place to stay, which we have from time to time. We offered our condo after the Lahaina fire to seven surfing instructors and their acquaintances if they had the need. Since last September we have continued to come over and, fully on purpose, only “buy local” and patronize Maui small business owners and farmers markets.
2. The short term rentals like ours (STRs) provide such a real estate tax base for the county as well as being the top funding source for affordable housing for Maui. I understand that STR property tax revenue represents 18% of the county’s \$1.7 billion dollar budget. If STRs are restricted or eliminated, where will the equivalent revenue come from?
3. Equally or more staggering, short-term rentals accommodate various community members, including residents who have been displaced, those in transition, inter-island residents coming for doctor or rehab treatment or for family visits, traveling nurses (I have met several), temporary military and students, and of course families like ours or our friends. We also employ every month local residents with income such as for our housekeepers, repair people, our local restaurant providers, small stores that provide everything from windsurfing rentals to fresh produce from the Haleakala hillsides and terraces. It would so undo the livelihood of the island to change STR status of those who love Maui.
4. I urge you in the strongest possible way to oppose House Bill 1838. Please do not undo the long-term connections (40 years for us) and loving support from Maui’s strong supporters from across our county and Canada.

Thank you, Marilee Allan

HB-1838-SD-1

Submitted on: 3/27/2024 7:28:29 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Snorsky	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee

I have owned a Condo at Papakea since 2019. As an owner, I support the local economy by creating jobs. My renters support the many local businesses in the area.

I encourage you to look at other jurisdictions where short term rentals were eliminated and see what it has done to the local economy. In jurisdictions where drastic action was taken, the local businesses have closed down, commercail buildings are empty, and locals have moved out of the area to look for jobs elsewhere.

I encourage you to do a study vefore taking this drastic action.

Best Regards,

Kim Snorsky

HB-1838-SD-1

Submitted on: 3/27/2024 7:29:24 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
cyndia pilkington	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass this bill. It is too restrictive on the rights of homeowners and makes practical stays on Oahu for family, friends, people moving, military, etc. far too difficult. Please DO NOT pass this bill. The 30-day rule is adequate if properly enforced.

HB-1838-SD-1

Submitted on: 3/27/2024 7:30:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelei Tancayo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and members of the Committee,

I'm writing in support of HB1838 HD2 SD1, which expands and strengthens the county regulations of short term rentals. Which provides the county with home rule authority to ensure that the counties are able to guide the overall future development of their local jurisdiction.

Mahalo,

Michelei Tancayo

HB-1838-SD-1

Submitted on: 3/27/2024 7:32:29 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Patton	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,

Sara Patton

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on our community, particularly regarding the availability of temporary, furnished housing. As a proud resident of Puna, on the Big Island of Hawai`i, I have witnessed firsthand the importance of mid and short-term rentals in supporting our community during times of crisis.

In recent years, events such as the eruption of Kilauea have displaced hundreds of our neighbors. During these difficult times, mid and short-term rentals have provided a crucial safety net, offering temporary homes to those affected. These accommodations have also been essential for traveling nurses, emergency contractors, temporary military personnel, students, and even our family and friends visiting from inter-island and afar.

The passage of Bill HB1838 threatens to eliminate month-to-month rentals, which are a vital component of our housing ecosystem. Without these options, many residents in transition, including those who cannot qualify for long-term rentals, will face even greater challenges in finding suitable housing. This could lead to a new type of housing crisis, one where temporary housing becomes scarce and inaccessible for those in need.

I urge you to consider the far-reaching implications of this bill on our community's ability to provide temporary, furnished housing to residents and visitors alike. It is crucial that we maintain a balanced approach that supports both the long-term housing market and the needs of those requiring temporary accommodations. Let's keep the good people of Puna, all of Hawai`i, and our guests with options supporting integrity, dignity, and affordability. I hope that together, we can find a solution protecting the availability of temporary housing in Hawaii.

Sincerely,

Lily Tomaszewski
Smallkinehappyness
Volcano, HI

HB-1838-SD-1

Submitted on: 3/27/2024 7:35:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie M Smith	Individual	Oppose	Written Testimony Only

Comments:

Leslie MacKenzie Smith

2394 Puu Mala Place

Kihei, HI 96753

As a long-time resident of Maui for the past 42 years and a property owner of a **legal** short-term rental since 1989, I am deeply concerned about the potential implications of bill HB1838. This legislation directly impacts the Maui economy, local employment, and the livelihoods of numerous individuals and families in our community.

Short-term rental properties play a crucial role in supporting the Maui economy by providing valuable employment opportunities. The proposed bill poses a threat to the livelihoods of individuals who depend on the short-term rental industry for their income, including housekeepers, maintenance workers, and working-class families. Any legislation that jeopardizes these employment opportunities would have detrimental effects on our local community.

Furthermore, short-term rentals serve as essential accommodations for visitors to Maui, contributing to the vitality of our tourism industry. The presence of these rentals not only supports the local economy but also provides visitors with diverse and affordable housing options. This enriches the experience of those who choose to visit our beautiful island.

I urge you to consider the far-reaching impact of bill HB1838 on the Maui community and to take into account the voices of residents and small business owners who rely on the short-term rental industry for their livelihood. Any legislative action that undermines this vital sector of our economy could have negative repercussions for everyone involved.

As a Maui resident with 4 girls born and raised on Maui the idea of the county wanting to take away from one group to help another makes no sense and is so disheartening. Many of us stepped up to help the displaced fire victims immediately and now you want to take away our rights. How is this fair?

Maui has had a housing shortage for years. The repercussions of this bill will have severe negative impact on many levels!

I respectfully request your thorough consideration of the potential consequences of bill HB1838 and ask for your support in safeguarding the Maui economy and the livelihoods of our local residents.

Thank you for your attention to this matter.

Leslie M Smith

Sherry P. Broder
Honolulu, HI 96822

Aloha Senate Committees on Judiciary and Ways and Means Chairpersons and Committee Members:

I am submitting this testimony in strong opposition to SB 2919, SD 2. This bill is great for the lucrative hotel industry and bad for local people who have the opportunity to access a very small portion of the tourism dollars through short term rentals. Hawai'i has the reputation of being one of the worst places for small businesses and this bill if enacted will be yet another example.

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. Below are just some of the problems that contribute to housing affordability.

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. Approvals have been made for more hotels in Ko Olina. The County Planning Directors have recommended and continuing to recommend approval for more hotel rooms, more expensive housing for non-locals and more golf courses. Sacred sites at Coco Palms, Koloa/Poipu, Punaluu on the Big Island, and many other places are being developed. In 2018, the Maui Planning Commission approved the construction of a new hotel in Wailea, the 200-room Piilani Suites. There's a wave of new hotel development on Oahu, where more than a dozen properties are in the planning or the construction pipeline with delivery goals between 2023 and 2027. Two large hotel projects are planned, including the 36-story, 515-room AMB Tower at the Hilton Hawaiian Village, and the 162-room extended-stay hotel Residence Inn planned for the old Pacific Business News Building near the Hawai'i Convention Center, and many others too numerous to list.
2. The super wealthy and international corporation receive the tourism dollars in Hawaii. Private equity companies own almost 30% of Hawai'i's hotel rooms. It has been reported that Hawai'i continues to be attractive for private equity buyers because it's one of the **highest performing hotel markets in the country**, says Tim Powell, principal of Powell & Aucello. Local people do not share in the real tourism dollars because of the high barrier to entry.
3. Land ownership is concentrated in a very few landowners in Hawaii which drives up the price of land.
4. The cost of materials is very high because of the shipping costs and the competition for materials.
5. Hawaii is like the national trend of the rise in economic inequality making it harder for lower-income households to buy secure housing. 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). This bill perpetuates this economic inequality by prohibiting ordinary local people from participating in the lucrative tourism market.

6. *More hotels popping up outside of touristy Waikīkī*
It's a trend experts said will likely continue due to the demand for convenient and affordable options. [KITV4](#). (last accessed 02/29/24).
7. *Agency disputes affordable housing loss projection*
A risk assessment of potential Hawai'i affordable housing losses presented Tuesday at the Legislature is overblown, according to a state agency that helps finance such housing. [Star-Advertiser](#). (last accessed 02/29/24).
8. *A tech billionaire is quietly buying up land in Hawai'i. No one knows why*
Marc Benioff has bought 29 parcels, more than 580 acres, in Waimea, and nine others, about 25 acres, at beach resorts. In the majority of instances, he's paid more than current market value, according to public records. [National Public Radio](#). (last accessed 02/29/24).

Moreover, short term rentals bring positive economic benefits to local people and to county governments:

9. 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.
10. 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.
11. Many local people seek to stay at STR as most often they are a more affordable option.
12. Short term rentals bring tax dollars to the state and local governments.

Mahalo nui loa for your consideration of my testimony.

HB-1838-SD-1

Submitted on: 3/27/2024 7:38:58 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Deb Price	Individual	Oppose	Written Testimony Only

Comments:

Please leave Maui alone, we solely rely on tourism on Maui, and you're crushing the economy and the housing market here - Why are you trying to bankrupt an economy? Where will people work? Where will they shop? We can not stand the constant battering of us here on Maui. Focus your attention on cleaning up the tent camps and trashed wrecked cars littering our roadsides - we need tax dollars spent here

HB-1838-SD-1

Submitted on: 3/27/2024 7:39:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Vo	Individual	Oppose	Written Testimony Only

Comments:

I strongly opposed this bill.

HB-1838-SD-1

Submitted on: 3/27/2024 7:41:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Molly Snorsky	Individual	Oppose	Written Testimony Only

Comments:

Enacting this will create mass job loss of employees who work with short term rentals.

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

Thank you for the opportunity to share with you my opposition to HB1838.

My husband and I have owned a condominium at Papakea for over 25 years. Papakea was built in the late 1970s with 364 units and marketed as an oceanfront vacation rental resort from the beginning.

During these many years, Papakea has provided immeasurable support to the community through employing businesses such as tree trimming, pond maintenance, and construction. Maintenance, grounds and front desk operations for this large property rely on employing local residents, as well. Without the amenities a resort such as Papakea has to offer, those types of services would not be required.

In addition, short term rental units employ many local residents and small businesses—housekeeping, maintenance, florists, restaurants, stores and activity providers.

Another consideration for opposing this bill is the huge hit the county budget would suffer. The tax revenue STRs on Maui provide through TAT, GET and MCTAT are an enormous portion of the county's budget. Without that revenue, the shortfall would be borne by local residents or many services would have to be cut. That is something I don't believe anyone wishes to see.

During a recent visit my husband and I were able to assist the community in a small way by volunteering at the Honokowai Beach Park distribution center established after the August fires. The great need was evident but the outpouring of support was heartwarming to witness. I know many owners at Papakea have offered similar assistance during these difficult times.

For the reasons stated above, I OPPOSE SB2919, SD1 and urge the committee vote no on this matter.

Respectfully submitted,

Jenelle Morella

HB-1838-SD-1

Submitted on: 3/27/2024 7:44:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Bryce Buchanan	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

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?
5. To us, it is clear that many people are helped by this clean, sustainable business. We can think of no one who would be helped by ending STRH permits. But, **many people would be harmed by that action**. 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-SD-1

Submitted on: 3/27/2024 7:45:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Solton	Individual	Oppose	Written Testimony Only

Comments:

My name is Michael Solton and I am the owner of several Waikiki condo short term rentals. I am writing in opposition of this bill because I rely on the condo income for my retirement. This bill will not only hurt me but it will also affect renters and the economy of Hawaii. In addition, the bill will decrease Hawaii property values. I ask that you do not move this bill forward.

Thanks for your consideration.

Michael Solton

HB-1838-SD-1

Submitted on: 3/27/2024 7:48:58 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brandon McLeod	Individual	Oppose	Written Testimony Only

Comments:

My Name is Brandon McLeod

I OPPOSE this bill HB1838

Thank you for time

HB-1838-SD-1

Submitted on: 3/27/2024 7:49:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Forbes	Individual	Oppose	Written Testimony Only

Comments:

If this goes through it will create a lot of job loss for the people.

HB-1838-SD-1

Submitted on: 3/27/2024 7:53:42 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brigitte Eppich	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I **OPPOSE** Bill HB1838.

Thank you for your time.

Brigitte Eppich

owner at Papakea Resort

HB-1838-SD-1

Submitted on: 3/27/2024 7:53:47 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Marie Lopez	Individual	Oppose	Written Testimony Only

Comments:

My name is Kim Marie Lopez. I have been a resident and home owner in Lahaina, Maui for 30 years. All of my employment during these years has been tourist related as is most of the employment on our island. The negative impact to tourism has already kept most of us out of work since the Lahaina Fire. I oppose bill **HB 1838** because **it will continue to negatively impact opportunities to make a living. In turn I will not be able to afford my mortgage and will need to sell and leave Maui. Please do not pass this bill. Below are key points. Many of us want to work. Many friends will lose their homes and have to leave Maui because there will not be jobs to support them. Those that try to stay on Maui will be burdened with higher costs and taxes because the state will need to make up for lost revenue somehow. Please save our economy. We can not take any more delays.**

Kim Marie Lopez

- 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-SD-1

Submitted on: 3/27/2024 7:59:56 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
debby hooks dejong	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass bill 1838. This bill will damage many residents of Oahu financially and will damage our local economy. We have been residents of Oahu since 2004 when we purchased our home on North Shore. We rent for thirty days and do not desire to rent for long term. This is because we have many family members that enjoy visiting the island and by renting thirty days we can open our home for family and friends. But the thirty day rentals give us income to assist us in living in our home. Our island is also dependent not only on tourist but highly dependent on military. by allowing thirty day rentals this give military families the ability to have family visit and not have to pay the high prices of corp hotels. Also, our local economy depends on temporary housing to keep their jobs, house cleaners yard companies and many who depend on the income they receive from temporary housing. PLEASE vote no on this bill 1838 and help our locals, thank you.

HB-1838-SD-1

Submitted on: 3/27/2024 8:00:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sidney McLeod	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I **OPPOSE** Bill HB1838.

Thank you for your time.

Sincerely,

Sidney McLeod

HB-1838-SD-1

Submitted on: 3/27/2024 8:01:02 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert C. Geppert	Individual	Oppose	Written Testimony Only

Comments:

Aloha and thank you for this opportunity to comment,

My wife, Lucy Buxton Geppert, and I have been coming to Hawaii (Maui) for nearly 30 years. We have seldom stayed in a Hotel due to the high costs. We first stayed at Luana Kai in Kihei, renting a condo that had a nice kitchen, convenient pool and beach front location.

We bought a unit there in the early 2000's and later upgraded to a Condo in Wailea, which my wife owns today. We have it in the rental pool, and rent it to people from all over the world, and to people from Maui and the other islands.

After the Lahina fire, my wife generously offered it rent free to people we knew in West Maui, who had lost their two boats, and houses. However, they did not want to move down to Wailea.

- We both oppose proposed Hawaii HB 1838, and are of the opinion, that it will do just the opposite of what it is intended to do.

-- It will not increase affordable housing for native Hawaiians or Maui Citizens, Moreover, It appears to us that it could constitute a taking of property without due process of law, under the U S Constitution, and the Hawaii Constitution, in that it will result in either a swift reduction in the value of short-term properties, such as ours in Wailea, or at the time we would choose to sell it, since a new owner could not use it for short term rentals.

- We believe that HB 1838 would result in reduced property tax revenues to Maui County, caused by the reductions in value the Bill would generate.

-- It has been estimated that short term rental properties generate 40% of the real property taxes for Maui County. How will this reduction in property taxes be replaced? It will not be from the beachfront hotels, who support this Bill. It will have to come from ordinary taxpayers.

-- It will also result in reduced transient and excise taxes for the state of Hawaii and Maui County, due to reduced rentals caused by HB 1838.

- We believe the Bill will result in significantly reduced employment in Maui and the other islands. Short Term Rentals, such as ours, employ many people, who, clean, maintain, repair,

upgrade, cut the lawns, paint, and otherwise take care of these properties and provide security for the tenants and the owners.

- Further, we believe it will result in reduced purchases of furniture, appliances, artwork, lighting and air conditioning, pots and pans, bedding and linens, and food and beverages, that will negatively affect small, medium and large business in Maui and the other islands.

- In addition, we believe HB 1838 will significantly reduce the number of visitors to Maui and the other islands, because it will drive up the cost of staying at the big hotels. It is simply a matter of supply and demand. If the short term rental business is destroyed, people will not pay the exorbitant prices to stay at the big hotels - some of which are already over \$1000 per night. They will go elsewhere.

Mahalo, for this opportunity to comment on proposed HB 1838, and we pray that you will oppose this Bill.

Respectfully submitted,

Bob and Lucy Geppert

HB-1838-SD-1

Submitted on: 3/27/2024 8:07:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Helena Von Sydow	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Senate Committee,

Subject: Opposition to HB1838

As a local resident of Hawaii, I am writing to express my strong opposition to HB1838. And my 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.

It's crucial to carefully examine the implications of bills like HB1838, particularly when they involve zoning regulations. Zoning plays a pivotal role in urban planning, environmental conservation, and various other aspects of community development. Allowing counties the broad power to change any zoning without appropriate checks and balances could indeed have far-reaching consequences.

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-SD-1

Submitted on: 3/27/2024 8:08:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Harald von Sydow	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Senate Committee,

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 legal 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 legal 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.

I also urge you to carefully examine the implications of bill HB1838, particularly when involving zoning regulations. Zoning plays a pivotal role in urban planning, environmental conservation, and various other aspects of community development. Allowing counties the broad power to change any zoning without appropriate checks and balances could indeed have far-reaching consequences

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-SD-1

Submitted on: 3/27/2024 8:09:13 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Luciana Fernandez	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senate Committee,

Subject: Opposition to HB1838

My name is Luciana and I live on the island of Oahu.

I am writing in opposition of bill HB1838 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 legal 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.

My work allows me to rent a home in my community and raise my 2 kids

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.

Luciana Fernandez

HB-1838-SD-1

Submitted on: 3/27/2024 8:09:31 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Dean	Individual	Oppose	Written Testimony Only

Comments:

I adamately oppose the passing of HB1838. I have paid TOT taxes which continue to benefite the County of Maui for over the past 16 years. The condos in our complex were built and permitted as vacation rentals. They are too small for fulltime occupancy of a family. Taking away our short term rental ability will greatly reduce the value and sellability of my condo. I feel it is the responsibility of the County of Maui to find other ways to house their residents and not punish the people who have invested in property on the island of Maui.

Subject: Opposition to HB1838

Please accept this written testimony in opposition to HB1838.

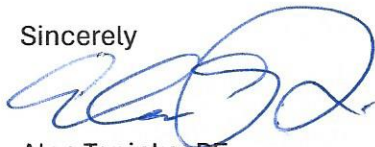
My name is Alan Topinka. I am the current Trustee of the Topinka Family Irrevocable Trust that owns a second home in the Kaanapali area with address 275 Oka Kope Street. We have owned the home for 10 years. The home has been a gathering place for family members and friends that can join us in beautiful west Maui. We have owned a condominium on the island since 1999. Our primary purpose in owning the home and previous condominiums was to maintain a family-owned gathering place in a place that we all love, Maui. We are respectful of the community and environment.

We purchased the home with the understanding that we could use short-term rentals to provide some additional income to properly maintain the structure, property, and surrounding area. We have applied for, complied with, and currently hold a legal short term rental permit and special use permit to allow short term rentals at the property when we and other family members are not using it. Again, our primary purpose for the house is to have a gathering place for family members and friends. However, income from short term rentals allows us to keep the home and maintain it. We oppose the passage of HB1838 for the following reasons.

- Loss of short-term rental income would result in reduced maintenance and the degradation of properties such as ours -affecting the livability for all that are in the area.
- The loss of housing alternatives will affect all those that need a place to stay on the island, regardless of whether they are emergency workers, contractors, vacationers, etc. This will result in degradation of the community and access to resources.
- Loss of short-term rentals will reduce the taxes collected by Hawaii and Maui County, resulting in the reduction of services, maintenance, and other critical needs for the community.
- Loss of short-term rentals will greatly affect the income of those individuals that depend on that income to feed their families and keep the Hawaiian economy healthy. Our property employs several small businesses that maintain and ensure the proper operation of the home, including but not limited to, housekeepers, small contractors, property managers, repair personnel, landscapers, exterior cleaners, etc. We would severely reduce or eliminate these services should short-term rentals not be allowed. This would greatly affect each of the families of those small businesses.

Thank you for your consideration.

Sincerely



Alan Topinka, PE

atopinka@comcast.net

HB-1838-SD-1

Submitted on: 3/27/2024 8:09:48 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Hokulani Delatori	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Hokulani Delatori

HB-1838-SD-1

Submitted on: 3/27/2024 8:10:02 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Atsuko Barth	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Atsuko Barth, and I live on the island of Oahu.

I am writing to oppose this bill. This is because it has the potential to jeopardize the livelihoods of cleaners, electricians, maintenance workers, and others on this island whose main source of income comes from the tourism industry, which has become the primary sector.

Additionally, if this bill passes, there will be no more month-to-month rentals in Hawaii. This will lead to another housing crisis for individuals who cannot qualify for long-term rentals or require temporary furnished housing.

Mid and short-term rentals serve displaced residents, those newly housed, individuals in transition, inter-island residents seeking medical treatment or visiting family, traveling nurses, emergency contractors, temporary military personnel, students, as well as our family and friends.

Events such as the Red Hill Crisis and Marco Polo fires have displaced thousands of residents. If our industry faces further decimation, where will residents find temporary furnished 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-SD-1

Submitted on: 3/27/2024 8:11:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Coring Serna	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Coring Serna

HB-1838-SD-1

Submitted on: 3/27/2024 8:12:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
M Hybiske	Individual	Oppose	Written Testimony Only

Comments:

I am writing in **strong OPPOSITION of HB1838** to further restrict short-term vacation rentals. This bill will have an extremely negative impact on my family personally, 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. We are not the enemy.**

Most STRs are **legally-permitted** and follow the rules, pay their taxes, support the economy, and promote Aloha. 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. Many visitors do not want to stay in a hotel room. Certainly returning visitors prefer to stay where they have more rooms and can cook meals.

Our family is the original owners of our condo which was built in 1972. It has been our family **home on Maui for 50 years**. 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 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 ongoing high cost of ownership.**

Short-term rentals fill an important need on the islands, but they are NOT designed for long term living, especially 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.

Many local residents will also be impacted negatively. We employ a housekeeper who has a young family. We employ local repair people. They have become friends. We pay many thousands in tax dollars and contribute to the economy with our purchases and expenses. What will these independent people and small businesses do for income if we are unable to continue to rent our condo? Oceanfront living creates considerable maintenance issues. It cannot be considered "affordable housing." 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 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.

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. 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.

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.**

HB-1838-SD-1

Submitted on: 3/27/2024 8:13:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Lee	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Sarah Lee

HB-1838-SD-1

Submitted on: 3/27/2024 8:15:39 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Keila Paahana	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB1838 HD2 SD1.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB21919

" provided that transient vacation rental units may be amortized or phased out in an area of any zone classification "

this would provide much needed security and stability for our communities that has already gone through so much.

thank you

HB-1838-SD-1

Submitted on: 3/27/2024 8:16:59 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul R. Strange, Sr.	Individual	Oppose	Written Testimony Only

Comments:

Subject: Urgent Action Needed: Oppose HB1838 and SB2919 in Hawaii

Aloha Chairman Tarnas,

I am writing to express my strong opposition to House Bill 1838 and Senate Bill 2919, both of which pose a significant threat to the rights and livelihoods of citizens in Hawaii. As a concerned American citizen, I believe it is imperative to speak out against government overreach that jeopardizes the freedom and well-being of our fellow citizens.

The proposed legislation, if passed, would have devastating consequences for hundreds of families who depend on the vacation rental industry for their livelihood. It is my belief that government regulations should not unfairly select and phase out short-term use of single-family residential properties, thus infringing on property rights without due cause. Additionally, the bills create a precedent for revoking non-conforming uses, destroy value, and create uncertainty for investors and builders during a time when our community needs new construction. These bills also allow counties to retroactively change the rules, punishing those who have followed the rules and paid their dues. Furthermore, the potential economic loss and emotional duress caused by these bills are not justified by any public good, and it is crucial to question the reasoning behind such drastic measures.

I am deeply concerned by the lack of thorough research and consultation conducted by Hawaii County in evaluating the impact of this legislation. The absence of comprehensive studies and expert consultation reflects a disregard for the well-being of the community, akin to a doctor performing major surgery without adequate examination.

Moreover, the bills' implications on agriculture land, property improvements, and the vacation rental market present a clear lack of understanding and consideration for the livelihoods of families who rely on these industries to make ends meet. The proposed fines are disproportionate and demonstrate hostility towards our families, with the likelihood of forcing many homeowners to sell their properties, leading to an influx of foreign buyers and further exacerbating the housing crisis for local families.

In light of these critical issues, I urge you to reconsider the implications of HB1838 and SB2919 and to advocate for policies that truly benefit the people of Hawaii. It is essential to safeguard the

economic rights, housing opportunities, and well-being of our fellow citizens by resisting legislation that infringes on fundamental liberties and livelihoods.

I implore you to listen to the voices and personal stories of the citizens who will be directly impacted by these bills, and to consider the real needs of the community in making informed and equitable decisions.

Mahalo for your attention to this urgent matter. Together, we can strive for policies that uphold the rights and well-being of all citizens in Hawaii.

Sincerely,

Paul Richard Strange, Sr.

HB-1838-SD-1

Submitted on: 3/27/2024 8:18:29 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Rolland	Individual	Oppose	Written Testimony Only

Comments:

Patricia Rolland

67-225 Kiapoko Street.

Apt. A

Waialua, HI 96791

March 27, 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 rests solely on the income from my condo. My condo also provides income for a manager, handyman and a janitorial company who employs 5-6 employees. If this bill passes, there will be no more month-to-month rentals available in Hawaii creating another type of housing crisis for those seeking affordable short-term rentals, i.e. displaced residents, newly housed residents in transitions, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students. Short-term rentals also provide an affordable alternative accommodation for those traveling on a budget. Not everyone can afford the high rates Hotels and Resorts offer. 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-SD-1

Submitted on: 3/27/2024 8:19:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
William P Lamkin	Individual	Oppose	Written Testimony Only

Comments:

I am a retired veteran living on Maui and I strongly oppose HB1838. I have a vacation rental that provides me with income that allows me to maintain an acceptable quality of life. If I lost this income it would create a significant financial difficulty for me.

Also, since vacation rentals provide 40% of the real property tax revenue and are the top source of funding for affordable housing, it would be irresponsible to pass this bill, especially given the current financial situation on Maui.

HB-1838-SD-1

Submitted on: 3/27/2024 8:24:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kami Cheatham	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

My family owns a vacation rental property in Lahaina. We strongly oppose this bill which is unconstitutional. We bought this property as a means for our family to have a place to stay on Maui at our favorite resort and to share it with other people via vacation renting legally. We come to Maui twice a year currently and when my parents retire, they will reside there probably 6 months per year. We pay the TOT tax which is at one of the highest rates in the country for vacation rentals and rely on the vacation rental income to pay for this. We have created this Maui life for ourselves for years and have earned this. And now it looks like a failing Hawai'i government is trying to unfairly take this away from us and many others as well.

Bill 1838 will ruin Maui. The fact is that the majority of the vacation rentals that this liberal government is trying to ban to create affordable housing is doing it for residents who frankly can't afford these places. Though we have permanent residents in our resort, these places were primarily built to support tourism - not to provide affordable housing.

Maui survives by tourism...it's a huge piece of the economy and should this bill pass, it will cut down tourism as hospitality costs will skyrocket thus forcing tourists to look elsewhere to vacation. Jobs will be lost as well - less people on Maui means less money spent to support every type of small business that exists. The local economy will suffer significantly.

If anything, any legislation regarding STR's should be aimed at curtailing people who are renting illegally or in residential neighborhoods...in residences which were likely not built for tourism. This bill would be unfairly punishing people who are abiding by the law.

The Hawai'i govt misused the tax revenue generated from STR's for years. This housing problem didn't happen overnight and the govt didn't do enough to effectively solve the problem. Why hasn't the Hawai'i govt created enough affordable housing with the tax revenue that's been generated for years? I understand that almost half of the property tax revenue generated for the county comes from STR's and the STR revenue is the primary source for funding affordable housing. If this bill passes, where is the shortfall in tax revenue going to come from? The local GDP numbers will surely drop as well, meaning less tax dollars generated. Is the govt going to have to increase taxes for the residents which most can't afford to pay to make up for the deficit?

The bottom line is that this bill is not constitutional, punishes property owners who have abided by the rental laws and will kill the economy thus hurting the majority of Maui residents. The Hawai'i government has let down its people by failing with their fiscal policies for years and are now looking for a quick bailout with this bill. I wish the residents would see this and show their disapproval by voting out this current Hawai'i administration that caters to votes and not for the greater long-term benefit of the majority.

Thank you,

Kami Cheatham

HB-1838-SD-1

Submitted on: 3/27/2024 8:25:53 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Keesler	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

Aloha to the committee for the opportunity to testify about this bill

Our names are Mike and Terry Keesler

We OPPOSE HB1838 for the following reasons

My wife and I are full time residents of Lahaina and own a 2nd residents in Papakea Resort.

Papakea is an ocean front resort, completed in 1978 with 368 individual condominiums. Papakea has been a short term rental for almost 50 years.

We purchased this property for the sole reason to do short term rental, and had to get a loan at a higher rate because it is considered by the bank as a Condo-Tel.

The Condo requires alot of maintenance staff to keep it in pristine condition and a on island office staff to help guests check-in and out as they arrive and leave. If we lose our short term rental alot of the staff will lose their jobs.

Papakea require extensive maintenance which also makes the monthly AOA dues very expensive compared to proterties that were designed for long term rentals.

The Guest that come to Papakea put alot of money into our economy and the local businesses which employ many of our locals. Also, ourselves we use local cleaners and maintenance personel to keep our condo in great shape.

Governor Green has stated that new legislation is not needed to take initial action.

We are full time local residents and helped many displaced people after the fire by sheltering, and comforting them in our home and in our condo. This was done at no charge to anyone. This came directly out of our pocket at a great financial burden to myself and my wife. We would do again if needed.

Please go after illegal short-term rentals and leave alone the properties that were designed as legal short-term rentals.

This bill does nothing to solve the problem of illegal short-term rentals.

Mahalo

Mike and Terry Keesler

HB-1838-SD-1

Submitted on: 3/27/2024 8:27:25 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
MaryAnn Richardson	Individual	Oppose	Written Testimony Only

Comments:

Maui's service providers will be greatly impacted by this Bill, the contractors and service personell will no longer be needed as they are at this time with upgrades and maintaince of the STR rentals. Th business owners of the resturants will not be able to remain in business if the STR rentals become non existant, no rentals means no vacationers eating at there establishments, renting the outdoor gear to enjoy the islands. It just seems like the wrong thing to do.How much tax loss will the island loose and how will they make it up?

HB-1838-SD-1

Submitted on: 3/27/2024 8:29:39 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Kirst	Individual	Oppose	Written Testimony Only

Comments:

I am a homeowner and am opposing this legislation HB1338. I do not believe it is in the best interest for the people.

Mahalo

Kevin Kirst

HB-1838-SD-1

Submitted on: 3/27/2024 8:31:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

This Bill gives authority to the counties to eliminate ALL short term rentals, even those in resort zones. This Bill will have many unintended consequences and should not be passed.

Short term rental have been in Hawaii since the 1960s - this is not new. Counties already have the authority to stop new NON-CONFORMING short term rentals in residential zones. New authority is not needed - they already have it. Why would they be given new authority to eliminate STR in resort zones where it is permitted by zone, just like hotels and timeshares.

If you eliminate all STR in resort zones you will eliminate hundreds of thousands of tax dollars to the State and county in tax revenue; you will eliminate 45,000+ jobs. This will be felt mostly in Kauai, Big Island and Maui whose economies and jobs are far more dependent on tourism than Oahu - where parts of this Bill originated from.

If it is a housing supply objective, this Bill, and elimination of STR, will have almost no impact. The amount of STR in residential zones is minimal relative to total number of dwellings. Resort zoned STR have ALWAYS been available to residents to purchase, however, very few dwellings in resort zones are declared as "owner occupied." If you eliminate the STR rights in resort zones those dwellings will not change to be owner occupied due to price, very high HOA fees, not suitable for families as many don't even have a garage, no yard or schools. In other words, they were never built to meet the needs of families - and that has not changed. Families do not, and will not, purchase them even if STR designation is eliminated.

This Bill will lead to chaos and litigation without providing any real benefits. Please hold this Bill it provides no solutions.

Submitted by
Patricia Davidson

I would like to state my complete opposition to Bill HB1838 for the following reasons:

1. As I have rented my condo since purchase in 2006 and rely upon the rental income to help cover expenses for the condo, high taxes, condo fees and frequent maintenance issues, this Bill could potentially cause hardship to me as a senior with limited income. My rental income from the condo also provides the county with substantial GET and TAT income.
2. The Bill could potentially result in the phasing out of 13,744 LEGALLY permitted short-term rentals on Maui.
3. Maui's STRs provide 40% of the real property tax revenue for the county, as well as providing 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 and not allowed, where will the equivalent revenue come from?
4. STR's have a very important in accommodating various community members, including displaced residents, new housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, my family and friends.
5. In times of crisis, like the Lahaina Fire, short term rentals serve as essential temporary, furnished housing for displaced residents. Where will such residents find such housing in times of emergencies. Where will residents find temporary, furnished housing if our industry is further decimated.
6. There will be huge overall impact on all local small business and residents. Property Managers, Housekeepers, Carpet Cleaners, Window Cleaners, all kinds of Maintenance Providers, Activities Providers, Grocery Stores, Retail Outlets and Local Restaurants. The effect will be devastating to those businesses and residents. Fewer guests and travelers on the island will mean fewer dollars spent on the island.
7. The potential for this Bill has already caused a huge slowdown in sales of condominiums and booking of trips for rental guests from abroad.
8. There will be a huge effect on the overall income of Maui County.

HB-1838-SD-1

Submitted on: 3/27/2024 8:34:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jorma Palmer	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838, which specifically allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time. This bill revises Hawaii Revised Statutes 46-4a to allow counties to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time in any zone. It removes nonconforming transient vacation rentals units from the 'residential use' exclusion of the statute, ultimately allowing counties to do what they like in their zoning with respect to vacation rentals because zoning is regulated at the county level.

This bill has the potential to shut down short-term or mid-term rentals, even if they are permitted and legal. It allows counties to require all operators, hosted or not, to obtain a non-conforming use permit to operate, effectively eliminating all transient vacation rentals based on whatever definition the county chooses to use to define transient vacation rentals.

I urge you to consider the impact this bill will have on local born and raised residents like myself who rely on these rentals for income, as well as the visitors who depend on them for accommodations. This legislation unfairly selects only single-family residential properties to allow counties to phase out short-term use, potentially removing an industry that pays significant taxes and generates substantial visitor spending each year. It also creates a precedent for taking away other rights from homeowners and revoking non-conforming uses.

I strongly encourage you to oppose HB1838 and ensure that the voices of local residents are heard on this critical issue.

Mahalo for your attention to this matter.

Sincerely,

Jorma Palmer

HB-1838-SD-1

Submitted on: 3/27/2024 8:34:25 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jenna Kutcher	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB1838, which threatens to eliminate legally zoned short-term rental properties on Maui. As someone who is 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 and the livelihoods of countless individuals.

My family and I have been proud visitors and supporters of Maui's community for years, contributing both financially and through direct assistance to local organizations such as the Maui Food Shelf, Maui Humane Society and Feed My Sheep. In times of crisis, such as the recent Lahaina Fire, we have coordinated efforts to provide aid to over 100 displaced residents, including securing housing for them in our short-term rental properties, free of charge, (us personally covering all expenses and costs) 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 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.

Furthermore, short-term rentals support the local economy by creating jobs for cleaners, managers, and maintenance workers, contributing to job creation and economic growth.

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,

Jenna Kutcher

Aloha,

My name is Emily Headley, and my husband Dean and I are the owners of a short-term rental (STR) condo in Ka'anapali. I am deeply concerned about the potential impact of HB1838 on the vital STR industry in Maui. My son and his wife are local residents of Maui, and I have witnessed firsthand the significant role that STRs play in supporting the local economy and community.

Maui's STRs provide 40% of the real property tax revenue for the county, making them the top funding source for affordable housing. This STR property tax revenue represents a substantial 18% of the county's \$1.7 billion budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from? The potential consequences of curtailing STRs are far-reaching and deeply concerning.

Additionally, if all STRs are restricted, tourists will have no option beyond a hotel room. This means they will not have the option to stay in a unit with a kitchen, which is typically a better option for families. Furthermore, the distinction between rentals in designated Resort Zones and Residential zones is crucial. Resort zone STRs are almost always condos, which are not suitable for long-term living due to very limited closet space, storage space, common areas, no yard, and are unsuitable for pets. Restricting STRs could significantly limit the choices available to tourists, especially families, when visiting Maui.

In times of crisis, such as the Lahaina fire, STRs like ours serve as essential temporary, fully-furnished housing for displaced residents. Where will residents find such "ready to go" housing in emergencies if STRs are curtailed? For instance, we are participating in the LTR rental program, and our 2-bedroom condo is currently under a long-term lease with a displaced family.

I urge you to consider the detrimental impact that HB1838 could have on the livelihoods of local residents and the overall economy of Maui. Instead of imposing restrictive measures on STRs, let us work together to find balanced solutions that prioritize the needs of the community while preserving opportunities for residents to participate in Hawaii's tourism industry. This is vital for ensuring the economic stability and well-being of families like mine and many others who rely on the STR industry.

Mahalo for your consideration of our concerns.

Sincerely,

Emily and Dean Headley

HB-1838-SD-1

Submitted on: 3/27/2024 8:36:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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 Hawai'i down this same path.

Mahalo for your attention to my concerns.

HB-1838-SD-1

Submitted on: 3/27/2024 8:36:57 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Doug Corbin	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose bill 1838. I work in the vacation rental industry and understand it to be a vital part of our states' economy. I urge you to vote against passing this bill.

Mahalo,

Doug Corbin

Kihei, Hawaii

HB-1838-SD-1

Submitted on: 3/27/2024 8:43:35 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Fontenot	Individual	Oppose	Written Testimony Only

Comments:

Subject: Protect Our Freedom and Livelihoods

To Whom It May Concern,

I am writing to express my deep concerns about the potential repercussions of passing HB1838 and Senate Bill 2919. This proposed legislation threatens the freedom and opportunity of regular citizens, ultimately harming everyone who supports the existence of a free country. As someone who values freedom and the ability to pursue opportunities, I am deeply troubled by the restrictive measures outlined in this bill.

The consequences of passing this bill would have a detrimental impact on the livelihoods of individuals like Marbella Alford, who plays a vital role in the vacation rental industry. Marbella's work, which involves cleaning and caring for a property, not only provides her with a source of income but also allows her the flexibility to pursue her true passion—working with foster children. This job is crucial to her financial stability, enabling her to support and provide for the foster children she works with. The potential elimination of jobs like Marbella's, as a result of HB1838 and SN2919, would not only put individuals in a position of financial struggle but also severely impact their ability to contribute to the well-being of others in the community.

Passing House Bill 1838 and Senate Bill 2919 would not only harm hardworking individuals like Marbella but also lead to the forced sale of properties, further exacerbating the housing crisis and inaccessibility for local residents, many displaced by the fires. This bill stands to benefit no one while disrupting the lives and livelihoods of those who depend on the vacation rental industry to make a living.

I urge you to consider the far-reaching consequences of this legislation and to reject HB1838 and Senate Bill 2919 in support of preserving the economic stability and opportunities for families like Marbella's, and freedom for all.

Sincerely,

Jessica Fontenot

March 27, 2024

Re: HB1838 - Opposing

To whom it may concern:

This will serve as written testimony to oppose the HB1838 bill relating to the potential phasing out of Short Term Rentals on Maui.

First, the LEGAL Short Term Rentals, of which we have been one for over 40 years, contribute 40% of the Real Property Tax Revenue to Maui. In addition, they provide a more **affordable** choice for residents and tourists versus the hotel industry. Tourism contributes to the well-being and bottom-line revenue to the island, if it is unaffordable to visit, then less dollars come in. Making Hotel chains more profitable does not help the local businesses gain revenue. Less travelers to the island, means less tourism dollars, loss of jobs to the residents of the island, impact to the business owners, and another hit to the economy.

This also impacts the ability to aid temporarily 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, all who contribute to the economy of the island.

Our condo has been in our family for over 40 years. It means the world to us, and we consider Maui our home away from home. We directly affect the economy of the island with the taxes we pay, and for the people we bring in who stay for weeks at a time, contributing to the economy year over year. Our friends and family visit every single year because Maui is such a special place to all of us, and we spend dollars at all of the local businesses and activities.

The Governor mentioned that there are folks operating that are not a legal business. How is that allowed? Perhaps going after those folks to make them comply would also increase revenues. We are not the problem on Maui, we contribute immensely to the well-being and economy of the island.

We are not the problem solve for the island – we are big part of the economy to the island, legally. This is not only an investment that has been in our family for years, it is a home to many family and friends every single year and changing the status of the unit would only lower revenues to the islands.

Sincerely,
Eileen Knox
Maalaea Kai

HB-1838-SD-1

Submitted on: 3/27/2024 8:45:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I am strongly opposed to all of the bills seeking to limit short term rentals as they are currently written.

We own a short-term rental unit in a Wailea resort area in a complex on the Minatoya list. We carefully researched before our purchase, and noted that the Minatoya list was accepted county-wide, and on the official county websites. While proponents of the legislation like to bring up examples of STR owners that are private equity companies that own multiple units, the majority of STR owners do not meet that definition. I have been coming to Hawai'i for many years, with my mother who graduated from Punahou high school when staying with her cousin for a year, and with my father, who has owned property in Wailea Ekahi since it was first built. When we were looking for a place to enjoy in retirement with our family, we looked to Hawai'i. However, the prices are such that we could not possibly afford a place without participating in short term renting.

The alleged reasons behind these bills is to create additional housing for locals, an important topic that pre-dates the fires, but is obviously worsened by the fires. Units on the Minatoya list would not assist in meeting this goal if they were not allowed to short-term rent. The units are in resort areas and are not built for long-term family living. They do not have sufficient storage or parking. We pay high HOA fees. The Wailea units are far from where the current housing needs are located. STR units are being used as a scapegoat for the larger problem of housing on Maui, hoping that activists will focus their anger on STR owners rather than on those who do not do enough to fix the problem. Additionally, as I have read in others' testimony, many STR owners ARE locals who need the additional income to stay in Hawai'i. Others, like us, own just one property that we hope to use as both a part-time home for ourselves and an STR to help pay for the very high mortgage and HOA and property tax and GET/TAT tax costs.

If STRs are eliminated: Maui would lose a very high percentage of their income, which comes from STR property taxes, GET/TAT taxes; many locals (property managers, cleaners, handymen, etc) would be out of a job; housing would not be improved as locals could not afford to buy and would not want to live in Minatoya list properties which were not made for long-term living; lawsuits would entangle Maui in expensive litigation.

We love Hawai'i and want to do our part – we housed a fire survivor right after the tragedy. We have donated to the Hawai'i Community Foundation. We want to help, but this is not the best way forward.

HB-1838-SD-1

Submitted on: 3/27/2024 8:46:48 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jake Snorsky	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it will hurt local Hawaiian residents who work at resorts with short term rentals.

HB-1838-SD-1

Submitted on: 3/27/2024 8:49:35 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Teresa Ross Simoon	Individual	Oppose	Written Testimony Only

Comments:

My name is Teresa Ross Simon and I own a condo at Papakea on the west side of Maui. I want to explain why I strongly oppose HB1838.

Papakea was built, marketed, and sold as a vacation rental property. It has never been workforce housing and is not an example of a property that was converted from workforce housing to transient vacation rental use.

Papakea is in the top 25 revenue producers in Maui County and most of this money goes right back into the community – jobs for tradespeople and maintenance people, whose employment and survival relies on Papakea. Guests who stay at Papakea are the lifeblood of the community, spending money that fuels the economy, which is mostly based on tourism. Without this, many local residents could not afford a home. The hateful millennials who call themselves “Lahaina Strong” are clueless about how this bill will WEAKEN Lahaina, when more people lose their homes due to unemployment and reduced tourism.

Most of us at Papakea have been spending time and money on Lahaina, both directly and also thru employment of the real working locals (not to mention payment of taxes) long before these misguided millennials were a sparkle in their parents’ eyes! They only see the surface. It’s easy to tell a popular, lazy story without looking at the real, deeper facts about how Maui’s economy thrives.

It's a terrible heartbreak to see the devastation caused by the Lahaina fires. But please don't shoot yourselves in the foot by passing a bill that will produce even more suffering, more unemployment, more homelessness. Papakea keeps Lahaina STRONG! This is a bad, emotionally-based short-sighted bill. Let the cooler, more intelligent heads prevail!

Please let me continue to support and participate in the local Maui economy, to continue my relationship with the local residents who live near and work at Papakea. It is my honor that my short-term rental contributes to the livelihood of both the local residents, restaurants and now-struggling small businesses, as well as the good health of the State and County.

HB-1838-SD-1

Submitted on: 3/27/2024 8:51:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Darius Davis	Individual	Oppose	Written Testimony Only

Comments:

For over 25 years I dreamt of one day being able to call Maui home. I would bring my wife and 2 young daughters to Maui as often as I could afford. When I was finally able to afford it, we purchased our home in south Maui. We have spent some of the most wonderful days of our lives there. We have also been able to share this amazing experience with other families. Sadly we would likely not be able to afford our home if we were unable to offer at least some STR.

HB1838 would eliminate almost 14,000 legal STR. If we no longer owned a home we would have to rent hotels rather than the well loved and cared for homes we have been able to stay in. Financially it seems that adoption of HB1838 would have disastrous effects on the Maui county budget. STR accounts for 40% of the real property tax revenue. And almost 20% of the county budget. Where would that enormous sum of county revenue come from if STR were eliminated?

STR play a major role in several types of transient accommodations. Situations were 90 or 180 day minimum stays would not be appropriate.

Examples include military personnel traveling for short periods, traveling doctors and nurses, inter island travel for family visits or vacation, short stays for medical procedures. STR have also played a major role in housing displaced residents who need temporary furnished accommodations.

This bill does not seem to be a long or short term answer to any Maui housing issues and would cause significant collateral damage. I would be happy to help brainstorm ideas to help solve our housing problems. I have been fortunate enough to have multiple friends and contacts that work on financial, logistical and community impact problem solving.

Best wishes to all of us,

HB-1838-SD-1

Submitted on: 3/27/2024 8:56:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
james hugh duncan	Individual	Oppose	Written Testimony Only

Comments:

I am the owner of three homes in Lanikai and have provided short term housing for many

travellers, transients, people who have lost homes and can provide a much more cost effective alternative to hotel rooms (which I believe is the driving force behind restricting short term rentals }

HB-1838-SD-1

Submitted on: 3/27/2024 8:57:07 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dianne Douglas	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB 1838 HD2 SD1.

Having witnessed firsthand the devastating impact of the recent fires in Lahaina, my heart goes out to the residents who lost their homes and family members. However, I am deeply concerned about the approach being proposed by local officials, which would financially penalize legal short-term vacation rental (STR) owners to provide housing for displaced residents.

I have owned a legal STR property in Lahaina for over a decade. I have been a diligent taxpayer and it's my understanding that legal STRs provide 40% of the county's property tax revenue. Additionally, I have made significant contributions to the local economy. I have spent a substantial portion of rental revenue with local businesses, including property management, handymen, cleaning services, construction companies, furniture and housewares providers, and many others. Furthermore, my guests have supported various tourism-related services that are the backbone of the local economy. I have also given back to the community through donations and other forms of assistance. In other words, I have contributed to the prosperity of this island for many years.

Moreover, during the challenging times of the COVID-19 pandemic, my legal STR rental property generated zero income. Despite this, I continued to fulfill my tax obligations without complaint, and I'm still recovering from the financial impact of that period.

I understand the urgency of providing housing for those displaced by the fires. I do not believe that strong-arming long-standing supporters of this island, such as legal STR owners, who in my case are retirees depending on rental revenue to live, is the right way to do it.

If this bill is passed, it will cause significant disruption in my life and fail to achieve the intended goals. It will simply force me to rent out my mainland residence and move to my property in Lahaina to participate more directly in the democratic process as a voter.

I kindly request that you reconsider advancing this bill and instead explore alternative solutions.

Thank you.

Aloha: We oppose HB1838 and similar proposed legislation that specifically and unfairly targets LEGAL TVR's, the owners and families of such, the visiting tourists who enjoy their use, and the Vacation Rental Industry as a whole. We request that you do the same.

* We have owned on Maui since 2000 and are law abiding citizens who have paid more than our fair share of taxes over the years. We, our family and guests have contributed to the economy on Maui by supporting businesses (large and small) and their employees. Don't penalize people like us who love our Maui Ohana, and in retirement are finally able to spend more time in our home. Changing zoning and forcing us to rent to long term tenants will prevent us (aging with health issues), from visiting family and friends, many who have lived and worked on Maui for over 40 years. Further, we need vacation rental income to help pay the mortgage and HOA fees. Please don't penalize us for that.

*It won't solve your employee housing crisis and the infrastructure problems that have existed for years. These issues are not the fault of legal TVR's.

*You also will be taking away great amounts of tax revenue provided by the Vacation Rental industry along with the jobs who support that industry. (Contractors, handypersons, housekeepers, etc) What will they do for employment? You will unfairly be targeting them as well.

*These types of proposed legislation will support private equity and corporations who own hotels and more and take away enormous amounts of tax revenue and employment opportunities for many of the residents that you hope to house.

*This will also take away temporary housing for those in crisis, (and we have housed some in the past while also volunteering and giving to numerous charitable organizations both before after the fires.) And what about those who need short terms housing for medical care, contract workers, traveling health care workers and more as Maui rebuilds. You could end up devastating West Maui's economy while forcing many of your residents to leave and seek employment elsewhere.

* Most of us have friends and/or family members who lost everything from the fires, and it's absolutely shocking and devastating. However, much of this proposed legislation seems unethical and completely unfair. We don't think it will achieve your housing goals for the residents of Maui and will cause even more heartache and damage to many of those who you are trying to help.

Mahalo for listening. Maui is our Ohana, too, even if we need the financial support of the tourist industry to keep our second home which also happens to be a licensed vacation rental.

Please reconsider and oppose this bill and those like it. More research is needed to solve Maui's problems. These types of proposed bills are not the solution.

Be well and we sincerely hope that you will ponder all options carefully and thoughtfully. As the devastating fires have profoundly affected many, so will these far reaching and unfair legislative choices.

Kathleen Costello

HB-1838-SD-1

Submitted on: 3/27/2024 8:59:25 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kai Nishiki	Individual	Support	Written Testimony Only

Comments:

Support with NO RESERVATIONS 🙄

Please AMEND to include all zoning areas

#ByeByeSTRs

HB-1838-SD-1

Submitted on: 3/27/2024 9:01:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
LeeAnne Loney	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose bill 1838. This bill will hurt local families like ourselves who are just trying to supplement our living. Hawaii is a tourist based economy and local people should be able to participate and benefit from this source of income just as the hotels and resorts. For many years, we have been running a TAR in our primary residence which is on AG land. Our homestay has allowed our family to sustain ourselves financially. Without it, we would not be able to afford to stay in Hawaii. Like many other locals, we would be forced to move to a more affordable place on the mainland which we do not want to do. We pay thousands dollars every year in transient accomodation tax, general excise tax and higher property tax. Additionally, if TARs like ours are forced to shut down, travelers who visit from all over the world would not be able to afford to come to Hawaii. Our guests are not the same demographic as those who stay in resort areas and hotels. Our guests are frugile and savvy travelers who would find alternatives places to go and spend their money. Many have told me if they didn't have the ability to stay at a homestay like ours, they would no longer come to Hawaii. They would travel to other tropical places which are more affordable than Hawaii. If this bill passes and other bills aimed at shutting down hosted vacation rentals specifically homestays, local people will suffer. Additionally, as a result, the state and counties will lose millions of dollars in revenue from TARs. Subsequently other local people will lose their income such as the cleaners and yard maintenance workers who depend on these TARs. Locally owned restaurants, shops and other businesses will lose income from those who stop coming to Hawaii. Only the wealthy will be able to afford to come to Hawaii and stay at the resorts and hotels. They will be the ones who buy our land when we are forced to sell. Hawaii is already becoming a place for only the wealthy. Passing this bill will not convert TARS into long term rentals, as homes like ours are not physically set up for long term tenants. It will force people to sell and move. This type of legislature will only benefit big industry and local people will lose their ability to have financial independence and have to go on welfare, sell their property to the wealthy and forced to move outside of the state. There are other ways to help our housing shortage. Do not hurt local people who depend on this source of income; people like ourselves who rent out of our primary residence. Thank you for your consideration.

LeeAnne Loney

HB-1838-SD-1

Submitted on: 3/27/2024 9:01:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
David Schnitt	Individual	Oppose	Written Testimony Only

Comments:

I am firmly opposed to this bill due to the negative impact it will have on our state.

I have a house that is also a vacation rental that my wife and I bought as a retirement home. We have had it for almost 10 years. We have hosted many families over the years without any issues. Our house is in an area where virtually all of the houses on our street are vacation rentals, as we are on the beach. If we could not rent it out sometimes, we would not sell it as it is our retirement home, so it would not impact the number of available homes on our island. And most vacation rentals are too expensive for people to buy as permanent homes anyway.

We pay a lot in property taxes, GET, TAT and other taxes, and support many local businesses from our property manager and all of their employees, to painters, electricians, handymen and others that support the maintenance of our property. Last year alone I paid over \$118,000 to local vendors, almost \$40,000 in taxes for the guest rentals, and around \$20,000 in excess property taxes due to its status as a vacation rental.

If passed, the is bill would not let me rent my home to guests that spend a lot of money in our local community as well. Nor could I afford to maintain my home without this support. This is true of others and many of the people that support our home and others like it will lose their jobs.

This bill will harm our local community and the people that support maintenance of homes, deprive our government of needed revenue and we would have fewer people visit our island due to the lack of places to stay. In other words, damage to the economy.

This bill has good intentions but is fundamentally misguided in its solution. If the state wants to build more housing, it could rezone a *very tiny percentage* of agricultural land (which is not being used anyway) for housing.

HB-1838-SD-1

Submitted on: 3/27/2024 9:03:43 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I oppose **HB1838**. As a short term rental owner, I do not support any bills that take away established LEGAL vacation rentals.

The economic impact would be devastating to not only myself but the Maui residents that derive their income based on the vacation rental businesses on Maui. This would include housekeeping staff, repair/maintenance staff, concierge staff at my complex, and support staff. Think of the tertiary dollars spent by our STVR guests. They cannot necessarily afford Maui hotel prices. They spend their money at restaurants, activities, shops, and so on. If allowed to pass, this bill, HB1838 could result in the phasing out of 13,744 LEGALLY permitted short-term rentals on Maui. Maui would become a playground for the rich only. Not very equitable.

I would essentially be shut down if this bill were to effect my STVR. This bill is not well thought out and is short sighted.

Are you aware that 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?

In addition, 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? I was able to immediately house a family of four within days of the fire.

I oppose this bill and any others that will replace it in kind.

Thank you,

Laurie Gray

HB-1838-SD-1

Submitted on: 3/27/2024 9:04:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
pat frambach	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. The question arises: If STRs are curtailed, where will the equivalent revenue come from?

Owner's have the legal right to provide short term rentals. This 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.

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? Hotels have shown they don't want to assist in providing temporary housing for displaced families because it cuts into their revenues they expect from vacationers. They also don't provide amenities people seek when traveling such as kitchens, laundrys and sometimes some will accomadate pets that are used as service.

Hotels can't provide more than a shower and bed for displaced families. That is no way for a person to live to the standards they've all been accustomed to. Nor do they have the finances to dine out every day for at least 3 meals.

We oppose this

HB-1838-SD-1

Submitted on: 3/27/2024 9:05:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracy Whitmore	Individual	Oppose	Written Testimony Only

Comments:

Hello. I am completely opposed to HB1838. My husband and I own several units at Wailea Ekahi Village and have been renting out our legal vacation rentals since 2009. Just today in fact I filed our sales tax reconciliations and my small rental business generated over \$74K to the State of HI for residents and social programs, not to mention the \$40K of property tax we pay annually. If the STRs are no longer around how is this source of revenue to be replaced?

If I am unable to continue to rent out these condos I will be forced to sell them, likely at a substantial loss, as the costs are simply too much to maintain for personal use.

During Covid, and most recently during this past summer after the Lahaina fires, my cleaning person was forced to lay off 17 employees as there was simply no work for them. It is surprising to me that the State of HI has not thought about the residents who will be out of work and forced to leave the island. I was at a restaurant (almost empty) in August as there were no tourists on the island and the wait staff was basically begging me to come back the next month and bring all my friends as they were unable to make ends meet - and they had a job! The island simply is not sustainable without tourists.

Tourists will not replace STR travel with that of expensive hotels. Families with small children do not want to stay in an expensive hotel where every meal is more than \$100. They want to stay at an STR, cook some meals, eat some meals out and enjoy the island while spending dollars for the benefit of the residents of HI. I am already hearing of lots of tourists who are saying that HI is too expensive now so they are not returning. This type of law change will decimate tourism on Maui, which has not even recovered from Covid.

Please do not enforce a law that will further destroy the economic situation of the island I love.

HB-1838-SD-1

Submitted on: 3/27/2024 9:08:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

We strongly oppose this bill on the grounds that it will devastate Hawaii's economy.

The loss of revenue from GE and TA taxes from STRs in addition to the trickle down losses to GE/TA tax revenue from all supporting industries is unsustainable.

- 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 destroy people who rely on STRs for their livelihoods.
- STRs accommodate residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.
- It is discriminatory to phase out STRs in Hotel zoning and not include hotels, which are STRs also.
- Hotel Zoning districts are intended for short term rentals.

HB-1838-SD-1

Submitted on: 3/27/2024 9:09:08 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jay Fontenot	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members,

As an American who believes in the importance of protecting the rights and freedoms of fellow citizens, I want to express my strong opposition to HB1838 and SB2919. These bills threaten the rights of regular Americans who rely on short-term rentals for their livelihood and housing needs.

The passing of HB1838, in particular, is of great concern as it allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time, effectively eliminating a vital source of housing for many residents. The lack of clear definitions and criteria in the bill leaves room for ambiguity and potential misuse by local authorities, raising further concerns about its impact on the community.

Additionally, the detrimental effects of these bills are already being felt by local residents. The current shortage of temporary housing options, especially in emergency situations, demonstrates the crucial role that short-term rentals play in supporting the community during times of need. The heavy bureaucratic processes and red tape imposed by the government are further exacerbating the housing crisis, preventing much-needed projects and properties from being utilized to address the housing shortage.

It is essential for the government to focus on approving, enforcing, and providing incentives to support housing solutions, rather than enacting laws that harm local residents and stifle economic opportunities. The impact of these bills, if passed, will only lead to greater hardships for working-class families and individuals who rely on short-term rentals for their income and housing options.

I urge the committee to consider the implications of these bills on the local community and the individuals who depend on short-term rentals for their livelihood. Let us work together to find solutions that support the rights of regular Americans and ensure access to vital housing options. Thank you for your attention to this important matter.

Sincerely,

Jay Fontenot

Lies, Damn Lies and Statistics about Vacation Rentals

Has anybody fact-checked the numbers? We keep hearing these numbers over and over repeated by our governor Josh Green, the media and our legislature since December.

In the written testimony for the very first Hearing of SB2919 (companion bill to HB1838) on 2/2/2024 you will find the testimony by Jerry Gibson for Hawaii Hotel Alliance with attached 15 pages of a report from alltherooms.com

See SB2919 status page:

https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SB&billnumber=2919&year=2024

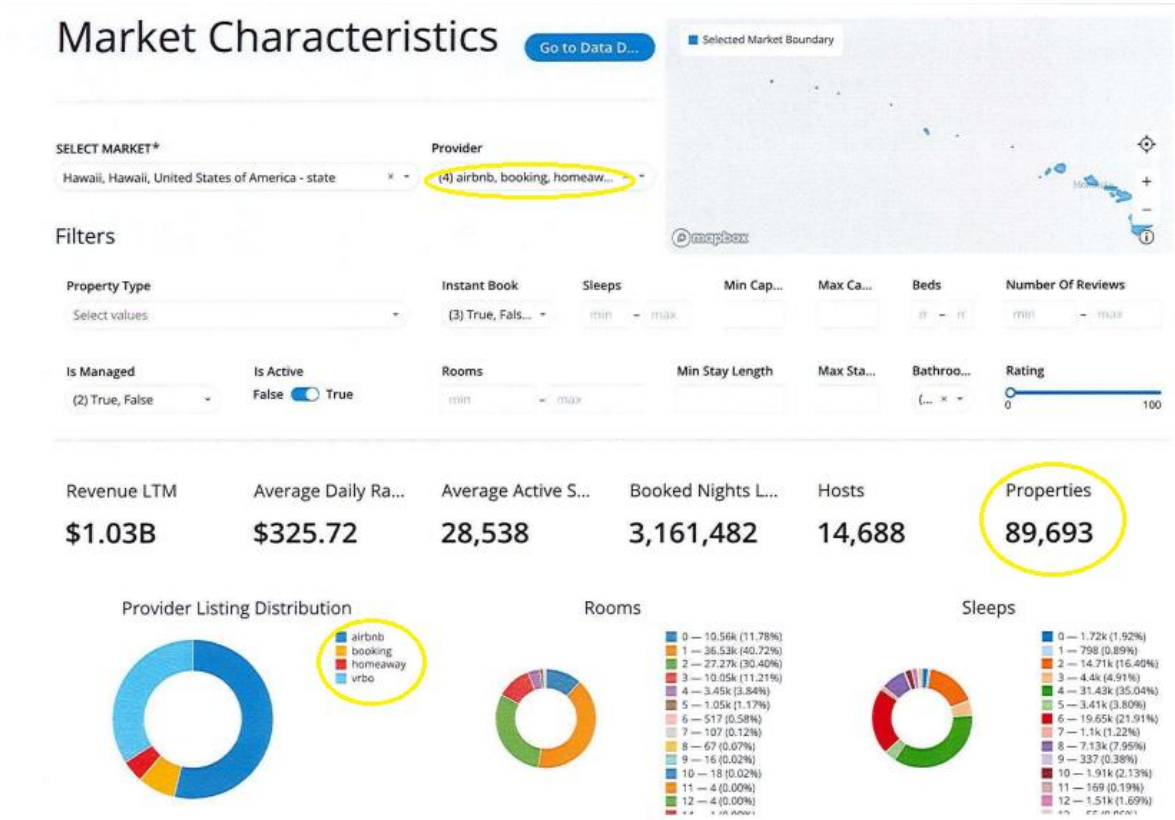
Below "Testimony", click on "[SB2919 TESTIMONY CPN-EET-PSM 02-02-24](#)",

Jerry Gibson testimony starts on page 12-28 and includes the "alltherooms" report, Kekoa McClellan starts on page 29.

Jerry Gibson (VP at Blackstone RE Hotels & Resorts) states in his testimony: "The significant disparity between Hawai'i DBEDT 2022 number of 15,382 STRs in Hawai'i and the actual count of 89,693 legal and illegal short-term rentals (see attached reports from alltherooms.com) underscores the urgency of reining in this industry. With a potential excess of approximately 74,000 illegal short-term rentals that are unpermitted units, the detrimental effects on affordable housing are profound."

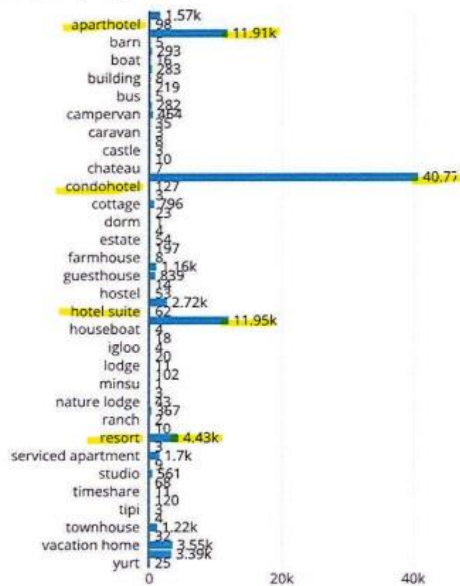
The same data is referred to by Kekoa McClellan (American Hotel and Lodging Association), Stephanie Donoho (Kohala Coast Resort Association) and other Hotel lobbyists as well as being repeated in many news articles and interviews. If you take a closer look, it appears the data is unfortunately flawed and misleading.

1. The report combines listings from Airbnb, Booking.com, Homeaway, VRBO seemingly without deduplication. Most vacation rentals are listed on several booking sites.



2. The report includes property types like aparthotel, condohotel, hotel suite, resort which seem to represent the majority of the numbers (see blue bar chart "Property Types"). Remember the report was supposed to be about vacation rentals?

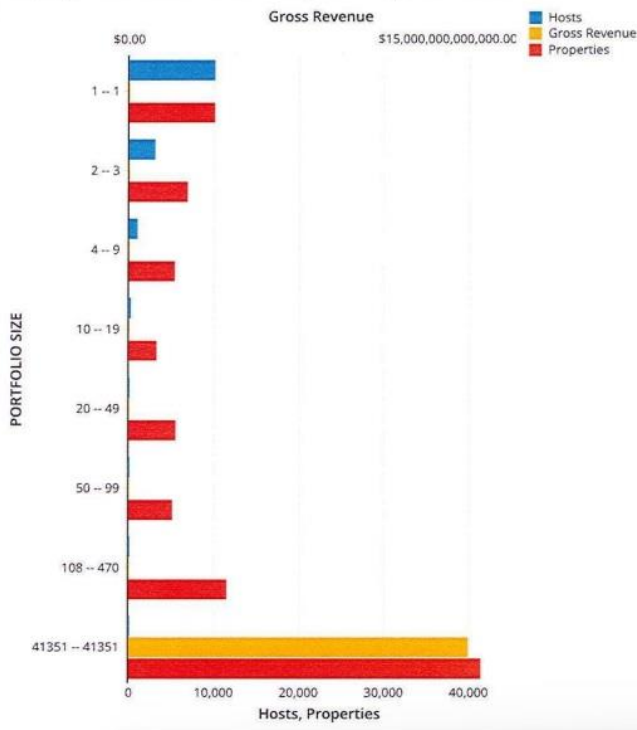
Property Types



3. The red, orange, blue bar chart titled "Hosts, Gross Revenue and Properties by Portfolio size":

Again, probably they did not account for the same unit listed on multiple sites. Again the word "host" is not the same as "owner" on these listing sites. Most likely those are property management companies that advertise multiple listings. Especially if condohotels and resort units are included. The large orange and red bar on the very left is just really strange. Supposedly some host has 41,351 listings exactly and makes a gigantic amount of gross revenue, like \$15 Trillion Dollars? Not likely, I would be looking into the underlying data on that one.

Hosts, Gross Revenue and Properties by Portfolio Size

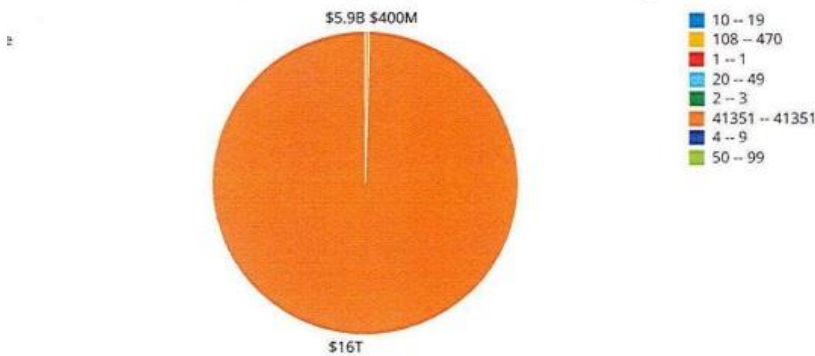


4. The big orange pie chart with table below "Property Operator Groups by Revenue by Portfolio Size", this is statewide:
 13,125 Hosts or 89.36% of all Hosts have 1-3 vacation rentals listed (portfolio size)

305 Hosts or 2% of all Hosts have more than 20 vacation rentals listed

Interesting, lots of small-scale operators, we have heard otherwise. Also adding up the column "Properties" results in 48,160 total number of properties. That again includes condohotel, resort units etc and duplicates. The last line in the table again is questionable, a "0" host has 41,533 properties and makes \$16 Trillion, nah. But of course if you add that weird line, than you get to the 89,693 properties Jerry Gibson cites.

Gross Revenue by Properties Under Management



Property Operator Groups by Revenue by Portfolio Size

Portfolio Bin Group	Hosts	PORTFOLIO SIZE	Gross Revenue	Properties
2	10,082	1 -- 1	\$210,523,372.21	10,082
3	3,043	2 -- 3	\$402,978,986.45	6,911
4	1,010	4 -- 9	\$687,054,167.61	5,436
5	248	10 -- 19	\$1,107,146,523.15	3,366
6	178	20 -- 49	\$3,668,138,336.17	5,549
7	75	50 -- 99	\$5,862,010,764.75	5,229
8	52	108 -- 470	\$62,110,669,838.79	11,587
9	0	41351 -- 41351	\$16,034,481,705,673.47	41,533

Apparently this is also the data that Josh Green keeps referring to (see Hawaii News Now video "Spotlight Now" for Feb. 6, 2024 for example). You can see Josh Green looking down during the interview when he says "89,693". He was looking at the first page of the data from "alltherooms", the same report as submitted by Jerry Gibson in his testimony (see 13:35).

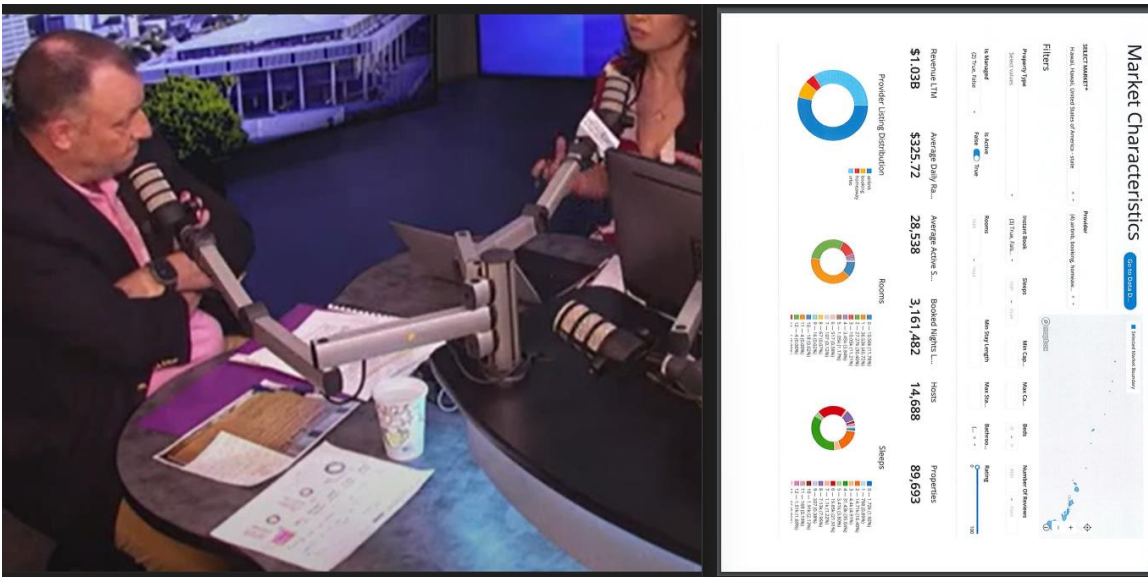
See Hawaii News Now video "Spotlight Now" for Feb. 6, 2024:

<https://youtu.be/8GZhsNhHtko?t=427>

7:12 "we have done some deep dives into the short-term rental challenge we have...27% of those who own short-term rentals own 20 or more units..."

7:38 "Statewide it's 89,693... 74,000 of them are illegal..." , "...actually 31,000 on Maui.."

13:35 view of table with first page of "alltherooms" report in front of Josh Green



One reporter seemed to have asked for a source and reported: "Green's office was unable to explain where he got the number of "illegal" rentals, which by his math was 75,000. But the Department of Business, Economic Development and Tourism said the numbers are similar to those calculated by a local hotel industry advocacy organization, the Hawaii Hotel Alliance."

Hawaii News Now article "*Lawmakers: Cracking down on illegal vacation rentals won't solve housing crisis*" dated Feb 28, 2024:

<https://www.hawaiinewsnow.com/2024/02/29/lawmakers-cracking-down-illegal-vacation-rentals-wont-solve-housing-crisis/?outputType=amp>;

Josh Green's Director of Communications happens to be Makana McClellan, the wife of Kekoa McClellan (same Hotel lobbyist mentioned above).

Just two days ago Governor Josh Green released "The Hawai'i We Deserve" policy report. On page 58: "There are an estimated 30,000-89,000 STRs in the State of Hawai'i. Only 14,000 of these rental units are legal; the remaining rental units are illegal. [30]"

He references two sources for this:

1. A Hawaii News Now article quoting the governor himself as the source: "Converting those to long-term rentals sounds easy, especially when the governor suggested thousands are illegal. "We got 89,000 short-term rentals in the state of Hawaii, of which are only 14,000 are legal," he said, at a news conference Tuesday."

See *Hawaii News Now* article:

<https://www.hawaiinewsnow.com/2024/02/29/lawmakers-cracking-down-illegal-vacation-rentals-wont-solve-housing-crisis/?outputType=amp>;

2. A UHero blog post, which says: "Of the state's 565,000 total housing units, 30,000 are listed as Short-term Vacation Rentals (STRs), meaning roughly 5% of local housing units operate as tourist accommodations."

See *UHero* blog post:

<https://uhero.hawaii.edu/short-term-vacation-rentals-and-housing-costs-in-hawai%ca%bbi/>

It sure looks like the 30,000 is from the UHero blog, the 89,000 is from the overblown alltherooms.com report by the Hotel industry. Well if we use the overblown number from the alltherooms report then we can calculate: 89,000 STVRs - 14,000 legal STVR = 75,000 illegal STVR, this seems to be how Josh Green and others have calculated this. Calculating numbers like this with incorrect inputs will always result in incorrect results. Garbage in, garbage out.

The same kind of calculation is made in Jerry Gibson's written testimony: "The significant disparity between Hawai'i DBEDT 2022 number of 15,382 STRs in Hawai'i and the actual count of 89,693 legal and illegal short-term rentals (see attached reports from alltherooms.com) underscores the urgency of reining in this industry. With a potential excess of approximately 74,000 illegal short-term rentals that are unpermitted units, the detrimental effects on affordable housing are profound."

See DBEDT 2022 Visitor Plant Inventory, page 7, number of Vacation Rentals 15,382:

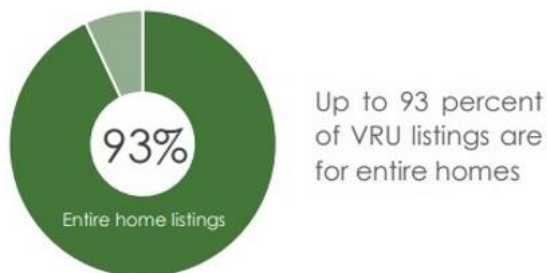
<https://files.hawaii.gov/dbedt/visitor/visitor-plant/2022VPI.pdf>

Another number we often hear is "27% of those who own vacation rentals own 20 or more units". This seems to be from the Appleseed report dated 2018 page 7. It says: "hosts with 20 or more units earned more than 27 percent of the total revenue generated by multi-unit hosts". The sentence in the report really has a very different meaning. Also again "host" doesn't mean "owner". The report adds a disclaimer: "It should be noted that the study was conducted by a group with ties to the hotel industry"

The source is reference 39 "Hosts with Multiple Units- A Key Driver of Airbnb Growth, CBRE Hotels' Americas Research, March 2017(p. 19)."

See Appleseed report "Hawai'i Vacation Rentals: Impact on Housing & Hawai'i's Economy" dated March 2018 , image of page 7 below:

<https://hiappleseed.org/publications/hawaii-vacation-rental-impact-study>



These entire-home rental hosts are likely not renting their primary residence, as the hosts would need to vacate the premises for the duration of their guests' visits. Rather, entire-home listings are likely posted by multi-unit hosts who use VRU platforms to facilitate commercial-style rental operations. **From 2009 to 2014, the number of Airbnb booked entire-home listings increased by an annual average of over 100 percent.**³⁸ A recent study suggested that **hosts with 20 or more units earned more than 27 percent of the total revenue generated by multi-unit hosts.**³⁹ It should be noted that the study was conducted by a group with ties to the hotel industry, but if even close to accurate, it paints a compelling picture of who is benefiting from VRUs.

During the recent Hearing for SB2919 on 3/15 Rep. Holt chimed in to support passage of the bill: "...Statistics say that 27% of short-term rental owners own 20 or more units...", speaking to his fellow lawmakers and in front of the public. There it was again, the false data.

Rep. Holt during Hearing for SB2919 SD2 on 3/15/2024 at 1:42:17:

https://youtu.be/M_Jc-RuAMx4?t=6137

WHEN will someone CHECK the data? So this is the data being used to rile up the public and justify these draconian bills against vacation rentals?

HB-1838-SD-1

Submitted on: 3/27/2024 9:11:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline Chico	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my **strong support for HB1838 HD2 SD1**, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Jacqueline Chico

HB-1838-SD-1

Submitted on: 3/27/2024 9:13:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven K Sneary	Individual	Oppose	Written Testimony Only

Comments:

My Wife and I purchased a small one bedroom condo in 2019 at the Maui Kamaole Resort using my entire 401K for the down payment with plans to move there when our family obligations are no longer required in California. We barely break even on a good year with the mortgage paid to a Hawaiian bank, taxes, HOA fees and insurance from the rent we collect. We travel to Maui and stay in our unit, do repairs, upgrades and enjoy the island twice a year while doing short term vacation rentals through VRBO and guests that we know that rent from us directly to fill in most the rest of the year. We have a cleaner, use a handyman, have had many maintenance issues that directly provide work for locals and the resort HOA employs maintenance workers, gardeners, office personnel and contracts repairs, pest control and others to maintain this beautiful resort. The fact that we can't be there most the year requires us to hire locals to take care of even the smallest things that we would naturally handle if we were there. We and our guests do excursions, dine out and purchase many things on the island from furnishings to souvenirs to gifts to our families. Our home has a lot of artwork made by locals that make our home a special paradise we enjoy and share with our guests that pay exorbitant GE and TA taxes until we can become full time residents. Please consider that we don't have deep pockets like the big hotels and find the characterization Mr. Green states of us is purely insulting. Yes, we are mainlanders for now and all non-native people on the island came from somewhere. My Great Grandparents lived on Oahu and had to move to the mainland following the bombing of Pearl Harbor, which is another tragedy endured by many. The islands have held a special place in the hearts of our family. Our place is small and fully furnished. There is no reasonable space for people to add their belongings. It's setup so visitors need only to bring a suitcase. We are hardworking Americans and are preparing a place in the location we love, with friends we enjoy time with for our golden years.

Please consider this HB1838 to be an unfair treatment to lawful people that bought into Maui with the expectation that the laws in place would continue to be fair, reasonable and predictable as this is our one shot at retiring in Maui and many have their own stories. We struggled to hold on to our place through Covid burning through my pension and now we are being characterized like we are the problem with foul language hate speech. The fire is a terrible tragedy, but we are not to blame for this. Please help those to get their properties back, the insurance paid out and the right to rebuild, so they don't have to pay rent somewhere and mortgage for their rightful homes at the same time. It should be a crime for the insurance to not be paid out by now and all mortgages and insurance premiums should be frozen for these properties until they can be occupied again to start with.

Vote NO on HB1838.

Vote No to discriminating against legal small businesses.

Don't allow more wrongs under the pretense that people like us are doing something sinister and don't accept the ridiculous rhetoric of the price gouging fortunes the little guys like me are supposedly making. It's just not true. The wealthy don't need to rent out their homes to keep them and they don't have to struggle to afford the possibility of someday retiring in a little home in Hawaii.

Don't find unique exceptions to characterize us all. That's discrimination and it's ugly.

Don't let this tragedy be the excuse for the government or a governor to opportunistically take the land and homes from the victims of the fire while destroying small business owners to inflate the earnings of deep pocketed hotels, developers or others under the guise of so called good governance.

Don't endorse unwarranted hate speech as a tool for all these deeds the governor is trying to impose.

Don't let hot headed foul language motivate you. Punctuating a point with an ugly word or phrase like the fecal matter of bull has literally no clear relevant meaning. It is not brilliant, it's just crude. Don't let crude represent what Hawaii is about.

Mainlanders are critical to the vacation centric livelihood of Maui. Don't let this governor categorically isolate Hawaii from the rest of the USA with negativity against Mainlanders. Hate sells, it starts wars, divides countries, and motivates people to do terrible things for the sake of the few selling it while convincing the masses it's for their own good. At best it distracts and buys the incompetent or evil time. We mainlanders, the people of Maui and businesses mutually need to be inclusive, feel safe in Hawaii and even wanted as a whole without losing the shirt on our back.

You have the power to rise above this ugliness starting here by voting NO on HB1838.

This bill makes as much sense as closing family run restaurants purposefully to keep large restaurant chains open because there "are people going hungry". This HB1838 is about "Phasing Out" small businesses instead of declaring an emergency back in August. This clearly shows the target is destroying small businesses and not helping victims when they most needed it. The last Governor made us out to be bad people in his speeches and now the current one is trying to demonize us with this terrible unrelated tragedy as his excuse. Unlike the deep pocketed hotels that have business in many locations throughout Hawaii and in many cases throughout the USA, they don't seem to be targeted like the little guy just trying to do the best he can with the little he's got, like us. We only have one place and losing it means losing it all. Please say no to this by voting "No to HB1838" and other proposals like this.

Mahalo,

Steve Sneary

HB-1838-SD-1

Submitted on: 3/27/2024 9:13:38 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Blackham	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

I would like to state my opposition to this bill. Before I state my reasons, I want to express my sorrow for those residents on Maui, who lost loved ones and everything or much of everything they owned from the fires last August of 2023. I have had many opportunities to talk to the people of the island during my visits there prior to the fires and my prayers have been for them. When I finally could get through to a couple of people in particular, I was relieved to know that they were alive.

I oppose this bill because it allows for overreach, allowing counties to take away property rights from their community and retroactively changing the rules. It also creates a precedent for taking other rights from homeowners and revoking nonconforming uses that can destroy value and create uncertainty in investors and builders. It will also decimate an industry that pays over \$740 million in taxes and generates \$4.8 billion in visitor spending. The Bill punishes people who have followed the rules and navigated the process and paid their dues to own their homes and rent them out to vacationers. This bill if passed can also take away jobs from people who manage and work in the short term rental industry from property managers down to businesses that provide services, such as maintenance and cleaning and maintaining beautiful grounds.

I would also like to share my personal story. Ten years ago my husband and I bought our condominium at Honua Kai Resort for dual reasons. We love coming to this island together and enjoyed the Aloha spirit. Our home away from home brought happiness to my husband as he fought a war against cancer that would take him in 2017. The second purpose for purchasing a condominium was for me to have an income from the vacation rentals after my late husband's passing. I still come to the island and stay in my home away from home and feel comfort as I remember what my husband did for me to leave me financially secure.

I feel this bill removes much of the Aloha spirit by punishing the property owners. I respectfully ask that this bill be defeated.

Regards,

Catherine Blackham, CBEndlesssummer, LLC

Aloha Chair, Vice Chair and Committee,

My name is Maegan Best 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.



Maegan Best

(808) 478-7374

maeganbest808@gmail.com

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeannine Carr	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern:

I am opposed to HB1838 because the economy of all counties and especially Maui county where I live is dependent on the property tax revenue short term rentals brings in. The cost of nightly hotel rooms has become so outrageous, short term rentals are a more affordable option for our visiting families and tourists. Allow people of lesser means the option to enjoy our beautiful islands and not be forced to only stay in a hotel. We pride ourselves on sharing the "Aloha Spirit" with people who visit our islands and the passing of this bill is expected to affect our economy in a negative way. I have lived in Lahaina and west Maui for forty-eight years and my heart, like so many was broken on August 8th when our beautiful Lahaina town was destroyed. Eight months since the fire our residents are starting to heal and need to work to try and feel whole again. By eliminating the short term rentals there will be a negative domino effect like a drop of water ripple on a pond. Where jobs will be eliminated and our residents will be further in despair wondering how they will live and feed their families. Most people want to be contributing members of society and the elimination of their jobs will become yet another heartbreak in their lives as we all try to heal. We as a community have been supporting each other with charity work and showing everyday kindness to one another and this bill will have an adverse effect on not only west Maui but our entire state. Please, please, please DO NOT pass HB1838. Mahalo

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:19 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Chairman Donovan Dela Cruz
Committee on Ways and Means
Chairman Karl Rhoads
Committee on Judiciary
Hawaii State Senate
25 Aupuni St.
Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential consequences of Bill HB1838 on our community, particularly regarding the availability of month-to-month rentals and temporary housing solutions in Hawaii. As a concerned resident, I believe it is crucial to address the unintended impacts this bill could have on our ohana and the broader community.

Bill HB1838, while intended to regulate the housing market, could inadvertently create significant challenges for those in need of short-term, flexible housing options. Our islands have faced numerous crises in recent years, such as the Red Hill Crisis, Marco Polo fires, and the eruption of Kilauea, which displaced thousands of our residents. During these times, mid and short-term rentals have been a lifeline, providing temporary, furnished housing for displaced residents, traveling nurses, emergency contractors, and families visiting for medical treatment or to support loved ones.

The passage of this bill could severely limit these critical housing options, leaving many without a place to turn in times of need. It is essential to consider the diverse housing needs of our community, including those who rely on the flexibility and availability of month-to-month rentals for various reasons, such as transitioning between homes, undergoing medical treatment, or serving temporarily in the military.

I urge you to reconsider the provisions of Bill HB1838 to ensure that our housing policies support the well-being and stability of all residents, especially those in vulnerable situations. Let us work together to find a balanced approach that addresses long-term rental concerns without compromising the availability of temporary housing solutions that are so vital to our community's resilience.

Mahalo for your attention to this matter.

Me ke aloha pumehana,

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

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:47 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam D.	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Bill HB1838

To Everyone:

My name is Sam D., and I am writing to express my deep concerns regarding the impact of Bill HB1838. I may not be a native Hawaii resident, but I stand in solidarity with the local community and workers who will be affected by this legislation.

The testimonies of local community members, such as Marbella Alford, resonate deeply with me. Marbella shared how her work in the vacation rental industry has not only been a source of income but has also provided her with the flexibility to pursue her passion for working with foster children. The potential loss of this opportunity due to the passing of HB1838 would not only jeopardize her financial stability but also severely impact her ability to provide for the children she cares for.

The stories shared by Marbella and others highlight the real and personal impacts of this bill on individuals in the community. It is evident that HB1838 has the potential to eliminate jobs and disrupt the livelihoods of hardworking individuals, causing financial struggle and uncertainty.

I urge you to consider the voices of those directly affected by this legislation and to give full consideration to the implications it holds for the local community members. Therefore, I kindly request that the County Council reject HB1838.

Thank you for your attention to this crucial matter.

Sincerely,

Sam D.

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:56 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Eveann Spartveit	Individual	Oppose	Written Testimony Only

Comments:

As the owner of a condominium on Maui, I am writing to express my strong opposition to HB1838. The money we receive from short-term rentals (STRs) of our condo is a crucial supplement to our retirement. Similarly, Maui's STRs play a significant role in providing 40% of the county's real property tax revenue and serve as 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, making it an indispensable source of income for the county.

Moreover, STRs contribute significantly to tourism dollars and the industry, playing a vital role in accommodating 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, as well as our family & friends.

I urge you to consider the far-reaching impacts of HB1838 on the local community and the county's economy. This bill could have detrimental effects on our retirement income, property tax revenue, affordable housing funding, and the diverse groups of people who depend on short-term rentals for essential housing needs.

Sincerely, Eveann Spartveit

HB-1838-SD-1

Submitted on: 3/27/2024 9:15:28 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Mariko Reed

HB-1838-SD-1

Submitted on: 3/27/2024 9:16:29 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoelani Delatori	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919: provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Kanoelani Delatori

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.

Our family and guests have contributed to the economy on Maui by supporting businesses (large and small) and their employees. Don't penalize people like us who love our Maui Ohana, and in retirement are finally able to spend more time in our home. Changing zoning and forcing us to rent to long term tenants will prevent us (aging with health issues), from visiting family and friends, many who have lived and worked on Maui for over 40 years Further, we need vacation rental income to help pay the mortgage and HOA fees. Please don't penalize us for that.

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-SD-1

Submitted on: 3/27/2024 9:18:42 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Shiloh	Individual	Oppose	Written Testimony Only

Comments:

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-SD-1

Submitted on: 3/27/2024 9:19:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kamauliola Medeiros	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

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According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Kamauliola Medeiros

HB-1838-SD-1

Submitted on: 3/27/2024 9:19:12 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rev. Ralph G. Schmidt	Individual	Oppose	Written Testimony Only

Comments:

I write to oppose HB 1838. My wife and I first came to Maui in 1999. We fell in love with it and have returned almost every year since. We were fortunate enough to learn about short term rentals or we never would have been able to afford to come because of the high cost of hotels. After 10 years we took a leap of faith and bought a condo. It has provided us a wonderful home away from home, a place or others to stay and has contributed greatly to the economy of Maui.

How does it contribute? Between property taxes, general excise taxes and transient accommodations taxes, it provides the state and county over \$30,000 a year in tax revenue. It provides employment for our cleaner who also pays excise taxes and income tax. It provides affordable vacation rental space for guests who spend substantial sums on restaurants, bars, tourist attractions, shopping, etc.

What will the result be if this bill passes and STR's are phased out? Condo values will plummet as owners will not be able to sustain adequate rent. That will result in huge losses of property taxes as values decline. Jobs will be lost as less guests come to Maui and eat in its many fine restaurants and spend on all of the things tourists do. That will result in more taxes being lost from lower income taxes being paid.

Does anyone realistically believe all these guests will then go to hotels? Guests stay in condos because they are affordable. We have had over 1000 guests in our condo since we bought it in 2009. Recently we've been asking if they would come to Hawaii if they had to stay in hotels. Not one single guest indicated they would be back as the prices they would have to pay are beyond their capability. How would Maui make up the loss of income? Raise property taxes on residents? Raise income taxes on residents? Cut services to residents? These are the very real results that will happen if legally operated and approved STR's are phased out. It would be a disastrous economic nightmare for the island.

STR's are a huge economic benefit to the island. To change the law to outlaw them would cause Maui not only to lose economic benefits but also to lose faith with everyone. Who would want to invest in anything in Hawaii if the laws are changed after the fact?

We invested in Hawaii based on the law. We have provided great benefits to Maui through our one condo. Multiply that by the number of legally operated STR's and you will see how beneficial they are. Our condo is the single greatest part of our estate. If this bill were to pass

and STR's were phased out, we could not even rent our condo for enough to pay our costs. The personal cost would be enormous. The multiplied cost to the state and county would be catastrophic.

I strongly urge a "NO" vote on this bill.

Rev. Ralph G. Schmidt

HB-1838-SD-1

Submitted on: 3/27/2024 9:19:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Ambrose	Individual	Oppose	Written Testimony Only

Comments:

Aloha, HB1838 is a sop to the hotel industry and, at the most benign, a solution in search of a problem. Homeowners should be allowed to rent on a month-to-month basis and not be forced into 90 or even 180-day leases. On the flip side, those in need of short-term housing, e.g. newly-arrived residents awaiting permanent housing, traveling nurses and other contractors, visiting inter-island residents. If the concern is over vacation rental scofflaws, devote more resources to enforcing existing regulations. Please vote down this bill. Mahalo.

HB-1838-SD-1

Submitted on: 3/27/2024 9:19:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Durkin	Individual	Oppose	Written Testimony Only

Comments:

I have owned a rental unit here in Maui for about 12 years now. Each year I have seen special interest groups and well funded lobbyists attempt to eliminate the short terms rental business in Maui. Each year the arguments continue to provide examples that are not necessarily true and which wrongly accuse our legitimate businesses in a negative way.

as a property owner who has contributed greatly to the people and economy of Maui this has been very offensive. I am a small business owner who employs cleaners and various support people here. More broadly, our property taxes have supported the finances of the state and county each year and while our critics have argued that short term rental owners don't pay our taxes, my small business has collected and remitted GET and TAT amounts since the day we bought our property.

we have also supported a number of charitable activities on the island and have been a strong supporter of local business over the years and greatly supported business during the hard times we all faced during Covid (even when we were struggling as a result of respecting the measures put forward by government).

our guests have also had a positive impact on the economy by also supporting our local tourist industry.

one has to ask oneself why their is continued pressure on our short term rental business, when we are just a small business trying to afford a better life, while supporting a community that we care an ox t a great deal.

While the impact of these measures would be devastating to my family, ai often ask myself and wonder what the greater impact might be if our legal short term rental business does go away. I understand that short term rentals like mine contribute close to 20% of the states already strained annual budget, How will the state fill the gap of over \$300 million of annual state rebelvenjes disappear. Additionally, I also worry what will happen to those people that we employee and support in our small business. Additionally, I think further to the local restaurants who are only now just recovering and wonder what might also happen to these business and their employees

should a large portion of the states economy were to suddenly disappear.

i am very hopeful that once again our elected officials will make the right decision and will continue to support small businesses like my own which contribute greatly to our community.

thank you your time in reviewing my submission.

HB-1838-SD-1

Submitted on: 3/27/2024 9:19:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Louise Amicone	Individual	Oppose	Written Testimony Only

Comments:

We strongly oppose this bill on the grounds that it will devastate Hawaii's economy.

The loss of revenue from GE and TA taxes from STRs in addition to the trickle down losses to GE/TA tax revenue from all supporting industries is unsustainable.

- 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 destroy people who rely on STRs for their livelihoods.
- STRs accommodate residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.
- It is discriminatory to phase out STRs in Hotel zoning and not include hotels, which are STRs also.
- Hotel Zoning districts are intended for short term rentals.

HB-1838-SD-1

Submitted on: 3/27/2024 9:20:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Samantha Hill	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Samantha Hill

Marlene & Richard Rainen

50 Puu Anoano St. # 4206

Lahaina, HI 96761

March 27, 2024

OPPOSITION to HB1838

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz,
Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

We oppose this bill for how it impacts all the small businesses and employees in
the trades and hospitality industries.

The fires did enough damage but do not take away jobs and income from everyday
people!

This is not the best way to deal with the housing issue.

Sincerely,

Marlene & Richard Rainen

Hawaii Residents

OPPOSE BILL HB1838

I oppose the striping away of PROPERTY RIGHTS regardless of if by the state or county government. Your oaths of office are to protect the people and the people's rights, not strip away those rights. For the following reasons, I urge you to stop HB1838 and do not allow it to advance:

1. Hawaii's economy is failing; the visible proof is the growing number of vacant commercial and retail space in Honolulu and through-out all islands. What are the actual figures since 2019? Each vacant commercial space represents a small business that failed, a business owner who NO LONGER CAN EMPLOY RESIDENTS and provide for their own family let along the families of their employees. Businesses are closing at an alarming rate. The results are job losses and LOSS TAX REVENUE. With the minimum wage increase, taxes and business expenses increasing, more businesses will close in 2024. Not even the hotels have hired back all the employees laid off since 2020. Personally, I believe this is intentional to destroy Hawaii's economy by a corrupt, local government who is following the NWO and CCP agendas which are acts of treason.
2. City and County of Honolulu and or the State of Hawaii has been purchasing properties for more than the past decade to solve Hawaii's lack of affordable housing problems, but the problem is they FAILED to create affordable housing from the number of VACANT COMMERCIAL and RESIDENTIAL properties they already bought. It is my opinion that the government is not capable to create a real solution, so do not allow them to destroy another viable sector of the tourism industry.
3. Rentals of all types serve different purposes however there are needs for all the types. Without weekly or monthly rentals all the RESIDENTS displayed by building fires, building pipe replacements, building window replacements, medical emergencies (especially for outer island residents) and others such as traveling professionals like nurses, contractors, military transitioning to and from Hawaii, and students will have NO OPTIONS if they cannot afford to pay the outrageous hotel rates if available.
4. The pool of short-term properties has already been reduced 70-80% collectively since 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.
5. Hotels cannot support the locals and the locals cannot 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 for a few weeks or month to month.
6. To shut down the short-term rental industry, would 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.
7. Government is over-stepping and has FAILED to protect the people from Hawaii's corrupt systems which allows for misappropriate funds and to 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.

HB-1838-SD-1

Submitted on: 3/27/2024 9:22:54 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Derek Snorsky	Individual	Oppose	Written Testimony Only

Comments:

This legislation negatively impacts all native Hawaiian workers who are employed at short term rental resorts.

HB-1838-SD-1

Submitted on: 3/27/2024 9:23:04 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Travis Frame	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Doesn't make sense at all

HB-1838-SD-1

Submitted on: 3/27/2024 9:23:39 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Delatori	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committee,

I am writing as a member of the public concerned about the welfare of our communities to express my **STRONG SUPPORT** for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Ryan Delatori

HB-1838-SD-1

Submitted on: 3/27/2024 9:23:50 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Wilkinson	Individual	Oppose	Written Testimony Only

Comments:

RE: **OPPOSITION** to HB 1838 HD2 SD1 RELATING TO ZONING

Dear Chairs, Dela Cruz and Rhoads, and Committee Members

STRs offer Valid and Necessary Housing Options

I testify today as a full-time resident of Hawaii Island, a long-term rental owner, and a mother of 4 grown boys, 3 of whom are civil servants (my two youngest are active military - US ARMY and US Coast Guard, and my second oldest is a firefighter). I have a full-time job working for someone else, I donate my time monthly as a mediator at the West Hawaii Mediation Center, on a Hawaii County Commission, as the VP of a non-profit, and I volunteer as the chairperson of a local business committee. I pay all my taxes and have great relationships with my neighbors.

To combat the rising costs of property taxes, food and living expenses here in Hawaii and because of my empty nest I am also a legal STVR owner who rents out my sons' empty rooms for short periods to help pay my bills but which provides flexibility so that my children have a place to come home to.

I strongly oppose HB1838 in its current form because it threatens to decay my ability to make ends meet while giving back to my community and retaining a place for my children to stay. If this bill passes, and the county continues down its current path to all but eliminate short and mid-term rentals in residential areas, I will very likely have to leave Hawaii.

Counties Not Ready for Unbridled Authority

Since being given the authority to zone, all counties have leaned into the tourism industry and reaped the benefits of those tourism dollars, yet they have struggled to maintain a reasonable balance between growth and sustainable housing. Efforts to restrict short term rentals on all islands have been completely unsuccessful in creating affordable housing or reducing housing-

related costs. This is irrefutable. However, the effort to restrict these rentals further (or in some cases eliminate them) under the pretext of these “needs” will, without a doubt, cause HARM for those residents - like ME - who need these accommodations to live in, those who need them to help them stay here, and those who are currently in them because of displacement.

Please do not allow counties the authority to create reactionary and short-sighted regulations that we know don't work. Please continue to protect residential housing – in all its forms. The counties already have the authority they need to develop real sustainable housing solutions.

Thank you for the opportunity to testify.

Respectfully submitted,

Jennifer Wilkinson

HB-1838-SD-1

Submitted on: 3/27/2024 9:24:02 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachael Moore	Individual	Oppose	Written Testimony Only

Comments:

“I firmly express my opposition to Bill SB2919, which advocates for increased restrictions on short-term rentals in Hawaii. As a short-term vacation rental owner, I am deeply concerned that these proposed measures could significantly impact local businesses and, more broadly, the livelihoods of those dependent on tourism in Hawaii.

Acknowledging the necessity of regulations, it's important to recognize that SB2919 carries the potential to stifle the economic contributions of small businesses throughout Maui. It is crucial to consider the ripple effect on individuals employed in Hawaii, ranging from restaurant staff to service providers, who rely on a flourishing tourism industry.

Moreover, I urge you to consider incorporating measures that promote more affordable housing in Maui. The current housing landscape poses a challenge for residents and those looking to invest in the community. By addressing affordability concerns, we can foster a sustainable and inclusive housing market that benefits both locals and visitors.

Rather than imposing stringent restrictions, I encourage you to explore a collaborative approach that not only addresses concerns about short-term rentals but also actively works towards promoting more affordable housing options. By doing so, we can contribute to the sustained growth of our local economy and ensure that the workforce depending on tourism can thrive without unnecessary impediments.

Thank you for your consideration and commitment to improving housing and economic stability in Maui.

HB-1838-SD-1

Submitted on: 3/27/2024 9:24:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Suzanne Bell	Individual	Oppose	Written Testimony Only

Comments:

The 90 day rental requirement is not good for the citizens of Hawaii who cater to tourists for income. It appears the hotel unions are trying to maximize their focus. Kindly oppose **HB1838**

for the sake of our community.

HB-1838-SD-1

Submitted on: 3/27/2024 9:26:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
David Novo-Lake	Individual	Oppose	Written Testimony Only

Comments:

Hello and thank you for reading my testimony.

I am opposed to HB1838. While I support the spirit of the law, which is to help find more housing for displaced people, HB 1838 is not a solution. It may aid some citizens, but will penalize far more and lead to a dramatically worse economic situation on Maui in particular. By enacting this law, you are opening the door to the phasing out of STR on Maui. This could cause the loss of up to ~13,000 spaces for tourists to stay on Maui alone. This only benefits the hotel/resort owners, but will penalize hawaii residents with a dramatic decline in the number of tourists. Even now, restaurants and stores and the tourist industry in general is really hurting. You can see this by the fact that previously popular restaurants are easy to get into and stores have few customers.

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 provide more economical solution that hotels/resorts for 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.

The continuation of short term measures to encourage TVR owners to rent to displaced fire victims are a great idea. Permanent changes such as this to a community dependent on tourism will hurt Maui and Hawaii in the short and long term.

HB-1838-SD-1

Submitted on: 3/27/2024 9:27:12 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on our community, particularly regarding the availability of month-to-month rentals in Hawaii. As a concerned resident, I believe it is crucial to address how this bill could inadvertently create a housing crisis for those in need of temporary or transitional housing.

Our islands have always been a place of aloha, where we support each other, especially during times of need. Events such as the Red Hill Crisis, the Marco Polo fires, and the eruption of Kilauea have shown us the importance of having access to temporary, furnished housing. These unfortunate events displaced thousands of our residents, who then relied on mid and short-term rentals to find a safe place to stay.

If Bill HB1838 passes, the availability of such crucial housing options could be significantly reduced. This would not only affect residents in transition but also inter-island residents coming for medical treatment, traveling nurses, emergency contractors, temporary military personnel, students, and even our own family and friends who may need a place to stay.

I urge you to consider the implications of this bill on those who rely on flexible housing solutions. Let us find a way to regulate without eliminating the essential support system that month-to-month rentals provide to our community.

Mahalo for your time and consideration of this important matter.

Kris Adair
Guard Well Farm
75-1097 Keopu Mauka Dr.
Holualoa, HI 96725

March 27, 2024



TO: Chair Jarrett Keohokalole
Members of the Senate Committee on Commerce and Consumer Protection

Chair Lynn DeCoite
Members of the Senate Committee on Energy, Economic Development, and Tourism

Chair Angus L.K. McKelvey
Committee on Government Operations

FR: Monica Feldman - Aston at Papakea Resort

RE: HB1838 - Relating to Zoning

Dear Chair Keohokalole, Chair DeCoite, Chair McKelvey, and Members of the Committees:

Mahalo for the opportunity to comment on HB1838, related to county zoning.

I am writing in OPPOSITION to House Bill No. 1838. For almost 30 years, my family has owned a suite at the Papakea Resort which is designed, operated and viewed as a hotel. The resort employs many private businesses and individuals for cleaning, repairing, property managaing, maintenance, events coordinating and caregiving. Papakea also employs many people to clean pools, bbqs, the grounds and many other tasks.

 [Expedia.ca](https://www.expedia.ca)
<https://www.expedia.ca> › ... › Napili-Honokowai Hotels

Aston at Papakea Resort Reviews, Deals & Photos 2024

Located in Kaanapali, Aston at Papakea Resort is in the historical district and on the waterfront. The area's natural beauty can be seen at Kaanapali Beach ...

 [Hotels.com](https://ca.hotels.com)
<https://ca.hotels.com> › ... › Hotels in Hawaii

Aston at Papakea Resort in Hawaii

View deals for Aston at Papakea Resort, including fully refundable rates with free cancellation. Honokowai Beach Park is minutes away.

Policies

Check-in

Check-in start time: 4 PM; Check-in end time: 11:00 PM
Minimum check-in age: 18

Check-out

Check-out before 11 AM

Special check-in instructions

The front desk is open daily from 6:00 AM - 11 PM
Front desk staff will greet guests on arrival
This property doesn't offer after-hours check-in

If this resort were to be delared a long-term rental then many will lose their jobs and housing will get worse.

Thank you for your time.

Monica

HB-1838-SD-1

Submitted on: 3/27/2024 9:29:04 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Terrie Kamo	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 because the counties will eliminate monthly rentals which are an important part of our housing inventory. Many local seniors and residents rely on this income to make ends meet and stay in Hawaii. Please defer until these types of unintended consequences are properly evaluated.

Mahalo nui loa,

Terrie Kamo

HB-1838-SD-1

Submitted on: 3/27/2024 9:29:43 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa S. Oyama	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this. The ramifications are mind boggling. Older owners will lose rental income that they rely on every month to live. Social security for them is not just not enough to pay everyday bills and emergency needs, such as medical bills. The labor force -- housekeepers, handymen, insurance agents, rental agents, bookkeepers -- who are our friends and neighbors and colleagues would be profoundly affected and be forced to leave Maui to support their families. Lost revenue for the County would mean reductions or cancellation of basic services. The housing crisis will intensify. This bill would affect ALL of us. As a long time resident born and raised on Maui who came back home to live, I am opposed to this. Where has the Aloha spirit gone???

HB-1838-SD-1

Submitted on: 3/27/2024 9:29:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brady Stevens	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to HB1838: Protect Residents' Rights and Provide Housing Options
Dear Members of the House of Representatives,

I am writing to express my strong opposition to HB1838 and SB2919, and to urge you to consider alternative solutions to address housing needs in our community. As a resident of Hawaii, I have personally witnessed the valuable role that short-term rentals (STRs) play in providing temporary housing options for local residents in times of need. The ability to utilize STRs has been an essential lifeline for many families, including mine, a couple different times at least, in accessing affordable and flexible housing in the face of otherwise homelessness.

The potential impact of HB1838 is deeply concerning, as it could result in shutting down permitted and legal STRs, thus depriving both residents and property owners of their rights and livelihoods. Rather than resorting to measures that restrict these vital housing options, I strongly advocate for the exploration of incentives and support for residents to address our housing needs. As highlighted by the opposition to HB1838, the real problem lies in the bureaucratic obstacles and red tape faced by residents and property owners when it comes to utilizing existing housing resources. We need the government's focus on facilitating the approval and provision of incentives for housing initiatives, rather than implementing legislation that harms local residents and property owners.

The availability of temporary housing is critical for many residents, especially in emergency situations, and I implore the government to prioritize enabling such housing options rather than creating further challenges.

I urge you to reconsider the approach taken in HB1838 and to seek solutions that support the housing needs of our community while respecting the rights of its residents. By working together to create a conducive environment for housing solutions, we can ensure that our community thrives and that the needs of its residents are met.

Thank you for your attention to this important matter. I look forward to your thoughtful consideration.

Sincerely,

Brady Stevens

HB-1838-SD-1

Submitted on: 3/27/2024 9:30:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I'm opposed to this bill because it will have a very negative impact on Maui finances and the overall income of Maui residents. If STR contributes 40% of the Maui property tax base and 14% of the overall Maui budget imposing significant restrictions on the STR or eliminating it all together will severely impact the ability of Maui to provide services to its residents. Equally important would be the very significant impact on local merchants, restaurants, and support services such as cleaning, handy man services, tour operators, equipment rentals and many more. Restricting STR will also negatively impact Maui's tax base as property values fall and GE and TE tax revenue suffer from the reduction in visitors. I can readily agree that Maui faces a crisis but compounding the crisis by significantly impacting STR will only exacerbate the impact of the fire. Just at the time Maui is emerging from the covid financial impact it would be harmful to saddle it with another financial blow. I urge you to oppose HB 1838.

I live in my condo 6 months of the year. I rent occasionally the other 6 months to help cover the costs of the GE, TE taxes and HOA costs that help pay for the employment of countless people. I wonder if I am able to maintain my ownership without STR income. I have the same concern for those local employees who might lose their jobs. While it may be a small amount in the overall picture I'm certain that the approximate \$30,000 I pay in property and STR taxes helps fund somebody's home or rent payments.

John Rosie

HB-1838-SD-1

Submitted on: 3/27/2024 9:31:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dale Mustard	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838 as it will create further undue hardship on the island community.

Targeting short-term vacation rentals (STVRs) through this bill will have detrimental effects, potentially leading to the shutdown of more businesses and leaving more individuals unemployed. Many businesses rely on the income generated by STVRs to sustain their operations and pay their staff. Additionally, STVRs play a crucial role in supporting local vendors and tradesmen, thereby contributing to the overall economic vitality of our community.

Furthermore, the county and state rely on the tax revenue generated by STVRs. By imposing additional restrictions, we risk hindering this vital source of revenue at a time when it is needed most.

I urge you to reconsider this bill and its potential impact on our community. Let's work together to find solutions that support our local businesses, maintain essential jobs, and ensure the sustainability of our economy.

Thank you for considering my perspective.

Mahalo,

Dale Mustard

HB-1838-SD-1

Submitted on: 3/27/2024 9:34:28 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Honored Representatives,

I oppose this measure- HB 1838- on the basis that I think it should apply to Maui County only where there is an urgent need for housing.

March 27, 2024

Hawaii State Capitol
Senate Ways and Means/ Judiciary Committee Members
451 So. Beretania Street
Honolulu, Hawaii 96813

RE: Testimony in support of HB 1838

I am writing to express my strong support for HB 1838, which aims to address the significant impact of short-term vacation rentals on housing availability and affordability in Hawaii. As a concerned resident, I believe this legislation is crucial for ensuring the well-being and stability of all our neighborhoods.

The findings outlined in HB 1838, particularly those sourced from the report by the University of Hawaii Economic Research Organization, paint a concerning picture of the current housing landscape in our state. With approximately thirty thousand homes serving as short-term vacation rentals, constituting five percent of local housing units, and up to forty percent of homes in certain communities operating as such, it is evident that the proliferation of these rentals is exacerbating the housing shortage and driving up costs.

Furthermore, the annual decline in total housing stock, especially in counties like Maui and Kauai, due to the conversion of formerly resident-occupied homes into short-term rentals, compounds the problem. This loss not only contributes to the statewide shortage of homes but also undermines the fabric of our communities by disrupting the stability and cohesion of residential neighborhoods.

One of the critical aspects highlighted in the legislation is the need to empower counties to enact zoning ordinances that can amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period. This approach aligns with the recommendations of

the house of representatives shelter working group, particularly in light of the increased housing needs following the 2023 Maui wildfires.

Moreover, the proposed amendment to Section 46-4 of the Hawaii Revised Statutes underscores the importance of comprehensive zoning regulations that prioritize the long-term interests of our communities. By providing counties with the authority to regulate residential areas effectively and address nonconforming land uses, we can ensure the orderly development of our neighborhoods while safeguarding the rights of residents.

In conclusion, I urge you to support HB 1838 and work towards its swift passage. By taking decisive action to address the challenges posed by short-term vacation rentals, we can create a more equitable and sustainable housing landscape for all residents of Hawaii. Thank you for your attention to this matter, and I look forward to seeing positive outcomes from your efforts.

Sincerely,

Tammy A. Aiwohi

HB-1838-SD-1

Submitted on: 3/27/2024 9:39:08 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mitch Maxwell	Individual	Oppose	Written Testimony Only

Comments:

This bill, if passed, will do irreparable damage to the islands. If short-term, and medium-term rentals are phased out, there will be a massive void in Hawaii. We all know the hotel industry is behind this, but the hotel industry simply cannot fill the void it will create. There are too many people who require niche rentals, larger family accommodations, full kitchens, or proximity to locations where hotels just aren't geographically desirable. It's a terrible bill and should be defeated once and for all. It would have a devastating effect, and the collateral damage and financial burden it would put on property owners is undeniable. Do the right thing.

HB-1838-SD-1

Submitted on: 3/27/2024 9:40:39 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Kriener	Individual	Oppose	Written Testimony Only

Comments:

My name is Kim Kriener, and I oppose Bill HB1838. I reside in the County of Hawaii and run an STVR out of my home. I pay TAT and Income tax on this. Once they make that law official, I plan to register as a hosted rental with the County.

I believe this law would give the Counties too much power. If only two or three districts have issues, they could change everything for the island. Individual counties could also face lawsuits they cannot afford to litigate, which would come from already strained budgets.

Each island is different, and each district is distinctly different here on the Big Island. I live in Puna and rent out a portion of my home only 10-15 days a month. There are no hotels on this side of the Island. I would never rent to someone long-term as I want to enjoy my home and property privately.

I lost a job making over six figures 2+ years ago. I am employed now, but my salary is about \$25,000.00 less a year. Renting as a hosted STVR helps make up this shortfall of my income. Furthermore, my current home has a mortgage rate of under 3%. If I had to sell my house and move, I would not be able to afford even half the house I currently have at the current mortgage rate of 6-7% and wouldn't see much savings in my monthly payment. The problem is the out-of-state owners, not the locally hosted STVRs. I have never had a complaint from any neighbor, and my guests are always respectful.

I am not blind to the islands' affordable housing issues, especially Maui, after the fires. Let's work on cracking down on un-hosted rentals and out-of-state owners. This would help with the housing shortfall that the Islands are experiencing.

Thank you for your time.

Kim Kriener

HB-1838-SD-1

Submitted on: 3/27/2024 9:41:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

This bill will cost me and many others their jobs. We are cleaners.

HB-1838-SD-1

Submitted on: 3/27/2024 9:44:59 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Juliana Wynberg	Individual	Oppose	Written Testimony Only

Comments:

HB1838 will ruin property values, reduce local jobs and further the housing crisis. Our one bedroom condo does not house more than 3 people, certainly not the majority of the unhoused or displaced . This bill will devastate our lives. Considering the huge amount of maintenance we plough back into our place, the local people we hire will also be devastated.

This bill will only exasperbate the problem and is only a political ploy.

Please vote NO!!

HB-1838-SD-1

Submitted on: 3/27/2024 9:45:38 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Mahurin	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members, As an American who believes in the importance of protecting the rights and freedoms of fellow citizens, I want to express my strong opposition to HB1838 and SB2919. These bills threaten the rights of regular Americans who rely on short-term rentals for their livelihood and housing needs. The passing of HB1838, in particular, is of great concern as it allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time, effectively eliminating a vital source of housing for many residents. The lack of clear definitions and criteria in the bill leaves room for ambiguity and potential misuse by local authorities, raising further concerns about its impact on the community. Additionally, the detrimental effects of these bills are already being felt by local residents. The current shortage of temporary housing options, especially in emergency situations, demonstrates the crucial role that short-term rentals play in supporting the community during times of need. The heavy bureaucratic processes and red tape imposed by the government are further exacerbating the housing crisis, preventing much-needed projects and properties from being utilized to address the housing shortage. It is essential for the government to focus on approving, enforcing, and providing incentives to support housing solutions, rather than enacting laws that harm local residents and stifle economic opportunities. The impact of these bills, if passed, will only lead to greater hardships for working-class families and individuals who rely on short-term rentals for their income and housing options. I urge the committee to consider the implications of these bills on the local community and the individuals who depend on short-term rentals for their livelihood. Let us work together to find solutions that support the rights of regular Americans and ensure access to vital housing options. Thank you for your attention to this important matter. Sincerely,

HB-1838-SD-1

Submitted on: 3/27/2024 9:45:58 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gregg Steuart	Individual	Oppose	Written Testimony Only

Comments:

Dear Sir/Madam

I 'am opposed to HB1838 for the personal impact it will have on my property value and the impact it will have in the community. My condo complex was constructed as a short term rental complex: no garages, 1 parking spot, and resort grounds that has a very high association cost. The purchase price of my condo was 2 to 3 times higher than equivalent condo's with garages because it was zoned for short term rentals. Due to the fires and increase in insurance cost, our association dues alone are over \$1500/month now, not sustainable if short term rentals are not allowed.

The businesses in our community also rely on the short term rentals for sustenance. All the restaurants, carpet cleaners, condo cleaners, and the people employed.

Sincerely,

Gregg Steuart

714-231-0457 Cell

HB-1838-SD-1

Submitted on: 3/27/2024 9:48:13 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Marianne Fisher	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in regards to HB1838. I am in strong support of adding an amendment into Section 2 as follows: ..."provided that transient vacation rental units may be phased out in any area of ANY zoning classification".

No matter where they are currently location, all STVRs and BnBs need to be eliminated carefully and quickly to be replaced with long term housing for local residents.

Mahalo for your consideration and the work that you do.

Sincerely, Marianne Fisher Maui

HB-1838-SD-1

Submitted on: 3/27/2024 9:50:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kenneth Bunter	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB1838. This bill, if passed, would allow counties to phase out non-conforming single-family transient vacation rentals, even if they are permitted and legal. It unfairly targets single-family residential properties and sets a concerning precedent for taking away property rights from our community. As a short-term vacation condo owner, this legislation would directly impact my ability to continue renting out my property. It is crucial to protect our property rights and oppose this bill that could have detrimental effects on our community.

Mahalo, Ken Bunter

HB-1838-SD-1

Submitted on: 3/27/2024 9:52:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Travis Lau	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition to HB 1838.

It is suspicious that Maui County is attempting to infringe on the rights of property owners that want to use their own property to house who they want under the terms decide between owner and renter.

Because Maui County claims to be interested in housing fire victims while impeding their access to rentals. Simultaneously the County of Maui is involved in realstate development deals with outsiders like Paul Cheng.

This wrecks of corruption.

HB-1838-SD-1

Submitted on: 3/27/2024 9:53:54 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathy A Foster	Individual	Oppose	Written Testimony Only

Comments:

I have vacationed in maui several times. It is truly paradise. Without vacationers how would maui survive. People should be free to rent out their properties etc. If they chose to. How can you come along and all the sudden change the rules .. to benefit who?? Do what's best for maui oppose this!

HB-1838-SD-1

Submitted on: 3/27/2024 9:54:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Beaton	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I oppose this bill. 30 day rentals help people transitioning to Hawaii nurses working in Hawaii for short periods of time and let's me use my studio when needed to take care of family and friends. As you know Hawaii is one of the most expensive places to live in the country so any income is needed for us to live here please don't take this away from us. If we can't pay our mortgage then we sell and are another family out there looking to rent Mahalo for your time

Jim Beaton

HB-1838-SD-1

Submitted on: 3/27/2024 10:04:18 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cloe Cadiz	Individual	Oppose	Written Testimony Only

Comments:

I oppose the zoning power changes but I support the concept of regulation and taxation of non-fixed structures that are used as STVRs. This bill should be biforcated.

HB-1838-SD-1

Submitted on: 3/27/2024 10:04:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Azlina Harun	Individual	Oppose	Written Testimony Only

Comments:

This bill does not serve the needs of Hawai'i citizens or visitors in so many ways.

If this Bill passes, there will be no more month-to-month rentals in Hawai'i. This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing. There are students that comes to college, and are renting month-to-month. What are to happen to them?

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. Survivors of Lahaina Fire insurance companies rely on furnished home to assist policy holder in their time of great need, all on a month-to-month basis.

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?

Please consider the needs of the whole island, instead of the small group of hotel owners and operators. The housing crisis is not the result of mid/short term homes.

HB-1838-SD-1

Submitted on: 3/27/2024 10:05:14 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Riley Bond	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Honorable Members of the Committees,

I am writing to you today as a concerned member of the public deeply invested in the well-being and prosperity of our communities. I express my resolute support for HB1838 HD2 SD1, a crucial legislative proposal aimed at empowering counties with the authority to enact zoning ordinances for the amortization or phased removal of transient vacation rental units over a reasonable period.

I would like to advocate for an amendment to Section 2 of the bill, incorporating language akin to that found in SB2919:

"Provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification."

By enhancing the clarity of HB1838 through the inclusion of broader language, we equip counties with the necessary tools to address the proliferation of transient vacation rentals comprehensively, regardless of zoning classification. This approach not only increases the flexibility of enforcement but also ensures a more equitable distribution of regulatory measures tailored to the unique needs of individual counties.

The passage of this legislation holds profound implications for our communities. It represents a significant step towards restoring balance in our housing market, mitigating the adverse impacts of transient vacation rentals on local neighborhoods, and safeguarding the well-being of residents who have long borne the brunt of these challenges.

I urge you to give your full support to HB1838 HD2 SD1, along with the proposed amendment to Section 2. Together, let us seize this opportunity to enact meaningful change, uphold the interests of our communities, and pave the way for a brighter, more sustainable future.

Sincerely,

Riley Bond

HB-1838-SD-1

Submitted on: 3/27/2024 10:10:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Polland	Individual	Oppose	Written Testimony Only

Comments:

PLEASE PLEASE PLEASE DO NOT pass this bill. I am a single, female senior who's entire income depends on my short term rental - AND I lost a house in the Maui wildfires. Although not born in Hawai'i, I am a Kama'aina having lived here for almost 50 years, and been a home owner for 30 years. Please allow those of us who are FULLY PERMITTED, and pay all our taxes regularly, be allowed to continue hosting visitors from all over the world. I have brought so much joy, comfort and happiness to my guests, and simultaneously been able to support myself and remain in my own home. I'm going to be 80 years old this Summer, I do not have a retirement account. My BnB IS my retirement. Please do not take it away from me with this terrible Bill. Mahalo nui, Pamela

HB-1838-SD-1

Submitted on: 3/27/2024 10:16:51 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Inouye	Individual	Oppose	Written Testimony Only

Comments:

Dear Hawaii State Legislature and author(s) of HB1838,

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.

I ask that you do not move this bill forward.

Sincerely,

Mark Inouye

March 27, 2024

The Honorable Members of the Hawaii State Legislature, Honolulu, HI

Subject: Concerns About Legislation Affecting Short-Term Rentals

Aloha esteemed Members of the Legislature,

I'm reaching out to share my concerns about the potential impact of the proposed legislation on short-term rentals. As a dedicated owner of a family vacation rental, these changes could shake up our ability to share the beauty of Maui with others and could deal a blow to the small businesses we partner with. This would not only affect us but also could have broader repercussions on our local community and the multitude of visitors we welcome each year.

For many years, our family has cherished the opportunity to share our home with visitors, allowing us to not only enjoy Maui ourselves, but also extend our unique island experience to others. However, the proposed legislation could put this cherished practice at risk and raise questions about the future of our property. More significantly, it could also impact the livelihoods of the individuals who work with us, including our long-time cleaning staff and the various small vendors who provide essential support to maintain our property.

Furthermore, the potential limitations on short-term rentals also echo through the local economy. Maui is supported by a delicate ecosystem of businesses, including major retailers and local shops, that are intertwined with the thriving tourism industry. The presence of retailers like Costco, Walmart, Target, Safeway, Home Depot, and Lowe's on Maui solidifies its status as a thriving community that benefits from the richness of the short-term rental market. Restricting short-term rentals would not only endanger the prosperity of these businesses but also question the employment opportunities they offer to the local community.

The removal of short-term rentals on Maui would deliver a clear blow to countless small business owners, many of whom have been longstanding residents, if not generations, supporting the local economy. Punishing this vital group, which has contributed significantly to tax revenue and job creation, does not align with the goal of ensuring a vibrant and inclusive community. Instead, the government should have looked to source alternative long-term solutions, focusing on building more affordable housing for residents. By doing so, they would have supported the growth of the local community without penalizing the very group that has been a cornerstone of economic vitality on the island.

It is short-sighted to believe that by removing 13k+ short-term rentals, the island's problems will be solved. Instead, it will only open another set of problems. The current need is for housing, and it is crucial to bring in the necessary supplies and make it happen. Utilizing government land for housing initiatives can address the urgent housing needs and ensure a stronger future for Maui.

I implore the Legislature to reconsider the broader impact of the proposed legislation and to seek alternative solutions that support the livelihoods of small business owners, residents, and the local community.

Thank you for your attention to this critical matter.

Warm Regards,

Julie Cashin

Julie@juliecashin.com

HB-1838-SD-1

Submitted on: 3/27/2024 10:20:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Fernandez	Individual	Oppose	Written Testimony Only

Comments:

Oppose HB1838,

I heard so many testifying in favor about this HB1838 alluding to the Maui fires, Hawaiian sovereignty and even comparing it to how slave laws in the past were later banned. All ridiculous talk that is totally not relevant to the fundamental rights of property rights. Property rights and laws pertaining to a property when it is purchased are sacred and must be observed and withheld. We do not live in a Banana Republic where the local governments can disenfranchise or disavow these rights from anyone. Allowing this bill to go through by legislature makes the State govt an accomplice to carry out these infringements and there will be legal challenges that will end up costing residents taxes expenses for legal expenses.

Richard

HB-1838-SD-1

Submitted on: 3/27/2024 10:25:02 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kiley Adolpho	Individual	Support	Written Testimony Only

Comments:

strong support. listen to the community of Lahaina

HB-1838-SD-1

Submitted on: 3/27/2024 10:27:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
pahnelopi mckenzie	Individual	Support	Written Testimony Only

Comments:

Support. Listen to the community of Lahaina not the extraction of greed

HB-1838-SD-1

Submitted on: 3/27/2024 10:29:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
RALPH FURLEY	Individual	Oppose	Written Testimony Only

Comments:

I oppose this taking away of property rights.

I know that many legislature want to be popular but dont realize or dont want to realize that in the United State there are basic rights especially when it comes to properties. This will easily be challenged. I want to warn you that it will come at a cost to the county govts. Other unconstitutional bill not allowing out of state resident from buying properties is simply STUPID. You all a complicit promoting a ruckus simply to get re-elected. As real legisslatures it is your duty to educate constituents of legal constraints that benefits everyone.

Act like a real legislator and oppose this property infringement bills.

Ralph Furley

HB-1838-SD-1

Submitted on: 3/27/2024 10:37:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cecila Gomez	Individual	Oppose	Written Testimony Only

Comments:

I AM AGAINST THIS BILL HB1838,

I do not own any TVU or B&B and I see were this is going. In a very bad direction. I just hope legislator behave more like statesman vs politicians for a change. Its not about trying to get more votes on ridiculous legislative proposals but is understanding and conveying constitutional rights.

Due to these ridiculous bills there have been mainland law firms that see how easily they can challenge these obvious US. constitutional rights here in Hawaii and are hoping to make money from the easy legal fees that the counties would award them. i.e. the ridiculous Honolulu ordinance 22-7 that will cost the city of Honolulu \$292k in legal fees to the plaintiff. But then again as a typical politician you dont care if our residents end up paying for this via our taxes.

STOP BEING POLITICIANS and act like STATESMAN for a change and oppose HB1838

HB-1838-SD-1

Submitted on: 3/27/2024 10:40:25 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Riley	Individual	Oppose	Written Testimony Only

Comments:

Testimony against HB1838

I attended one of the committee hearings on HB1838 which proposed to eventually ban TVUs. For the record I do not own nor operate any bed and breakfast nor TVU but the very few legally permitted TVUs do offer an important but economically insignificant impact to any housing regardless of what the greedy hotel industry has conveyed to you. What really affects housing are the: bureaucratic permitting process, overly regulatory culture, heavily taxed constituents and businesses. You all know this. Yet the owners you are disenfranchising by passing this HB1838 are law abiding citizens who have contributed more in taxes than all of you combined with their businesses. Yet to be vainly popular you promote, distract and detach from the real issues and problems. Your duty in your elected position is to be: reasonable, ethical and just legislators. If your constituents are unaware or misinformed it is your duty to take the high road and explain the facts to them. Unfortunately, many politicians, completely clueless of economic facts will inadvertently cause more hardships to those they think they help. If a legal challenge does not challenge your unjustified vote I am sure Karma will.

Patrick

HB-1838-SD-1

Submitted on: 3/27/2024 11:10:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tina Marshall	Individual	Oppose	Written Testimony Only

Comments:

Aloha e Mr/Ms Chair and Committee Members -

I know you have a full docket and I want to thank you for taking the time to read my testimony.

I OPPOSE HB1838. This bill will impact me personally, as well as many local staff, in a major way if passed.

My husband and I love and live on the West Side. We have had one of our small businesses in West Maui for 35 years and the other small business for 12 years, where we employ two of our daughters, neighbors, and extended o'hana. These include local island housekeepers, pool cleaners, carpet cleaners, landscapers, and property inspectors, all of whom have families that are supported from income by legal STR's. Both of our businesses are totally dependent on visitors coming to our beautiful island. We manage 8 properties that are legally permitted short term rentals. Through the years, we have seen many illegal rentals come and go. These illegal STR's do not pay TAT, GET, or MTAT taxes. But Maui's legal STR's provide 40% of the real property tax revenue for the County, as well as being the top funding source for affordable housing on Maui. This STR property tax revenue represents 18% of the County's 1.7 billion dollar budget. That is HUGE REVENUE.

Mid and STR's accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment, and visits with o'hana, travelling nurses, emergency contractors, temporary military, students, and our o'hana and friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing, if our industry is further decimated?

I must mention that the TAT and MTAT taxes that all legal STR's pay, contributes to the biggest part State tax revenue collected. How would this ever be replaced?

For all of the above reasons, and many more, I strongly urge you to vote in OPPOSITION to HB1838.

Malama pono and Much Mahalo,

Tina Marshall

HB-1838-SD-1

Submitted on: 3/27/2024 11:38:47 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tonic Bille	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Chairs Rhoads, Dela Cruz, Vice Chairs Gabbard, Moriwaki
And Members of the Senate Committees on Judiciary and Way and Means

I strongly oppose HB1838.

According to AARP ...970 Hawaiian residents 55+ years old will be evicted in 2024 plus 1500 over 50 will be homeless this year. HB1838 will increase these numbers, if it becomes law.

It is time the politicians we voted in office, start protecting us, their constituents and defer this Bill that will cause so much financial havoc and devastate the lives of many Hawaiian households as well as many older residents, who rents a room or two in their homes to be able to exist.

Hawaii has the highest cost of living in the nation with an index of 191.8. The national average index was set at 100 and Hawaii absolutely crushed ittherefore many residents are leaving Hawaii.

Giving the different Councils in the State the power to phase out un-permitted and permitted owner occupied short term rentals, while the Council Members give themselves substantial pay raises leave a trail of mistrust, fear and anger. The Council Member's financial selfishness is a betrayal of principle and sworn obligations.

Take the right, humane action and defer HB1838.
Thank you for hearing me by reading my testimony.
Tonic Bille.

HB-1838-SD-1

Submitted on: 3/27/2024 11:49:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Victoria Johnson	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Chairs Rhoads, Dela Cruz, Vice Chairs Gabbard, Moriwaki
And Members of the Senate Committees on Judiciary and Way and Means

I strongly oppose HB1838.

According to AARP ...970 Hawaiian residents 55+ years old will be evicted in 2024 plus 1500 over 50 will be homeless this year.

HB1838 will increase these numbers, if it becomes law.

It is time the politicians we voted in office, start protecting us, their constituents and defer this Bill that will cause so much financial havoc and devastate the lives of many Hawaiian households as well as many older residents, who rents a room or two in their homes to be able to exist. Hawaii has the highest cost of living in the nation with an index of 191.8. The national average index was set at 100 and Hawaii absolutely crushed ittherefore many residents are leaving Hawaii.

Giving the different Councils in the State the power to phase out un-permitted and permitted owner occupied short term rentals, while the Council Members give themselves substantial pay raises leave a trail of mistrust, fear and anger.

The Council Member's financial selfishness is a betrayal of principle and sworn obligations.

Take the right, humane action and defer HB1838.
Thank you for hearing me by reading my testimony.

Respectfully submitted

Victoria Johnson

HB-1838-SD-1

Submitted on: 3/27/2024 11:59:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Danielle Scherman	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Danielle Scherman. I'm a local resident born and raised on Oahu, as well as a real estate agent, and a Mom, a home owner and so much more.

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 sooo many including visitors, former residents visiting family in Hawaii, travel nurses, and other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing. In addition, home owners should have the ability to rent out their home for long terms stays if wanted.

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-SD-1

Submitted on: 3/27/2024 12:09:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amanda Grassman	Individual	Oppose	Written Testimony Only

Comments:

This bill does not benefit home owners. I'm a teacher and single Mom. The state already is facing a teacher crisis as many teacher are being recruited from the mainland and then can't stay because they can't afford to live here. I barely make it by each month and now. If you are making home owners pay for the housing crisis, then make visitors pay 6 months of hotel stays in advance to visiting as well.

HB-1838-SD-1

Submitted on: 3/27/2024 12:09:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kencho Gurung	Individual	Support	Written Testimony Only

Comments:

Please pass this bill! Hawai'i STRs are out of control and Hawai'i's people need to be put first.

HB-1838-SD-1

Submitted on: 3/27/2024 12:10:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Karissa Anderson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee:

My name is Karissa Anderson and I own a condo on Maui.

I am writing in opposition of HB 1838, HD2, SD1 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 urge you to enforce existing laws and ask that you please not move HB 1838, HD2, SD1 forward.

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.

With respect and aloha,

Karissa Anderson

HB-1838-SD-1

Submitted on: 3/27/2024 12:14:37 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Yukiko Manuel	Individual	Support	Written Testimony Only

Comments:

Aloha nō! I hope my testimony finds you all well. I'm submitting my testimony to support the HB1838 bill, because as a makua, I look towards the future to make sure my keiki grow up feeling at home. I don't ever want them to feel pushed out or feel the need that they are not able to afford or survive on our 'āina. Short term rentals occupy space that should be of use for our local people. Since the Lāhainā fires, families that have been living here for generations are being moved from place to place. Their sense of security and comfort are being over looked, because profits have been speaking louder than our own people. Not only does short term rentals occupy space, but it also taps into the limited resources that we have on our islands. Shipping and costs of products are increasing with inflation. We all should be thinking of what's best for our families, rather than those that only visit seasonally. Please take all our testimonies to account. Mahalo piha, he lā maika'i.

HB-1838-SD-1

Submitted on: 3/27/2024 12:14:55 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Benjamin Bennett	Individual	Oppose	Written Testimony Only

Comments:

Aloha. My name is Ben Bennett. My family and I live in Kahuku. I am writing to STRONGLY OPPOSE HB1838 HD2 SD1

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-SD-1

Submitted on: 3/27/2024 12:15:16 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Koenig	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs/Madam: Please do not continue to think that this is a beneficial bill for Hawaii as the infrastructure has been built on transient visitors to all of the islands. Stopping transient accomodations will fracture the budget of most islands. Have you actually looked at the financial issues of this bill? And these transient accomodations are not meant for permanent housing for resident; they are too small with no storage, no parking, no space for a kids bike, etc. Long Term rental will NEVER replace short term because what vacationer can actually afford to visit for six months. Could you? Ask yourself, "What is the real purpose of this bill?" Please vote no.
Thank you

HB-1838-SD-1

Submitted on: 3/27/2024 12:17:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Allyson Lakowsky	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to HB 1838, HD2, and SD1, which would grant Maui County full authority to phase out rentals in any zoning. As a resident and owner of a rental, I rely heavily on the income they generate to support myself and my family. The proposed bills would directly threaten my livelihood and that of countless others who depend on the tourism industry for their income.

It is essential to recognize the significant role that short-term rentals play in our local economy. Beyond providing income for property owners like myself, they also support numerous jobs in various sectors, including maids, maintenance workers, groundskeepers, and many others. In fact you can tie 90% of jobs to tourism. The income generated from tourism is crucial for sustaining the economic well-being of our community, contributing significantly to the tax revenue of Maui County.

While I understand the concerns about the housing shortage in Maui, I believe that targeting short-term rental owners is not the solution to this complex issue. The root cause of the housing crisis lies in the longstanding lack of affordable housing options, exacerbated by recent events such as the fires. Instead of penalizing short-term rental owners, efforts should be focused on addressing the underlying problem by implementing policies that promote the development of affordable housing.

One potential solution could be to expedite the process of building new housing units. For instance, the housing aid sent by Hungary, Ohana Hope Village which has been sitting unused for nearly six months, presents an opportunity for immediate action. Streamlining the permitting process and reducing bureaucratic red tape could enable the construction of single and 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.

In conclusion, I urge you to reconsider HB1838, HD2, and SD1 and to explore alternative solutions that address the housing crisis without disproportionately impacting short-term rental owners and the broader tourism industry. By working together to tackle the root causes of the problem, we can build a more sustainable and prosperous future for Maui County.

Thank you for considering my perspective on this matter.

HB-1838-SD-1

Submitted on: 3/27/2024 12:23:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicole Geyer	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I have been a visitor to Maui for over 50 years. I have owned a unit in Maui for over 24 years. My parents also owned a unit in Maui. We spend almost 3 months a year in Maui. Maui is built on tourism. I am a permanent resident of a city that needs tourism for it's economy to flourish. Covid proved that. It's also one of the most expensive cities in North American so I understand housing shortages and the need to find affordable housing solutions for locals. But phasing out short term rentals (HB1838) is not the correct solution. It's been done (ex. Tahoe) and has not achieved the intended goal. Please do not repeat bad history.

If we aren't able to continue to rent our unit short term we would not be able to come to place we call our second home and create defining family memories. Provide the mental health break that those of us who live in the Pacific Northwest need. Both our property taxes and strata fees would become unaffordable.

I have directly connected with many visitors that come to Maui for vacation and see the joy that their visit to paradise brings. Sending them home refreshed and ready to face the challenges of life. Which there are many and sadly are only increasing. Visitors to Maui need Maui to be there for them for their mental health. We saw firsthand the outpouring of support from around the world after the Lahaina fires. If the number of visitors were significantly reduced because there are no short term rentals would the support be there in the same way?

If HB1838 is passed how does the county plan to make up the loss in tax revenue?

If HB1838 is passed how will those linked to managing, cleaning and maintaining the almost 14,000 units make a living?

If HB1838 is passed it will have a direct impact on all industries that are directly linked to tourism. What happens to all those individuals that depend on that work?

If HB1838 is passed Maui will become an island for only the very wealthy who can afford to stay in hotels. Is that the Maui that the county and state really want? Are those the visitors that will respect and care for Maui long term?

HB1838 is bad for residents and visitors alike please do not pass it!

Respectfully,

Nicole Geyer

HB-1838-SD-1

Submitted on: 3/27/2024 12:33:24 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Vieau	Individual	Oppose	Written Testimony Only

Comments:

To Whom it may concern, after hearing hours and hours of testimony on this Bill and the overwhelming opposition to it. I am amazed that it's still continuing. This bill will have major economic repercussions felt everywhere in the state. 49k jobs are directly tied to STVRs in the state. Most of these houses would never return to the long term housing market regardless of the bill. If you truly want to fix affordable housing then lower the fees for building or maybe repurpose commercial to multi use? Otherwise this is a power grab by Hotels and only hurts the people you represent.

HB-1838-SD-1

Submitted on: 3/27/2024 12:37:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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. The impact will be felt for the residents that live in the Lahaina area to a greater extent than ever! 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. Much effort need to be directed to tiny homes and infrastructure that will provide housing that is their own not temporary living that continues to leave them displaced and prevents them from establishing the beginning of their new future.

Mahalo for considering this side of the effect that this legislation will impose on the people

HB-1838-SD-1

Submitted on: 3/27/2024 12:38:10 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Adrien Javier Jacob	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose any legislative measure to enact any further restrictions or amend or expand the States or Counties ability to create zoning powers that allow Counties to restrict, amortize or phaseout transient accommodations in residential and/or within agricultural zones.

HB-1838-SD-1

Submitted on: 3/27/2024 12:39:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Caryl Burns	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 because the counties will eliminate monthly rentals which are an important part of our housing inventory. Please defer this bill until the these types of unintended consequences are properly evaluated.

Shorter term rentals are also a critical part of our housing options on Hawaii Island. I have housed military personnel, medical personnel, people on honeymoon from Asia and US, and vacationers on a "once in a lifetime" trip. None could afford hotel prices, and wish to have a "home away from home".

My hosted vacation rental also employs local people who will lose their livelihood, and I will lose my retirement income, if this bill passes. PLEASE do NOT TAKE AWAY OUR RETIREMENT INCOME!

Caryl Burns

Kailua-Kona, HI

HB-1838-SD-1

Submitted on: 3/27/2024 12:39:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joshua Goodloe	Individual	Support	Written Testimony Only

Comments:

I affirm the right of counties to regulate rental properties

HB-1838-SD-1

Submitted on: 3/27/2024 12:42:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Senator Donovan M. Dela Cruz, Chair, Senator Sharon Y. Moriwaki, Vice Chair and other respected committee members - my name is Curtis Costanza and my wife, and I are residents of Kihei. I am testifying in opposition to HB1838 for a variety of reasons.

First and foremost, how will the lost tax income be replaced? Maui's short-term rentals provide about 40% of the real property tax revenue for the county. What is the plan for the loss of state and county income? 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 undervalued negative consequence if this Bill is allowed to progress. I feel that more research and alternatives must be investigated.

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. Reference the Covid 19 pandemic and the economical losses, that were devastating, to our community. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state. The thousands of jobs lost will be significant.

Let's continue to brainstorm ways to help those that are in a housing crisis without decimating 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. The average tourist cannot afford the astronomical prices of hotel rooms, they rely on moderately priced STRs to afford their visit. Unexpected consequences here could be economically significant. 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-SD-1

Submitted on: 3/27/2024 12:45:41 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Leane Horton	Individual	Oppose	Written Testimony Only

Comments:

PLEASE OPPOSE THIS HOUSE BILL 1838. THIS WILL ADVERSELY IMPACT THE LOCAL COMMUNITIES AND PUTS TOO MUCH POWER IN THE POCKETS OF THE COUNTY WHO WILL BE SWAYED BY LOBBYISTS/CORPORATIONS. THIS BILL OPPOSES THE RIGHTS OF THE PEOPLE.

MAHALO FOR YOUR CONSIDERATION.

HB-1838-SD-1

Submitted on: 3/27/2024 12:51:23 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Krueger	Individual	Oppose	Written Testimony Only

Comments:

Homeowners should be able to use their own property as they wish. They bought it, they paid for it, they own it and if they want to rent it out, for short, mid, or long-term, that should be completely their own business. Further, allowing rentals in residential areas also supports the tourist business that so much of the island thrives on. It helps bring income to the west side and other parts of the island rather than confining it all to town, which helps support local businesses all over the island rather than just in Honolulu, the North Shore and Ko Olina. Approximately 1/3 of the business from Nanakuli through Waianae is from tourism. Confining rental areas only to town and resort areas is not fair to local business owners around the island because this will seriously impact their income.

Anything less than a 30 day minimum should be confined to hotel or resort zoning but a 30 day minimum is very reasonable for rental timelines even in a residential neighborhood. Many residents also count on renting out their basements or parts of their homes to pay their taxes and/or their mortgages and this is going to severely impact residents of the island who need that extra income from their homes.

HB-1838-SD-1

Submitted on: 3/27/2024 12:53:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Fessler	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern, regarding HB1838:

My sister and I own a 1 bedroom condominium in Kahana, HI. We realize that the local community has been devastated by the recent fire in Lahaina and have been doing what we can to support the area. This property was purchased in the 1990's by our parents who lived there. It was handed down to us by our parents and it was their wish that it stayed in the family.

We both love Maui, and would like to keep going to Maui for the rest of our lives. Currently my sister and I are unable to live in Maui full time. Between the two of us and our families we currently stay in our unit about 4 months of the year. We employ a local manager and a cleaning service to help us with short term rentals the remaining 8 months of the year. Note that when we are there, and when our guests are there we are supporting the local community via spending at restaurants, stores, activities, etc.

We are not interested in renting out our property long term, as then we have no ability to stay in the condominium where we have stayed and loved for almost 30 years. This is not a profit center, we make about enough revenue off short term rentals (since the pandemic), to maintain the property and pay property taxes and insurance. If we cannot rent our place out short term, we would be unable to afford keeping it, effectively forcing us to sell out.

Please understand the we too love Maui, we want to be able to keep our condo, and hopefully soon we are able to stay there full time between the two of us and our families.

Mahalo, Mark Fessler

HB-1838-SD-1

Submitted on: 3/27/2024 12:53:50 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ann Ruff	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838 HD2 SD1. I have a short term rental and tried to offer it to the FEMA direct leasing program. The rental agencies handling this program said they were full; people did not want to live in South Maui; they have kids in school and don't want to drive back and forth that far. When the Legislature dictates to individual citizens what they must do, there are ramifications, unintended consequences, and passing this bill will do just that. I believe its underlying intent is to rescend the Minatoya Exemption which will put Maui at an even greater risk. It will make the island worse off because there will be fewer tourists, fewer jobs, and a loss of tax dollars that will be staggering – right at a time when money is needed for rebuilding Lahaina and helping the people who have lost their homes.

HB-1838-SD-1

Submitted on: 3/27/2024 12:56:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Don	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose.

HB-1838-SD-1

Submitted on: 3/27/2024 1:03:16 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amanda Odish	Individual	Oppose	Written Testimony Only

Comments:

Recent tragedies befallen the county, most notable the lāhaina wildlife, have displaced families who are in need of transient accommodations until permanent shelters are provided. And while major disaster impairs the county's ethical duty to supply safe housing, temporary housing is essential for health and safety. In addition, those who host individuals from the continent or islands, especially pertaining to agricultural lands, is financially advantageous to the city as a whole. Tax funds from said legal businesses benefit the state and may be used to increase resident safety with road repairs, structural maintenance, and overall security for residents who partially or fully depend on this income for their survival in the costly state of Hawai'i. It is imperative that we continue to provide avenues of financial support for local small businesses, such as short term rentals, for the benefit of struggling individuals and for economic advantages for the state. The hotel services are insufficient for the needs of guests, who choose to experience the real intimate character of the Hawaiian islands. This does subtract from the financial benefit of hotel services, but is a valuable addition to the state as a whole. Depending on tourism, Hawai'i would be limited by the passing of 1838 HB, as short term accommodations are more affordable and offer support for local businesses via guidebooks and resources that endorse the financial benefits circulating in the local economy. Elderly individuals who run these businesses and are living on limited social security funds are at increased risk of displacement or foreclosure if this bill passes. Generational kānaka maoli and Kama'aina would additionally be negatively impacted by the passing of bill 1838 due to our limited ability to obtain local jobs that support the costly demand of living in our beloved Hawai'i and we are at risk of displacement or permanent loss of residents, while sustainable cultural growth is halted by those who will buy the land and properties. Culture is important and sharing culture from a local perspective is paramount to the attractive appeal of Hawai'i. If this bill passes, it paves the way for wealthy non-local individuals to buy land that would no longer be affordable for local and indigenous persons. The high cost of rent for prospective tenants is not a sustainable alternative solution either. Eliminating short term rentals paves the way for lower tourism for the county, fewer occupied dwellings due to high rent costs, displacement or unaffordable scenarios for current residents, and substantially fewer funds for the state of Hawai'i. I urge those who are considering passing this bill to think of these urgent matters and please reconsider your stance. We need to afford to live here, especially those most vulnerable. This bill only benefits the wealthy and hotels, possibly, and does not consider the substantial and highly positive impact that short term rentals, especially in agriculture zones, have for our residents. I deeply urge you to promote the true spirit of Aloha over profit of already outsourced businesses. The people of the neighboring islands need your protection and support more than ever post-pandemic and possibly into a world

war. We need help as much as possible during this time. Please assist all of us by not passing this bill. Thank you for your time.

HB-1838-SD-1

Submitted on: 3/27/2024 1:04:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Biederman	Individual	Oppose	Written Testimony Only

Comments:

As a retired couple, we have saved our entire working lives to own a piece of the most beautiful island on the planet. A place where we honeymooned 50 years this July. Our entire family and many friends are joining us as we renew our vows this July at sunset on our condo shoreline in West Maui. We could not have maintained our condo were it not renting it out as a licensed vacation rental. The County derives a lot of tax money not to mention the money spent by our guests. Our condo was not designed as a long term rental. The walls are thin, there are few closets, there are no washing machines or dryers, and we cannot support air conditioners. Please don't ruin our sunset years by making it impossible for us to enjoy our vacation home. Please

HB-1838-SD-1

Submitted on: 3/27/2024 1:12:49 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jenell Wedding	Individual	Comments	Written Testimony Only

Comments:

Aloha

I went through the process in 2018 to license my home as a STVR including permitting and rebuilding our lanai built in 1975 that was a well built structure but since there was not a record of it being permitted we had to spend \$11,000 for materials, engineering and fees. My husband and I did the construction because we could not afford to pay a contractor. We also had to remove a perfectly good green house and shed because they were one foot to close to the setbacks.

A large percentage of our guests are Hawaii residents coming from other islands to visit ohana that live in our neighborhood, families coming to participate in sports tournaments, Merrie Monarch Festival..... The rest of our guests stay in our home because there is no way they can afford to visit Hawaii if they had to pay \$1,300 per night or more to stay in a resort. Even if they could afford a resort that is not the type of vacation they are looking for. They come to Pahoia because they want to experience natural Hawaii not a commercialized version of it.

Our guests support the local economy which desperately relies on them including houses keepers, landscapers, restaurants, shops, massage therapists.....

We have never had a problem with guests disturbing our neighbors in fact we are friends with all of our neighbors and they are happy to have our STVR in the neighborhood because some have rented it for their ohana for visits.

Please consider the fact that there are no hotels or resorts in Puna and the residents do not want them.

Mahalo Nui Loa

Jenell Wedding

HB-1838-SD-1

Submitted on: 3/27/2024 1:15:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Jinks	Individual	Comments	Written Testimony Only

Comments:

Aloha Honorable Senators and Committee Members,

I am an owner of a part time short-term vacation rental that is in an approved resort area on Maui. I fully believe that there is a housing shortage for local Maui residents and that short-term vacation rentals have contributed to part of this housing shortage. There is an "out of balance" situation on Maui and most likely all counties in Hawaii. I fully support local and state leaders looking into ways and methods to reign in this contributing problem. There are many short-term vacation rentals that are not legally approved but are operating. There are also some legally operating short-term vacation rentals that should have the approval be reconsidered. I want to be part of the solution and not part of the problem. I want the local residents of Maui (and all Hawaii counties) to have affordable places to live. This is a challenging issue and community support..all community support including part time residents, is necessary.

Thank you,

Thomas J.

HB-1838-SD-1

Submitted on: 3/27/2024 1:16:45 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Eugene A Modell	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice-Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice-Chair, and members of the committee:

I OPPOSE H.B. HB 1838 for the following reasons:

My name is Eugene Modell and I thank the committee for the opportunity to testify about this bill. My wife and I have been condo owners and renters at Papakea Resort Maui since 1988.

Papakea is an ocean-front property, completed in 1978 and consists of 364 individually owned condominiums. Papakea was initially marketed and sold as vacation rental property and indeed we have hosted many guest individuals and families for 36 years. Papakea has never been workforce housing so Papakea is not an exxample of a property that converted from workforce housing to transient vacation rental use. The majority of units at Papakea are under 600 square feet and the property has limited parking. Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial propoerties. Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assesssments, morgage payments, property taxes and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea owners have been operating legal vacation rentals for almost fifty years. Papakea's resort operations provide employment for 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.

Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rental including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their owns clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities. Indeed, our own condo has utilized the services of several of these aforementioned small businesses every year since we began renting in 1988.

Papakea's Short Term Rentals (STR's) 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. Indeed, in just the past 10 year our individual unit contributed approximately \$100,000.00 to these various taxing agencies.

Our guests suport may small business on the island including restaurants, food trucks, tour operators, state parks, the national part, 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. HB 1838 and urge the committee vote no on this matter.

Respectfully submitted,

Eugene Modell

HB-1838-SD-1

Submitted on: 3/27/2024 1:17:52 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Frederick Smith	Individual	Oppose	Written Testimony Only

Comments:

As a Hawaii County resident in Captain Cook, I am strongly opposed to further restrictions on the ability of property owners (who already pay extensive property taxes) to rent their second units as short term vacation rentals. It's an unfair taking of our rights.

Restricting STVRs will not provide more affordable housing. I have family who stay with us seasonally, so we can't do long term rentals but we definitely need the extra support that a STVR can provide to afford to live here.

If you want more affordable housing, relax zoning standards so more property owners can build affordable housing. I have lots of ideas on how to expand affordable housing, none of which the state or the counties are doing. Instead you are penalizing homeowners outside of tourist zones for no good reason and giving freebies to hotel owners in the process.

If you really want to create more affordable housing, why not add a % to the TAT and let tourists pay for more affordable housing? We already have record numbers of tourists

HB-1838-SD-1

Submitted on: 3/27/2024 1:20:42 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lily Swan	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Lily Swan, and I am a local resident of Hawaii. I am writing to oppose HB3818. My husband and I manage a vacation rental in Hāna. I do housekeeping, and he does groundskeeping and maintenance on the property. This work allows us to continue contributing to the economy through our senior years, where otherwise we may not be able to find work at our age.

I realize there is a housing crisis here, especially since the Lahaina and Kula fires tragically displaced so many people. But targeting short-term vacation rentals is not a solution. You will only displace more workers, like my husband and myself. My own son and his family were displaced a few years ago because long-term rental housing on Maui became too expensive for him to afford. Now, it costs hundreds of dollars for me to go visit my grandchildren. The cost of living impacts everyone here, especially low income workers living paycheck to paycheck.

We contribute so much every month in taxes from our rental income. The vacation rental we manage has been permitted for years. We would love to see our taxes go to affordable housing instead of unfinished rail lines and stadiums. Please consider capping long-term rental costs. It shouldn't cost \$1,200 for a 500 sq. ft. living space. Please don't target local workers.

If short term rentals were prohibited, the tourism we all rely on would drop drastically. You would have to build more hotels. People like my husband and myself would be displaced, unhoused. Please consider the long-term ramifications of this short sighted solution.

Mahalo,

Lily Swan

HB-1838-SD-1

Submitted on: 3/27/2024 1:22:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Melanie Fleming	Individual	Oppose	Written Testimony Only

Comments:

To Whom it may concern,

Vacation rentals provide new opportunities for people to support themselves and their families with extra income. This is critical for those who work part-time, are on fixed incomes, need help paying for their rent or mortgage, affording their children’s education, or saving for retirement.

Vacation rentals provide millions in tax revenue to cities and states each year, through sales, tourist, hotel and occupancy taxes. In some cities like Seattle, Vrbo also collects a fee which goes towards local affordable housing funds.

There are many more things that make them good for us. We refer folks that stay with us to local businesses too.

HB-1838-SD-1

Submitted on: 3/27/2024 1:22:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Timothy Davis	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I operate a vacation rental property in Hawaii. Hawaii's economy is highly dependent on tourism and I provide accommodations that help people from all over the world visit Hawaii and spend money there. I pay taxes to the state and the county based on my vacation rental business.

It feels to me that there are many initiatives recently to reduce or constrain peoples' abilities to operate short term rentals, even though these properties provide quality and affordable accommodations for tourists and do not necessarily compete directly with hotels or other properties. Guests who stay at my property want and get a more homelike atmosphere and a family pretend atmosphere. Some tourists prefer this over a traditional hotel.

I would like to express my opposition to this bill and to all measures making it harder to operate a vacation rental in Hawaii. My property allows tourists to visit our state and spend money there. It generates tax revenue for the state. And if laws are changed to make it so it can no longer function as a vacation rental then the value of that property and all similar properties will be significantly reduced, resulting in lower property taxes to Hawaii as well as the loss of other revenues.

HB-1838-SD-1

Submitted on: 3/27/2024 1:24:54 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Baker	Individual	Oppose	Written Testimony Only

Comments:

This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.

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.

Mid & Short Term Rentals provide the state with a lot of income through the taxes that are charged. Where would you make up that income to meet your budget?

HB-1838-SD-1

Submitted on: 3/27/2024 1:27:51 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul F. Hahn	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this proposed legislation and wondered if you have calculated the lost jobs in the repair and housecleaning industries if the number of STR's are reduced. Have you calculated the lost of TAT TAXES?

Best Regards,

Paul F Hahn

owner of a STVR in Kailua Kona since 2017

HB-1838-SD-1

Submitted on: 3/27/2024 1:28:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam Tamayo	Individual	Oppose	Written Testimony Only

Comments:

I want to express my view in opposition of this. I undersand there are many moving parts to any housing shortage. In my view, visitors in the way of the tourisim industry strengthen an economy in excess of what this proposal beleives in terms of creating housing. I own a unit along the coast, that has long been uses as a vacation rental. The team of vendors used to maintain the unit, rent it out, and so so in a productive and proffessional manner is substantial. There are a large number of residents who've built their entire livielihood on servicing the vacation rental industry. We are productive contributors to the economy, help share the culuture and experince of Hawaii with the world, by usiing 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 destrcition of the loca e3conomy should this semgbemnt of the economy be altered. Thank you for the opporunity to share.

Regards,

Sam Tamayo

HB-1838-SD-1

Submitted on: 3/27/2024 1:29:17 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Taus	Individual	Oppose	Written Testimony Only

Comments:

I am against this proposed bill.

Hawaii need Transient Accommodations.

This supports the economy

HB-1838-SD-1

Submitted on: 3/27/2024 1:30:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Holly	Individual	Oppose	Written Testimony Only

Comments:

We oppose the orchestrated attack on the people of Hawaii and potential visitors, that HB 1838 represents.

Short term rentals are an answer to community needs and represent the source of financial livelihood for Hawaiians, directly and indirectly. The State and Counties receives a significant tax income from short term rentals, as well. Short term rental represent a "win-win" alternative to the extremely high cost of hotels and resorts for families and retired people, who want a vacation of a lifetime. This tourism incrementally benefits Hawaiians and the tax coffers.

Why target a segment of the hospitality industry, at the expense of the people of Hawaii? One can attempt to wrap the organized grab, by claiming it's a solution to housing shortage or sensationalized abuses. But, who is really going to benefit by the curtailing or removal of short term rentals? Not the hard working people of Hawaii. They will lose income and jobs, as the State & Counties loses tax dollars.

The hotels and resorts will benefit by the removal of competition. The already high hotel and resort rents and fees will increase further, which will price out visitors and further reduce tourism. The "fat cats" will get fatter, as Hawaiians pay the price of the ill advised HB 1838.

Turn the bill away and address the housing need with positive solutions that enhance and help, not punish the people who are in need.

Thank you.

Alan Holly

HB-1838-SD-1

Submitted on: 3/27/2024 1:31:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Paula Butler	Individual	Oppose	Written Testimony Only

Comments:

We are opposed to expanding the powers of counties with respect to short-term rentals.

HB-1838-SD-1

Submitted on: 3/27/2024 1:31:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Rubin	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838. As a short term vacation rental owner at a designated, legal resort property on the West Side of Maui, I have always played by all the rules for owning and maintaining my condo. My guests pay GET/TAT Taxes and also spend large amounts of their dollars on restaurants, activities, and shopping which supports the Maui economy and tax base. I pay property taxes, and support our resort with AOA fees which maintain the integrity of the property. Our resort employs locals in administration positions, housekeepers, maintenance workers, and landscapers involved in additions and maintenance. I also employ local contractors, on-Island management company which employs dozens of locals. I support several local companies including Rainbow Glass, Strurdevant Refrigeration and Air Contitioning, Chill Out refrigeration, Hamai Appliance, Ace Hardware, LEI Flooring and Windows, Ceramic Tile Plus, Sherwin Williams, Lahaina Carpets, and Paradise Living Upholstery and Furniture...to name just a few.

Barbara Rubin

Papakea Resort

3543 Lower Honoapiilani Road #A109

Lahaina, HI 96761

HB-1838-SD-1

Submitted on: 3/27/2024 1:32:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Walters	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1838. It would be devastating for the Hawaiiin economy.

HB-1838-SD-1

Submitted on: 3/27/2024 1:35:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Jeffrey S. Owen	Individual	Oppose	Written Testimony Only

Comments:

I am in vehement opposition to HB 1838. This is clear infringement on the people of the Big Island, as well as a substantial loss of income for the State. There are many individuals who must rent out a room of their house in order to afford continuing to live on the aina where many generations of their family have lived previously. We have provided rental income taxes to the State (of nearly 18%) for over 20 years as well as employed local house cleaners, gardeners, and service providers that I will no longer be employed. This is a great example of the government catering to big business (hotel industry) over protecting individual citizens who have lived on the island for hundreds of years. I would support a bill that eliminates hotels and resorts so that the people (who actually live in Hawaii) can continue to afford the costs of living.

HB-1838-SD-1

Submitted on: 3/27/2024 1:35:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
David Shaw	Individual	Oppose	Written Testimony Only

Comments:

I am writing in concern for the Puna District, where I live in Pahoia. Puna covers a large geographic area, bigger than the entire island of Oahu, which is growing quickly in population, and is zoned primarily residential and agricultural.

With the recent volcanic eruption in 2018-2019, more than 700 homes were lost to the lava flow at Pahoia and Kapoho. Many of these homes were located in Kapoho Tidepools and were short term vacation rentals.

If people are no longer able to operate short term rentals in residential or agricultural areas, where will visitors to Puna stay? There are no big hotels or other options, and not everyone visiting the area wants to stay in Hilo or Kona.

For instance, near the ocean in Hawaiian Paradise Park subdivision, and along the scenic Rte 137 that hugs the dramatic Puna Coast, it makes sense to have some short term vacation rentals, so that island visitors can experience these places. And, the tourist dollars income is critically important to the people of Pahoia and Puna.

HB-1838-SD-1

Submitted on: 3/27/2024 1:35:38 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerardo Starosa	Individual	Oppose	Written Testimony Only

Comments:

Banning short term rentals is going to take money away from local residents who count on them, especially on the less prosperous West side. For example, I personally know a wonderful lady who lives in a homeless encampment at Waianae Harbor and her sole source of income is cleaning condos in between 30 day rentals for people. Local grocery stores count on tourist income. Instead of the condos sitting empty with absentee owners who only visit occasionally, instead when they are renting them out, people are going to local restaurants, shopping at Tamura's grocery store, getting shave ice, etc. Businesses on the west side will probably lose half of their income if short term rentals are prohibited outside of the resort areas because those people tend to stay inside the resorts for the most part other than going up to North Shore. This would discriminate against an already marginalized part of the island where the locals count on the extra tourist income, from surf shops, to Long's drugstore, to L & L BBQ, Hannara's Restaurant, Beach House Restaurant, 7-11, and more. This leaves all of the investment money in the hands of the wealthy resorts and takes away from small local businesses outside of town. People are just residing there doing the same thing that owners are doing, they're not running businesses, or doing any other things than being residents in homes. The only people this would benefit are the wealthy hotel and resort owners and it will take tax revenue away from the state by reducing the amount of business being done by local businesses all around the island.

HB-1838-SD-1

Submitted on: 3/27/2024 1:41:41 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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 long term solutions which should include the development of housing that is restricted to resident-occupied owners or renters, a model that has been successful in other markets worldwide.

HB-1838-SD-1

Submitted on: 3/27/2024 1:43:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cedar Kehoe	Individual	Oppose	Written Testimony Only

Comments:

Opposing to HB 1838, HD2, SD1

Hearing Date: March 28, 2024

Hawai‘i Senate Committee on Ways and Means and the Hawai‘i Senate Committee on Judiciary

1. am a senior and I used 30-day rentals to afford my home (in a residential area) and you are taking that away and trying to force me to rent long term. will **never** rent long term; keep my rooms for the adult offspring to visit from the mainland and I will never change that. You are forcing me to keep my rooms empty. After requiring 30 consecutive day rentals of the industry my unit is mostly empty as so many units on the island now rent for 30 days (they used to rent for less than 30 days but they blocked a month) but the enforcement efforts forced all those people to now rent 30 consecutive days. Now as a senior my income has dropped significantly. Renting my unit did not damage my residential area as live here there are no parties; what I offered is important to the islands economy.

Bills (HB1838 and HD2 and SD1) are not fair to seniors like me who live on site and who purchased assuming they could rent. If you want to hurt the economy these two bills are guaranteed to do just that.

Cedar Kehoe

808-425-0523

68-003 Laau Paina Place

Waialua, Oahu

HB-1838-SD-1

Submitted on: 3/27/2024 1:45:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice Nielsen	Individual	Oppose	Written Testimony Only

Comments:

We oppose this bill on the basis of elimination of a community service, by allowing transient accommodations uses be amortized or phased out in residential or agricultural zoned areas. There are less than 35 legal Bed and Breakfasts on the island of Oahu. Most located in areas where there are no alternative short term transient accommodation. If these are phased out then there will be no place for neighbors to house family when they come to visit, for memorial services, to help care for a sick one, to have a place to stay close to medical facilities, to help celebrate a one-year birthday, graduations, an anniversary, or be close to family for the holidays. Bed and Breakfasts provide a valuable service to their communities.

Not only will you be closing LONG-STANDING small businesses you're hurting the communities they serve. Closing them down will eliminate jobs and loss of transient tax revenue and Oahu transient tax revenue. I request that you oppose this bill and support those that have been in business and supporting their communities for over 30 years.

You are not focusing on the real issue of illegal rentals with this bill.

Respectfully submitted.

HB-1838-SD-1

Submitted on: 3/27/2024 1:46:50 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebekah Lussiaa	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill as it takes away our rights as landowners and in a democratic country where we have the right to vote on things, this takes that right away. Mahalo for your consideration of my opposition.

HB-1838-SD-1

Submitted on: 3/27/2024 1:48:10 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Spicuzza	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 because the people making these changes can be politically motivated and are not involved in the day to day events and circumstances that effect the people involved in the short term rentals.

These decisions ought be be made by the people involved in the rental business and their guests.

Also, there will be detrimental effects that will cause hardship for those affected if HB1838 passes. This is not an lawful or ethical Bill.

Respectfully submitted by Gail Spicuzza

Submitted by JAG

To Whom It May Concern:

I would like to offer my testimony for HB1838. However, I am forced to do so anomalously due to the stories many of us have witnessed and heard of how when a TAR host has attempted to voice their concerns they were then misinterpreted and suddenly became directly targeted by the Hawaii County Planning Department which became a threat to the livelihoods of those directly and indirectly involved.

Sadly, I know many TAR hosts or locals (*housekeepers, landscapers, and maintenance workers*) will not present their testimonies due to this very real fear so many of us have that the council that represents us does not listen "*don't bother trying, it will just fall on deaf ears*" is a common comment) and/or the ramifications that will happen if we do speak up regarding our concerns.

I do hope that the present Council will listen to the people they represent and review the majority of opposition this Bill has generated since its conception.

Myself and most TAR owners understand the real situation and that new strategies need to be established for a better future for Hawaii and its residents.

All we ask is to work *with* us. Not *against* us.

Please do not pass this Bill, at this time, as it is. So many residents and their families will lose BOTH immediately and long term because of it and not solve the real problem.

UPDATE: as of 3/13/24 I know of five more local families who have been here for four or more generation all have to leave Hawaii due to losing their jobs as housekeepers, landscapers etc due fear reactions from TAR closing their vacation rental prematurely due to the threat of this bill. The frustration of locals is 1) your 'solution' is causing them to lose their jobs and 2) the vacation rentals are not being converted to help locals. Due to the squatter rights in Hawaii owner such as myself will avoid renting to locals at all costs and instead 1) keep vacant 2) make available only to owner's family 3) offer only to out of state people wishing to move to Hawaii.

Please take the time to listen, really listen to what we have to offer to help you solve this problem for the long term.

A win for you. A win for us. A win for all Hawaii residents is possible.

Aloha,

One of many concerned citizens of Hawaii.

1. This is testimony is against HB1838
2. My TAR is in the South Kona District.
3. The income from my TAR has allowed me to maintain my property and pay taxes and establish enough supplemental income that I have been able to put money back into the local community including providing income to multiple service providers (*housekeepers, landscapers, maintenance workers etc*), so they and their families may continue to live and grow up here in Hawaii.

After speaking with my workers about how SB 2919 will significantly reduce or **eliminate TARs to make more housing available** for them... which also **means eliminating their jobs** as housekeepers, landscapers, and maintenance workers.... **they are very scared!**

HB1838 approach that is presented in an attempt to solve a problem, will instead, create many more problems in its wake. Sadly, many locals are unaware this will happen to them and/or they are scared to speak up to the Council about how this Bill directly hurts them much, much more than helps them.

4. This approach will generate more unemployment...
 - *Creating any situation that reduces TARs or require TARs to convert to LTR will immediately eliminate 1000's of local jobs (housekeepers, landscapers, and maintenance, property caretakers etc) that locals and their families depend on to survive here. Without these jobs these people will lack the ability to afford to live here and ultimately be forced to leave the island, as so many have already.*
5. This approach is attempting to force LTR prices to be reduced...
 - *which, research will show that prices will not reduce or be reduced enough to make any significant or insignificant difference to the current situation.*
6. This approach is attempting to increase the number of long-term rentals...
 - *I know I am not alone when I say a majority of us will **NOT convert from TAR to LTR**. We would rather keep our units vacant and establish other sources of income than shift to LTRs. **The list of risks including financial is just too great with LTRs here in Hawaii due to current Tenant/Landlord laws.***

THE REASONING:

- Originally, I had LTR. I did not want to deal with the complexities of TAR. However, after the continual negative experiences of having LTR dominating and the ongoing real threat of non-paying tenants taking advantage of the ease of leveraging Squatter Rights here in Hawaii, and tenants not respecting other basic county laws i.e sound ordinances, health, safety, occupancy numbers, and the difficulty we as Landlords face trying to enforce these due to current tenant rights... I converted over to TAR.

- Having LTRs I not only lost income, but I also still had to pay the utilities consumed by the non-paying tenants while waiting to move through the long legal and costly eviction processes. In the end I was unable to recoup any of the lost income and utility costs consumed by this financial resource. A LTR is a significant financial burden that most will not return to until the tenant/landlord laws are drastically changed.

NOTE: Additional risks of LTR and why most will not convert their TARs and will choose vacancy instead:

- i. From first-hand experience, the chances and risks are very high for renting to local long-term tenants who does not choose to have a standard of living that motivates them to care for their environment, follow health and safety codes, maintain construction to code nor respect the current quiet hours.
- ii. With LTR tenants I had more issues with tenants hosting unapproved parties with other local families and friends not honoring the 10pm quiet hours and disturbing neighbors. When forced to involve the police to manage the tenant. In retaliation, the tenant compromised both health, safety, and construction codes that due to current tenant laws made it almost impossible for me as a landlord to enforce until after the eviction which took many, many months to achieve.
- iii. Long-term tenants exceed, without approval, the agreed or legal number of occupants by bringing friends and/or family to live with them and compromising both health and safety codes.

The bottom line due to current tenant rights the chances of having tenants that will violate basic renter standards are too high and the ability to enforce any health and safety codes and avoid property damage or neglect is very, very difficult.

For most of us who have additional units, the risks of maintaining LTR are too high and converting is not a viable option. If forced out of TAR business these units will remain vacant, and will only produce a greater loss for everyone.

The majority of the solutions presented needs to be revisited and other options considered and presented. As currently presented it will not solve the problem. Instead, it will generate more problems in both the short and long term for both the local people it was intending to help and the long-term sustainability of the economy of Hawaii.

Thank you for your time and for considering the considerable amount of negative ramifications this Bill will present both immediately and over the long term to those it is attempting to help.

Sincerely,

A concerned citizen of Hawaii.

HB-1838-SD-1

Submitted on: 3/27/2024 2:02:30 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Nelson	Individual	Oppose	Written Testimony Only

Comments:

I am aposed to closing vacation rentals that re allready in business doing goodcthings forthe community. I work for mountain2ocean vacation rentals. They are a small business supporting short term needs of families in need as well as families of locals coming to visit. If this business closes i will not have my maintanance job, and many people will loose thier jobs with this business.

HB-1838-SD-1

Submitted on: 3/27/2024 2:04:31 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gildas Cheung	Individual	Oppose	Written Testimony Only

Comments:

Aloha. I oppose HB1838 because the counties, when given the chance, will eliminate monthly rentals which are an important part of our housing inventory. There are existing ordinances/regulations that has yet bee fully enforced or given time to see the effect in the local market/economy. Please defer this bill until the these types of unintended consequences are properly evaluated.

HB-1838-SD-1

Submitted on: 3/27/2024 2:07:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Madeleine Loewen	Individual	Oppose	Written Testimony Only

Comments:

I would like to express my opposition to HB1838.

The cost of living in Hawaii is already the highest in the nation, and many people are able to supplement their income by renting out rooms in their homes or ohana structures on their property. This allows for them to be able to afford to spend more time with Ohana and not seek out a second or third job just to continue living here. Additionally, vacation rentals provide many employment opportunities to the local people who clean and maintain them. These are Hawaii dollars helping Hawaii's local people.

Many tourists to Hawaii eschew the busy resorts and hotels in search of a more rustic and unique vacation experience. Vacation rentals provide this perfectly as people choose locations that don't have hotels, where they experience some of the real Hawaii. Many tourists claim that if they want to stay on a resort they can be found much more cheaply elsewhere. Hawaii vacation rentals offer affordable and varied vacation accommodations for people who want a different experience.

Lastly many local farmers are unable to support themselves with the constant barrage of damaging pests. The department of agriculture offers little support to farmers battling Little Fire Ants, Rat Lung Worm, Ohia Wilt and many other pests. Offering a vacation rental on their farm allows them to supplement their income and continue to produce fruit in a difficult climate. Where is the support for farmers if HB1838 is passed?

Many tourists love the rustic and rural Hilo-side of the Big Island. If we take away vacation rentals we are also taking away tourists as there is no-where for them to stay. This would painfully affect the economic structure that depends so heavily on bringing many tourists to Hilo.

I implore you to please stop HB1838 and allow Hawaii's people to continue to provide unique vacations for tourists.

HB-1838-SD-1

Submitted on: 3/27/2024 2:08:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

This bill will hurt small locally owned mom and pop businesses on Maui that are already struggling. The bill would make sense if it only applies to out of state investors and/or investors that own more than 1 or 2 properties. However, the way this bill is written it could impact local owner occupied small businesses. There should be an exception for the locally owned and owner occupied Bed & Breakfast properties. There are less than 200 hundred owner occupied B&B's on Maui. These businesses are already vigorously regulated and, have a very small impact compared to the thousands of unregulated condominium vacation rentals owned by out of state investors.

HB-1838-SD-1

Submitted on: 3/27/2024 2:08:43 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Juliana Cherry	Individual	Oppose	Written Testimony Only

Comments:

HB 1838

I oppose HB 1838 because it could have a grave impact on my life. It seems that the proposed legislation HB 1838 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.

HB-1838-SD-1

Submitted on: 3/27/2024 2:12:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
James Cherry	Individual	Oppose	Written Testimony Only

Comments:

Oppose HB 1838

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 HB 1838 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 if enacted would do just the opposite of the intended tenets of the Grandfather Clause.

HB-1838-SD-1

Submitted on: 3/27/2024 2:19:04 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rochelle Jensen	Individual	Oppose	Written Testimony Only

Comments:

Subject: Urgent Concerns Regarding Bill HB1838 Impact on Local Employment and Housing Flexibility

Chairman Donovan Dela Cruz Committee on Ways and Means Chairman Karl Rhoads
Committee on Judiciary Hawaii State Senate 25 Aupuni St. Unit 1502 Hilo, HI 96720

Aloha Chairman Dela Cruz and Chairman Rhoads,

I am writing to express my deep concerns about the potential impacts of Bill HB1838 on local employment and the availability of flexible housing options in Hawaii. As the owner of a vacation rental in Hawaiian Shores, I am not only invested in the well-being of our local community but also directly contribute to it by employing three caretakers for my home.

The passage of this bill threatens to eliminate month-to-month rentals, a critical component of our housing ecosystem. These rentals serve a wide range of residents, including those in transition, inter-island residents seeking medical treatment, traveling nurses, emergency contractors, and even our own family and friends when they visit. The flexibility offered by mid and short-term rentals is essential for accommodating the diverse needs of our community.

Moreover, the bill poses a significant risk to local employment. The caretakers I employ depend on the income from managing my property. If the bill leads to a reduction in the availability of short-term rentals, it could directly impact their livelihoods and, by extension, the local economy.

We have seen the importance of flexible housing options during crises such as the Red Hill Crisis, Marco Polo fires, and the eruption of Kilauea. These events displaced thousands of residents, many of whom relied on short-term rentals for temporary, furnished housing. Without these options, where will our community turn in times of need?

I urge you to consider the broader implications of Bill HB1838 on our local economy and the well-being of our residents. It is crucial that we find a balanced approach that protects the interests of all stakeholders involved.

Mahalo for your attention to this matter.

Me ka mahalo nui,

Rochelle Jensen

517-215-1175

Kaimalie17@gmail.com

HB-1838-SD-1

Submitted on: 3/27/2024 2:21:42 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Youssef Ben Youssef	Individual	Oppose	Written Testimony Only

Comments:

Dear sir/madam,

I am writing to voice my concern and opposition to the proposed bill to enable counties to phase out short term rentals.

First, the vast majority of owners who acquired these STR properties paid a much higher price because of this ability to rent the place the vacationers. STRs pay a hefty amount of taxes every year. The counties and the State benefit from this income to finance several crucial budget areas. the actual properties aren't made for a 24/7 living and aren't structured that way.

It is unacceptable that STR owners have to pay the consequences of a mismanaged government. The Lahaina fires were a true example of a government mishandling of an emergency. Neither the local nor state governments have shown any he needed leadership, skills and good management to handle the crisis. Trying to appease the displaced families but scapegoating STR property owners won't work.

thank you

HB-1838-SD-1

Submitted on: 3/27/2024 2:29:52 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
martin haas	Individual	Support	Written Testimony Only

Comments:

!my rental does not cause a problem for anyone!

I depend on the income to live!!!

HB-1838-SD-1

Submitted on: 3/27/2024 2:31:49 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Diana Henderson	Individual	Oppose	Written Testimony Only

Comments:

I oppose the senate Committee expanding the zoning powers of counties to allow counties to amortize or phase out transient accommodations in residential and agricultural zones.

HB-1838-SD-1

Submitted on: 3/27/2024 2:34:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
joe	Individual	Oppose	Written Testimony Only

Comments:

Good day, members of the Senate,

This measure is counter intuitive and dangerous to the economy & Hawaiians.

The state is currently unable to use Hawaiian Homeland to create housing for Hawaiians, nor create housing of any kind, so destroying a huge source of 'Revenue' from transient housing will further punish Hawaiians.

Removing transient housing would be like 'killing the goose that lays the golden eggs.'

Many 'transient Housing' units are large homes that cannot be serviced by hotels. These homes bring a unique & specific Tourist to the islands, who would cease coming to Hawaii if these homes were no longer available.

Then there would most likely be a 'lawsuit' by hosting groups which would further cost Hawaiians much needed revenue to defend what may be a violation of property rights.

Ultimately, what is the point? To add housing units for renting?

Most likely the rents would be out of reach of most Hawaiians.

It would also make criminals out of honest residents and property owners who will find ways around this unjust law.

TVR's provide approx. 20% in taxes & fees.

& these units provided well paying jobs for residents,

And keeps many tourist related businesses solvent.

Use your intelligence and common sense and realize there are cheaper ways to create housing for residents while maintaining much needed revenue to fund a vibrant Hawaiian economy.

Thank You,
Joe Callero

HB-1838-SD-1

Submitted on: 3/27/2024 2:41:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
ALAN KAY NG	Individual	Oppose	Written Testimony Only

Comments:

This bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui and the locals need all the help they can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

HB-1838-SD-1

Submitted on: 3/27/2024 2:42:21 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gale Kramer	Individual	Oppose	Written Testimony Only

Comments:

As I understand it this bill is in violation of the ex post facto

clause of the federal constitution. Plus it is also a violation of the equal protection clause of the 14th ammendment. As far as I know neither of these proposal have been judged in federal court. I have been in business for over 30 years fully licensed and this bill would be completely unfair. Legally and morally.

HB-1838-SD-1

Submitted on: 3/27/2024 2:42:22 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Soo Ng	Individual	Oppose	Written Testimony Only

Comments:

This bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui and the locals need all the help they can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

HB-1838-SD-1

Submitted on: 3/27/2024 2:43:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Ng	Individual	Oppose	Written Testimony Only

Comments:

This bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui and the locals need all the help they can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

HB-1838-SD-1

Submitted on: 3/27/2024 2:46:20 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Bertsch	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I'm writing in regards to HB1838, HD2, SD1.

We own a condo in Kaanapali that we short term rent when we are not in Maui. We oppose the listed above. It will take away the livelihood of home owners. We rely on income from short term renters. This pays our mortgage. With out this we can not afford this property. If passed it will also take a way livelihood of our cleaning staff, handy man, manager. Please consider the home owners and the numerous people that have jobs because of tourism and short terms rentals.

Kind regards,

Jason and Amy Bertsch

HB-1838-SD-1

Submitted on: 3/27/2024 2:47:46 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Judith Zimmerman	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to HB 1838. I am a returning visitor to a condo located in an affected resort that functions legally. I rent condos instead of staying in a hotel because condos are more affordable and offer kitchens to prepare meals for my family. I pay 18% GET/TAT Taxes when I book.

I spend money on local restaurants, entertainment activities, shopping, tourist excursions, State Parks, and museums.

HB-1838-SD-1

Submitted on: 3/27/2024 2:51:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emily Alpert	Individual	Oppose	Written Testimony Only

Comments:

1. I rent condos instead of staying in a hotel because condos are more affordable and offer kitchens to prepare meals for my family.
2. I spend money on local Restaurants, Activities, Shopping, Excursions, State Parks, Museums

HB-1838-SD-1

Submitted on: 3/27/2024 3:08:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cristina Graziano	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Committee,

My name is Cristina Graziano and I live on the island of Maui.

I am writing to express my opposition to the proposed bill HB1838, as it poses a threat to my livelihood and the livelihood of many others in our community. As a resident of Maui, I am deeply concerned about the potential impact of this bill on cleaners, electricians, maintenance workers, and small businesses like the one I work for.

I am employed by a small business that provides services for short-term vacation rentals on the island. The wages are fair, and the proximity of my workplace to my home significantly reduces my commute time. However, if this bill were to pass, it would jeopardize my ability to meet my housing and financial obligations.

Instead of introducing new legislation, I urge you to consider empowering the counties to enforce the existing laws. This approach would address any concerns while minimizing the negative consequences for workers and businesses in our community.

I respectfully request that you do not proceed with advancing this bill. Thank you for taking the time to consider my perspective.

Sincerely,
Cristina Graziano

HB-1838-SD-1

Submitted on: 3/27/2024 3:19:13 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Anna Khorunzhaya	Individual	Support	Written Testimony Only

Comments:

I am writing to express my full support for the proposal to allow short-term rentals in agricultural zones within Maui County. As a homeowner residing in this beautiful area, I believe that such a measure would not only benefit individual property owners but also contribute positively to the community as a whole.

My family and I have been residents of Maui County for several years now, and during this time, we have witnessed a significant demand for vacation rentals, particularly from families with children. Many visitors prefer the convenience and comfort of a home-like setting, complete with kitchen facilities and extra bathrooms, which traditional hotels often lack. Our large house provides an ideal accommodation option for such families, offering them the space and amenities they desire for a memorable vacation experience.

Maintaining a high standard for our short-term rental property requires frequent cleaning and meticulous outdoor maintenance, which we willingly undertake to uphold the integrity of our neighborhood and contribute to the overall appeal of our community. Additionally, the influx of tourists brought about by short-term rentals generates economic activity and creates employment opportunities, benefiting local businesses and residents alike.

Furthermore, in light of the housing shortage exacerbated by recent fires, allowing homeowners to rent out vacation properties presents a viable solution to address the shortage of short-term housing options. As responsible homeowners, we are committed to complying with all regulatory requirements and paying the necessary taxes associated with short-term rentals.

Please keep us updated regarding the results of the hearing.

Best Regards,

Anna

HB-1838-SD-1

Submitted on: 3/27/2024 3:28:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rick & Nancy McMahon	Individual	Oppose	Written Testimony Only

Comments:

Short term rentals should be an available option for an occupied homeowner/resident and as an alternative for visitors to the islands. However, Non-resident/investors should NOT be allowed to rent short term as they add to a shortage of available rentals and contribute to escalating property market values. The notion the TVU's cause homelessness is unfounded and ill gotten. Local homeowners and families have to rely on subsidizing their limited or lost income due to retirements, divorces, unemployment, medical expenses, emergencies AND the highest cost of living in the country. We believe vacation rentals should be permitted, regulated and taxed BUT not eliminated nor phased out completely. What world do proponents of this bill live in? Have they not traveled off island? You can go almost anywhere and enjoy staying in an ABNB or VRBO, notwithstanding the big hotel companies like Marriott and Hilton offering home stays worldwide and NOT all in resort zoned areas. The state legislature and city officials need to see the compromise that serves ALL of the constituents of the state not just those that lobby with the deepest pockets and cater to those that stomp their feet the loudest. There is room and money to serve all the interests of the people of Hawaii. We live in a state heavily reliant upon tourism where residents, the city and state can coexist and benefit from this vitally significant economic cottage industry the rest of the world has embraced, reckoned with and found financial and cultural compromises. The state has a financial responsibility to make it work, make it right and make it fair so that residents and visitors alike can show ALOHA

HB-1838-SD-1

Submitted on: 3/27/2024 3:32:38 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
McMichael Simmy	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

I would like to oppose HB 1838, HD2, SDI which would expand the zoning powers to allow counties to phaseout transient accomodations in residential zones. I have had my rental for years now. I've paid the transient taxes, long before all the rules on the Big Island. Having a second home, the taxes are enormous. I rented my home for long term rental for over 10 years. But, my property taxes went from \$400 a year, to now close to \$10,000.00 a year. Insurance has risen way up.

When I purchased my second home, there was never an intent to sell and it was to pass the land to my ohana, moopuna. Local families here on the Big Island are stuggling to make ends meet, and not loose their properties.

We have a shortage of affordable housing, and its because the affordable credits of the developers were stolen,Ten million dollars by the County worker and attorneys. Many developers are not required to contribute to affordable. Our Tat Taxes are unfair to go to Oahu rail. We should have our taxes stay here on the Big Island. We need the funds for infrastructures. Water wells here in Kona we have 13 and only 9 are operating. The electric company is now having problems as we speak. Cesspools are way too many along our ocean front. Wastewater sewer is in need of update our ocean is being polluted. We need a new hospital, and widening of our Kuakini Hwy. We have right now no evacuation plan along Ali'i drive for any Tsunami, Fire, or Big Wave.

Please allow vacation rentals in residential. I'm Local born in the Territory of Hawaii.

We Kupuna's need all the Kokua and need the income just to hold on to our A'ina!

Mahalo,

Simmy McMichael

Subject: Testimony Opposing HB 1838, HD2, SD1

Aloha Honorable Members of the Hawai'i Senate Committee on Ways and Means and the Hawai'i Senate Committee on Judiciary,

I am writing to express my strong opposition to HB 1838, HD2, SD1, scheduled for a joint hearing on Thursday, March 28, at 9:45 AM HST. As a resident and vacation rental owner in Hawaii, the proposed expansion of zoning powers to amortize or phase out transient accommodations in residential and agricultural zones directly impacts my family's livelihood and the economic fabric of our community.

1. **Personal Impact:** Our vacation rental is not merely a business; it is a means of survival. It has enabled us to maintain our home in the face of Hawaii's high cost of living and provide for our family. The income from our vacation rental supports local businesses and contributes to the state's tax revenue. Phasing out transient accommodations in areas like ours would not only jeopardize our family's financial security but also diminish the diversity of accommodation options that are vital to Hawaii's tourism-driven economy.
2. **Economic Implications:** The proposed changes under HB 1838, HD2, SD1, could have far-reaching negative impacts on Hawaii's economy. Vacation rentals play a critical role in accommodating the influx of tourists, who in turn support local businesses, from restaurants to retail. Restricting these accommodations could lead to a decrease in tourism, affecting jobs and state revenues generated from tourism-related taxes.
3. **Community and Agricultural Zones:** Many vacation rentals in agricultural zones, like ours, are operated responsibly, ensuring that they do not detract from the agricultural value of the land. Instead, they provide a means for landowners to sustain their property and contribute to local agriculture. Phasing out transient accommodations in these areas without considering the positive aspects of such arrangements overlooks the potential for coexistence and mutual benefit.
4. **Proposed Solutions:** Rather than a broad phase-out, I propose a more nuanced approach that includes:
 - Implementing stricter regulations and oversight to ensure vacation rentals operate within community standards without harming residential or agricultural values.
 - Establishing a certification process for responsible vacation rental operations that contribute positively to the community and economy.
 - Considering exceptions for owners who depend on rental income for their livelihood, especially in areas where such accommodations do not conflict with local community goals.

In conclusion, while I understand the concerns that HB 1838, HD2, SD1, aims to address, I urge you to consider the significant adverse effects this bill could have on families like mine and on Hawaii's economy. I believe that with thoughtful regulation and community engagement, we can find a balanced solution that preserves the interests of all stakeholders.

Thank you for considering my testimony on this critical issue. I am committed to working with the community and lawmakers to ensure a sustainable and prosperous future for Hawaii.

Sincerely,

Christopher Sibel

11-3334 Hibiscus St
Mountain View, HI 96771

808-960-0059

HB-1838-SD-1

Submitted on: 3/27/2024 4:03:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Llorens	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern:

As a owner of a STR in Waikiki/Honolulu I would like to state the financial impact that eliminating STRS would create on the local businesses and local working class citizens. My spend alone averages between \$5k-\$10K with local businesses: pest control, HVAC, laundry services, plumbers, electricians, painters, property managers, etc. Multiply my spend times 1,000 + would have a severe negative impact on the local working class.

CHILDREN ARE ONLY SPECIAL INTEREST

Stephen West stephenwwest@icloud.com (808) 856 6687

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Testimony in Support of HB1838

I am writing to express my support for House Bill 1838 and to provide testimony regarding the urgent need to address the issue of transit vacation rentals in our counties.

It has become increasingly evident that the proliferation of transit vacation rentals has had a detrimental impact on our local communities. The influx of these rentals has led to a severe housing shortage for local families, leaving them with no other alternative but to move off the island.

This has had a significant negative impact on the social fabric and economic stability of our close-knit communities.

House Bill 1838 is a crucial step towards ensuring that our neighborhoods remain vibrant and sustainable for local residents. By allowing counties to designate areas for residential use only & prohibiting transit vacation rentals in residential areas, we can protect the integrity and character of our communities, as well as alleviate the housing shortage for our local families and possibly allow our children to stay home instead of being forced to move away from paradise by the influx of tourists in our neighborhoods.

By confining transit vacation rentals to designated resort areas, we can strike a balance between supporting the tourism industry and preserving the availability of housing for our local residents.

In conclusion, I strongly support House Bill 1838 and its provisions to address the housing shortage caused by transit vacation rentals. We must prioritize the needs of our local families and ensure that residential areas are reserved for their exclusive use. By enacting this bill, we can create a more balanced and sustainable housing market for our communities.

Thank you for your Vote in Support of Hawaii Working Families.

Stephen West

HB-1838-SD-1

Submitted on: 3/27/2024 4:05:22 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Travis Christian Palmer	Individual	Oppose	Written Testimony Only

Comments:

I am a local resident who has purchased this home in a resort zone and City Counsel just can change without the resort zoned areas. If this is so, then the Hotels should not be able to rent rooms out nightly. I completely oppose this bill.

HB-1838-SD-1

Submitted on: 3/27/2024 6:16:21 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Burns	Individual	Comments	Written Testimony Only

Comments:

I am opposed to this Bill as it unfairly will take away the consitutional rights of homeowners in Maui.

Short term transient rental owners generate and pay an amazingly high amount of tax revenue to the Hawaii state and Maui county economy through extremely high property tax rates and transient accommodations taxes. Additionally, visitors contribute additional revenue to the many businesses still operating in West Maui.

This bill is *not the responsible pathway* to providing housing to the many people displaced by the wildfire in Maui last August.

Unfortunately, the state government does not appear to even be able to execute efficiently on the transition of those units provided for the long-term leasing program. This bill will not provide an appreciable amount of new longer-term housing for the displaced population.

Sincerely,

Christopher Burns

HB-1838-SD-1

Submitted on: 3/27/2024 4:20:00 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dori Alpert	Individual	Oppose	Written Testimony Only

Comments:

I am a visitor returning yearly to a condo located in a resort that functions legally.

I rent condos instead of staying in a hotel because condos offer kitchens and enough space for my family of four. To get the same space at a hotel, I would need to book multiple rooms, or very large units, at a much costlier price.

I pay 18% GET/TAT Taxes when I book and spend money at local restaurants and activities.

HB-1838-SD-1

Submitted on: 3/27/2024 4:20:24 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Gresham	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please do not pass HB 1838, HD2, or SD1 to phaseout Transient accommodations in Maui! This will affect the economy of the whole island negatively! This island has suffered enough!

Mahalo, Diane Gresham 

HB-1838-SD-1

Submitted on: 3/27/2024 4:22:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
ronald glogovsky	Individual	Oppose	Written Testimony Only

Comments:

I am an owner of a home in Waikoloa Village. My children live there. As a result of my divorce I was forced to take a job on the mainland. In a way to maintain relationships with my children and maintain normalcy I wanted to keep my home. The ONLY way I could afford to do that is to rent short term. This is because I come back every month to visit my children. If you ban short term nonconforming rentals, I will be forced to sell my 3 bedroom home and this would not be able to maintain the same quality of life for my children.

i urge you to please vote no and allow us to keep our rental going. A yes vote will be horribly detrimental to my children as well as cause my tremendous financial loss due to the excessive taxes I would endure. This home is the only asset I have left and is my only retirement savings.

thank you for your consideration in voting no.

Ron.

HB-1838-SD-1

Submitted on: 3/27/2024 4:26:37 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
kathleen benson	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the House Committee on Judiciary & Hawaiian Affairs,

I am writing to express my strong opposition to House Bill 1838. As a part-time resident of Kapalua, Maui, I have owned my condo since 1989, and the ability to use it as a short-term rental has been essential in maintaining it and providing for my family. The passage of HB 1838 would significantly impact my ability to continue renting out my property, jeopardizing my livelihood and the financial stability of my family.

This bill unfairly targets single family residential properties, which are often the best-suited for short-term or temporary housing. By allowing counties to phase out short-term use in these properties, HB 1838 would not only decrease the value of my property but also create uncertainty for investors and builders. Moreover, the retroactive nature of this bill sets a precedent for taking away property rights and revoking non-conforming uses, which would have devastating effects on the industry and the local community as a whole.

The potential impact of this bill on individuals like myself, who rely on short-term rentals as a source of income, cannot be overstated. The tourism industry is the backbone of Hawaii's economy, and for many residents, including myself, it is the sole industry through which we can make a living. HB 1838, with its restrictive measures, creates insurmountable challenges for ordinary citizens to engage in this vital industry, putting our ability to pay mortgages and provide for our families at risk.

I implore the committee to reconsider the ramifications of HB 1838 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 on this important matter.

Sincerely, Kathleen Benson

HB-1838-SD-1

Submitted on: 3/27/2024 4:40:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Brashear	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 because the counties will eliminate monthly rentals which are an important part of our housing inventory and my livelihood. We provide a way to support tourists visiting the islands and supporting local business owners instead of spending money with large multi-national corporations. Please defer this bill until the these types of unintended consequences are properly evaluated.

-Chris Brashear

Kailua-Kona

HB-1838-SD-1

Submitted on: 3/27/2024 4:46:47 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Bollinger	Individual	Oppose	Written Testimony Only

Comments:

I rent condos instead of staying in a hotel because condos are more affordable and offer kitchens to prepare meals for my family.
I pay 18% GET/TAT Taxes when I book
I love this island and want to support its recovery

HB-1838-SD-1

Submitted on: 3/27/2024 4:49:12 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
kelly hopkins	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs and Madame,

My name is Kelly Hopkins and I own property on the beautiful island of Kauai. My family and I spend about 8 -12 weeks a year with the plan being to live 6 months a year in upcoming years. We rent our unit out - for short term rental for the rest of our time. We employ 3 cleaning ladies, 1 handyman, 1 property manager. WE promote our guests to support small business on Kauai, support restaurants, shops and also recreation tours and to follow local customs. We pay thousands of dollars every month to the county of Kauai. I do not feel that eliminating short term rental will do anything but hurt Kauai.

I know that during the pandemic and even after, all of the people working for us struggled because they had no business. Restaurants closed, stores closed and life was hard because there were no tourists to support your businesses. The county was short because they did not have those taxes that everyone became accustomed to in years past. Who did this hurt?/ The people of Kauai. The exact same thing will occur if you shut down short term rental. The communities of Kauai depend on tourists to support their families from the dollars the tourists bring with them. Without these tourists coming, more people will leave kauai because they can not afford to stay without work. If you think lots of businesses were lost during covid, wait till they are lost for good from a sudden and permanent loss of tourism dollars.

You say that the short term rental takes away from housing. My unit was up for sale for over a year with no offers. the HOA fees on my unit and many others are over \$2,000 per month. The locals do not want to pay this in HOA fees. Why not build more homes that are only eligible for people working full time on island. Why not require more apartment rentals like were put in the North Shore of Kauai. the answer is not to cut off the major source of income from the island. I can understand not allowing more or offering "resort areas" that are only allowed to have short term rental. This I understand. I do not agree at all with full elimination.

Thank you,

Kelly Hopkins

HB-1838-SD-1

Submitted on: 3/27/2024 4:54:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine J Smart	Individual	Oppose	Written Testimony Only

Comments:

I have been returning to a beloved condo located in a resort that functions legally. I love the coziness and comfort a condo affords that hotel rooms do not supply. The available kitchen makes it easy to cook special meals and provides the stores with income. I pay 18% GET/TAT Taxes when I book and am very happy to do that when it provides me with the comforts of home, My visits to the island provides income to restaurants, grocery stores, shopping, state parks and excursions. Without the availability of condo rentals I will have to find a more welcoming community to invest my vacation funds in. Please keep the welcoming atmosphere of your island.

Mahalo,

Catherine Smart

HB-1838-SD-1

Submitted on: 3/27/2024 4:54:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise & William Michels	Individual	Oppose	Written Testimony Only

Comments:

William and Denise Michels, owners of B101 Papakea resort. Thank you for the opportunity to testify.

We **OPPOSE** HB 1838 for the following reasons:

Papakea is an ocean-front property, completed in 1978 and consists of 364 individual condominiums. It was initially marketed and sold as vacation rental property. The majority of units are under 600 square feet and the property has limited parking, no outdoor storage, and minimal personal storage. Papakea has never been workforce housing so it is not an example of a property that converted from workforce housing to transient vacation rental use. It is located directly adjacent to a long stretch of hotel zoned properties and commercial properties.

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. All businesses that suffered greatly during covid when there were no tourism. We source all our 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. I would not have need of housekeepers, maintenance personnel, on island agent.

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's resort operations require extensive maintenance which makes the month maintenance dues very high, compared to properties designed for long term housing with lower maintenance dues. Unsubsidized long term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. We regularly support a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical and tree trimming. We use an on island agent (My Perfect Stays) which is providing employment for booking agents, housekeepers, handymen. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

Papakea guests support many small businesses on the island including 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 Tax, and Maui Transient Accommodations Tax.

For the reasons stated herein we OPPOSE HB 1838 and urge the committee to defer it.

Respectfully submitted,

William & Denise Michels

Owner B101

Papakea Resort

HB-1838-SD-1

Submitted on: 3/27/2024 4:58:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Wu	Individual	Oppose	Written Testimony Only

Comments:

As a STVR owner in Pahoā, I oppose this bill for the following reasons:

- 1) I need the additional STVR rental income to survive;
- 2) I create local employment by hiring housekeeping, gardener, handyman, etc.
- 3) Eliminating STVRs will have a damaging effect on tourism and thus the local economy.

HB-1838-SD-1

Submitted on: 3/27/2024 5:26:02 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Thompson	Individual	Oppose	Written Testimony Only

Comments:

Regular visitor to condos located in a resort that functions legally. I prefer to rent condos instead of staying in a hotel because condos are more affordable and offer kitchens.

I pay 18% GET/TAT Taxes when I book, happily. And I gladly spend money local from sunrise to sunset. Please do not make Maui a resident/owner only destination. Hotels will price the middle class out of their vacations.

HB-1838-SD-1

Submitted on: 3/27/2024 5:35:33 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew and Bryn Witherspoon	Individual	Oppose	Written Testimony Only

Comments:

Aloha State of Hawaii

I have been a full time resident of the state of Hawaii for 20yrs and have owned a short term vacation rental in waikoloa villlage for nearly 15years. I collect and pay all of my taxes, have all of the required permits for both the state and the county and maintain a beautiful property. I have many paid contractors and gig workers who help me and they rely on this property for their livelihood as do I. I have great full time neighbors who all are my friends and I have never had a complaint. This property also has over 100 positive reviews, most of them being 5 star.

I am apposed to Bill HB 1838, HD2, SD1 as it will harm me and my ability to support my family, my contractors and gig workers livelihood and remove the many thousands of dollars I collect and pay in state and local taxes annually.

I support the current system we have in place for short term vacation rentals but do not support the changing of an agreement I thought was already established law and agreed upon by all.

Please vote no on HB 1838, HD2, SD1

Mahalo nui loa

Andy Witherspoon

808-989-8305

Hi,

I am what many of you hate most, a mainland homeowner who legally vacation rents his home out. I own a home on the water on the Big Island. We have a business on the mainland and can only live part time here in Hawaii. Maybe It would be better if I was like my neighbor to the left of us, he does not rent his home to vacationers. He just visits his Hawaiian home when he can, he also lives on mainland, but he can afford his home without renting it out. We cannot.

Or maybe it would be better to be like my neighbor to the right, she is a native Hawaiian who owns a three-unit apartment. She kicked out her renters except one and has had the place up for sale for three years, leaving two apartments vacant. All three were vacant for two years. Till the homeless started squatting in her yard. And she had to have a renter to keep them out.

There seems to be a mistaken belief that getting rid of the Vacation rentals will solve the affordable housing shortage, Harvard recently did a study that proved that does not work. I suggest all of you politicians read it instead of getting out the pitchforks and torches and going after vacation rental owner's legal rights.

What Does Banning Short-Term Rentals Really Accomplish?

<https://hbr.org/2024/02/what-does-banning-short-term-rentals-really-accomplish>

I heard a Hawaiian politician recently say, that homes in Hawaii went up in price over \$500,000 during the pandemic, and he blamed Vacation Rentals. They are banned where we live in California and homes went up even more than that here. Maybe cancer is caused by the evil Vacation rentals too. The Governor uses expletives to describe them. They have become a scapegoat for every problem.

We donated a lot of money to help victims of the fire in Maui, I wept when I heard the news, however... attempting to force people to rent month to month to help these poor victims is fascist and un-American. Encourage, yes.

I cleared drains for a living for 13 years till I could buy a boat that I lived on while I used it for charters and built up my whale watching business in California from scratch. My wife and I eventually saved up and bought a dream home in Hawaii. But the vibe we get from the government and some locals is go home. Choke Howlies, is a bumper sticker I have seen. Aloha spirit is in embers. I hope it will come back. Some still have it thank God.

If we decide to leave. It will not help anyone needing a rental home. The insurance alone on our house is more than anyone would want to pay, for affordable rent. No, if we leave and sell our place and stop coming to Hawaii because of the bad vibes and Aloha gone spirit... some rich person who can afford to own it, will buy, and likely it will be another mainlander. And the house will sit empty much of the year and all the families who currently enjoy our home and spend hundreds of thousands of dollars at local restaurants and whale watching and fishing and luaus

etc., will not stay at a hotel because they don't like it. They will just go elsewhere if all the Vacation rentals are banned eventually because you gave the counties this power. Thank you.

Warmest regards,

David Anderson

HB-1838-SD-1

Submitted on: 3/27/2024 5:43:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger Wayne Miller	Individual	Oppose	Written Testimony Only

Comments:

I am a resident of Texas but have spent much time on the north shore of Kauai and have owned, in the past, three condos, with partners, in Princeville, which I short term rented. Once I was able to seel my business, I purchased a home, 2999 Kaohe Lane, Kiluea, Hawaii, which had a grandfathered transient vacation rental license. I would not have been able to purchase the home but for the rental income and have meticulously maintained the license and paid all of the appropriate, related taxes. I have also been very careful to introduce myself to all neighbors to assure that no issues would arise to their detriment to my rental efforts and stand ready to address should they arise, which they have not. Having the rental income assures me of the ability to continue to service my mortgage, pay the required taxes and insurance, as well as the maintenance on the home, as well as having the opportunity to stay in the home, myself, with my family, for several weeks per year. Taking away my ability to do so would seem like a taking that would be untenable. I would not consider long term renting the property as I and my family look forward each year to staying at the home. I can understand that there might not be any new TVR;s allocated but to take something that was in place and formed a basis for my purchase of the property cannot be justified. I have done nothing but comply with all rules and regulations.

Thank you for the opportunity to submit my written testimony and appreciate your consideration.

Roger Miller 915 502-4860

Aloha,

I am born and raised in Hawaii and I am 65 years old and lived in Hawaii for all those years.

I own and operate a vacation rental on the Big Island of Hawaii for extra income. Without this income I wouldn't be able to survive in Hawaii and would end up homeless.

I run a very clean and informative rental.

I have a 9.8 on one site and the others I have the highest rating for cleanliness. I live next door to my vacation rental and I am always available for the guests. My cell number is on the flyer for the guests to contact me.

I have had no incidents with any of my guests that stayed at my rental or any of my neighbors about my rental.

I educate my guests about Hawaii's wildlife (dos and don'ts) and have a flyer in the home. To keep Hawaii's wild life alone and to only take pictures from a distance. I do not condone any guest that violates Hawaii's wild life.

I have brochures in the home for guests for touring the Big Island and a restaurant list in another flyer.

My rental is no different than a hotel room but it is more private and safer for my guests than a hotel. Since I started renting my place to short term renters. I have been legal with Hawaii county and state tax depts. And paid all my GE and TAT taxes as required by the county. I was never illegal or late with my tax payments.

I bring extra income to Hawaii county.

I don't understand, I thought that I can do whatever I want with my property as long as there is nothing illegal or causing harm to people, which I won't allow that.

I complied with all the county rules and regulations that they asked of me so why am I getting punished by the county for illegal rentals which I am not or never was.

I been a law-abiding citizen but I feel like I am a criminal because I am renting short Term.

I do short term because when my family and friends want to visit the Big Island, they will have a place to stay and not pay the high hotel rates.

I am against illegal rentals and each site should post the tax license for each property so the counties can look at the listings and see which do not have a GE & TAT tax license.

I have a GE and TAT tax license for Hawaii county and it is still valid.

What is the harm to give people a nice, memorable and safe vacation to Hawaii so they will return, I have had several return guests and they love my rental.

I pride myself to give guests the best experience while they are here.

My property tax increased from \$1700 to \$2100 and it going up again this 2024 year.

I feel the legal vacation renter owners are being targeted because our State and county is unable to find and shut down illegal vacation rentals. State and county should go after the illegal rentals and not punish us legal owners.

Please do not pass this bill, you will hurt a lot of people that depends on the income.

Thank you,

Clayton Souza

cbshawaii@gmail.com

HB-1838-SD-1

Submitted on: 3/27/2024 6:01:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tiana Duvauchelle	Individual	Oppose	Written Testimony Only

Comments:

Testimony Opposing HB 1838

Honorable Members of the Legislative Committee,

I stand before you today to vehemently oppose the passage of HB 1838, a bill that threatens the very fabric of our community here on the island of Molokai. As a resident deeply invested in the well-being of our island, I implore you to consider the grave consequences this bill would inflict upon our families, our economy, and our way of life.

Molokai is unlike any other island in our beautiful state, with limited accommodations and resources available to both residents and visitors alike. With only one hotel servicing our entire community, short-term rentals have been a vital lifeline for families in need of temporary housing. These rentals provide sanctuary for those facing emergencies, domestic violence, hospital stays, or simply welcoming loved ones from outer island or even mainland family during times of need.

HB 1838 threatens to strip away this essential resource, leaving our families with nowhere to turn in times of crisis. The removal of short-term rental options has already created a dire shortage in accommodations, forcing families into untenable situations and exacerbating the strain on our already fragile economy.

Furthermore, the homes that have been removed from our short-term rental pool have not been repurposed to serve our community; instead, they have been sold to multi-millionaires, sitting vacant and inaccessible to those who need them most. This loss not only robs our economy of much-needed revenue but also deprives families of the opportunity to gather and connect in a meaningful way.

As proud residents of Molokai, we cannot stand idly by and watch as this bill dismantles the very foundation of our community. We urge you to consider the unique circumstances of our island and the devastating impact HB 1838 would have on our way of life. Please, do not let this bill pass. Our families, our economy, and our future depend on your decision.

Thank you for your time and consideration.

Sincerely,

Tiana Duvauchelle

808.658.5157

HB-1838-SD-1

Submitted on: 3/27/2024 6:06:14 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Caplan	Individual	Oppose	Written Testimony Only

Comments:

HB1838 - 2024

Committee on Judiciary and Hawaiian Affairs

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-SD-1

Submitted on: 3/27/2024 6:15:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dan Dudden	Individual	Oppose	Written Testimony Only

Comments:

Thank you for reading my testimony. For decades, the 30-day rental period has served Hawaii well. Military families, off-island visitors, and displaced local families have benefited from being able to rent temporary housing. Why is it urgent to allow counties to change that? I offer the legislature is acting emotionally, not logically.

If there is a housing shortage, spread up the permitting processes. Families on Maui need to be able to rebuild. Forcing them into someone's condo doesn't solve the underlying problem.

Oppose HB1838. Fix the permitting process!

Thank you

HB-1838-SD-1

Submitted on: 3/27/2024 6:43:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emi Palmer	Individual	Oppose	Written Testimony Only

Comments:

I believe this is unfair to the resort zoned areas that were established and locals who own in this area that are being effected. It seems like the big corporations once again are taking things away from the locals. Hilton, Marriott, Hyatt are all allowed to make money off the tourism trade, but the locals are not. I feel that by passing this bill you are simply taking more away from the individuals that have worked hard to maintain and live in Hawaii.

HB-1838-SD-1

Submitted on: 3/27/2024 6:50:06 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Janet Curtis. I am local born and raised in Hawaii, My husband and I stay in a short term rental because it is affordable for to visit our grandchildren who live in other Islands for 3-6 times a year for days and weeks at a time. Our Ohana who live on other Islands either have samll homes or are renting and cannot accomodate us. Styng in Hotels or in resorts are too costly and is out of reach for us. If there is no more vacation rentals we will have no choice but to visit less and only go out to see them once a year if we could afford it.

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 and my Ohana greatly, 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.

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

Mahalo for your for your time.

Timand Janet Curtis

HB-1838-SD-1

Submitted on: 3/27/2024 6:51:19 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Audrey Wang	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this very bad bill. This would be very harmful to us local citizens that depend on vacation rental income to pay our own mortgages and very high Hawaii taxes. It would hurt everyone else as they would have less income with less tourists and less traveling nurses.

HB-1838-SD-1

Submitted on: 3/27/2024 6:56:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I am a returning visitor to a condo located in a resort that functions legally.

I rent condos instead of staying in a hotel because condos are more affordable and offer kitchens to prepare meals for my family.

I pay 18% GET/TAT Taxes when I book.

I spend money on local restaurants, activities, shopping, excursions, State Parks, and museums. Passage of this bill would cause me to vacation elsewhere and spend my money elsewhere. Please do not pass this legislation.

HB-1838-SD-1

Submitted on: 3/27/2024 7:23:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Greenman	Individual	Oppose	Written Testimony Only

Comments:

My wife and I have been coming to MAUI since 1991. Since 2014 I have been bringing my family so there are 7 of us. In that 10years I have spent a half a million dollars on MAUI. I have been renting a Vrbo house for the seven of us. A hotel will not work for us. We stay for 30 days mostly in March and April. If you ban short term rentals we will not be back after 33 years. Further more cancelling the properties we rent will not solve your housing problem because the people you are representing can not afford them. But if you do not want us, we will go some where else.

Thomas Greenman

HB-1838-SD-1

Submitted on: 3/27/2024 7:33:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
ALEXANDER KAMINER	Individual	Oppose	Written Testimony Only

Comments:

Aloha kakou,

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?

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?

The STR's provide me with a livable wage with which I can sustain my family. We're too Lahaina survivors and were it not for the STR's that were offered to us for free, then where would we go? Where would the entire island go? Leave? Again?

This bill is absolutely redicilous. While the STR's which are legally zoned provide work and temporary housing and income, the affordable housing program has been lacking for years. Why don't you concentrate on that. Build more. Zone appropriately and don't punish private property owners for working hard for years to provide accomodations for the tourists who are in fact supporting most of the island.

I strongly appose this bill!! Make it go away!!!

Mahalo,

Alexander Kaminer

HB-1838-SD-1

Submitted on: 3/27/2024 7:38:29 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Roberts	Individual	Oppose	Written Testimony Only

Comments:

- **If this Bill passes, there will be no more month-to-month rentals in Hawaii.** This Bill will create another type of housing crisis for those that cannot qualify for a long-term rental or need temporary furnished housing.
- 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 volcano eruption, water pollution emergencies and fires on several islands have displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

HB-1838-SD-1

Submitted on: 3/27/2024 8:16:32 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Suzanne Sternlicht	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I respectfully submit my testimony against HB1838. This feels like government overreach, an assault against personal property rights. Understanding the severe housing shortage here on the island, I don't know how causing the employees of these vacation rentals to lose their jobs won't do anything but increase the population of homeless, myself included.

The government has to provide low cost housing for the population not put the burden on individuals

Mahalo

HB-1838-SD-1

Submitted on: 3/27/2024 9:08:52 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

HB-1838-SD-1

Submitted on: 3/27/2024 9:10:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Akamu	Individual	Support	Written Testimony Only

Comments:

Yes

HB-1838-SD-1

Submitted on: 3/27/2024 9:10:45 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Blossom Jean FLORES	Individual	Support	Written Testimony Only

Comments:

I AM A LAHAINA RESIDENT & SURVIVOR COMPLETELY IN SUPPORT OF HB1838!

SINCERELY,

BLOSSOM FLORES

HB-1838-SD-1

Submitted on: 3/27/2024 9:11:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I am in support of HB1838 to regulate short term housing on Maui. Our Lāhainā Ohana and all of the people of Maui deserve dignified and affordable housing in the areas they choose rather than be pushed out to undesirable areas that they have no ties to.

please vote in favor

mahalo,

Nicki Tedesco

HB-1838-SD-1

Submitted on: 3/27/2024 9:12:42 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rowan Adara	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Rowan Adara

HB-1838-SD-1

Submitted on: 3/27/2024 9:13:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

mahalo,

Amy

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:16 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Isikeli Tafea	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Isikeli Tafea

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Clint Kahahane	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Clint Kahahane

HB-1838-SD-1

Submitted on: 3/27/2024 9:14:57 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Arreguin	Individual	Oppose	Written Testimony Only

Comments:

Thank you so much for reviewing my testimony and that of other concerned citizens as you consider SB1838. My wife and I live on Kauai with our two young daughters. We have 5 legal and licensed TVR (short term vacation rentals). We live in one of the units and rent out the remaining 4 to respectful guests who we help introduce to the community and local small businesses. They bring economic resources into the community that many depend on and leave with an understanding of pono and respect for the land, history, culture and people.

There are about 200 licensed TVR rentals on the island of Kauai and we're so proud to live in and operate as a family business. Removing licensed TVRs in Kauai would not only hurt tax revenue that we pay to the county and state, it would take away revenue from local businesses and employees that rely on this tourism revenue.. and it would mean my family and I would not be able to afford our home as this is our family business. While I understand that future short term vacation rentals are always a consideration please do not change the current legal and licensed TVR program in Kauai as this would be financially devastating for my family and we would lose our home. Thank you for reading and have a great week

HB-1838-SD-1

Submitted on: 3/27/2024 9:19:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Eve Hogan	Individual	Oppose	Written Testimony Only

Comments:

My name is Eve Hogan and I am testifying against bill SB2919

My husband and I have been contributing members of the community on Maui for decades. I taught school here and run a non-profit and we were both self-employed with our own businesses until COVID.

We are both in our 60's. I am a cancer survivor. My husband has heart challenges.

Our LEGAL vacation rentals is now our primary income to see us through our senior years.

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 allow the County's to stop the 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 Hawaii's reputation in the already shaky travel industry due to cancellations.

A loss of Trust in Hawaii'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 LOSE LOSE LOSE with no winners. This isn't just my opinion, we saw these results during former Maui Mayor Charmaine Tavares attack on Strs, we saw the devastation during COVID and again in the immediate aftermath of the fires.

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 Hawaii can't enforce the already existing Laws, creating new ones that target legal business owners is clearly not the solution.

Thank you. Eve Hogan 808-280-5294

HB-1838-SD-1

Submitted on: 3/27/2024 9:21:41 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lori Ann Koyama	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Housing was a crisis before August 8 with home prices soaring over the past few years due to STRs. It took a fire destroying my home town, a fire destroying my house, destroying every memory I had growing up to see just how serious our housing crisis is. We will not have anyone left in Lahaina to keep it Lahaina if STR are allowed to continue.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Lori Ann Koyama

HB-1838-SD-1

Submitted on: 3/27/2024 9:27:34 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jody Ellis	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I feel that removing all of the legal short term rentals would hurt the economy of our small rural areas of East Maui. The renters are the ones that help support the food trucks, gift stores and grocery stores. They also provide a place for local families to have their Ohana come and visit them, travelers to enjoy the area and spend their dollars locally and jobs for the service of these homes. The house keepers, yard workers, and maintenance workers would all suffer for much needed work. There are not a lot of economic opportunities in this area for people to find work. After Covid, the Lahaina fire and the shut down of tourism, it has been a challenge for businesses to stay a float. Vacation Rentals generate a large amount of income for the state through the GE and TA taxes that are collected.

Thank you for allowing people to testify.

Sincerely,

Jody Ellis

HB-1838-SD-1

Submitted on: 3/27/2024 9:29:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
michelle Herrin	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-1838-SD-1

Submitted on: 3/27/2024 9:29:24 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

We live on Molokai. We are not a wealthy community. We only have 5 small condos on the entire island. Job opportunities on Molokai are very scarce forcing many local families to leave island looking for work or survive on section 8 housing vouchers and food assistance programs. Many of our friends and relatives work at these condos as contractors, cleaners, managers, landscapers and many other jobs. Eliminating the ability to short term rent these condos will be devastating to our small and fragile economy and could eliminate many of these jobs.

We only have one very small hotel on island. This hotel cannot sustain the amount of local families and their Ohana that come to visit regularly. Our condos also house the large amount of temporary school teachers, traveling nurses and doctors, contractors and other needed personal to keep our island healthy.

Please do not take away our ability to short term rent on Molokai! We have tons of regular vacancy in these units. They are not big money investments for mainlanders. Most owners lose money w a mortgage and HOA dues that continue to grow to unaffordable levels due to high insurance costs.

This bill could cripple our small economy! Please do not let this bill hurt Molokai!

Mahalo!

HB-1838-SD-1

Submitted on: 3/27/2024 9:29:38 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Lindsay Ranieri

HB-1838-SD-1

Submitted on: 3/27/2024 9:30:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Vinayak Vinayak	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and your commitment to our well-being.

Sincerely,

Dr. Vinayak

HB-1838-SD-1

Submitted on: 3/27/2024 9:30:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

[Ravi Bugga

Lahaina

HB-1838-SD-1

Submitted on: 3/27/2024 9:31:31 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Helena Chow	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Best,

Helena Chow

HB-1838-SD-1

Submitted on: 3/27/2024 9:33:38 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Roshelle Butihi	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Roshelle Butihi

HB-1838-SD-1

Submitted on: 3/27/2024 9:35:27 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Merritt Kaufman	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Merritt Kaufman

HB-1838-SD-1

Submitted on: 3/27/2024 9:35:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Richard Ho

HB-1838-SD-1

Submitted on: 3/27/2024 9:36:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kimberly Howard	Individual	Support	Written Testimony Only

Comments:

Take Action to Restore our Residential Neighborhoods and Return the Single Family Homes to Maui Families.

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB1838 HD2 SD1. Please take action to restore our residential neighborhoods and return the single family homes to Maui families in need. I am not sure on who's watch these homes were allowed to be converted to vacation rentals, but now it is your watch, and you have the opportunity to make things right. A total phase-out of all vacation rentals in residential neighborhoods would have two positive outcomes; 1. It would eventually lead to a market price correction; 2. It would increase housing inventory, returning single family homes to the long term rental inventory.

You will hear stories of "hardship" from the owners of these vacation rentals, however they knew they over paid for these homes. These homes were purchased at well over market price because the buyers knew they could charge visitors \$3,000 per week! This lead to an increase in housing prices, increase in rents, and significantly decreased the housing supply.

You have the opportunity to fix this.

We appreciate you taking action on this.

Mahalo,

Kimberly

HB-1838-SD-1

Submitted on: 3/27/2024 9:37:26 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kehaunani	Individual	Support	Written Testimony Only

Comments:

Aloha

I'm writing in support of bill HB1838 as it's intent is to allow individual counties to choose to phase out short term rental properties as it does not support a healthy community system.

Our communities in Maui are built on the sense of 'ohana. The aloha and affection and connection that is honored and respected in our culture. aloha for our Kuleana to the health of the land, ocean, forests and to each other.

I am a teacher in Maui and we extend ability to become 'ohana as a way of learning and teaching our culture. Short term interest in Maui does not help to build a community rooted in 'ohana.

Mahalo

HB-1838-SD-1

Submitted on: 3/27/2024 9:37:46 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kendell Flavin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely, Kendell flavin

HB-1838-SD-1

Submitted on: 3/27/2024 9:39:45 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Millena buraco	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

*Sincerely,
millenaBuraco*

HB-1838-SD-1

Submitted on: 3/27/2024 9:40:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
jeff rogers	Individual	Support	Written Testimony Only

Comments:

the long term housing crisis can not be solved without limiting short term rentals. i have resided on maui since 1976 and the availability of long term, affordable housing has increased to a point to where middle and low income earners can not find acceptable housing.

HB-1838-SD-1

Submitted on: 3/27/2024 9:43:47 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Bryan Vukelich	Individual	Oppose	Written Testimony Only

Comments:

HI, I am a resident of O'ahu and own my residence but I do not own any investment property here. I strongly oppose this proposed bill as it is simply unconstitutional. All of you were voted in by your constituents to look and out protect their interests. Individual property rights are critical to protect the people of Hawaii.

Secondly and relating to my first point, it is difficult for many citizens to live in Hawaii. I know quite a few of them who rent out property on a nightly, monthly or 1 year basis and this income is extremely important and helpful to them. Do what you were voted into office - to protect the constitutional rights of your constituents and by doing this, you will protect their ability to earn money off their property if that is what they choose to do with it.

Thank you for your time

HB-1838-SD-1

Submitted on: 3/27/2024 9:49:39 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kealahooipoleimaile Cabanilla	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We cannot afford to wait any longer.

Please pass HB1838 HD2 SD1 and help us build a stable future for our community and to keep our people home here on Maui. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Me ka mahalo,

Kealahooipoleimaile Cabanilla

HB-1838-SD-1

Submitted on: 3/27/2024 9:53:59 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorna Holmes	Individual	Support	Written Testimony Only

Comments:

I strongly support HB1838 HD2 SD1. It is a lifeline in the housing crisis, allowing counties to phase out short-term vacation rentals over time.

The need for housing is dire. For instance, over 85% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community.

HB-1838-SD-1

Submitted on: 3/27/2024 9:55:09 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Audrey Kaneshiro	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. It's unbelievable that 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer. The displaced residents of Lahaina need the security of long term housing now.

Please, pass HB1838 HD2 SD1 and help us build a stable future and mental well being for our community. Your support means everything to us.

Mahalo for listening and for your commitment in caring for the generational families and residents of Lahaina.

Audrey Kaneshiro

HB-1838-SD-1

Submitted on: 3/27/2024 9:56:45 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emmalia Dunn	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a crucial lifeline for us, allowing our counties to phase out short-term vacation rentals .

Our housing crisis is dire. If the whopping 87% of homes north of Lahaina are vacation rentals, this will leave our families and friends to struggle to find affordable places to live. If we have no place to live, how would we be able to cater to the overwhelming demand of tourism?!?! It does not take a rocket scientist to figure this out! The recent wildfires that have displaced thousands have only made things worse, forcing so many of Lahaina residents to leave Lahaina, the island and or the state that we all call HOME.

We need action now. Give our counties the power to tackle this crisis head-on. We can't afford to wait any longer.

You **MUST** pass HB1838 HD2 SD1 because its the **RIGHT THING TO DO** - be PONO, and help us build a stable future for our family, friends and Lahui. Your support on this bill means everything to us.

Mahalo for your commitment to our well-being,

Emmalia Dunn

HB-1838-SD-1

Submitted on: 3/27/2024 9:57:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
micah mcdermott	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping **87%** of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

-Micah

HB-1838-SD-1

Submitted on: 3/27/2024 9:58:53 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jamie Silva	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Jamie Silva

HB-1838-SD-1

Submitted on: 3/27/2024 10:05:29 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Hi'ilani Makahanaloa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Me ke aloha,

Hi'ilani Makahanaloa

HB-1838-SD-1

Submitted on: 3/27/2024 10:05:45 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kazuo Flores

HB-1838-SD-1

Submitted on: 3/27/2024 10:06:03 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Hello Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili, O'ahu

HB-1838-SD-1

Submitted on: 3/27/2024 10:07:10 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew barca	Individual	Support	Written Testimony Only

Comments:

My name is Andrew barca I support this bill. This bill will help keep all the short term rental either contained or held accountable. Too long has short rental/ property owner used hawaiian culture as profit. Let's be honest 99% of the owners don't live here, they live off island and use our home for their income. We are not a your here for you. Local people don't use hawaii and a party vacation destination this is our home. You should not be allowed to own multiple properties and not live in Hawaii, tell me what other country can allows that. Canada doesn't newzeland doesn't. So why can other nations own property here raising our taxes our real-estate prices. And what does the majority of the off island property owner give back? Nothing, and if I'm told they Give back in increased taxes then shame on you as the representatives who allowed hawaii to be turned into the Disneyland for the self serving. When I had my first daughter I along with her mom, we rented a place at napili ridge. As a young family we were forced to move out with a 3 month old girl, my daughter haena and her mom moved in with their family on big island because there was nothing available for us in our price range. I worked at dukes and was at that the only one working. Napili ridge is only vacation rentals. This bill is needed to keep hawaiian families in Hawaii. We are from here our families are from here we will live work Give back to this place. I will raise my family here I will be buried here.

HB-1838-SD-1

Submitted on: 3/27/2024 10:07:47 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Billy woods	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill time for real change do it for the people do it for the generations in Hawaii this is all we got we belong here this is OUR islands. Mahalo nui Billy woods

HB-1838-SD-1

Submitted on: 3/27/2024 10:10:08 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Parsons	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is crucial for allowing counties to decide what is best for their communities and phase out short-term vacation rentals over time.*

87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to ensuring the well being of Hawaii communities.

HB-1838-SD-1

Submitted on: 3/27/2024 10:15:24 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Keohokalole, Chair DeCoite, Chair McKelvey, Vice Chair Fukunaga, Vice Chair Wakai, Vice Chair Gabbard and Honorable Members of the Committee

Aloha my name is Eric wahinehookae and I am a native Hawaiian born and raised in Lahaina.

I am writing as a member of the public deeply concerned about the welfare of our communities to express my strong support for HB1838 HD2, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out non-conforming single-family transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to include all housing types, not just single-family dwellings. According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. With the majority of housing left on the West Side of Maui in that area, granting counties the authority to phase out vacation rental uses is a critical policy tool in addressing our housing emergency.

This bill will help our county return many of the vacation rental units in the apartment zone, district back to our full-time residence where they belong.

Sincerely,

Eric Keali'i Wahinehookae

HB-1838-SD-1

Submitted on: 3/27/2024 10:15:24 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Johanna	Individual	Support	Written Testimony Only

Comments:

I am fervently sending this letter to advocate for the expansion of STR zoning in Oahu, Hawaii. As hardworking parents, we work tirelessly each day merely to put food on the table, keep a roof over our heads, and settle our bills. Personally, I juggle two different jobs just to keep pace with the exorbitant cost of living on this island, while my husband also labors, yet the earnings fall short of sufficiency.

In our property we have two vacant private rooms, that can be use for STR accommodations, affording us the means to meet our financial obligations and allowing us to spend precious time with our daughter.

Our residence has sturdy wooden fence and a private parking space within the confines of our yard, ensuring that our guests neither encroach nor inconvenience our neighbors. We inhabit the same premises, maintaining open lines of communication with our guests, rigorously enforcing rules to avoid any disruptions to the neighborhood tranquility. Furthermore, our home exemplifies responsible hosting, accommodating a maximum of four individuals across two rooms, thereby precluding any large-scale gatherings.

In contemplating the expansion of STR regulations, a judicious approach might involve permitting only small family groups on the premises to uphold order. Additionally, provided that parking remains contained within the property boundaries and poses no inconvenience to neighboring residents. The government stands to reap substantial financial gains from regulating these STR. many people are doing it illegal already, because they need money, making the government to loos money. Thank you for your time.

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,
I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time. Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island. We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer. Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us. Mahalo for listening and for your commitment to our well-being. Sincerely,
Vai Kuresa

HB-1838-SD-1

Submitted on: 3/27/2024 10:28:37 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Judith Jarvie	Individual	Support	Written Testimony Only

Comments:

Plz pass this bill in support of the residents of maui who cannot find affordable housing. Knowing that 87% of rentals north of Lahaina is terrible. This island needs to house its own before visitors who do not have a vested interest in the future of maui and it's residents.

clearly the money is the only interest of these landlords

HB-1838-SD-1

Submitted on: 3/27/2024 10:29:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Mariko Higashi

HB-1838-SD-1

Submitted on: 3/27/2024 10:29:43 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Support	Written Testimony Only

Comments:

I strongly support bill #HB1838.

HB-1838-SD-1

Submitted on: 3/27/2024 10:32:01 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Anita Schwalbe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

We have owned and LEGALLY operated short term rental condominiums in Maui for over a decade. When we purchased those properties, we did so with the knowledge (and the County's blessing) that we could operate these properties as short term rentals. SB2919 sd2 allows the county to restrict and/or phase out short term rentals, depriving us of our income source (which is personally, our largest source of income) WITHOUT DUE PROCESS RIGHTS.

In addition, 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 of the state. (Our 3 separate condominium units in Maui, provide \$34,000 in Maui County property taxes for local government, which would be substantially decreased if short term rentals were disallowed.)

In addition, our short term rental business contributed \$29,354 in tax revenue (TAT and GET) to the state of Hawai'i 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. (This does not even include additional money we spend for repairs, maintenance, etc.) 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 Hawai'i/Maui and over \$16000 to local employment. 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 Hawai'i'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 SB2919 has the potential to 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?

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-SD-1

Submitted on: 3/27/2024 10:33:56 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
susan walczak-pol	Individual	Support	Written Testimony Only

Comments:

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

HB-1838-SD-1

Submitted on: 3/27/2024 10:35:52 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sandra Lundborg	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time. Please allow Counties to determine how to regulate the STR industry.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

*Sincerely,
Sandy Lundborg*

HB-1838-SD-1

Submitted on: 3/27/2024 10:37:18 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lionel Ortiz	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Lionel K. Ortiz

HB-1838-SD-1

Submitted on: 3/27/2024 10:42:09 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Roberson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Honorable Members of the Committee,

I strongly support HB 1838 HD2 SD1, which will allow counties to phase out short term vacation rentals over time. I lost my home in the August fires, and have been forced to move away from my community and everything I love because over 85% of the homes north of Lahaina are short term rentals. The housing crisis is exactly that, a crisis! It is urgent that action is taken now, before more locals are forced to move away!

Short term rentals contribute to over-tourism, environmental degradation of our fragile ecosystem, lessens the quality of life in our community, increases trash and waste generation, exacerbates the traffic issues, and puts a toll on our emergency and medical services, and the list goes on. We need to pass this bill and give counties the power to tackle this crisis head on.

We need action now, and you hold the key with this important vote today. I implore you to pass HB1838 HD2 SD1 for the future of our community and the preservation of our aina for generations to come. Thank you for your support.

Sincerely,

Laurie Robertson

HB-1838-SD-1

Submitted on: 3/27/2024 10:43:29 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Edward & Barbara Vallejos	Individual	Oppose	Written Testimony Only

Comments:

We have lived and worked on the island of Kauai all our lives (over 70 years).

We started our little vacation rental on the property that we reside on. We have lived on this property for over 50 years.

We started our vacation rental 15 years ago to supplement our income when we were ready to retire. We both are retired now & are relying on our rental income to make ends meet.

We have followed all the rules and regulations that the county has made regarding vacation rentals & have NEVER missed paying the taxes & fees. By changing the zoning and not allowing us to continue with our TVR would severely affect us and completely take away our quality of life as retirees.

There is a hotel (The Kauai Inn) directly across the street from our property and it is also in our neighborhood. We also know that there are other vacation rentals in this neighborhood. We firmly believe that we should be allowed to continue our TVR, considering that we are on the property every day & have never had any complaints from any of our neighbors.

Please consider the residents like us who rely heavily on the income that this type of rental generates.

HB-1838-SD-1

Submitted on: 3/27/2024 10:44:52 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Rubinstein	Individual	Oppose	Written Testimony Only

Comments:

As you have already read strong testimony from me and many others twice already, with very valid points and yet pass this issue right through, it's clear your minds have already voted before we speak. This really makes one wonder. The diss to the State of funds that Mostly Stay In State, in the millions in taxes and the billions in income that gets paid within our economy, as opposed to the off shore hotel money that leaves the State, one really Must Wonder. Feels like funds moving under ground.

Add to this the fact that people who seek out apartments and home will not become hotel dwellers and anyone with a financial concept can only see insanity or that underground train, should it exist. You Must realize that you will now be Sending Visitors AWAY. Baja and Mexico are much cheaper and there's sun. It's time to do whatever you all do to get your comrades to realize the volume of funds you are chasing away.

to

say nothing of our own residents who need 30 day transitional homes from time to time. Right Now a dear friend is in the process of looking for just that. And they ar the head of one of our City Departments due to the need to have a place to work on a major project. Should they be told that what they need they can't have?

Lastly, TAKE CARE OF LAHAINA! Do Not use them as scapegoats for this years long controversial issue. You are using them as human shields under the guise of promising this housing Yet, today, the Governor in his press conference said he has enough housing, for the second time, walking back his threat to force off shore owners in West Maui turn over their units. And most of your support for this bill is from the people of Lahaina Who Deserve Better! Deserve Honesty, Deserve Housing. Not Empty Promises constantly walked back.

This is feeling like pay to play of the most pitiful level. Take a good look inside. Do you Really Believe this is Moral, Financially Sound, or has any chance at all, to accommodate the people on Maui who truly deserve our all? Enough Already. The Veil is torn and the evil intent has been exposed.

HB-1838-SD-1

Submitted on: 3/27/2024 10:48:28 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dianarey Talaroc-Kaniho	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Dianarey Talaroc-Kaniho

HB-1838-SD-1

Submitted on: 3/27/2024 10:51:06 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Neizman	Individual	Support	Written Testimony Only

Comments:

Subject: Urgent Support for HB1838 HD2 SD1 - Addressing Lahaina's Housing Crisis

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and esteemed members of the committees,

I am writing to express my strong support for HB1838 HD2 SD1, a critical measure aimed at addressing Lahaina's housing crisis. This bill serves as a lifeline for our community by providing counties with the authority to phase out short-term vacation rentals over time.

The severity of our housing crisis cannot be overstated. Currently, 87% of homes north of Lahaina are designated as vacation rentals, leaving local families struggling to secure affordable housing. The recent wildfires have exacerbated this situation, forcing many of Lahaina Ohana to flee the island in search of shelter.

Action is needed urgently. HB1838 HD2 SD1 empowers counties to confront this crisis head-on, offering a pathway towards a more stable future for our community. Delaying action is not an option—we must act now to prevent further displacement and hardship.

I urge you to support HB1838 HD2 SD1 and prioritize the well-being of Lahaina's Ohana. Your leadership and commitment to addressing this pressing issue are deeply appreciated.

Thank you for your immediate attention to this matter.

Mahalo,

Michelle Neizman

HB-1838-SD-1

Submitted on: 3/27/2024 10:54:40 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mara Garcia	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Mara Garcia

HB-1838-SD-1

Submitted on: 3/27/2024 11:01:36 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Warech	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give Maui county the power to gradually phase out transient vacation rentals in areas where it is needed most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

The government promised to let Lahaina lead in the aftermath of the wildfires and so we urge members of the committee to make good on that promise and pass this legislation with the proposed amendment as the Lahaina community is requesting.

This bill also helps the government take steps toward its commitment to enacting legislation that help provide mechanisms to help improve the housing crisis across all islands.

Sincerely,

Julie Warech

HB-1838-SD-1

Submitted on: 3/27/2024 11:02:07 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cambria Moss	Individual	Support	Written Testimony Only

Comments:

I support this important bill for local residential housing. I cannot sleep at night for fear of becoming homeless if my landlord makes changes, due to the severe housing crises on Maui. Ho'oponono & mahalo for your service.

HB-1838-SD-1

Submitted on: 3/27/2024 11:02:25 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Marisa Pangilinan	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Marisa Pangilinan

HB-1838-SD-1

Submitted on: 3/27/2024 11:02:48 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Suzette Felicilda	Individual	Support	Written Testimony Only

Comments:

Aloha - I support bill HB1838 HD2 SD1-87% of north Lahaina are short term leases and vacant homes 10month's out of the year. Our Lahaina people are in dire need of homes we are struggling to find affordable homes and rentals- while these homes are continuously allowed to be built for luxury which is hurting our community and its resources. This is the time to tackle these crisis head-on. Please support bill HB1838 HD2 SD1. Mahalo,

Suzette Felicilda

Kanaka Maoli o Lahaina

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,



Bettina Navarro

HB-1838-SD-1

Submitted on: 3/27/2024 11:03:44 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emanuel Pangilinan	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Manny Pangilinan

HB-1838-SD-1

Submitted on: 3/27/2024 11:04:29 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
dale chappell	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Dale Chappell

Maui

HB-1838-SD-1

Submitted on: 3/27/2024 11:10:05 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorraine Smyth	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Lorraine Smyth

HB-1838-SD-1

Submitted on: 3/27/2024 11:16:43 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Becker	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Michelle Becker/ Lahaina resident

HB-1838-SD-1

Submitted on: 3/27/2024 11:16:50 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelsie	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kelsie Neves

HB-1838-SD-1

Submitted on: 3/27/2024 11:20:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Misti Kotter	Individual	Support	Written Testimony Only

Comments:

I am writing in support of bill HB1838 HD2 SD1. I am born and raised here on Maui and it breaks my heart to see how hard it has become to stay. We have allowed tourism to become more important than locals for too long. This crisis of STVR has been a problem before the Aug. 8 fires and we are in desperate need to address these housing issues. There are so many of us from Lahaina who are desperately trying to find necessary housing and it feels impossible. We need to convert short term rentals to long term rentals.

Mahalo for your time

Misti Kotter

HB-1838-SD-1

Submitted on: 3/27/2024 11:25:52 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Taulia Tuua	Individual	Support	Written Testimony Only

Comments:

Aloha, I support bill HB1838. please start making decisions that help the people of Lahaina be able to live in Lahaina when they were born and raised as well as work. It should not be that 87% is short term rental and notning left for people to rent where they were born and raised. We need fo start taking back control of our place and putting the people first. Lahaina people are stronger than you know. Mahalo!

HB-1838-SD-1

Submitted on: 3/27/2024 11:27:11 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Cravalho	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Sarah Cravalho

HB-1838-SD-1

Submitted on: 3/27/2024 11:27:15 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kamakaawahilani Hoshino	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kamakaawahilani Hoshino

HB-1838-SD-1

Submitted on: 3/27/2024 11:29:58 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Krizel Tomines	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Krizel Tomines

HB-1838-SD-1

Submitted on: 3/27/2024 11:30:38 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha everyone, thank you for being here today.

*I **support** HB1838 HD2 SD1. This bill is incredibly important to the people of Lahaina/Maui! The community needs housing desperately! Allowing counties to phase out vacation rentals overtime is crucial!*

To learn that 87% of housing north of Lahaina is vacation rentals is heartbreaking! It's been bad for years. Losing Lahaina it has become even worse.

The fact the owners aren't even willing to help out the community they say they love so much during a crisis is overwhelmingly painful. Take a drive and you will see!! There are no homes for residents! There is less and less chance that a Maui graduate will be able to come back from college and afford a home or even be able to rent a home where they grew up! The local community needs to be supported!

We need action now. HB1838 HD2 SD1 gives counties the power to figure out a solution for the housing crisis!

Please, pass HB1838 HD2 SD1 and help us build a stable infrastructure for the community! We really need all the help and support for housing!

Thank you for listening. This really is incredibly important to so many in shaping the future of Maui. Also giving residents a real chance to be able to stay on Maui.

Mahalo, for your time

Lana Albright

HB-1838-SD-1

Submitted on: 3/27/2024 11:35:42 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheryl Johnson	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Sheryl Johnson

HB-1838-SD-1

Submitted on: 3/27/2024 11:57:39 PM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachel Stein	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

I permanently relocated to Lahaina 6 years ago after visiting the islands for the first time. Having been offered a place to rent with an acquaintance, I didn't at the time realize how lucky I truly was. I have moved 4 times in 6 years, never being able to afford or find my own 1 bedroom as a adult in her late 30's. My 44 year old boyfriend and I currently share a 450 square foot studio. We have been looking for a bigger place since March of last year, 2023. I used to joke that apartment hunting in Lahaina is a competitive sport, but now it is literally impossible. We feel lucky to have our tiny home, but wanting to start a family before it is too late, we are extremely concerned about our future housing and discuss uprooting our lives frequently. We are both full time employees of the Ritz Carlton Kapalua, we work late and we work overtime, year round. The fact that our only option is over an hour commute was one thing, but now island-wide price gouging has us even more concerned.

Giving the homes back to the people can and will only strengthen our Ohana.

I support this first step in making the community of Maui more affordable and most importantly, less transient and more sustainable. Single family homes should be available to the families that can truly call Maui home.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Rachel Stein

HB-1838-SD-1

Submitted on: 3/28/2024 12:07:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Haylee Watson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Haylee Watson

HB-1838-SD-1

Submitted on: 3/28/2024 12:34:57 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Tia Lee Klug-Wessell

HB-1838-SD-1

Submitted on: 3/28/2024 1:03:58 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Emily Jampel	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Emily Jampel

HB-1838-SD-1

Submitted on: 3/28/2024 1:30:12 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Jensen	Individual	Oppose	Written Testimony Only

Comments:

TO phase out STR would demolish Maui county's Travel Industry and economy. Many people who own, work, service, provide maintenance and hospitality would lose their jobs and income.

As you are one of our "elected" officials I say listen to your constituents. Please vote NO on this devastating bill HB1838.

Pamela Jensen

HB-1838-SD-1

Submitted on: 3/28/2024 1:34:49 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrice Pugh	Individual	Support	Written Testimony Only

Comments:

Aloha to all Chairs and to members of the committees,

I support HB1838 HD2 SD1. Please phase out short term vacation rentals in order to have more permanent housing for people that live here. Short term rentals have gotten out of hand as far as investments and price, driving housing prices, home ownership and long term rentals, high. We need to supply people with existing homes without being forced to build more and more in the ruse of affordable housing. Please stop catering to tourism. Without locals, there won't be tourists.

Sincerely, Patrice Pugh

HB-1838-SD-1

Submitted on: 3/28/2024 2:29:33 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Heather Doughty	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Heather Doughty

HB-1838-SD-1

Submitted on: 3/28/2024 2:44:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
SusanEgdamin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

In 1985, I moved from Napili because the the cost of rent was rising. I couldn't find anything affordable on the West side. I ended up commuting from Makawao to Kapalua for work. The burden this caused while raising keiki was a toll on my family. We needed action then and we still need it today.

HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer. Please, pass HB1838 HD2 SD1 and help us build a stable future for our community and the future of our mo'opuna and generations to come.

Your support means everything to us.

Sincerely, Susan Egdamin

HB-1838-SD-1

Submitted on: 3/28/2024 2:49:04 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Inda	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Jenn Inda

HB-1838-SD-1

Submitted on: 3/28/2024 3:11:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

*Sincerely,
marissa*

HB-1838-SD-1

Submitted on: 3/28/2024 3:30:56 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amanda Palmer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Amanda Palmer

HB-1838-SD-1

Submitted on: 3/28/2024 3:35:56 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

HB-1838-SD-1

Submitted on: 3/28/2024 3:44:49 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Falkenbury	Individual	Support	Written Testimony Only

Comments:

Aloha,

please pass HB1838 HD2 SD1. It is crucial that are county is given the opportunity to control short term rentals. Too many families are being forced out of Lāhainā because of the lack of affordable, dignified housing.

There is not a lack of housing in West Maui. There is a lack of owners of these properties that actually care for the island and the people who call it HOME.

Please pass HB1838 and help us build a stable future for our community, for our keiki. Your support means everything to us.

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

Sincerely,

Gail Falkenbury

HB-1838-SD-1

Submitted on: 3/28/2024 4:05:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Morgan Anderson	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, and Members of the Committee:

I OPPOSE H.B. HB1838 for the following reasons:

My name is Morgan Anderson and my wife and I own a condo in Papakea, an ocean front resort in Honokowai area. Thank you for considering my testimony about this bill.

I love Maui and the am proud to support the people there. We operate our condo as a short term rental when we are not staying in it. We rent to tourists and local people visiting family on the island.

Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

The counties already have authority to regulate illegal short-term rentals. This bill does nothing to solve the problem of illegal short-term rentals Papakea’s Contributions to the Community

Papakea’s resort operations provide employment for 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. We also have cleaners, handymen, and appliance repair that we use either weekly or every few months.

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.

For the reasons stated herein I OPPOSE HB1838 and urge the committee vote no on this matter.

HB-1838-SD-1

Submitted on: 3/28/2024 4:16:23 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tammy Perkins	Individual	Oppose	Written Testimony Only

Comments:

This bill is outrageous! Without transient vacation rentals, you kill tourism and if you kill tourism then the island will spiral further down towards homelessness and poverty. This will create an unstable island with looters and criminals. This is government over-reach on steroids. STOP taking the peoples ability survive!

HB-1838-SD-1

Submitted on: 3/28/2024 4:17:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dezarae Alejandro	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time and allow each counties to decide what is best **ESPECIALLY** in times of crisis.*

My family is heavily impacted as we were Lahainatown residents. Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Dezarae Alejandro

HB-1838-SD-1

Submitted on: 3/28/2024 4:18:07 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
arthur castonguay	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Our family relies on income from our short term rental.

Without this rental we cannot afford to pay our mortgage. A long term rental in our unit will not cover our mortgage payments.

It will force us into BANKRUPTCY and we will LOSE our HOME.

Please leave the current laws in place, and have the Counties enforce them.

Instead of hurting local people who have build their lives around legal short term rentals, stop allowing new hotels and expansion of existing hotels.

We employ cleaners and repair people who will be out of work if STR's are stopped.

We rent to families from other islands who visit family and who cant afford to stay in expensive hotels.

We rent to emergency workers who need a home to stay in while on the island for short periods of time

Please don't allow the phase out short term rentals

Mahalo

Arthur Castonguay

HB-1838-SD-1

Submitted on: 3/28/2024 4:30:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Liv Locke	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely, Liv Locke

HB-1838-SD-1

Submitted on: 3/28/2024 4:58:54 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha,

please support this incredibly important bill for Lahaina fire survivors.

mahalo,

Gretchen Losano

Lahaina, Maui

HB-1838-SD-1

Submitted on: 3/28/2024 5:01:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Penny Kaukau	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Penny Kaukau

HB-1838-SD-1

Submitted on: 3/28/2024 5:05:21 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Darren Opunui	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

Darren Opunui

HB-1838-SD-1

Submitted on: 3/28/2024 5:06:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Marthaler	Individual	Oppose	Written Testimony Only

Comments:

As an owner of property on Maui, it is very concerning that the government would step in and try to control how I use my home. I follow the rules and pay a lot of taxes, almost 20% for the use of my home as a short term rental, all of which the county of Maui and the State of Hawaii benefit from. Without these STR, that revenue in taxes will be gone, then what?

What about the travel agencies, the Property Managers, the On-Island Rrepresentatives, house cleaners, contractors, all who's business is very much supported by the STR industry that would potentially go out of business because STR are no longer an option?

Consider the tourists that don't want to stay in a hotel that have families where that environment is not suitable for them that would no longer be able to visit the islands because they are pigeon holed to vacation only one.

There are so many things wrong with this bill and it is just another opportunity in my opinion for the government to control us. If it has anything to do with there not being enough long-term housing for residents of Hawai'i and a way to bully us home owners into converting our properies as such, I will tell you that it isn't going to work. As a homeowner, I would rather leave the property vacant, not pay taxes to rent it out and use it for my familiy and friends before I would do that, so then ask yourself, what is the good that comes from this? You are destroying the economy you are so diligently trying to build up, and the livelihood of the locals and native residents who have lived here for all their lives for generations that now depend on tourism.

I ask you to please look at the big picture and what you would lose by eliminating short-term housing, it will effect everyone in Hawai'i in someway. I vote NO for HB1838, HD2, SD1.

HB-1838-SD-1

Submitted on: 3/28/2024 5:07:12 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Danelle Suen	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

HB-1838-SD-1

Submitted on: 3/28/2024 5:30:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Perez	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

*Sincerely,
Carol Perez*

HB-1838-SD-1

Submitted on: 3/28/2024 5:37:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and your commitment to our well-being.

Sincerely,

Elizabeth DeLyon

HB-1838-SD-1

Submitted on: 3/28/2024 5:38:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
anna-marie l enomoto	Individual	Comments	Written Testimony Only

Comments:

I am in support of the county being allowed to expand their zoning for STVR and tax laws, and more importantly, cracking down and eliminating illegal STVR.

HB-1838-SD-1

Submitted on: 3/28/2024 5:53:33 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

I have lived on Maui for 40 plus years. I had to move from the westside to Haiku due to high rent and no rental options . I am now 1.5 hours away from my job. I had to move in 2015. The rental housing market has gotten so much worse since 2015 when I had to move. Most of the people I know have left Maui because they can't find a place to live. That's even remotely close to where they work. Or they're paying thousands of dollars for a room in a house per month. The short term vacation rentals need to be Thinned out in every area of Maui. I'm fearful that the place I live in now turn into a vacation rental because there's no one monitoring where all these places are popping up. There is no downtime. There is no low season anymore and the traffic is a nightmare. If people were staying in hotels, there would be a lot more housing for locals. Thank you for your consideration please pass this bill. I am a registered voter and will be watching to see who votes against this.

HB-1838-SD-1

Submitted on: 3/28/2024 5:54:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
JR Arimboanga	Testifying for Empowering Marginalized Asian Communities	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **strongly support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

JR Arimboanga, JR

Teacher

Co-Executive Director, Empowering Marginalized Asian Communities

HB-1838-SD-1

Submitted on: 3/28/2024 6:01:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Luke Alcon	Individual	Support	Written Testimony Only

Comments:

I strongly support phasing out short term rentals that are making our local residents move and profits from these going out of state for the majority.

HB-1838-SD-1

Submitted on: 3/28/2024 6:02:59 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
gail a nagasako	Individual	Oppose	Written Testimony Only

Comments:

Re HB1838

I oppose. I debated whether to try long-term rental for our B & B after the Lahaina Fires. In the end, we decided to continue to rent short term for 3 reasons: it only houses 2 people, which makes little difference BUT those 2 people as visitors pay us enough income that we, as otherwise retired folks, can continue to live in the home we've owned for 23 years and expect to never leave and finally, those visitors spend big in the local economy and keep jobs for local folks. Our people have very little, if no, impact on our neighborhood but a big positive impact on our lives and our economy.

Mahalo,

Gail Nagasako and Jordan Nagasako (he was born and raised in Lahaina) 1360 Hiahia Street
Wailuku, HI, 96793
(808) 281-1549

HB-1838-SD-1

Submitted on: 3/28/2024 6:04:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jana-Nicole Laborte	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Me ke aloha,

Jana-Nicole K. Laborte

HB-1838-SD-1

Submitted on: 3/28/2024 6:09:19 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra D Krohn	Individual	Oppose	Written Testimony Only

Comments:

Returning visitor to a condo located in a resort that functions legally.

I rent condos instead of staying in a hotel because condos are more affordable and offer kitchens to prepare meals for my family.

I pay 18% GET/TAT Taxes when I book

I spend money on local:

Restaurants

Activities

Shopping

Excursions

State Parks

Museums

and also refer friends to the places that I rent so they can enjoy the same ammenities.

HB-1838-SD-1

Submitted on: 3/28/2024 6:09:53 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ricky Murray	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Ricky Murray, born and raised here in West Maui.

I support HB1838

Too much air bnb and short term rentals is creating huge problems for the islands

Mahalo Ricky

HB-1838-SD-1

Submitted on: 3/28/2024 6:15:48 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brenda O McCallum	Individual	Support	Written Testimony Only

Comments:

Aloha honorable chairs and members of the committees. I testify today in full support of HB1838 HD2 SD1. My name is Brenda Oriana McCallum. I reside in Kahuku, where I was raised on O‘ahu, and where I have raised my three children as a single parent. I am a banquet server at Turtle Bay resort, a compliance specialist for Maui Tomorrow Foundation, and a full-time law student and Alaka‘i of ‘Ahahui o Hawai‘i. The problem of short-term rentals is devastating to locals and dire to the suffering people of Lahaina. It is imperative that the legislature take the necessary steps to allow counties who are closest and most aware of the needs of their constituents to have the power to provide solutions to this problem as they see fit. The actions taken in the past to address these issues on a state-wide level have been minimally effective and are too limiting. Providing this enhanced power to the counties will allow for a much more significant redress of this long-time pernicious issue by ensuring local and direct involvement. Your commitment to the welfare of local residents of Hawaii can be ensured by supporting this measure.

Mahalo Nui for your commitment,

B. Oriana McCallum

HB-1838-SD-1

Submitted on: 3/28/2024 6:16:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Members of committee,

The Green Party of Hawai'i stands in strong support of HB1838 HD2 SD1. The people of Lahaina need reliable sources of housing.

Mahalo nui,

Susan RobertsEmery

Co Chair GPH

HB-1838-SD-1

Submitted on: 3/28/2024 6:19:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Vickie Kadotani	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Vickie Kadotani

HB-1838-SD-1

Submitted on: 3/28/2024 6:22:16 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Regina Peterson	Individual	Support	Written Testimony Only

Comments:

Aloha Kākou,

I am writing to extend my strong support for HB1838. I've heard testimonies from those STR individuals and I have to say, shame on you! shame on you for trying to use our words to define who we are...so you can continue to selfishly make a profit for yourself and not think about the needs of others in the community!!! We are not a people that thinks about self!!! We think about the betterment of all!!! ;ike aku 'ike mai, Kōkua aku kōkua mai pēlā iho lā ka nohona 'ohana!!! recognize and be recognized, help and be helped, that is Hawaiian family way of life!!! This is the aloha spirit, we be there for each other, especially in times of need and our people of this place, not of other places, needs your help, and if these STR owners and others can't see that, and don't do anything to kōkua and stop this ridiculousness...don't call yourself Hawaiian, because you have no idea!!! and maybe its time for you to find STR's and houses elsewhere, don't say this is your home!!! it's not!!! the aloha spirit is rising in all of us, and were done with this BS shenanigans.

HB-1838-SD-1

Submitted on: 3/28/2024 6:26:32 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Cody Roberts

HB-1838-SD-1

Submitted on: 3/28/2024 6:29:11 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Keasha nuesca	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Keasha Nuesca. Born and raised on the Island of Maui in our little town called Lahaina.

I urge our legislators to support this bill because it is only right! We need more action to be done in our community as we are all suffering in many different ways. But I believe that if we come together and do what is RIGHT for our people who have been greatly impacted by this tragedy then I believe everyone will be happy.

Please think about the future of our community. Greatly appreciate your time , looking forward to what's to come. Xoxo

Mahalo Nui , Keasha Nuesca

HB-1838-SD-1

Submitted on: 3/28/2024 6:30:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin J Block	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB1838 HD2 SD1

My name is Kevin Block. I am an attorney in private practice on Maui where I have been a resident since 1982. I am one of the founding attorneys of Roots Reborn which is a new but powerful grassroots organization that arose after the fire to fill in the gaps and advocate for the significant immigrant population of Lahaina and the broader community.

My home in Kula was nearly destroyed as I am in the Kulalani neighborhood.

My practice is all immigration related and many of my clients are immigrants that were displaced or otherwise affected by the Lahaina fires. Housing is a crucial need for them as well as for all Lahaina residents.

One of the biggest failures of government is when their legislative actions are out of step with what their constituents need and want because they are beholden to special interests. Here we have just such a situation. However, we also have an opportunity to transcend the old way of doing things and truly be responsive and serve our people.

I saw an news article yesterday that our Governor "hopes" that there will be sufficient housing as those displaced are cleared from their temporary housing in the hotels. Hope is not a strategy.

Foreign and mainland owners of housing do not have the right to place their profits over the immediate safety needs and basic needs of our residents. Although it is often painful, we have the responsibility to dismantle structures that continue to support and protect property and profit over people. Never has that responsibility been more acute.

I appeal to each of you individually to consult your heart and your conscience and support this bill as a sign that you are willing to make difficult decisions on behalf of the Lahaina residents who have already suffered and lost so much.

I thank you and I am grateful to you for taking the time to consider my testimony.

Kevin Block, Esq

Maui Immigration Law, LLC

HB-1838-SD-1

Submitted on: 3/28/2024 6:37:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Curtis Serrano	Individual	Support	Written Testimony Only

Comments:

I am a single father of two daughters. My daughters and I lost our home, our cars, my daughters school, our cat and I lost my business on 08/08/2023 during the Lahaina fire.

We need your help in obtaining a long term solution for housing in Lahaina. Although we are grateful to have been placed jn temporary housing until February of 2025. We are fearful of what happens when that time comes up. Everybody in temporary housing will be placed on the streets. Myself and my daughters included.

Experiencing a disater like this on an island is not like experiencing a disater on the mainland. We are secluded, especially in an area with only one road in and out. But, this is our home! Please help us to obtain a long-term affordable solution, so my daughters and myself can receive the basic right of housing ourselves. The loss of jobs, schools and pets is more than enough for them to experience, but the fear of homelessness on top of that!!! Thats scary! Please help!

Mahalo,

The Serrano Family

HB-1838-SD-1

Submitted on: 3/28/2024 6:40:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Gr	Individual	Oppose	Written Testimony Only

Comments:

am against this bill because without short term condo rentals, our cleaning staff, handy people and others would be without work.

They would likely need to move off island in order to find employment.

The local businesses would suffer like they did after Covid. Some are still recovering and this bill would hurt those islanders who need to heal.

Without short term rentals, my business will fail. I will no longer be able to pay my mortgages and our life savings would be depleted.

I am against this bill because if there are no TVRs then the middle class will no longer be able to afford visiting Maui as the hotel resorts are too expensive. These people that rent condos are such an important part of the economy in Hawaii.

The people that rent short term accommodations, support all the local businesses from restaurants, museums, grocery and liquor stores, whale watching and snorkeling cruises, surf lessons, car rentals, clothing and gift shops and soo much more.

Do the right thing and stop this bill.

Pono

HB-1838-SD-1

Submitted on: 3/28/2024 6:40:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Agdeppa	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

*Sincerely,
lisa Agdeppa*

HB-1838-SD-1

Submitted on: 3/28/2024 6:48:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alba Bermudez	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

Alba Bermudez

HB-1838-SD-1

Submitted on: 3/28/2024 6:49:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dayna Harris	Testifying for Molokai Vacation Properties	Oppose	Written Testimony Only

Comments:

Please do not allow to give the counties the ability to cut out short term rentals. If short term rental were not allowed it would ruin the economy in the whole state. We need the extra money that these condos provide for our state. It's million on tax dollars. The housing market would also crash and many properties would then go into foreclosure. With all these condo available to rent hawaii would then become a retirement community for the older folks to come live cheaply in their last years. They don't spend money like visitors. They live in fix inches and budgets. Yes there should be a balance to safe our resources. But do not allow the counties to control this. I live on Moloka'i Ava if we lost so the vacation rentals all we have for extra family members and workers to come is a 45 room hotel. It would kill our island which is already dying because of hardly any flights in and out for people to come.

HB-1838-SD-1

Submitted on: 3/28/2024 6:51:07 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Crystal Dombrow	Individual	Support	Written Testimony Only

Comments:

I strongly support stable and affordable housing for Maui fire survivors by phasing out vacation rentals.

HB-1838-SD-1

Submitted on: 3/28/2024 6:54:25 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
James Long	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline allowing counties to phase out short-term vacation rentals over time.

Please pass HB 1838 HD2 SD1 to help create a more stable future for the community.

Mahalo!

HB-1838-SD-1

Submitted on: 3/28/2024 6:54:48 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cassandra Antonell	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Cassandra Antonell

HB-1838-SD-1

Submitted on: 3/28/2024 6:55:08 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Veno	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Susan Veno

HB-1838-SD-1

Submitted on: 3/28/2024 6:57:38 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
kelly bernadette tyler	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

HB-1838-SD-1

Submitted on: 3/28/2024 7:04:09 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tait R Gielow	Individual	Support	Written Testimony Only

Comments:

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Tait Gielow

HB-1838-SD-1

Submitted on: 3/28/2024 7:05:42 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,
Lana Bilbo, mai Wailua i Kaua'i

HB-1838-SD-1

Submitted on: 3/28/2024 7:06:48 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lexi Kinoshita	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Lexi Kinoshita

HB-1838-SD-1

Submitted on: 3/28/2024 7:10:02 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Helen Beth MacArthur	Individual	Oppose	Written Testimony Only

Comments:

My late husband, James MacArthur, purchased a Gold Coast condo in 1968. After his Hawaii Five-0 days, he rented the unit for a minimum of 30 nights according to Association rules at 3056 Kalakaua Ave. This income has allowed the family to keep the condo and their ties to Hawaii all these many years. Longer term rentals do not provide the income to pay the hefty association monthly dues and the high Hawaiian taxes. The ripple affect for the MacArthur family should Bill HB1838 pass, would be selling the condo, withdrawing memberships at the Outrigger Canoe Club and Waialae Country Club. Thank you this reconsideration. HB MacArthur

HB-1838-SD-1

Submitted on: 3/28/2024 7:10:27 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Isobel Flake	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Isobel Flake

HB-1838-SD-1

Submitted on: 3/28/2024 7:12:40 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maile Bryan	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely, Maile Bryan

HB-1838-SD-1

Submitted on: 3/28/2024 7:26:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Katie Mecklenburg	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Katie Mecklenburg

HB-1838-SD-1

Submitted on: 3/28/2024 7:29:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Spencer	Individual	Oppose	Written Testimony Only

Comments:

Jennifer Spencer

I-110 - 2777 S Kihei Rd

Kihei, Hawaii 96753

808-333-3069

Aloha Honorable Members, 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 HB1838 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, it begs the question: 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.

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-SD-1

Submitted on: 3/28/2024 7:38:20 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Taryn Sa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Taryn Sa

HB-1838-SD-1

Submitted on: 3/28/2024 7:46:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Anna Barbeau	Individual	Support	Written Testimony Only

Comments:

Aloha Chair & all Members; hear and act on our pleas. Neighborhoods in Lahaina have been under attack and being destroyed via greed for individual monetary gain. We the residents who are the stable force of support for the hospitality industry of are being removed west Maui in favor of Short Term Rentaing/Vacation Rentals/bnbs within residential areas. It hurts the residents as well as the resort hotels which are designed for this purpose..NOT neighborhoods. This cancer must not be allowed and must be quickly phased out and not allowed a return under any circumstances. We are aloha and greed is killing it. Visitors must use hotels within the resorts, NOT our culturally sensitive residential areas. Zone for residents, NOT businesses. Remove all asap. Mahalo

HB-1838-SD-1

Submitted on: 3/28/2024 7:49:53 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael D Jones	Individual	Oppose	Written Testimony Only

Comments:

In the condo complex that I own my vacation rental condo, there will be dozens of tax paying citizens that will lose their property along with the dream of full time retirement on Maui. Please allow our substantial contribution to the local economy to allow visitors that choose an affordable vacation rental to enjoy the magic of the state and the wonderful County of Maui.

Mike Jones

HB-1838-SD-1

Submitted on: 3/28/2024 7:50:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Krystlelyn Omlan	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Krystlelyn Omlan

HB-1838-SD-1

Submitted on: 3/28/2024 7:51:23 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Don Blair	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

This is a huge problem here in west Maui, it's time to fix it especially with thousands of fire victims needing housing.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Don Blair

HB-1838-SD-1

Submitted on: 3/28/2024 7:53:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Paige Raymond	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Paige Raymond

HB-1838-SD-1

Submitted on: 3/28/2024 7:54:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Allison Daniel	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Allison Daniel

HB-1838-SD-1

Submitted on: 3/28/2024 7:54:58 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelsey Mapa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time and create a more affordable housing for everyone in our communities.

I live on Maui. Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

All we are asking is that you give our local officials the opportunity to make choices that are best for our local community. We need action now. HB1838 HD2 SD1 gives counties the authority to tackle this crisis head-on. We can't afford to wait any longer.

In regards to short-term rentals and the legal ramifications, just because something is currently legal doesn't mean it is ethical or that it is what's best for the community. Everyone needs and deserves safe and dignified housing. Housing is a commodity, it should not be an "investment." What we currently have is not working to meet that goal and we must come together as community to address it and try different solutions. Landlords who cannot afford to be landlords should consider getting actual jobs that contribute to our society and laboring to meet their own needs instead of continuing to exploit and profit off of others.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kelsey M

HB-1838-SD-1

Submitted on: 3/28/2024 7:56:24 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Anne Bell	Individual	Support	Written Testimony Only

Comments:

We must have reform to strengthen STR management and balance the housing problem. No more illegal STRs

HB-1838-SD-1

Submitted on: 3/28/2024 7:57:42 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Federico Olivieri	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I support HB 1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

We can't afford to wait any longer. Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely

Federico Olivieri

HB-1838-SD-1

Submitted on: 3/28/2024 8:06:17 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joan Heller	Individual	Support	Written Testimony Only

Comments:

I support HB1838 HD2 SD1.

Think about it, you're helping all Hawaii residents by passing this bill! And in your favor, even more now for the Lahaina folks especially!!!

Arigato from lawai,
joan heller

HB-1838-SD-1

Submitted on: 3/28/2024 8:10:49 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheylah	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Cheylah-Marie Uyeda

HB-1838-SD-1

Submitted on: 3/28/2024 8:11:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalia Kapisi	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kalia K

HB-1838-SD-1

Submitted on: 3/28/2024 8:14:20 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalani Ross	Individual	Support	Written Testimony Only

Comments:

Aloha State leaders and decision makers,

I ask that you please pass this bill. It will greatly benefit the people who live here and whose families have been the life of this state for generations.

One reason is the economic impact it will have on living for our local community. With more rentals available or property's for sale it will make the market value decrease and increase the opportunities for locals.

Another reason is the social impact. When neighborhoods don't have neighbors but have strangers instead does it make you feel better about the place you live or worse. Do you like having relationships with the people who live near you or would you like to be suprized by new characters each time you drive down your street and get to your place where you should feel the safest.

Please take into consideration your own feelings if your home was situated next to or near an AirB&B.

We have plenty of hotels and rooms for people to stay. Please support these pillar's of the tourist industry here in Hawaii.

Mahalo,

Kalani Ross

HB-1838-SD-1

Submitted on: 3/28/2024 8:16:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

*Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island. We are on the midst of a real crisis **RIGHT NOW** as more and more resident families are being forced to either live in their cars, or on the streets, or move off island, because there is no other housing option available to them.*

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Tamara Descoryphees

HB-1838-SD-1

Submitted on: 3/28/2024 8:17:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerald Tariao Montano	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*As a pediatrician on Maui, I **support** HB1838 HD2 SD1. This bill is a lifeline for my patients, allowing counties to phase out short-term vacation rentals over time.*

The housing crisis is dire. Eighty-seven percent of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island. As a medical provider, I see housing as a public health issue, as it is a major determinant of health. Without good housing, all other health needs cannot be met.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. Maui's children cannot afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future and foster good health for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being and health.

Sincerely,

Gerald Tariao Montano, DO

HB-1838-SD-1

Submitted on: 3/28/2024 8:17:28 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Isa Maria	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my **strong support for HB1838 HD2 SD1**, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Isa Maria

Kapaa, Kauai

HB-1838-SD-1

Submitted on: 3/28/2024 8:17:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Singlehurst-Kapisi	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

Historically Lahaina was a wetland, but due to years of plantation farming and tourism that diverted the natural water sources for the lands, it became dry and arid. The fire that has dramatically exacerbated the housing crisis for displaced local families could've been avoided, in my opinion, if the land had been taken care of better, but the people who take proper care of the land in Hawai'i have been priced out. It's time to do the right thing and address the housing crisis so that our local families can afford to come home and stay here. Please take the time to truly consider what this bill means and how it would benefit Hawaii.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer. This is one small step we can be brave and take action towards committing to helping the people who live and work here to be safe. We owe it to our communities, even if it is a sacrifice for some!

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Pamela

HB-1838-SD-1

Submitted on: 3/28/2024 8:20:15 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Seanne Igne	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Me ke aloha wale no,

Seanne

HB-1838-SD-1

Submitted on: 3/28/2024 8:24:18 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tiana Keopuhiwa	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Tiana Keopuhiwa

HB-1838-SD-1

Submitted on: 3/28/2024 8:27:19 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Seikai Darcy	Individual	Support	Written Testimony Only

Comments:

In support of HB1838 HD2 SD1

Mahalo,

Lisa Darcy

Kula, Maui, HI

HB-1838-SD-1

Submitted on: 3/28/2024 8:32:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
William Voerg	Individual	Oppose	Written Testimony Only

Comments:

We are urging the legislature to oppose the passage of this bill. We are owners of a condo in Kihei, Maui. This condo generates income for the people of the island because we need their services to maintain, clean, repair, etc. . The rental income we receive from our condo pays these people, plus all of the taxes , TA, GE, Maui County, contribute to the state and county. Also the guests we rent to spend vast amounts of money while visiting our beautiful island. Please vote no.

HB-1838-SD-1

Submitted on: 3/28/2024 8:35:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Zea F. P. Nauta	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Zea F. P. Nauta

HB-1838-SD-1

Submitted on: 3/28/2024 8:37:10 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Virginia Wallace	Individual	Oppose	Written Testimony Only

Comments:

To the Esteemed Legislators,

I am writing to express my strong opposition to HB1838 HD2 SD1. I am a homeowner of a single-family residence, which I occupy full-time and utilizing my property as its intended zoning. The proposed legislation imposes undue restrictions on homeowners like myself, particularly in the utilization of our homes, including ohana units and rooms, for various reasons and personal financial needs due to life events.

I did not buy my home decades ago, I am a middle-aged professional who worked extremely hard to purchase my home in a competitive market, I am deeply concerned about maintaining financial stability. The flexibility to rent portions of my home, whether long-term or short-term, plays a crucial role in ensuring my economic security. Here are several points underscoring my opposition:

1. **Family and Friend Visits:** The ability to rent to visiting family and friends is essential and I want to be law-abiding citizen, as hotel prices are prohibitively expensive, making regular visits unfeasible and affecting my quality of life/happiness.
2. **Emergency and Temporary Housing Needs:** I value the capability to offer my home to those requiring temporary rehousing due to emergencies or work assignments.
3. **A buyer in this housing market:** The fast-paced nature of the housing market necessitates the option for month-to-month rentals, providing both financial flexibility and security for potential buyers. I have personally benefited from this when I was in the market to buy and I have rented to tenants in this same situation.
4. **Tenant Compatibility:** As a single woman, the safety and compatibility of tenants are paramount. Both landlords and tenants benefit from month-to-month agreements that assess the suitability of the living arrangement. All of my tenants have welcome month-to-month so they can also consider if the rental is a good option and other options.
5. **Landlord/Tenant Regulations:** The current regulations heavily favor tenants, posing significant risks and potential legal battles for homeowners, impacting both our safety and financial well-being. Circling back to "Tenant Compatibility."
6. **Economic and Employment Realities:** The state's job market often disqualifies potential renters from securing long-term rentals. I STRONGLY support legislative efforts focused on improving job quality for their economic stability and on zoning / permitting changes to allow for small apartments/duplexes/triplexes that would enhance a neighborhood for affordable long-term housing.

7. **Potential Housing Crisis:** The bill risks creating a housing crisis for those unable to secure long-term rentals or in need of temporary, furnished accommodations.
8. **Personal Economic Flexibility:** The fluctuating economic landscape necessitates the flexibility to adjust rental activities in response to personal financial needs, including temporarily being unemployed or even an option for entrepreneurship endeavors. Costs of living in Hawaii means “cutting costs” will never be enough.

I am committed to utilizing my home responsibly and I do not believe I should be burdened with trying to use my home to solve the Housing Crisis nor will my small Ohana unit or room for rent be the solution.

The current legislation seems to disproportionately benefit the hotel industry, which lacks local ownership, thereby favoring external investors over local homeowners. Shareholder and investor profits means they are not incentivized to provide more jobs than absolutely necessary nor jobs that pay more than the bare minimum. They also are encouraged to keep tourists on their property to spend and not to go out into the local economy, this legislation and others restricting local businesses all demonstrate the hotel industry’s influence on our legislators.

Instead, I advocate for targeted legislation that addresses the issue of vacant properties and homes not owner-occupied or utilized for long-term occupancy. Broad measures that compromise the financial and safety security of owner-occupants are not the solution.

I urge you to consider these points carefully and to oppose HB1838 HD2 SD1 in favor of more balanced, targeted approaches that genuinely address the housing challenges we face without unfairly penalizing responsible homeowners.

Sincerely,

Virginia

HB-1838-SD-1

Submitted on: 3/28/2024 8:42:08 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kehau	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kēhaulani

HB-1838-SD-1

Submitted on: 3/28/2024 8:43:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kinsley McEachern	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Kinsley McEachern

HB-1838-SD-1

Submitted on: 3/28/2024 8:43:47 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
John C Pope III	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

John Pope

HB-1838-SD-1

Submitted on: 3/28/2024 8:44:05 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane 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 husband and I opened a licensed bed and breakfast business 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 since guests will look for more affordable locations in which to stay. This will immediately end our GET and TAT contributions to both the State and County. 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. Since most of our guests would not be able to afford the resorts, our island visitor count would drop and more tax revenue would be lost. Additionally, the closing of our business would mean our property tax classification would have to change from Commercialized Residential back to Residential, further reducing revenue to our County. In an economy that is almost entirely tourism based, it seems counterintuitive to put more restrictions on the very industry that provides the most revenue.

I oppose this bill as it institutes a “Phase out” process which will close our home business and others like it, leading to the negative results mentioned above.

HB-1838-SD-1

Submitted on: 3/28/2024 8:44:45 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Georgina Renee Mano	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely, Georgina R. Mano

HB-1838-SD-1

Submitted on: 3/28/2024 8:45:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
David Curry	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838 because the counties will eliminate monthly rentals which are an important part of our housing inventory. Please defer this bill until the these types of unintended consequences are properly evaluated.

HB-1838-SD-1

Submitted on: 3/28/2024 8:45:57 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Willy Shim	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Willy Shim

HB-1838-SD-1

Submitted on: 3/28/2024 8:53:34 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
robin knox	Individual	Support	Written Testimony Only

Comments:

Short term vacation rentals are killing our communities and making our residents homeless. 87% of housing north of Lahaina is short term rentals. This was a huge issue even before the fires as most workers had to commute across the pali to get to work at the resorts and businesses supported by tourism. Give the County's clear authority to decide this for themselves.

HB-1838-SD-1

Submitted on: 3/28/2024 8:54:26 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Kapisi	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Jordan

HB-1838-SD-1

Submitted on: 3/28/2024 8:54:37 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amber Bobin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Amber H. Bobin

HB-1838-SD-1

Submitted on: 3/28/2024 8:58:17 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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Mahalo for listening and for your commitment to our well-being.

Mahealani Medeiros Criste

HB-1838-SD-1

Submitted on: 3/28/2024 9:03:06 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I live just north of Lahaina in Napili. I am currently out of work and go to the Napili Noho for needed food and items.

Everyday I hear of the housing woes here in West Maui.

We have to use some of the many many STRs here to house our Lahaina fire survivors. They are the lifeline to the success of our struggling businesses here in West Maui, and for businesses hoping to reopen in the future.

Wherr are the workers and their families to live?.

I support HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Julia McGrath, Lahaina

HB-1838-SD-1

Submitted on: 3/28/2024 9:04:03 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen A. Dennis	Individual	Oppose	Written Testimony Only

Comments:

This bill will impose great hardship on those who make their livelihood from rental property. Most rental property owners are Maui residents, as are the crews of people who help them maintain these properties. For example, what will happen to the cleaning crews who care for these properties between guests? Many of them are supporting extended families, as well. The repercussions will spread throughout Maui life.

The Tax base will be affected, too. Tourists/renters contribute huge amounts of money to our local economy and their business supports shops of all sorts, restaurants and touring companies.

Who stands to benefit from this assault on private rentals? Only large hotels with powerful lobbies. It is unrealistic to think this will benefit local people looking for housing. Most of the properties which would be made available by this Bill would be unaffordable to working class people.

its a bad bill from start to finish.

HB-1838-SD-1

Submitted on: 3/28/2024 9:05:43 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

Aulani Dusenberry

HB-1838-SD-1

Submitted on: 3/28/2024 9:05:46 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Christi Vehikite	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

Christi Vehikite

HB-1838-SD-1

Submitted on: 3/28/2024 9:08:54 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Julia Marrack

HB-1838-SD-1

Submitted on: 3/28/2024 9:09:01 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Leila Anzalone	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Leila Anzalone

HB-1838-SD-1

Submitted on: 3/28/2024 9:09:40 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
James Padgett	Individual	Support	Written Testimony Only

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I live in Pukalani on Maui and we are far from the beaches and tourist areas, yet we have a large number of illegal short term vacation rental units. They are all over the place in residential neighborhoods where long term rentals should be, not these tourist rentals. We need housing for fire victims and phasing out short term vacation rentals will help. I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

Mahalo for listening and for your commitment to our well-being.

Sincerely, James Padgett

HB-1838-SD-1

Submitted on: 3/28/2024 9:09:45 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Nara Boone	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

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Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Nara Boone

HB-1838-SD-1

Submitted on: 3/28/2024 9:19:00 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendi goodwin	Individual	Support	Written Testimony Only

Comments:

This is vital to the residence of lahaina. We beg of you please.

HB-1838-SD-1

Submitted on: 3/28/2024 9:22:38 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara O'Connor	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Barbara O'Connor

HB-1838-SD-1

Submitted on: 3/28/2024 9:26:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Janie Kunin	Individual	Support	Written Testimony Only

Comments:

As a concerned resident of Maui for the last 55+ years, my heart is breaking for the people of Lahaina who have lost everything and still don't have viable long term housing options on the West Side. While I understand the economic need of legal STVRs, I feel that counties should have the ability to temporarily regulate SRVRs in the wake of a disaster such as the wild fires that destroyed Lahaina last August. The fact that statistics show that 87% of rentals north of Lahaina are STVRs is astounding and negatively impactful for the people of Lahaina.

Mahalo nui for your time,

Janie Kunin

Upcountry Resident

HB-1838-SD-1

Submitted on: 3/28/2024 9:28:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brent Schlea	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of HB1838. For obvious reasons due to the recent wildfire in Lahaina housing is desperately needed as well as rent control due to skyrocketing rental prices.

Mahalo nui

Brent Schlea

HB-1838-SD-1

Submitted on: 3/28/2024 9:30:22 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaylee Braun	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and Honorable Members of the Committees,

I am writing as a member of the public concerned about the welfare of our communities to express my strong support for HB1838 HD2 SD1, an important piece of legislation that would grant counties the authority to enact zoning ordinances to amortize or phase out transient vacation rental units over a reasonable period of time.

I would like to suggest an amendment to Section 2, inserting language to read as taken from SB2919:

; provided that transient vacation rental units may be amortized or phased out in an area of any zoning classification.

According to the University of Hawaii Economic Research Organization, a staggering 87% of our housing left north of Lahaina is listed as short-term rentals. Adding clearer language to HB1838 will give our county the power to gradually phase out transient vacation rentals in areas where we need it most. Including all zoning types ensures that the law covers a more broad scope which could be used more effectively to tailor to individual counties' needs.

This legislation would provide much-needed stability and security to those who have already endured so much in our community.

Sincerely,

Kaylee Braun

HB-1838-SD-1

Submitted on: 3/28/2024 9:38:21 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

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

Comments:

"Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

We need action now. HB1838 HD2 SD1 gives counties the power to tackle this crisis head-on. We can't afford to wait any longer.

Please, pass HB1838 HD2 SD1 and help us build a stable future for our community. Your support means everything to us.

Mahalo for listening and for your commitment to our well-being.

Sincerely,

Catherine Velasquez

HB-1838-SD-1

Submitted on: 3/28/2024 9:42:44 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rose Crichton	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

*I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.*

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

Rose Crichton

HB-1838-SD-1

Submitted on: 3/28/2024 10:01:36 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Pond	Individual	Oppose	Written Testimony Only

Comments:

My name is Jordan Pond and I am a 39 male resident of Maui and entrepreneur. In relation to this Bill I oppose. The state of Hawaii or the responsible parties failed to use the majority of the funding to create a new housing solution for fire victims. It has almost been a year and in that time a housing complex for fire victims could have been almost constructed.

Instead this bill now only further empowers corporations and hotel owners to capture the tourism market. It gives no power to the people or creates free economy.

This is a really bad move for all going ahead. The less regulation the better. It is not the home owners responsibility to pick up the slack when the state of Hawaii and all the major players could easily create infrastructure. It just seems like a power grab and people are standing behind it because they are suffering. Open your eyes people cause if you work hard you can have a vacation rental and live better. Instead, now you have to work harder just to make more and pay another corporation to vacation. Very sad.

Poor leadership of the disaster. Only reason this bill is even considered by local people is because the majority of the vacation rental owners have some global ties. This is not how Maui was developed or created. We do not need low-income housing. We do not need to remove peoples rights.

HB-1838-SD-1

Submitted on: 3/28/2024 10:11:52 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tinamarie McRoberts	Individual	Support	Written Testimony Only

Comments:

I support HB1838.

HB-1838-SD-1

Submitted on: 3/28/2024 10:12:30 AM

Testimony for JDC on 3/28/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Danny Domingo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki and the honorable members of the committees,

I **support** HB1838 HD2 SD1. This bill is a lifeline for us, allowing counties to phase out short-term vacation rentals over time.

I am a third-year medical student concurrently enrolled in a Master of Public Health program. As a future medical professional, I plan to return to Maui to practice medicine. However, there is no population to serve if residents continue to migrate out of Hawaii due to the housing crisis. Furthermore, I need reassurance that I will have reasonably priced housing when I return. The hundreds of thousands of dollars in debt I will have is incompatible with returning home where the cost of living continuously rises.

Our housing crisis is dire. A whopping 87% of homes north of Lahaina are vacation rentals, leaving families struggling to find affordable places to live. The recent wildfires have only made things worse, forcing a quarter of Lahaina residents to leave the island.

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Mahalo for listening and for your commitment to our well-being.

Sincerely,

Danny Domingo, Jr., MS-3