

GP ROADWAY SOLUTIONS

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

February 11, 2010, at 2:00 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284

Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I support passage of House Bill HB2284 which will extend Act 189. The purpose of the Act is to help stabilize our economy by setting parameters that will encourage open and transparent negotiation in long-term ground leases which support Hawaii's critical commercial and industrial business community.

The issues brought before the legislature during the last session have only worsened. HRPT's corporate policies toward rents have skyrocketed in spite of a failing economy. HRPT has chosen to ignore a \$5.26 flat rate arbitration award and continues to demand rents of \$7.00 plus 3% or \$% per annum increases. This is simply price gouging.

Last session you approved SB764 which became Act 189. Please, stay your position by passing HB2284 and extend the life of Act 189. You had Hawaii's best interest at heart last year, and now additional fortitude is required to restate your position.

Act 189 does not change the terms of the leases. Act 189 merely says that when a long-term ground leases calls for "fair and reasonable rents," that those rates be fair and reasonable to both parties.

I respectfully and strongly request that you approve House Bill HB2284.

Aloha,

Jenny Campos
PO Box 4319
Honolulu, Hawaii 96812
(808) 833-2502
Email: jcampos@gproadwaysolutions.com

GP Roadway Solutions

February 1, 2010

Representative Angus L.K. McKelvey, Chair
Representative Isaac W. Choy, Vice-Chair
House Committee on Economic Revitalization, Business, & Military Affairs
State Capitol
Honolulu, Hawaii 96813

Re: HB 2284 Re: Relating to Real Property – **Testimony in Support**
Hearing Date: Tuesday, February 2, 2010, 8:30 AM, Room 312

Dear Representatives McKelvey, Choy and Members of the Committee:

I support passage of House Bill HB2284 which is simply written to extend the sunset of Act 189. The issues brought before the legislature during the last session have only worsened. However, extending Act 189 by the passing of HB2284 will help the welfare of the Hawaii community and businesses and to stabilize the rents lessors charge and lessees pay.

Please approve House Bill HB2284.

Aloha,

Jenny Campos
PO Box 4319
Honolulu, Hawaii 96812
(808) 833-2502
Email: jcampos@gproadwaysolutions.com

GP Roadway Solutions

February 1, 2010

Representative Angus L.K. McKelvey, Chair
Representative Isaac W. Choy, Vice-Chair
House Committee on Economic Revitalization, Business, & Military Affairs
State Capitol
Honolulu, Hawaii 96813

Re: HB 2284 Re: Relating to Real Property – **Testimony in Support**
Hearing Date: Tuesday, February 2, 2010, 8:30 AM, Room 312

Dear Representatives McKelvey, Choy and Members of the Committee:

I support the passage of House Bill HB2284 which is a bill to extend Act 189. As a private lessee and as a result of the downturn of our local economy, we need Act 189 extended to help our community and our small businesses, which are the backbone of our economy.

Thank you for your support in approving House Bill HB2284.

Aloha,

Jenny Campos
PO Box 4319
Honolulu, Hawaii 96812
(808) 833-2502
Email: jcampos@gproadwaysolutions.com

GP Roadway Solutions

February 1, 2010

Representative Angus L.K. McKelvey, Chair
Representative Isaac W. Choy, Vice-Chair
House Committee on Economic Revitalization, Business, & Military Affairs
State Capitol
Honolulu, Hawaii 96813

Re: HB 2284 Re: Relating to Real Property – **Testimony in Support**
Hearing Date: Tuesday, February 2, 2010, 8:30 AM, Room 312

Dear Representatives McKelvey, Choy and Members of the Committee:

I support the passage of House Bill HB2284 which is a bill to extend Act 189. As a lessee of industrial property in the Mapunapuna area we need Act 189 extended to stabilize the rents lessors charge and the rents that we as lessees pay

Please approve House Bill HB2284.

Aloha,

Jenny Campos
PO Box 4319
Honolulu, Hawaii 96812
(808) 833-2502
Email: jcampos@gproadwaysolutions.com

EDWARD R. BENDET
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YURIKO J. SUGIMURA
THOMAS R. SYLVESTER*
KEITH S. AGENA
LORI LEI Y. HIJII
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February 11, 2010

Representative Jon-Riki Karamatsu
Representative Kenneth Ito

Re: HB 2284, Real Property - Testimony in Support

Hearing February 11, 2010, 2:00 p.m., Room 325

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

My name is Jay Fidell and I am general counsel for Citizens for Fair Valuation, Inc., a Hawaii nonprofit corporation, and I write in ardent support of HB 2284.

BROKEN PROMISES

Last year, after extensive discussion and debate, this Legislature passed Act 189 and the governor let it become law. The final bill included a one year sunset date. This was included because HRPT had so often and vigorously promised the committees and legislators before whom it appeared that it would clean up its act. The sunset date was set at one year on the understanding and assumption that HRPT would be faithful to those promises.

But HRPT has not been faithful to those promises. It has continued to do all of the bad things it was doing before. That includes making comparables secret and confidential so neighboring tenants would not have the benefit of knowing about them or using them in renegotiations; sending out Take it or Leave it offers and ignoring tenant counteroffers; refusing to communicate with tenants and failing to respond to tenant inquiries for six months at a time; demanding that tenants agree to disregard Act 189 and to various lease amendments that favored only HRPT; and disregarding arbitration awards that HRPT didn't like.

Representative Jon-Riki Karamatsu
Representative Kenneth Ito
February 11, 2010
Page 2

These strategies are not intended to achieve fair and reasonable rents but to systematically push rents and landlord profits as high as humanly possible, much higher than fair and reasonable, despite the requirements of the lease.

Believe it or not, HRPT is now telling the Legislature that it has cleaned up its act since last year. That is simply not true, as dozens of witnesses will attest. HRPT has not cleaned up its act at all, and in fact has gotten worse since last year. As a result, this year CFV submitted HB 2884 to extend the sunset for five years. Act 189 should certainly not be permitted to sunset - the reasons for the one year sunset have not been met in any way. The Legislature cannot afford to forget or excuse all the promises that HRPT made to it.

RED HERRING

Last year, HRPT also opposed the bill on the basis that Act 189, which says the rent shall be fair and reasonable for both parties, somehow changed the contract language, which provides that the rent shall be fair and reasonable, and is therefore unconstitutional. But all you need to do is read it to see that it doesn't change the lease at all. The Legislature didn't buy HRPT's red herring argument then, and it shouldn't be distracted by that argument now.

There is no question that this Act affects so much land and so many people and businesses that it affects the state in general and of course the state's economy, and is therefore a legitimate issue for legislative action.

As soon as Act 189 was passed, HRPT filed a federal suit challenging the constitutionality of the Act, and it moved for summary judgment. The court denied that motion with all cross motions. Discovery is now in process, and it is not likely that the case will be resolved any time soon. HRPT has said it will appeal any result it doesn't like and that won't be resolved any time soon either.

No ruling or order has been made to impugn or deny the constitutionality of the Act, and in the absence of such ruling the Act must be treated as constitutional for all purposes. The Attorney General of Hawaii is actively and aggressively defending the constitutionality of the Act in the suit HRPT has filed. Citizens for Fair Valuation is an intervenor in that case, and through its attorney Professor Jon Van Dyke, noted constitutional expert at the William S. Richardson School of Law at UH, is also actively defending the constitutionality of the Act. HRPT is in no position to tell you that it has somehow won the case.

HRPT argues that because it filed this suit, the Legislature should let Act 189 expire. That argument makes no sense at all and is an attempt to fool the Legislature. The Legislature diligently considered and passed Act 189 last year

and owes it to itself and its constituents to stick by the decision it made. For the public to have confidence in the Legislature, the Legislature should not change with the season. It should demonstrate continuity and consistency, along with individual and collective courage, on issues like this.

SCORCHED EARTH

The only question before the house is whether Act 189 should be extended, and the bottom line answer is that if the Legislature extends the Act it will be sending a message to HRPT to be fair and reasonable. Contrariwise, if the Legislature does not extend the Act it will be sending an entirely different kind of message to HRPT - namely, that HRPT is free to continue its bad acts.

HRPT would tell the Legislature to send our people away without redress, to have them seek redress elsewhere. But in practical fact, there is no other place they can go. The citizens of this state have a right to ask the Legislature to redress their grievances, and the Legislature has a right, and the power, to do so in accordance with its perception of public need and its conscience. The Legislature redressed that grievance properly and in the way it saw fit, and there is no reason why it should reverse itself now less than a year later.

The reality is that HRPT takes the same scorched earth approach in arbitration as in court. Arbitration by MAI appraisers in these proceedings costs hundreds of thousands of dollars and months or even years to complete. Before you ever get to your own attorneys' fees, the fees of three arbitrators sitting on such a panel will be \$45,000 or more. The cost of arbitration these days is multiples more than it was a few years ago.

To litigate in court is to litigate on HRPT's most familiar turf, and costs even more than any arbitration. HRPT is highly litigious and as a national REIT its resources are practically endless. It would be to HRPT's interest for this Legislature to send these tenants into that kind of economic meat grinder to set the rent. Many of them would not come out again.

And the resolution of one arbitration or court case does not resolve things for the hundreds of tenants involved. For maximum intimidation, HRPT would put each tenant to the test and expense of fighting separately in endless dispute and backbreaking expense. The threat of this prospect would make most people capitulate, and that result is exactly what is intended.

FAIR AND REASONABLE?

After great effort and expense, Servco won its recent arbitration against HRPT. The result was \$5.26 per foot without any step-ups and thus dramatically less

Representative Jon-Riki Karamatsu
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than what HRPT was demanding. But HRPT doesn't like this award and simply refuses to accept it for neighboring tenants. Is that fair and reasonable?

The result is that if a given tenant wants what Servco got in that arbitration, he has to spend the money that Servco spent in its lengthy arbitration. Otherwise, the tenant has to take HRPT's outrageous Take it or Leave it offer, driving rents higher and higher, way over anything close to fair and reasonable.

The most chilling point of all is that HRPT continues to vigorously oppose a bill that says no more than the rent will be fair and reasonable, just as provided in the lease. Why would any landowner oppose language that calls for the rent to be fair and reasonable except if it wishes the rent to be unfair or unreasonable instead? The answer is clear, and frankly so is the motivation.

HRPT is concerned only with making its own unreasonable rental increase expectations come true, not with the welfare of our people or our state. It's the Legislature that needs to be concerned with the welfare of our people and our state. The Legislature should not be distracted by specious arguments from HRPT and its agents. Please see through those arguments and pass HB 2284.

Thank you for your consideration of my views in this regard.

Very truly yours,

A handwritten signature in cursive script, reading "Jay M. Fidell".

Jay M. Fidell
Of BENDET FIDELL

JMF:dt

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is Linda ENFIELD I live in Waipahu. I own or work at GP Roadway Solutions which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly _____ people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name LINDA ENFIELD
Company GP Roadway Solutions
Address 689- Puuloa Rd.
Phone 833 0099
Email _____

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is Kiana ENFIELD I live in Waipahu. I (own or work at) Hardware Hawaii which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

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Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name Kiana ENFIELD
Company Hardware Hawaii
Address 704 Mapunapuna St.
Phone - 831-3100
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property: Leasehold: Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee;

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is KIM SANCHEZ, I live in MILILANI. I (own or work at) GP ROADWAY SOLUTIONS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.


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Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name KIMBERLY SANCHEZ
Company GP ROADWAY SOLUTIONS
Address 689 PULUOA RD HONOLULU 96819
Phone (808) 833 0099
Email KSANCHEZ@GPROADWAYSOLUTIONS.COM



2/11/10

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is KELLY LENFEST. I live in HONOLULU. I (own or work at) GP ROADWAY SOLUTIONS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

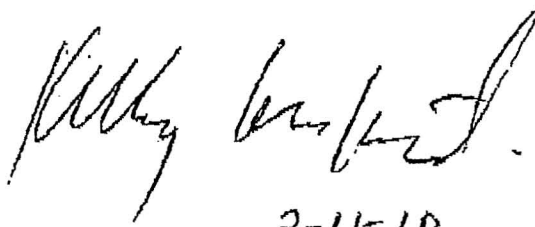
The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name KELLY LENFEST
Company GP ROADWAY SOLUTIONS
Address 660 MAPUNAPUNA
Phone 833-0099
Email klenfest@gpreadwaysolutions.com



2-11-10

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

February 11, 2010, at 2:00 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284Real Property: Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is DANSEN KANEHAILO I live in WAAIANAE. I (own or work at) GP ROADWAY, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name DANSEN KANEHAILO-A/AN
Company GP ROADWAY SOLUTIONS
Address 689 PULOA RD.
Phone 808. 856. 9117
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

February 11, 2010, at 2:00 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is Louis Fungagavi, I live in Village Park Waipahu or work at 689 Puuloa, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

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Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name Louis Fungagavi
Company GP ROADWAY SOLUTIONS
Address 689 Puuloa Rd.
Phone 808-418-3351
Email

Fungagavi, Louis

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

February 11, 2010, at 2:00 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is Jason Barlan, I live in Ewa Beach. I (own or work at) GP Roadway Solutions, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

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Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name Jason Barlan
Company GP Roadway Solutions
Address 684 Puulua Rd.
Phone 833-0099
Email



February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

February 11, 2010, at 2:00 p.m., Room 325

Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is Keali Kalahiki, I live in Mililani. I (own or work at) GRS Roadway, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

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I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name Keali Kalahiki
Company Grace Pacific Roadway Solutions
Address 1689 Puuwa Rd.
Phone 833-0099
Email



February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is

Diane Ramiro, I live in . I (own or work at) 689 Punia Rd, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 257 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

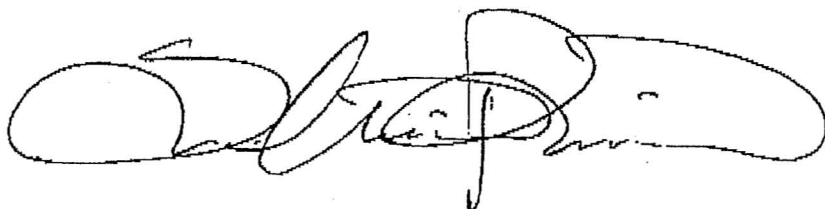
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Name Diane Ramiro
Company GP Roadway Solutions
Address 689 Punia Rd.
Phone 833-0099
Email



February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
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TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is Aaron Geaton, I live in Finia Beach. I (own or work at) GP, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name Aaron Geaton
Company GP
Address 669-Mapunapuna
Phone 833-0099
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is KAWIKA. I live in Nanakuli. I (own or work at) GP Roadway, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name Kawika Ahina
Company GP Roadway Solutions
Address 689 Puuloa Rd
Phone 833-0099
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is NORMAN AKAU, I live in HAWAII KAI. I (own or work at) GPRS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name: NORMAN AKAU
Company: GPRS
Address: 6001 PUULOA RD
Phone: 833-0099
Email:

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property: Leasehold: Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is SAM KANG I live in SALT LAKE, I (own or work at) GPRS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly _____ people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name SAM KANG
Company GPRS
Address 689 Puulua Rd
Phone _____
Email 833 0099

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is IVAIKA TRINIDAD live in ENA PEACH, I (own or work at) GP RS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name IVAIKA TRINIDAD
Company GP ROADWAY SOLUTIONS
Address
Phone 689 PUNLOAK RD
Email 8336299

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is RONALD MERCADO I live in KALIHI. I own or work at SPRS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name RONALD MERCADO
Company GP ROADWAY SOLUTIONS
Address 684 PULILOA RD 90519
Phone 833-0099
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is TRINA BAKER, I live in PEARL CITY. I (own or work at) GP ROADWAY SOLUTIONS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 150 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name TRINA BAKER
Company GP ROADWAY SOLUTIONS
Address 6801 PULUHIA RD 76819
Phone 833 0099
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is NOLAN KAIDO. I live in WAIANAE. I (own or work at) GPS which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name NOLAN KAIDO
Company
Address GP ROADWAY SOLUTIONS
Phone
Email 689 PUULOA RD
833 0099

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is MAKANA WAIAU, I live in WAIKID. I (own or work at) GPRS, which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 160 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name MAKANA WAIAU
Company GPRS
Address 1281 PULUOA RD
Phone 833 6097
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is KUI KELLY, I live in WAIPIO. I (own or work at) GP ROADWAY which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 100 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

The issues brought before the legislature during the last session have only worsened. HRPT has not abided by its word to improve relationships and honor the course of action set by the Damon Estate. Indeed, Jan Yokota of HRPT has sent letters to lessees that require us to waive our rights under the existing law (Act 189) now and forever before making a binding offer. Is this fair? Is this reasonable?

Act 189 was written to redress these issues and unfortunately HRPT has failed in its obligation to provide "fair and reasonable" rents. Instead, it has redoubled its efforts to intimidate, bully and force lessees into costly arbitrations proceedings while ignoring the arbitration results achieved by others. These actions seem to be driven by simple greed.

Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name KUI KELLY
Company GP ROADWAY SOLUTIONS
Address 689 PULUOA RD HONOLULU 96819
Phone 808 833 0099
Email

February 10, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY
February 11, 2010, at 2:00 p.m., Room 325
Hawaii State Capitol

TESTIMONY IN STRONG SUPPORT OF HB2284
Real Property; Leasehold; Lease Rent Renegotiation

Aloha Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

I strongly support HB 2284 and respectfully request that your committee extend the life of Act 189. My name is STANTON OYAMA I live in KALIHI. I (own or work at) GP ROADWAY SOL which is located in the Mapunapuna/Sand Island/Kalihi Kai area, and employ roughly 200 people.

Last session your Committee passed SB764 and the Governor allowed Act 189 to become law without her signature. Act 189 was given a one year sunset in order to provide the lessor, HRPT, ample time to improve their corporate citizenship and to provide lessees rents that are "fair and reasonable" as is required under the existing leases.

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Passage of HB2284 will extend Act 189 and hopefully remind the landowner to negotiate terms based on the realities of the current and foreseeable future in Hawaii's economy.

I want to stay in business and I want to keep my workers employed. Please continue what you agreed to do last session by passing HB2284. Thank you.

Name STANTON OYAMA
Company GP ROADWAY SOLUTIONS
Address 689 PUULOA RD.
Phone 478-3345
Email