MEMORANDUM   LATE TESTIMONY

TO:	Representative Marcus Oshiro Chair, Committee on Finance ***Via Facsimile: 586-6001***
FROM:	Mihoko E. Ito
DATE:	February 10, 2010
RE:	H.B. 1922 – Relating to Taxation Hearing: Wednesday, February 10, 2010 at 2:00 p.m. Agenda #1

Dear Chair Oshiro and Members of the Committee:

I am Mihoko Ito, testifying on behalf of Wyndham Worldwide. Wyndham Worldwide offers individual consumers and business-to-business customers a broad suite of hospitality products and services across various accommodation alternatives and price ranges through its portfolio of world-renowned brands. Wyndham Worldwide has substantial interests in Hawaii that include Wyndham Vacation Ownership, with its resort at Waikiki Beach Walk.

Wyndham **submits comments** regarding H.B. 1922, which requires nonresident sellers of real property located in Hawaii to furnish to the bureau of conveyances a tax clearance certificate issued from the department of taxation as a condition of recording a change in title to the property. The volume of real property transactions that this measure would impact is a concern, particularly given the ownership structure of timeshares.

Accordingly, we support amending the language of this measure to limit its application where it would create an unnecessary administrative burden on the Department of Taxation. As set forth in H.B. 2362 or S.B. 2887, these situations would include (1) where there is a foreclosure or deed in lieu of foreclosure, (2) where there is no gain, or (3) where the transaction is *de minimis* (i.e., where the amount realized does not exceed $100,000).

2846447.1