

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 25, 2013 11:22 AM
To: HSGtestimony
Cc: steveghi@Gmail.com
Subject: Submitted testimony for HB475 on Jan 28, 2013 08:45AM

HB475

Submitted on: 1/25/2013

Testimony for HSG on Jan 28, 2013 08:45AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Glanstein	Individual	Oppose	No

Comments: This bill represents micromanagement of Planned Community Association meetings. It has been defeated multiple times in our legislature. It provides for micromanagement of the meeting notice of a large number (currently unknown quantity) of associations and boards. It intervenes in the personal issues that a few people have with their association or board. Please hold this bill and focus on more meaningful legislation for Hawaii's future.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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woodson2-Miho

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 26, 2013 8:05 AM
To: HSGtestimony
Cc: rachelle09@yahoo.com
Subject: Submitted testimony for HB475 on Jan 28, 2013 08:45AM

HB475

Submitted on: 1/26/2013

Testimony for HSG on Jan 28, 2013 08:45AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Rachelle Chang	Individual	Oppose	No

Comments: As a member of a homeowners association, I think this will mean greater and unnecessary expenses for the association. With an all-volunteer board, it is sometimes difficult to agree on a meeting date, and the 14-day notice is unreasonable.

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Aloha,

It just came to my attention that you are proposing legislation to require homeowners associations to mail out notices to members prior to all association meetings. That is a substantial financial burden that most if not all association are not able or willing to endure. Homeowners associations unlike most of our bureaucracies that pass idiotic legislation like this balance their budget every year and are responsible stewards of members' dues and capital accounts. This frivolous waste of funds is not acceptable to the 99% of homeowners that read email and/or have access to a browser at home, work or the library. The 1% that don't certainly don't attend, participate in association meetings and probably are delinquent in their dues. The digital age has been here 20 years plus, please get with the times and leave hardworking, responsible individuals and homeowner associations in Hawaii alone.

Sincerely,

Ken Middleton
808-973-0311

As a former member of the Mariner's Cove Association (MCA) board of directors and past president of the board, I strongly oppose HB475. I believe it could impose substantial hardship on the management companies that represent these community associations and incur unnecessary expense for the members of the associations. While there are several approved methods of providing notification of meetings, including e-mail and the use of websites, not all association members have access to the Internet or e-mail which would require the management companies to mail the notifications to them. Management companies generally have no way of knowing which association members have Internet access and might be required to mail the notices to all members. Depending on the number of members and frequency of the meetings, these mailing could cost the associations thousands of dollars per year. I urge members of the HSG committee to consider the ramifications of this bill before voting to move it forward. Thank you for your consideration of my opinion.

Jo Ann C. Kocher

woodson2-Miho

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 26, 2013 8:43 PM
To: HSGtestimony
Cc: marcu@hmcmtg.com
Subject: Submitted testimony for HB475 on Jan 28, 2013 08:45AM

HB475

Submitted on: 1/26/2013

Testimony for HSG on Jan 28, 2013 08:45AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Marc Udoff	Individual	Oppose	No

Comments: I am opposed to this bill as it will create a financial hardship for Community Associations to have to mail thousands of Meeting Notices to owners, most of who never show up for meetings and do not care. The burden to pay for the postage, envelope and copying charges far outweighs any benefit that would be received by passing this bill. Thank you!

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woodson2-Miho

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 27, 2013 11:29 AM
To: HSGtestimony
Cc: parkern001@hawaii.rr.com
Subject: Submitted testimony for HB475 on Jan 28, 2013 08:45AM

HB475

Submitted on: 1/27/2013

Testimony for HSG on Jan 28, 2013 08:45AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Noah L. Parker	Individual	Oppose	No

Comments: Aloha, I find that this Bill is totally unnecessary. If a resident of the Community Association wishes to find out when a meeting is being held and or the minutes of the meeting, all the person needs to do do is pick up the phone or go to Resident Managers office for the information. Why is it necessary to penalize everyone with the additional cost involved in mailing notices to everyone in the Association, that's not cost effective to all members of the Associations. It just doesn't make any sense!!

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woodson2-Miho

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 27, 2013 12:26 PM
To: HSGtestimony
Cc: czahn@hawaii.rr.com
Subject: Submitted testimony for HB475 on Jan 28, 2013 08:45AM

HB475

Submitted on: 1/27/2013

Testimony for HSG on Jan 28, 2013 08:45AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Zahn	Individual	Support	No

Comments: Aloha. I am in complete support of HB 475. The members of the associations should have the information of what on the agenda and when a Board Of Directors meeting or the entire Association will be held. There will be large community associations that will be in opposition to this bill. One reason is that they will say that it will be cost prohibitive to mail out the notice of the meeting. My opinion is reasoning is flawed in that the US Mail cost the notices for 13 meetings would be about \$6.00 per year (\$.50 per month) for each member. Thank you for your time. Charles Zahn

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Pineapple Hill at Kapalua
Homeowner's Association
100 Woodrose
Lahaina, HI 96761

January 25th, 2013

Aloha Legislators and Staff,

I would like to state our Board's opposition to HB475. We feel most Association CC&R's cover this issue adequately and that individual organizations should be able to make their own rules regarding meeting notice. Owners already have rights in place to safeguard their ability to be aware of meetings without adding another burden to an already time consuming voluntary duty. There are also Association costs that we feel add very little protection or value to owners.

Thank you,
Avery Loy
Board President



Testimony to the House Committee on Housing

January 28, 2013

Testimony in Opposition to

HB No. 475 relating to Planned Community Associations

(Creates notice requirements for meetings of a planned community association or its board of directors)

Dear Chair Cabanilla, Vice Chair Woodson and Committee members:

My name is Na Lan, and I am authorized to testify on behalf of the CAI Legislative Action Committee. CAI opposes HB No. 475 as to its notice requirements set for Board meetings or committee meetings of a planned community association.

HB No. 475 imposes the fourteen-day notice requirement to “any meeting of an association or of the board of directors” for a planned community association governed by HRS 421J. The meetings that are subject to such notice requirements would include not only the Association meetings but also Board meetings and committee meetings. The overbroad language “any meeting” would also cover both regular and special meetings.

HB No. 475 imposes a higher burden on planned community associations than condominium associations on such meeting notice requirements, especially those associations without a website or electronic member mailing list. HRS 514B-121(c) sets the same fourteen-day notice requirement for association meetings of a condominium association, but HRS 514B-125(d) simply requires that the meeting notice be posted in prominent locations within the project

The Honorable Rida T.R. Cabanilla, Chair
The Honorable Justin H. Woodson, Vice Chair
Members of the Committee
January 28, 2013
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seventy-two hours prior to the meeting or simultaneously with notice to the board for all board meetings of a condominium association.

The stricter fourteen-day notice requirement for Board meetings and committee meetings set by HB No. 475 may cause delay in the Board's or committee's decision making process for a planned community association. The Board of Directors and committees of a planned community association often need to make decisions on emergency operation matters or litigation related issues that need immediate action. CAI believes the advance notice of seventy-two hours set forth in HRS 514B-125(d) is more reasonable compared with the fourteen days requirement proposed by HB NO. 475.

The stricter notice mailing requirements for Board meetings and committee meetings would cause further financial problems for planned community associations with tighter budget and high delinquency on owners' assessment payments, especially for those associations without a website or an electronic member mailing list.

CAI opposes HB No. 475 and respectfully requests that the Committee decline to pass it or at least limit the notice requirements to Association meetings of a planned community association.

Thank you for the opportunity to provide our testimony.

Sincerely,

A handwritten signature in cursive script, appearing to read "Na Lan".

Na Lan