
From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 11:12 AM
To: HSGtestimony
Cc: stevegghi@gmail.com
Subject: Testimony for HB2812 on 2/3/2010 9:00:00 AM

Testimony for HSG 2/3/2010 9:00:00 AM HB2812

Conference room: 325
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Steve Glanstein
Organization: Individual
Address: P. O. Box 29213 Honolulu, HI 96820-1613
Phone: 4236766
E-mail: stevvegghi@gmail.com
Submitted on: 2/2/2010

Comments:

Sorry...didn't have time for more formal testimony.

The bill micro manages associations and has numerous unintended consequences.

(2)

Which affect everyone in that building, this new law will address the make up of the board in a way that will fix these abusive decisions made by non residing individuals who sit on condo boards.

Personally ,I would like to see only U.S.Citizens on these boards ,and see some record keeping done by the boards of non residents units owner's financial reports with regards to state G.E.T. Taxes,so there is some regulation ,and the state actually would get the money it is owed,

Perhaps in next sessions bill could be introduced that addresses these tax frauds that rent out these units and do not collect or collect and keep these sales tax funds.

Please support this bill with your vote ,

Mahalo,

Dave Moskowitz

From: p r [elittlestar@live.com]
Sent: Saturday, January 30, 2010 7:26 PM
To: HSGtestimony
Subject: in strong support of HB 2812 RELATING TO CONDOMINIUMS

Chair Cabanilla and members of the Housing Committee:

I am in **strong support** of HB 2812 RELATING TO CONDOMINIUMS.

The problem is some condominium Boards, who do not represent the people who live in their building, are making decisions on their behalf. These decisions do not affect them because they do not even live in the building.

HB 2812 addresses the problem by establishing a minimum number of members for condominium association boards of directors for mixed-use condominiums with a certain number of units and owners. Limits the number of board members representing nonresidential-use units.

I have been a resident owner for 20 years in one of two condominium towers; each tower has 112 counted units.

In the beginning, there was one majority owner who owned 70% of the residential units and all of the commercial space, and then he sold the residential units to a Japanese company, and used them as Hotel rentals. The commercial space owner was still in play. The hotel owner portion used his voting power of 70+% to vote for a 3 member board, to both towers. Since that time, he resold the second 70+% owner, bankrupted the building and left. But later when the appointed court caretakers took over, all the 70% ownership units were sold to individual owners.

The New Board, with the help of the management company, has been able to keep the Board at 3 members by using the solicited proxy votes of the owners for the annual meeting, so when a motion is made to expand the Board, the Board (with their proxy votes) keeps the Board at three members only, only one of whom is a resident owner (for 112 units).

When the board wants something they have no opposition to what they want and how much they will spend.

The latest big spend (and we were assessed for the expense at an average of \$500 to \$650 per unit), was to move and change the fire alarm system because they wanted to get it out of the X-front desk so they could re-rent it out. This is one example of not knowing what would happen because it was all left up to the managing company to do what they are too busy to handle first hand. This Board only delegates out what they want, because they can. So far they are also trying to get control of the common area of the ground floor to expand the commercial space. Leaving what will look like a hall-way through the lobby area.

Mahalo for the opportunity to present testimony on this matter.

P. Romano tele 808-922-3303 Waikiki

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From: Antonette Port [portr001@hawaii.rr.com]
Sent: Monday, February 01, 2010 10:41 PM
To: HSGtestimony
Subject: Testimony HB 2812

Rep. Rida Cabanilla, Chair
Rep. Pono Chong, Vice Chair
Committee on Housing

Hearing: Wednesday, February 3, 2010

Testimony: HB 2812 Relating to Condominiums

Dear Representatives:

This testimony is in support of HB 2812 which establishes a requirement to provide a balance of members of condominium Boards of Directors in mixed use condominiums so that there is representation provided on these Boards for residential owners.

One of the current problems in mixed use condominiums is that the owners who reside in the condominium property are either under represented or not represented at all. House Bill 2812 attempts to remedy this problem. Therefore, I believe your committee should support this bill.

Thank you for this opportunity to testify in support of HB 2812.

Richard Port

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2010 3:51 PM
To: HSGtestimony
Cc: alinoue@hawaiiantel.net
Subject: Testimony for HB2812 on 2/3/2010 9:00:00 AM

Testimony for HSG 2/3/2010 9:00:00 AM HB2812

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Al M. Inoue
Organization: Individual
Address: 101 Aupuni St. Ste 1001 Hilo, HI 96720
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Submitted on: 2/1/2010

Comments:

My company manages a mixed use commercial/residential condominium association in Hilo. We, presently, have a Board made up of 5 residential and five commercial members. The amount of space designated for the residential and commercial are approximately equal. This distribution of Board members has worked very well over the past 25 years.

To limit the number of commercial Board members to three will create an unfair advantage of the residential component over the commercial component. I ask you to, please, oppose this revision to the law.

Thank you for your consideration.

Al M. Inoue

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February 3, 2010

Chairman ,and Vice Chair and members of the Committee,

Aloha and Good Morning, my name is Dave Moskowitz, I reside, in Waikiki. And have been a resident there for about a dozen years, additionally, in my younger years I attended Iroquois Point Elementary School, in Ewa Beach, and Campbell Jr. High School, in the 60's.

I am here today to speak in favor of House Bill # 2812 sponsored by State Representative Tom Brower, I support this bill because it will give tenants, and owners of condominiums more substantial and equitable representation.

Too many absentee owners, sit on these boards and do not spend enough time in their units, if at all.

The people who own and rent in these buildings need their board members to be there, and to be current on the needs of the owners and tenants alike,

Currently many boards do not function in this manner. Many of us feel underrepresented and these positions are dominated by outsiders, non resident aliens, are often in these positions. In my previous unit the owner, was the and still is the Condo board president, he is from Canada, guess what he never paid G.E.T taxes, and State and federal taxes, he and his partners claimed NAFTA protected them from taxes. He was reported to the state the IRS and the Canadian Provincial government,

However, these people try to squeeze maximum dollars from these units, and let the premises decline to the detriment of the tenants and owner's alike, This unit known as The Kuhio Ebbtide, has 5 short years left on its leasehold and the property will most likely slide into a state of neglect, as a result of these non resident aliens making important decisions -cont pg,2