

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

GOVERNMENT RELATIONS TEAM:
GARY M. SLOVIN
ANNE T. HORIUCHI
MIHOKO E. ITO
CHRISTINA ZAHARA NOH

ALII PLACE, SUITE 1800 • 1099 ALAKEA STREET
HONOLULU, HAWAII 96813

MAIL ADDRESS: P.O. BOX 3196
HONOLULU, HAWAII 96801

TELEPHONE (808) 547-5600 • FAX (808) 547-5880

info@goodsill.com • www.goodsill.com

INTERNET:
gslovin@goodsill.com
ahoriuchi@goodsill.com
meito@goodsill.com
cnoh@goodsill.com

MEMORANDUM

LATE TESTIMONY

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| TO: | Representative Marcus Oshiro Chair, Committee on Finance <u><i>Via Facsimile: 586-6001</i></u> |
| 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).