

JOSH GREEN M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TAXATION

Ka 'Oihana 'Auhau
P.O. BOX 259

HONOLULU, HAWAII 96809
PHONE NO: (808) 587-1540
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GARY S. SUGANUMA
DIRECTOR

KRISTEN M.R. SAKAMOTO
DEPUTY DIRECTOR

**TESTIMONY OF
GARY S. SUGANUMA, DIRECTOR OF TAXATION**

TESTIMONY ON THE FOLLOWING MEASURE:

S.B. No. 2919, S.D. 2, Relating to Property

BEFORE THE:

House Committees on Housing and Tourism.

DATE: Friday, March 15, 2024
TIME: 9:30 a.m.
LOCATION: State Capitol, Room 312

Chairs Evslin and Quinlan; Vice-Chairs Aiu and Hussey-Burdick, and Members of the Committees:

The Department of Taxation ("Department") offers the following comments regarding S.B. 2919, S.D. 2, for your consideration.

S.B. 2919, S.D. 2, section 2 expands county zoning powers in section 46-4, Hawaii Revised Statutes (HRS), and incorporates the definition of "transient accommodations" from section 237D-1, HRS. Section 3 of the bill expands the definition of "transient accommodations" in section 237D-1, HRS, to include the furnishing of "shelter" and the letting of vehicles providing or advertised as providing sleeping accommodations.

The bill has a defective effective date of July 1, 2040, provided that section 3 shall take effect on January 1, 2025.

The Department notes that it can administer the tax law change in section 3 of this bill by the January 1, 2025 effective date.

Thank you for the opportunity to provide comments on this measure.

Council Chair
Alice L. Lee



Director of Council Services
Traci N. T. Fujita, Esq.

Vice-Chair
Yuki Lei K. Sugimura

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

Presiding Officer Pro Tempore
Tasha Kama

COUNTY COUNCIL

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 14, 2024

COMMITTEE ON HOUSING

Rep. Luke A. Evslin, Chair • Rep. Micah P.K. Ai, Vice Chair

COMMITTEE ON TOURISM

Rep. Sean Quinlan, Chair • Rep. Natalia Hussey-Burdick, Vice Chair

Friday, March 15, 2024
9:30 AM

SUBJECT: STRONG SUPPORT OF SB2919, RELATING TO PROPERTY

Aloha e Chairs, Vice Chairs, and honorable committee members,

Mahalo for this opportunity to testify in *strong support* of SB2919 SD2, which would expand the zoning powers of counties and the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

I cannot thank you all enough for your work toward clarifying the counties' authority under HRS 46-4(a) and for supporting the amendment to include the use of vehicles in the definition of transient vacation rentals. The following is one final proposed amendment for your consideration:

- 1) On page 6, line 15, please add apartment after residential to read: "...provided that transient accommodations uses may be amortized or phased out in residential, **apartment** or agricultural zoned areas."

There are over 2,200 units in West Maui currently used as transient vacation rental units in the apartment zoned district alone; many of which were once workforce and long-term housing units. Most of these are condos, not single-family dwellings. The proposed amendment would help to clarify the legislature's intention.

In every hearing, the claim that this measure is unconstitutional has been made. In an attempt to put that issue to rest, the House Committee on Judiciary & Hawaiian Affairs Chair, David Tarnas, requested an opinion from the Office of the Attorney General regarding the constitutionality of HB1838, a bill similar to SB2919. The opinion from the Office of the Attorney General stated:

“The potential for the county to exercise its regulatory ability unconstitutionally in the future does not render the immediate bill unconstitutional.

Furthermore, the constitutionality of future ordinances will depend on the specific circumstances, but it is absolutely possible for the counties to enact constitutional ordinances phasing out short-term rentals.”

While a legal analysis was not necessary for HB1838, nor this measure, it was helpful of Representative Tarnas to request the opinion for everyone’s due diligence. This measure would simply empower each county to determine what is in the public good for their respective county.

Mahalo again for your service to our communities across the pae’āina. I respectfully ask you to pass SB2919 today.

Mahalo,

A handwritten signature in black ink, reading "Keani Rawlins-Fernandez". The signature is written in a cursive, flowing style.

Keani Rawlins-Fernandez
Councilmember



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON HOUSING HOUSE COMMITTEE ON TOURISM

March 15, 2024

9:30 AM

Conference Room 312

In **SUPPORT** of **SB2919 SD2**: Relating to Property

Aloha Chair Evslin, Chair Quinlan, Vice Chair Aiu, Vice Chair Hussey-Burdick, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS** SB2919 SD2, which would help to directly and meaningfully address our islands' housing challenges, by ensuring that residential units are used to house local residents, and not transient visitors.

As most recently demonstrated by the Governor's original Emergency Proclamation on Housing, our housing crisis and the suffering of local families have been repeatedly used to attack legal safeguards protecting our environmental and cultural integrity, food security, water security, local job creation, and other critical interests and needs of both present and future generations. **Tellingly, these attacks often provide little to no assurances that housing projects developed without such safeguards will directly provide meaningful or long-term housing relief to the vast majority of local families; for example, the original Emergency Proclamation had no affordability requirements whatsoever, nor any means to ensure that new units would be reserved for current residents.** Meanwhile, the continual push to scapegoat environmental, cultural, and other public interest protections for our housing crisis has diverted policymakers and housing advocates from pursuing systemic, root-cause solutions that would provide much more meaningful and direct relief to local residents in need of truly affordable housing.

This measure, by contrast, would more directly address the housing needs of local residents, without compromising the environmental and cultural interests and the associated well-being and quality of life of our children and future generations. **By empowering counties to phase out vacation rental uses of their local housing supply, this bill provides a mechanism to open up tens of thousands of existing residential units for long-term residential use.**

While there is no single silver bullet for our multi-faceted housing and houselessness crises, the Sierra Club appreciates that this measure presents a meaningful potential pathway for housing relief for many local families, without compromising the well-being and quality of life of our

children and future generations. **The Sierra Club also emphasizes that if implemented by Maui County, this measure may also head off a humanitarian crisis when current federally-funded housing programs for displaced Lahaina residents expire – a crisis that would only invite further attacks on our environment, culture, and social fabric.**

Accordingly, the Sierra Club respectfully urge the Committees to **PASS** SB2919 SD2. Thank you very much for this opportunity to testify.

SB-2919-SD-2

Submitted on: 3/12/2024 10:45:00 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Junior	Puakukui Owners/Residents Neighborhood Organization	Support	Written Testimony Only

Comments:

Aloha State of Hawai‘i,

We are writing in **SUPPORT** of SB2919 to allow the Counties to better self govern. We see all this opposition and hope you can see that it is the residents that support the counties and what appears to be foreign investors very worried. We are not sure why the counties are so feared. We understand the counties will be allowed to make decisions in the best interest of their constituents. We hope the state can see that to allow the countries the ability to evaluate and set their own zoning, it will be best for the citizens of those counties.

The opponents to this bill are making crazy assumptions and they should take up their concerns with their County when/if anything is actually going to change. Right now the way this bill is presented, all the state is doing is giving the counties the ability to better control the zoning issues of their own county.

Please let each cunty do what is in the best interest of their people. The State has many things to worry about, shifting this back to the county is the right course of action. If the county decides to make changes, we can then talk to our local representatives. Please allow us to have the ability to evaluate and make our own zoning decisions.

Mahalo for considering allowing Counties to make their own choices and decisions.

Junior

34 Puailima Pl

Lahaina HI 96761

SB-2919-SD-2

Submitted on: 3/12/2024 3:49:12 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Emery	Hawaii First Realty LLC	Oppose	Written Testimony Only

Comments:

Strongly Oppose. This interferes with a robust economy and infringes on personal property rights.

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 305

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TRANSIENT ACCOMMODATIONS TAX; Include Mobile Homes and Boats

BILL NUMBER: SB 2919 SD 2

INTRODUCED BY: Senate Committees on Judiciary and Ways and Means

EXECUTIVE SUMMARY: Expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

SYNOPSIS: As it relates to the tax laws, amends section 237D-1, HRS, to add to the definition of “transient accommodations” subject to the TAT, “vehicles with, or advertised as including, sleeping accommodations.”

EFFECTIVE DATE: July 1, 2040; provided that the TAT change shall take effect on January 1, 2025.

STAFF COMMENTS: Current law defines “transient accommodations” as the furnishing of a room, apartment, suite, single family dwelling, or the like to a transient for less than one hundred eighty consecutive days for each letting in a hotel, apartment hotel, motel, condominium or unit as defined in chapter 514B, cooperative apartment, dwelling unit, or rooming house that provides living quarters, sleeping, or housekeeping accommodations, or other place in which lodgings are regularly furnished to transients.

Accommodations on a vehicle, such as a mobile home or a boat, apparently have not been put in the TAT crosshairs before. However, it strikes us that an interpretation of existing language to include vehicles is plausible. A bill to clarify the language might be unnecessary.

Digested: 3/12/2024



INTERNATIONAL LONGSHORE & WAREHOUSE UNION

LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikaula Street, Hilo, Hawaii 96720 • **OAHU DIVISION:** 451 Atkinson Drive, Honolulu, Hawaii 96814
MAUI COUNTY DIVISION: 896 Lower Main Street, Wailuku, Hawaii 96793 • **KAUAI DIVISION:** 4154 Hardy Street, Lihue, Hawaii 96766
HAWAII LONGSHORE DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814

LOCAL 142

March 13, 2024

The Thirty-Second Legislature
Regular Session of 2024

HOUSE OF REPRESENTATIVES

Committee on Housing

Rep. Luke A. Evslin, Chair

Rep. Micah P.K. Aiu, Vice Chair

Committee on Tourism

Rep. Sean Quinlan, Chair

Rep. Natalia Hussey-Burdick, Vice-Chair

State Capitol, Conference Room 312 & Videoconference
Friday, March 15, 2024; 9:30 a.m.

STATEMENT OF THE ILWU LOCAL 142 ON SB2919 SD2 – RELATING TO PROPERTY

The ILWU Local 142 represents 16,000 members across Hawai‘i. We are in **Strong Support** of SB2919, which gives the counties greater authority to define and manage short-term rentals on their islands. We are particularly invested in combating the current housing crisis, which is causing an exodus of hard working generational local families from our homeland and short-term rentals a part of this problem.

Short-term rentals generate an average of four times the revenue that a long-term rental generates. This sets up each home in Hawai‘i, each neighborhood in Hawai‘i, as a sitting duck for outside investors who only wish to extract profit and have little care for our communities or our local families. Short-term rentals decrease the housing inventory in Hawai‘i, increase the cost of housing in Hawai‘i, and compromise the cohesion and safety of our neighborhoods.

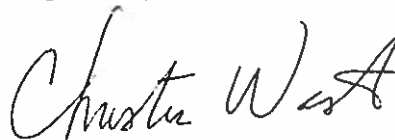
Too many of our neighborhoods have become overrun with short-term rentals and tourists. While our state depends on tourism for jobs and revenue, short-term rentals offer little jobs while sprawling tourists from resort areas into our backyards. If we want to cool local resentment for tourism overall, we must take action to control short-term rentals.

While those who are invested in short-term rentals in our state may frame the ILWU's support for this bill as a matter of interests in hotel occupancy, it is important for lawmakers to know that housing has always been a focus of the ILWU's work to support the working-class of Hawai'i.

The ILWU established housing committees in the 1950s to give workers a voice for issues related to their plantation housing. The late Ah Quon McElrath convened an ILWU housing conference in the 1970s to address the working-class people's struggles for affordable housing amidst booming development. Many workforce housing developments across the islands were established through the work of the ILWU, including the Jack Hall Housing in Waipahu and even the Kelaweia Mauka neighborhood of Lahaina.

In alignment with our communities, we are concerned with both pono tourism management and with addressing Hawai'i's housing problems. Giving counties the appropriate authority to manage housing issues on their islands is a move in the right direction to address both. We appreciate the urgency that SB2919 gives to the situation. We stand firmly in support of SB2919.

Respectfully,

A handwritten signature in black ink that reads "Christian West". The signature is written in a cursive, flowing style.

Christian West
President



Testimony of **Lāhainā Strong**
Before the House Committees on
Housing and Tourism

In Consideration of Senate Bill No. 2919 SD2
**DCCA; Short-Term Rentals; Registration; County Zoning; TAT;
Appropriation; General Fund Expenditure Ceiling Exceeded**

Aloha Chair Evslin, Chair Quinlan, Vice Chair Aiu, Vice Chair Hussey-Burdick and Honorable Members of the Committees,

We are writing on behalf of Lāhainā Strong, an organization that was initially formed in 2018 following the Hurricane Lane fire in Lāhainā and reenergized last year after the devastating Lāhainā fires on August 8. Our organization, is the largest grassroots, Lāhainā-based community organization, with over 20,000 supporters, engaged in providing support and assistance to the victims of these disasters.

Lāhainā Strong stands in support of SB2919 SD2, allowing counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time, as recommended by the House of Representatives shelter working group.

We want to highlight the importance of empowering counties to regulate land use effectively. Emphasizing that allowing counties to set regulations, such as defining short-term rentals as those lasting less than six months, would provide local governments with the flexibility needed to address community-specific concerns. Regulations would help preserve residential neighborhoods, maintain property values, and promote long-term community stability. By giving counties the authority to enact zoning regulations tailored to their unique needs, this bill would empower local decision making and enhance the quality of life for residents.

Lāhainā Strong has been at the forefront of relief and advocacy efforts, including initiating the "Fishing for Housing" camp, which has been in operation for 4 months along Kā'anapali Beach, highlighting the need for dignified housing for Lāhainā fire victims. Our organization has been working closely with the affected community to address pressing issues, and we appreciate the legislature's consideration of measures that align with our organization's goals and demands.

In Lāhainā, 25% of housing units were listed as short-term rentals, according to the University of Hawai'i Economic Research Organization. To the south of Lāhainā, that percentage jumps to 41.8%. To the north, it jumps to 87%.

There is a housing emergency on the island of Maui. Giving the counties the clear authority to phase out vacation rental uses has been identified as a key policy tool for helping Maui residents find dignified housing in the wake of the wildfires.

This is a critical step in providing stability and security to those who have already endured so much. We urge the legislature to pass **SB2919 SD2** to provide much-needed relief and support to the Lāhainā community and beyond.

Mahalo for your attention and commitment to the well-being of our community.

Sincerely,

Jordan Ruidas, Pa'ele Kiakona & Courtney Lazo

Lahaina Strong



The Housing Committees on Housing and Tourism

Hearing Scheduled: March 15, 2024 9:30 am
State Capital, Conference Room 312

Re: SB 2919 sd2, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Evslin, Chair Quinlan, Vice-Chairs, and Members of the Committees,

The O`ahu Short Term Rental Alliance (“OSTRA”) represents many thousands of residents who own, manage and work within the legal mid and short-term rental industry – and we strongly oppose SB2919.

Our rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. Our short and mid-term rentals provide critical housing to meet the needs of residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state’s budget in 2022 and contributed \$165 million toward the County budget.

We believe you also will oppose SB2919 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i. Simply holding hearings on these types of bills creates unnecessary uncertainty particularly for housing, tourism, and real-estate related businesses at a vulnerable time.

SB2919 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O`ahu, 80% of the short-term rental owners are residents and also *kupuna* (*seniors*). 70% of them own 1 unit that provides income to subsidize the ever increasing cost of living in Hawaii.

Our short-term rentals provide furnished, temporary housing to residents as well as visitors. 25% of Oahu’s visitors are non-vacationers (per the HTA). 13% of those visitors are friends and family that need affordable accommodations. It is very likely that if you live on another island, you have stayed in a short-term rental on O`ahu.

The following groups stay in our affordable, temporary or transitional housing¹:

Residents

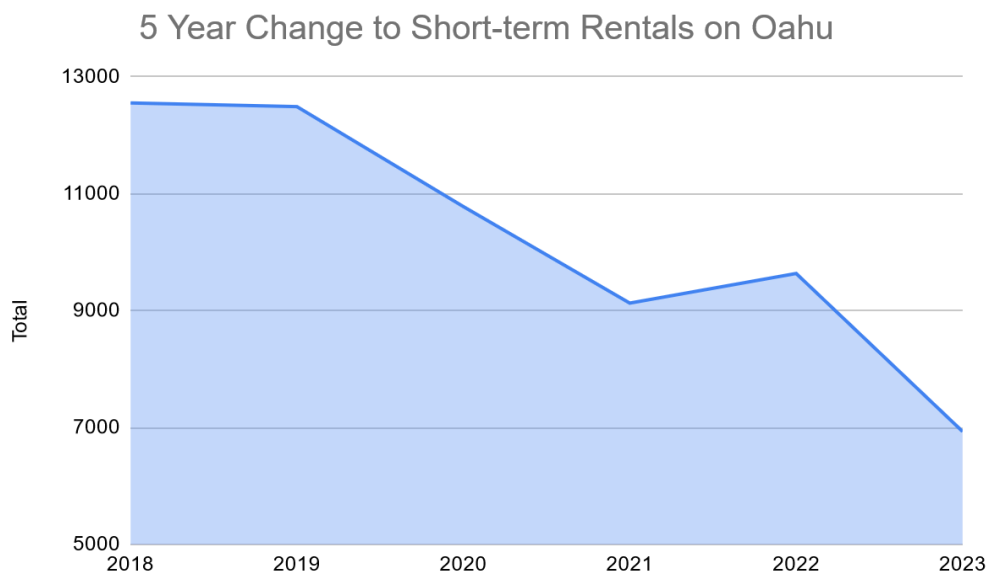
- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room.

The following chart shows the **45% decline** in short-term rentals on O'ahu due to regulations:



SOURCE: AirDNA, July 2023

By passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Excluding rentals defined as “hotel units”, O’ahu is down to 2,000 legal short-term rentals or 1% of our housing. Vacant homes account for 9% of all housing on Oahu.

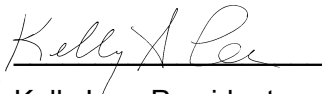
¹ Note, for O’ahu, the short-term rental (less than 30 days) industry is extremely small and increasingly owned by hotels due to recent changes in Honolulu County rules (and recently amended by the Courts due to successful litigation by a group representing owners called HILSTRA). Due to the litigation, there is now a small group of people who can advertise for mid-term rentals. This group may become increasingly important as STRs have almost disappeared on O’ahu but much of our existing data does not necessarily distinguish these new categories.

We support legal rentals and will work to make compliance clear and easy. Unfortunately, it appears that the inability of the Honolulu City and County Planning and Permitting Department to enforce existing regulations before passing new regulations has resulted in continued illegal activity. Additional authority will result in new laws that will punish those operating legally, and proliferate the illegal activity.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please do not pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kelly Lee", is written over a horizontal line.

Kelly Lee, President
O'ahu Short Term Rental Alliance (OSTRA)

Contact@OSTRA.org

March 13, 2024

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

My name is Norman Vesala and I am the owner of Papakea G205. Thank you for the opportunity to testify about this bill.

I **OPPOSE** SB2919, SD2 for the following reasons:

Papakea is a property that employs over 30 local residents that depend on the income they make to be able to stay in Maui. Also, because of the size of Papakea property, many other local businesses also depend on the services that this property provides – for example pilots & flight attendants, property management companies, electricians, plumbers, housekeeping, contractors, pest control & tree trimming companies to name a few. It is not only a short term rental property, but also a resident property to some people.

Also very important is that Papakea's Short Term Rentals support both the State of Hawaii & County of Maui via the property taxes, TAT, GET & MTAT that would otherwise not be collected and would have a significant impact on the States ability to support the County's affordable housing fund.

The tourists that come to Maui support many small businesses on the island such as restaurants, food trucks, tour companies, state & national parks and all the retail stores. Taking away the STR abilities will greatly impact all these local businesses negatively.

Papakea has a unique atmosphere because there are a very high percentage of guests that have returned year after year – some as long as 40 years! So as you can imagine, they have developed connections with the Maui community at large, not just at Papakea.

For the reasons stated herein I **OPPOSE** SB2919, SD2 and urge the committee to defer it.

Respectfully,

Norman Vesala, President
QNL Holdings Inc
Papakea G205

The Honorable Luke A. Evslin, Chair
and Committee Members
Committee on Housing

The Honorable Sean Quinlan, Chair
and Committee Members
Committee on Tourism

State House of Representatives
State of Hawaii
415 S. Beretania Street, Rm. 312
Honolulu, HI 96813



Dear Chairs, Evslin and Quinlan, and Committee Members

RE: SB 2919 SD2 Relating to Property

On behalf of the members of the Hawaii Mid and Short-Term Rental Alliance (HIMAST), we testify in strong opposition to SB2919 SD2 Relating to Property.

HIMAST is a resident led non-profit organization comprised of members who are the owners of mid-and short-term rental units, statewide. Our members operate rental units that are licensed and operate legally in their county. The owners have their tax licenses and permits as prescribed by law, and are recognized as legitimate businesses in the counties and communities that they operate in. We are an organization that seeks to find solutions to Hawaii’s housing issues, while maintaining and operating legally recognized mid-and short-term rentals.

SB2919 seeks to amend Sec. 46-4 HRS by allowing the counties the ability to phase out transient accommodations uses in residential or agricultural zoned areas. The definition of what is a transient accommodations unit is very broad. For example, the term “transient vacation rental unit” is also defined to include “short-term rental home.” The term short-term rental is defined to mean a furnished self-contained apartment or home that is rented for short periods of time. A short-term rental home is a residential use that is used for temporary work force housing of construction workers, nurses, and teachers. Short-term rental homes can also apply to units that are used by people who are in hospice or in housing close to medical facilities that need treatment. Short-term rentals may be used by someone that is re-locating for a job or is in transition during renovation of their home. And yes, a short-term home may also be used by kama’aina who travel in-state between islands and those who are out-of-state visitors. The uses mentioned are real-life examples of residential uses, which this Legislature is trying to ban.

Our members provide services to our communities by providing housing solutions that are necessary for communities to thrive. It is difficult to understand why this Legislature would want to deny or ban services that are needed by our communities, for which the consequence results in higher costs for everyone and less and costlier housing.

We suggest that instead of trying to ban uses that will negatively affect housing and tax collections statewide, this Legislature instead focus on helping the counties with enforcement regulations. We look forward to working with you on solutions and urge you to strongly oppose SB2919. Thank you for this opportunity to testify.

March 15, 2024

The Honorable Luke A. Evslin, Chair
House Committee on Housing

The Honorable Sean Quinlan, Chair
House Committee on Tourism
State Capitol, Conference Room 312 & Videoconference

RE: Senate Bill 2919, SD2, Relating to Property

HEARING: Friday, March 15, 2024, at 9:30 a.m.

Aloha Chair Evslin, Chair Quinlan, and Members of the Joint Committees:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 11,000 members. HAR **opposes** Senate Bill 2919 SD2, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. Takes effect 7/1/2040.

HAR supports access to housing for every need or situation, which includes legal short-term rentals ("STRs"). It is a common misconception that STRs are only for vacationers; however, STRs are also needed by Hawaii residents and workers as a temporary housing option. These types of rentals are essential for various situations, including but not limited to:

- Families temporarily displaced due to home damage or the need to sell their home,
- Homeowners undergoing significant renovations,
- Neighbor island residents seeking medical care on Oahu,
- Visiting family members, and
- Travelling professionals such as healthcare, construction, and other workers engaged in projects across the islands.

In these situations, a lengthy hotel stay may be too costly or impractical. It is important that we preserve this industry and the ability to access legal short-term rentals for this reason.

Additionally, we have concerns with this proposal granting the counties the power to phase out short-term rentals as it carries the risk of a significant reduction in tax revenue for the State. Legal STRs are legitimate small businesses that pay real property taxes, general excise taxes, and transient accommodations taxes that contribute to both local county and State budgets. Instead of granting counties the



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Honolulu, HI 96817

power to phase out these legitimate small businesses that contribute to our economy, the focus should be on enforcement against illegal STRs.

Illegal rentals will not be affected by this measure, nor will it assist the counties with enforcement on illegal rentals. Therefore, we do not believe that this measure will have the impact that proponents believe it will and community concerns will continue to persist about illegal rentals. Counties already have the power to conduct enforcement and create reasonable regulations for this industry and we believe efforts should be concentrated in that area.

Finally, this measure could be challenged as impacting vested rights and taking principles. "Under the United States and Hawaii Constitutions, preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate."¹

For the foregoing reasons, the Hawai'i Association of REALTORS® opposes this measure. Mahalo for the opportunity to testify.

¹ *Robert D. Ferris Trust v. Planning Comm'n of the Cnty. of Kaua'i*, 378 P.3d 1023, 138 Haw. 307 (Haw. Ct. App. 2016)



Friday, March 15, 2024, 9:30 A.M.

State of Hawai'i

House Committees on Housing and on Tourism
State Capitol, Conference Room 312

**TESTIMONY OF IVAN LUI-KWAN IN SUPPORT OF SB2919 SD2,
RELATING TO PROPERTY**

Aloha Chairs Evslin and Quinlan, Vice Chairs Aiu and Hussey-Burdick, and Committee Members:

I am legal counsel for the Hawaii Hotel Alliance. Thank you for the opportunity to submit testimony in **support** of SB2919 SD2.

SB2919 SD2 presents the straightforward question of policy:

Does the legislature wish to continue the 1980¹ policy of limiting amortization to only non-residential and non-agricultural zoned areas, knowing that courts are relying on this limitation to defeat the counties' zoning ordinances?

Courts *interpret* the law and are generally constrained to interpreting the language and intent of a statute. In contrast, the legislature *says* what the law is (*i.e.*, language and intent). This bill makes the legislature's intent and HRS § 46-4(a)'s language clear and empowers the counties to lawfully carry out their home rule authority as they regulate short-term rentals.

In *Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu* (“**HLSTRA**”), the U.S. District Court for the District of Hawai'i was seeking to ascertain the intention of the legislature in HRS § 46-4(a). In its October 13, 2022 Order, the U.S. District Court stated: “In deciding whether Ordinance 22-7 conflicts with Hawaii Revised Statutes Section 46-4(a), the Court first construes the relevant provision of the statute . . . When construing a statute, our foremost obligation is to ascertain and give effect to the intention of the legislature, which is obtained primarily from the language contained in the statute itself.”

The U.S. District Court was seeking to ascertain the meaning of the words in HRS § 46-4(a): “residential use”. In its December 21, 2023 Order, the Court stated: “Short-term rentals are residential in nature as tenants use properties for ordinary living activities.”

In **HLSTRA**, the U.S. District Court for the District of Hawai'i then decided that HRS § 46-4(a) preempted (*i.e.*, did not allow) a portion of the City and County of Honolulu's Ordinance 22-7, which sought to phase out short-term rentals. The Court reasoned that: 1) short-term rentals were a residential use (which could not be amortized or phased out under HRS § 46-

¹ The relevant portion of HRS § 46-4(a) was enacted by Act 203, SLH 1980.

4(a)); and 2) amortization or phasing out could only be done in commercial, industrial, resort, and apartment zoned areas.

SB2919 SD2 does, *inter alia*, two things:

1. SB2919 SD2 states that “residential uses do not include transient accommodations uses.” Short-term rentals are transient accommodations uses. SB2919 SD2 clarifies the question the U.S. District Court asked in the HLSTRA case.
2. SB2919 SD2 provides that “transient accommodation uses may be amortized or phased out in residential or agricultural zoned areas.”

Some opponents of the bill argue that nonconforming uses are “vested rights” and must be allowed to continue indefinitely. This is incorrect and is belied by the fact that HRS § 46-4(a)’s existing amortization provision is lawful and has been for 44 years. Although nonconforming uses generally cannot be prohibited immediately, they can lawfully and constitutionally be amortized, or phased out, over a reasonable period of time.

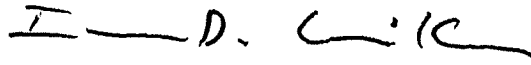
When Act 203 was enacted more than 40 years ago, short-term rentals and their online platforms were not in existence. As we’ve seen since enactment of Act 203, short-term rentals, *i.e.*, transient accommodations, disrupt the character and fabric of our neighborhoods. They are inconsistent with land uses that are intended for residential and agricultural zoned areas, increase the price of housing, and exacerbate the housing shortage.

Opponents have also argued that the bill would be preempted by the Communications Decency Act and would violate the Hawai‘i and U.S. Constitutions. Although the portions of the bill relevant to those arguments were removed in the SD1, those arguments also fail under the U.S. Court of Appeals for the Ninth Circuit Court’s ruling in *Homeaway.com, Inc. v. City of Santa Monica*, 918 F.3d 676 (9th Cir. 2019) which upheld Santa Monica’s ordinance which regulates short-term rentals. This 9th Circuit Court decision, filed March 13, 2019, is the benchmark court decision in short-term court actions throughout the United States upholding municipal ordinances enforcing regulations of short-term rentals, particularly in lawsuits involving legal challenges by online platforms to municipal ordinances based on the Communications Decency Act, the Stored Communications Act, and Fourth Amendment and First Amendment of the U.S. Constitution. A portion of the 9th Circuit Court’s opinion is especially appropriate to the online platform’s opposition to the bill: “We have consistently eschewed an expansive reading of the statute [Communications Decency Act] that would render unlawful conduct ‘magically . . . lawful when [conducted] online,’ and therefore ‘giv[ing] online businesses an unfair advantage over their real-world counterparts.’ . . . Like their brick-and-mortar counterparts, internet companies must also comply with any number of local regulations concerning, for example, employment, tax, or zoning.”

In brief, the legislature is well within its authority to allow the counties to enact ordinances phasing out short-term rentals, just as it was when it added the existing amortization language in 1980.

Thank you for the opportunity to provide testimony in support of SB2919 SD2.

Mahalo nui,

A handwritten signature in black ink, appearing to read "Ivan M. Lui-Kwan". The signature is fluid and cursive, with the first name "Ivan" being the most prominent.

Ivan M. Lui-Kwan
Dated: March 13, 2024

March 13, 2024



Subject: Senate Bill 2919 SD2, Relating to Property
HEARING: Friday, March 15, 2024, at 9:30 AM

The Honorable Luke Evslin, Chair
House Committee on Housing

The Honorable Sean Quinlan, Chair
House Committee on Tourism
State Capitol, Conference Room 312 & Videoconference

The West Hawaii Association of REALTORS® (WHAR) is testifying on behalf of its over 950 members and affiliated business partners in opposition to Senate Bill 2919 SD2, which expands the zoning powers of counties. Expands the scope of transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. Takes effect 7/1/2040.

WHAR promotes housing opportunities across all density levels, striving for socio-economic diversity in both ownership and availability and WHAR also is focused on supporting the right of property owners to utilize their property to the highest and best use within the limits of all local and state laws and regulations and while respecting the same rights of all property owners to quiet enjoyment of their property.

Right now, Hawaii County is considering additional bills to target Transient Accommodation Rentals (TAR). WHAR is actively engaged in these proposals and granting the county additional powers to phase out legally operating TAR's is not necessary. Illegal rentals will not be affected this state bill and enforcement of those properties operating illegally is a county issue.

Families displaced due to damage and remediation work, pest tenting, and home renovations, or those travelling for work, receiving medical care, or visiting family are examples of locals who need and use temporary accommodations. These residents may not want, or be able to, afford the high cost of a hotel stay. Short and mid-term rentals are a solution, and a legitimate part of the housing needs of a vibrant community.

WHAR has concerns that this proposed measure would allow the county to eliminate an entire segment of our housing market. Short and mid-term term rentals are a unique product in the marketplace and allow the flexibility that guests/families/renters etc., greatly appreciate.

Respectfully and with aloha,

Linda Swanson

2024 Board President

West Hawai'i Association of REALTORS®

Jennifer Wilkinson

2024 Government Affairs Committee Chair

Taylor Rodamer

Association Executive





Maui Hotel & Lodging
ASSOCIATION

Testimony of
Lisa H. Paulson
Executive Director
Maui Hotel & Lodging Association

House Committee on Housing
House Committee on Tourism
Senate Bill 2919 SD2: Relating to Property
March 15, 2024, 9:30 am
Conference Room 312

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry for Maui County. We represent over 180 property and allied business members and 22,000 employees. **MHLA OFFERS COMMENTS for Senate Bill 2919 SD2**, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

MHLA wants to thank the Committee for taking on this challenging, delicate manner. This is about housing. Housing for our workforce, housing for our residents. In a recent report from the independent short-term rental data mining platform “All The Rooms,” there were more than 89,000 listings for short-term rentals in Hawaii in the last 12 months alone (<https://www.alltherooms.com/>). This is more than double our state’s entire hotel room inventory.

MHLA understands the different needs of our travelers and believes that short-term rentals should only exist in resort-designated areas where they are deemed legal, and they can be held accountable for the same taxes, rules, and regulations that hotels and resorts must adhere to. Our neighborhoods must be returned to their intended purposes, for our residents to live.

We would ask that this Bill look at ways to enable stricter regulation and enforcement against illegal short-term rentals.

We are providing comments on the Bill in support of our workforce and their housing needs.

Thank you for the opportunity to provide this testimony.

SB-2919-SD-2

Submitted on: 3/14/2024 5:26:12 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William J Harness	Kapalua Ridge Resort	Oppose	Remotely Via Zoom

Comments:

Dear Hawaii Legislators,

I serve as a Kapalua Ridge Resort Board of Directors member, and speak on behalf of Kapalua Resort home owners. Like so many other Maui home owners, my family fell in love with Maui when we first visited 15 years ago. We then visited annually and so cherished the opportunity to become part of the Ohana, that we purchased our Kapalua Resort home in January 2020. As is the case with many, in order to maintain our home and make our dream come true, we must share our home with others via Short Term Vacation Rental in order to finance our mortgages, pay home owner association dues, fund our insurance, and support the state with our tax payments. When owners and Maui guests are present, we provide the financial life blood for the island, as **tourism serves as the financial engine for island economic existence**. STVR home owners and Maui guests shop at locally owned stores, eat at locally owned restaurants, participate in locally owned activities, attend local churches, etc. Restricting or eliminating Short Term Vacation Rentals will, (1) have a negative impact on local governmental budgets, (2) create job loss, (3) decrease state revenue, (4) harm property values, and (5) ultimately delay the recover of Maui.

Until ther tragic Lahaina fire, STVR owners felt welcomed by the Aloha spirit that Hawaiians extend, and we considered ourselves part of the Ohana. Subsequent to the tragedy, many of us have offered to share our homes and supported displaced families with financial and emotional support. However, we (STVR owners) now feel vilified, and no longer part of the Ohana. We are not the cause of the current housing situation, but we do hope to remain part of the solution. Having spoken with countless local Maui business owners, most fear that restricting or eliminating short term vacation rentals will curtail visitors, and result in them losing their bankrupt businesses, their homes, and essentially their futures. This would create devastating long term results to Maui.

Hawaiians are recognized for our warmth and having the desire to welcome families, friends, and visitors with aloha. However, it now appears that we have strayed from this very foundation of our core values that makes us who we are, and who we should be. As Maui home owners, community participants, tax payers, and Ohana family members, we implore you to consider the multifaceted challenges that restrictions to Short Term Vacation Rentals pose to our beloved Maui, and request that you reject SB2919 since this would ultimately harm far more people than it is intended to assist. The word Kapalua means "arms embracing the sea", and their can be no

greater human power than using our very own arms to embrace **all people** with love, inclusion, acceptance, and aloha.

Mahalo nui loa for your time and consideration, and your dedication to the well-being of our island home.

Respectfully,

William J. Harness

williamjharness@gmail.com

SB-2919-SD-2

Submitted on: 3/14/2024 6:03:50 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Lowe	Essencia Cleaners	Oppose	In Person

Comments:

We are a family of 8 that work on a 30 STRs in the Kihei area. We clean, repair, stage for photos. We have been in business for over 20 years. The passing of this bill will affect our livelihoods and ability to house Lahaina fire victims due to our children having to move back from the apartments they rent to be closer to the schools and clients. Please reconsider.

mahalo

ryan

essencia cleaners

SB-2919-SD-2

Submitted on: 3/14/2024 6:54:31 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lilikoi Carroll	Lahaina Strong	Support	Written Testimony Only

Comments:

Aloha. I would absolutely love to see this Bill pass with successful efforts to phases short term rentals. I understand some people who were not affected by the fires may think that these short term rentals are "unique and allow flexibility for families visiting the island who may not be able to afford hotel prices" but to be frank, that it ridiculous. Our local/native families who reside on island deserve to be prioritized before any mainlander/visitor.

Having the hotels be the only option for accommodations #1, supports the locals who work at the hotels and #2 allows displaced families to actually have a home. It just makes sense.

March 15, 2024, 9:30 a.m.
Hawaii State Capitol
Conference Room 312 and Videoconference

To: House Committee on Housing

Rep. Luke A. Evslin, Chair

Rep. Micah P.K. Aiu, Vice-Chair

House Committee on Tourism

Rep. Sean Quinlan, Chair

Natalia Hussey-Burdick, Vice-Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: SB2919 SD2 — RELATING TO PROPERTY

Aloha Chairs, Vice-Chairs and other members of the committees,

The Grassroot Institute of Hawaii would like to offer its comments on [SB2919 SD2](#), which would expand the zoning power of the counties in an effort to overcome the effect of a court decision that frustrated Honolulu's effort to limit short-term rentals.

In addition to specifically stating that the counties may phase out transient accommodations, SB2919 SD2 would allow county zoning ordinances to dictate "the time, place, manner, and duration in which uses of land and structures may take place."

We at Grassroot fear that the overly broad zoning powers that would be created under this bill would negatively affect both the housing market and the economy.

The intention of the bill is to make it possible for counties to heavily dictate timing and use of residential property, but broadening the zoning powers of the counties could result in additional regulations that stifle housing growth.

In addition to being overly broad, SB2919 SD2 could be ineffective in achieving its primary goal. The court's decision in *Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu*¹ was decided based on Hawaii Revised Statutes Section 46-4, but it does not follow that a change to that Section would be sufficient to eliminate short-term rentals.

The jurisprudence in this space continues to develop, but courts have been clear that the issue touches upon constitutionally protected property rights. Hawaii's courts have specifically noted that preexisting uses are vested rights protected by the due process provisions in both the Hawaii and U.S. constitutions and thus cannot be abrogated by later zoning ordinances.² In other words, this bill would give the counties more zoning powers, but would not end litigation over short-term rentals.

Moreover, the assumption that greater regulation or a phase-out of short-term rentals is a desirable goal is not supported by an impartial analysis of the visitor industry and the actual participants in the STR economy.

A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state's economy and sustained 46,000 jobs.³ The survey also found that "30% respondents reported that if there was not a home and vacation rental option during their recent stay in Hawaii, they would not have made the trip."

Thus, the removal of STRs from the vacation unit inventory could have a cascading effect, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well grocery and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.

As for possible legal challenges, the U.S. Supreme Court has in recent years indicated its willingness to uphold property rights against government regulations. In *Tyler v. Hennepin County*⁴ and *Timbs v. Indiana*,⁵ the Court sided with property owners on Fifth Amendment and Eighth Amendment grounds, respectively.

Given the uncertain legal and economic considerations in this approach to the issue of short-term rentals, we suggest the Committee defer SB2919.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ [No. 22-cv-247-DKW-RT](#) (D. Haw. Oct. 13, 2022).

² *Waikiki Marketplace v. Zon. Bd. of Appeals*, 86 Haw. 343, 949 P.2d 183 (Haw. Ct. App. 1997)

³ "[Hawaii's Home and Vacation Rental Market: Impact and Outlook](#)," prepared for the Hawaii Tourism Authority by JLL's Hotels & Hospitality Group, April 20, 2020, p. 10.

⁴ "[Tyler v. Hennepin County, Minnesota, et al.](#)" Supreme Court of the United States, May 25, 2023.

⁵ "[Timbs v. Indiana](#)," Supreme Court of the United States, Feb. 20, 2019.



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"The Voice of Real Estate on the Island of Hawaii"



@Hawaii Island Realtors



@HIRHawaii



@HIslandRealtors

www.HawaiiIslandRealtors.org

March 15, 2024

The Honorable Luke A. Evslin, Chair

House Committee on Housing

The Honorable Sean Quinlan, Chair

House Committee of Tourism

State Capitol, Conference Room 312 and Videoconference

RE: Senate Bill 2919, SD2, Relating to Property

Hearing: Friday, March 15, 2024, at 9:30 a.m.

Dear Chair Evslin, Chair Quinlan, and Members of the Joint Committees:

Hawai'i Island REALTORS® ("HIR"), one of two local REALTOR® associations on Hawai'i Island, **opposes** Senate Bill 2919 SD2, which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. Takes effect 7/1/2040.

HIR supports housing opportunities for all, including legal Short-Term Rentals ("STRs"), which are invaluable to local people and businesses, not just vacationers. Hawaii residents use STRs for various reasons including:

- temporary and seasonal work on other islands
- to visit or care for 'ohana
- provide housing for those displaced by natural disasters, as well as help to house emergency workers and first responders
- as interim housing for those who cannot find or qualify for permanent housing
- create jobs for the local community (i.e. handymen, yard services, cleaning services, etc.)

In these situations, legal STRs play a very crucial role in the health of our local economy.

The State must recognize that homestays through platforms like AirBnb, VRBO, etc. are now a mainstream product that is preferred by many over a hotel stay. In phasing out single-family transient vacation rental use, the State stands to lose hundreds of millions in revenue from Transient Accommodation Taxes (TAT), during this time when the counties and the State are actively seeking additional revenue for issues such as Maui reconstruction and statewide wastewater infrastructure solutions, just to name a couple of the major issues.





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The Hawai'i County Council has proposed new legislation to amend existing STR laws, which the REALTORS® on Hawai'i Island adamantly oppose, due in part to the negative impact these policies will have on local families. Working towards better housing solutions requires the removal of barriers to development such as prohibitive zoning, and improvement of infrastructure issues such as wastewater and freshwater availability. Granting the County additional powers to phase out STRs is NOT necessary and will NOT contribute to finding a balance within the needs of the community and residents. Mahalo for the opportunity to work together for the future of Hawai'i.

Respectfully Submitted,

Christi Mallicoat

Christi Mallicoat, REALTOR® Principal Broker/Owner, ReLife Realty LLC
2024 President - Hawai'i Island REALTORS®





4359 Kukui Grove Street, Suite 103
Lihue, HI 96766
Phone: (808) 245-4049
Email: kbr@kauaiboard.com

March 15, 2024

The Honorable Luke A. Evslin, Chair
House Committee on Housing

The Honorable Sean Quinlan, Chair
House Committee on Tourism
State Capitol, Conference Room 312 & Videoconference

RE: Senate Bill 2919, SD2, Relating to Property

HEARING: Friday, March 15, 2024, at 9:30 a.m.

Aloha Chair Evslin, Chair Quinlan, and Members of the Joint Committees:

My name is Milo Spindt, 2024 President, testifying on behalf of the Kaua'i Board of REALTORS® ("KBR"), the voice of real estate in Hawaii and its over 600 members. KBR opposes Senate Bill 2919 SD2 HD1, which expand the zoning powers to counties. Takes effect 7/1/2040.

KBR supports access to housing for every need or situation, which includes legal short-term rentals ("STRs"). It is a common misconception that STRs are only for vacationers; however, STRs are also needed by Hawaii residents and workers as a temporary housing option. These types of rentals are essential for various situations, including but not limited to:

- Kaua'i already has a robust set of STR county regulations and enforcement system
- Granting counties, the power to amortize/phase out NUCs doesn't seem necessary for Kaua'i
- Kaua'i, like the rest of the state, has a housing supply issue, but STRs are not the cause

In these situations, a lengthy hotel stay may be too costly or impractical. It is important that we preserve this industry and the ability to access legal short-term rentals for this reason.

Additionally, we have concerns with this proposal granting the counties the power to phase out short-term rentals as it carries the risk of a significant reduction in tax revenue for the State. Legal STRs are legitimate small businesses that pay real

property taxes, general excise taxes, and transient accommodations taxes that contribute to both local county and State budgets. Instead of granting counties the power to phase out these legitimate small businesses that contribute to our economy, the focus should be on enforcement against illegal STRs.

Illegal rentals will not be affected by this measure, nor will it assist the counties with enforcement on illegal rentals. Therefore, we do not believe that this measure will have the impact that proponents believe it will and community concerns will continue to persist about illegal rentals. Counties already have the power to conduct enforcement and create reasonable regulations for this industry and we believe efforts should be concentrated in that area.

Finally, this measure could be challenged as impacting vested rights and taking principles. "Under the United States and Hawaii Constitutions, preexisting lawful uses of property is generally considered to be vested rights that zoning ordinances may not abrogate.[2]

For the foregoing reasons, the Kauai Board of REALTORS® opposes this measure.

Mahalo for the opportunity to testify.

[1] JLL Prepared for the Hawaii Tourism Authority. Hawaii's Home and Vacation Rental Market: Impact and Outlook (April 20, 2020). <https://www.hawaiitourismauthority.org/media/5370/impact-of-home-rental-market-on-hawaii-2019.pdf>

[2] *Robert D. Ferris Trust v. Planning Comm'n of the Cnty. of Kaua'i*, 378 P.3d 1023, 138 Haw. 307 (Haw. Ct. App.2016)

SB-2919-SD-2

Submitted on: 3/14/2024 8:08:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Ramos	Kihei Oasis Vacation Rental-Maui	Oppose	Written Testimony Only

Comments:

March 14, 2024

To Honored Members of the State House

Subject: Opposing Bill SB2919

I'm an owner/operator of a legally permitted Short-term rental home located on Maui OUTSIDE the "hotel district". I've been operating for almost 11 years with ZERO complaints from my neighbors. This business is my livelihood and supports my family of five. I employ 5 cleaners that make \$40.00 an hour.

There are NOT 75,000 Illegal vacation rentals in Hawaii. Where did the Governor Josh Green receive this information from????? The hotels apparently!

Maui is heavily regulated.

Where will the tax dollars come from if we are phased out????? These properties that will be targeted are legal vacation rentals that have been in operation for years.

My property, along with all other STRs contribute the lion's share to the affordable housing fund. We are permitted, legal, businesses that support thousands of higher paying jobs than

hotels could ever offer. Jobs from cleaners, vendors supplying supplies, contractors from electricians to ac folks, construction folks, tour operators, food and flower vendors, and about every business located outside of the resort area. These dollars stay on our island!

While a very small percentage of these properties may be considered viable homes or units for long term tenants, the majority are not affordable by any means. Most of these buildings are 40-50 years old needing expensive repairs that can be only done with expensive HOA fees, reaching upwards to thousands a month. Short term rental allows for these costs to be absorbed.

Maui County Property tax assessed for 2023:

STRH/TVR: \$ 212,486,602

HOTEL/RESORT \$ 51,057,262

\$161,429,340 MORE THAN HOTELS!!!

The one number I've read a couple of times lately in the news is that 52% of vacation rentals are owned by non-residents, but what I acknowledge is that 48% are owned by folks that live here! All these vacation rentals are small businesses, mom and pops, all are contributing to a vibrant local economy because the money stays on island.

The hotels are ALL off island owned, extracting profits from the the islands, paying folks wages that are supposedly a living wage, (if your google this, it shows less than \$50,000.00 a year for a Hawaii resort worker!) using vast amounts of water, taking up fragile environmental areas right next to the ocean, yet they pay the least amount of property tax!

I ask you to oppose bills that would allow the County of Maui and other counties to phase out LEGAL businesses that are supporting so many local families participating in tourism, the #1 economic driver here in Hawaii.

Oppose this SB2919 please.

Mahalo for the opportunity to testify

Amy Ramos

Kihei Oasis

Kihei, Maui, Hawaii

Registered Voter



03/14/24

House Committee on Housing
House Committee on Tourism
415 South Beretania Street
Honolulu HI 96813

RE: SB-2919 SD2 Oppose

Aloha e Committee,

Thank you for taking the time to review this bill and take testimony. Maui Vacation Rental Association (“MVRA”) represents thousands of residents who own, manage and work within the legal short-term (STRs) rental industry. We strongly oppose SB2919 SD2.

We believe in a managed hospitality industry for Maui. We also support fair taxation and regulations of vacation rental properties. However we see issues with SB2919 SD2 hurting legally operating small business operators in Maui County. We believe you will also oppose SB2919 SD2 when you understand the immediate implications for housing, local jobs, the economy and tax revenue for that State of Hawai`i and Maui County.

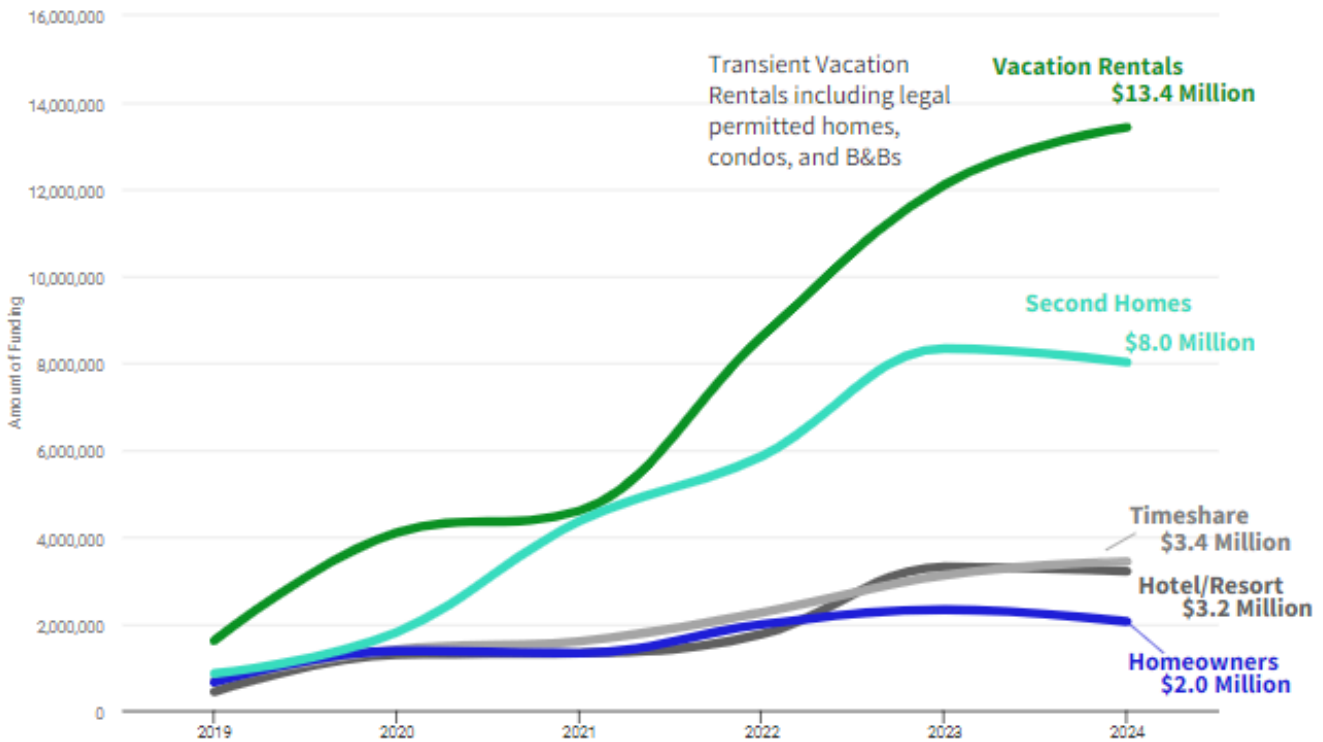
SB2919 SD2 would give the counties authority to enact ordinances to eliminate or phase out short-term rentals in any zoning classification.

Maui has 13,744 legal short term rental properties, 8,336 hotel rooms, and 2,475 timeshare units in our diversified visitor accommodation industry. Each provides the potential Maui visitor different options. The clear differentiation regarding the legal short term rental properties is that thousands of them are owned by Maui County families and thousands more are employed directly by the industry or benefit from the industry. **This is one of the only ways local families can directly participate in and benefit from the hospitality industry.**

Short term rentals will contribute \$13.4 Million in revenue to the Affordable Housing Fund, the largest contribution of all the classifications, and the largest contribution to date. Over the last 5 years the **short term rental classification has generated \$45 million dollars for the affordable housing fund**, the largest contribution by far, and more than the other accommodation sectors combined.

Who Pays for Maui's Affordable Housing Fund?

FY2019-2024
Review



Vacation Rentals have contributed a total of \$45.0 million from 2019-2024

Second Homes have contributed a total of \$29.6 million from 2019-2024

Timeshares have contributed a total of \$12.6 million from 2019-2024

Homeowners have contributed a total of \$9.8 million from 2019-2024

Hotel/Resorts have contributed a total of \$11.6 million from 2019-2024

Source: Maui County Real Property Tax

Many owners voluntarily offered their properties to those in immediate need at the outset of the emergency out of the kindness of their hearts without any thought or ask to any form of compensation. Additionally, there are thousands of individual owners who voluntarily on their own or in conjunction with their local management companies who have facilitated housing through Red Cross, FEMA, and/or other entities. What would Maui County have done immediately following the fire if STRs did not exist? How would we have housed our displaced residents?



STRs are not just for the tourism industry - they also provide furnished, temporary housing to residents and their families.

Residents

- Inter-island neighbors visiting for work or family events
- Residents displaced from emergency events such as the Lahaina and Kula fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

Non-Residents

- Traveling Nurses and other medical personnel
- Emergency contractors and other vendors
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room.

This bill targets the estimated 18,000 jobs that STRs provide across Maui County and the 49,000 statewide. These jobs include cleaners, property managers, contractors, and their families. Where is the data that shows those impacts? What will happen to those residents who no longer have a source of income? **How many jobs and taxes would be potentially lost with a measure like this?**

Many of the condo buildings operating on Maui were built in the 1970's and 1980's and have large monthly maintenance costs. If the property owners cannot continue to fund the high maintenance costs of these buildings there could be unintended consequences for the State in this bill. There could be significant neighborhood blight as a result of people not being able to afford the cost associated with the upkeep and maintenance of these aging properties.

When it comes to legislation that could affect the livelihood of thousands of its constituents (actual voters), the State should be considering factual and data driven based decisions. At the very least, the State should be supporting this legally operating small business sector that offers such a vibrant and diverse ecosystem for our residents and visitors, while our county and state are already leveraging significant taxes on these businesses to benefit our local economy. The legal short term vacation rentals already generate the largest amount of tax revenue for Maui County - more than any other category by a very large margin.



Maui County’s operating budget has increased to over 1 Billion dollars in its current fiscal year. Most of the county’s revenue comes from the short term rental classification, and the small businesses creating this revenue. The county of Maui has long had a strategy of taxing the Short Term Rental Classification in order to keep taxes low for the residents. A big part of this strategy is by means of the property assessment values that the County assessment division attributes to these properties. Looking at the top 30 real property tax revenue generating legal visitor accommodations in Maui county, you can see that the assessment of many short term rentals result in a higher rate and tax revenue than many of our hotel properties.

The county increased their budget this year by \$102M, and 52% of that increase or \$53M came from increased revenue in the TVR/STR category. The next highest increase was \$7.5M in the Hotel/Resort classification (7 times less than the STR increase).

The short term rental classification generated 40% of real property tax revenue this fiscal year (FY23-24), or \$213.7M. This amount represents 20% of the county operating budget. This is the largest single revenue generating category in the real property tax classifications. **What this demonstrates is that the county depends on the tax revenues of properties like the ones operating in the districts that would be affected by this measure.**

When looking at average tax revenue generated on a per Unit basis, the top 13 properties are all legal vacation rental properties. The top Hotel, the Kea Lani falls behind all of these at number 14 on this same list.

TOP REVENUE GENERATING SHORT TERM RENTAL AND HOTEL PROPERTY, MAUI COUNTY 2023

	PROJECT PROPERTY	TOTAL ASSESSED VALUE	AVE. PROPERTY TAX REVENUE	AVE. ASSESSMENT PER UNIT	AVE. TAX REVENUE PER UNIT	
1	WAILEA BEACH VILLAS	474,547,900	5,623,393	4,943,207	58,577	Largest Ave/Unit
2	KAPALUA BAY CONDO	487,731,400	5,779,617	4,601,240	54,525	
3	WAILEA POINT I, II, III	360,302,000	4,269,579	3,498,078	41,452	
4	HOOLEI	398,574,400	4,723,107	3,267,003	38,714	
5	KAANAPALI ALII	657,716,900	7,793,945	2,391,698	28,342	

M A U I
VACATION RENTAL
 A S S O C I A T I O N

6	WAILEA ELUA I, II	354,432,200	4,200,022	2,286,659	27,097	
7	HONUA KAI	1,179,135,500	13,972,756	1,602,086	18,985	Largest by Total Rev.
8	PUAMANA	296,446,000	3,512,885	1,585,273	18,785	
9	KAPALUA BAY VILLAS	175,535,500	2,080,096	1,244,933	14,752	
10	WAILEA EKAHI I, II, III	245,631,400	2,910,732	1,175,270	13,927	
11	MAUI KAMAOLE I, II, III	226,794,000	2,687,509	944,975	11,198	
12	PALMS AT WAILEA I	139,192,700	1,649,433	927,951	10,996	
13	WAILEA EKOLU	135,207,100	1,602,204	913,561	10,826	
14	KEA LANI	410,022,500	4,817,764	911,161	10,706	Largest ave/unit hotel
15	THE RIDGE	139,597,000	1,654,224	867,062	10,275	
16	MANELE BAY HOTEL	195,762,900	2,300,214	829,504	9,747	
17	GRAND WAILEA	621,756,100	7,305,634	797,123	9,366	Largest Hotel by Total rev
18	KAPALUA GOLF VILLAS	146,211,800	1,732,610	786,085	9,315	
19	FOUR SEASONS	297,937,400	3,500,764	784,046	9,213	
20	GRAND CHAMP VILLAS	142,419,600	1,687,672	757,551	8,977	
21	PAPAKEA	238,776,500	2,829,502	655,979	7,773	
22	KAMAOLE SANDS	278,724,700	3,302,888	633,465	7,507	
23	ANDAZ	205,360,300	2,412,984	635,790	7,471	
24	HALE KAA NAPALI	161,065,400	1,908,625	624,284	7,398	
25	SHERATON	296,801,600	3,487,419	584,255	6,865	
26	ROYAL LAHAINA	254,303,200	2,988,063	580,601	6,822	
27	HYATT	386,224,700	4,538,140	479,187	5,630	
28	WAILEA BEACH MARRIOTT	238,336,000	2,800,448	438,118	5,148	
29	WESTIN MAUI	292,717,300	3,439,428	385,662	4,532	

M A U I
VACATION RENTAL
 A S S O C I A T I O N

30	RITZ CARLTON	163,362,000	1,919,504	350,562	4,119	
	Source: Maui County Real Prop Tax	Legend:		=STR		=Hotel

One of the tools used by the assessment division is the fact that the short term rental properties are sold more frequently on the **real estate** market and then these **sales** are factored into the taxable value of the properties. Thus the assessed values in the short term rental class are some of the top real property tax valued properties on the island, generating most of the tax revenue for the county.

Maui County has added the 3% TAT tax for the county as of November 2021 and these operators and visitors have fostered this increase generating millions of dollars for Maui county.

Maui County has had laws and regulations in place that closely regulate our short term rentals, and there is strict enforcement of these rules, keeping the illegal rentals numbers very low. In the January 2023 report, there were 25 complaints which resulted in three notices of warnings and zero notices of violations. The vacation rental industry is highly regulated and enforced in Maui County. The community leverages the existing legal operations for benefits to the community as whole.

Our visitor industry benefits from the diversity vacation rentals offer. Having a short term rental is one of the only ways local residents can have direct participation in the hospitality and accommodations sector. There are thousands of small businesses in Maui that benefit from this legal established use in the county. The properties in this district accommodating our visitors and residents are an important legitimate part of our hospitality industry. The guests that seek out these experiences and want more local authentic culture are the educated guests Maui wants.

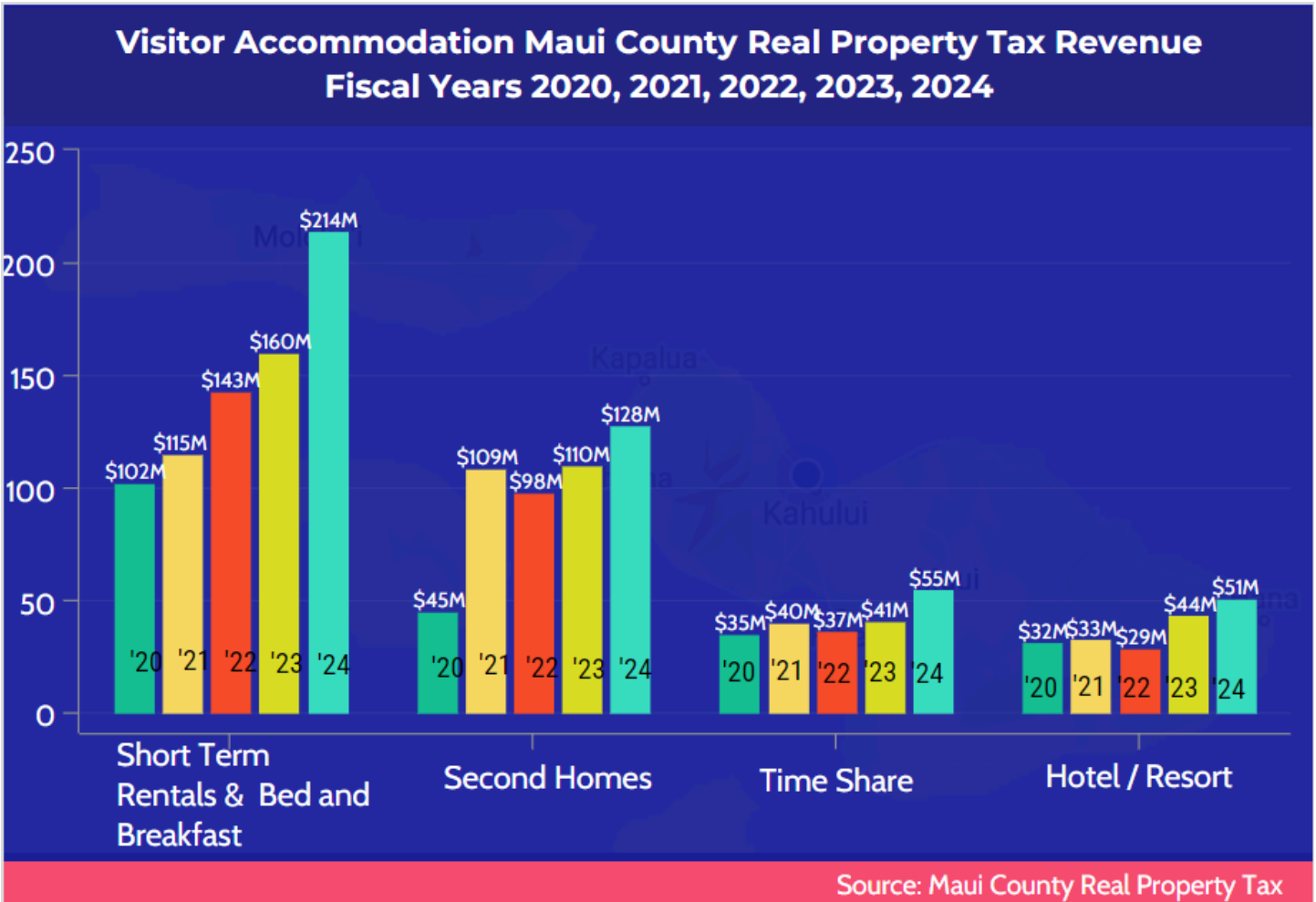
The legal short term rentals in Maui County are a significant and beneficial part of our hospitality industry, and have been for many years. It does not make sense for the State to create laws that would shut down legal operating small businesses without doing plenty of research first.

What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, litigation, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses. Given the current budget, gutting funding categories for the State and Counties county is contrary to their fiduciary duty. Please vote no on this bill SB2919 SD2.

Thank you for considering my testimony. If you have any questions or clarifications please feel free to contact me.

Best,

[Maui Vacation Rental Association](#)





March 14, 2024

House Committee on Housing
Representative Evslin, Chair
Representative Aiu, Vice-Chair

House Committee on Tourism
Representative Quinlan, Chair
Representative Hussey-Burdick, Vice-Chair

Testimony in Support of SB2919_SD2

Chairs Evslin and Quinlan, Vice Chairs Aiu and Hussey-Burdick and Members of the Committee,

UNITE HERE Local 5 represents 10,000 working people in the hotel, food service and health care industries across Hawaii. We are in support of SB2919_SD2, which would expand the zoning powers of counties and allow counties to phase out transient vacation rentals in residential or agricultural zoned areas.

In the absence of sufficient controls on the number of units being taken out of the housing/rental market and other impacts on communities, the industry will evolve in whatever way is most profitable to those with the most decision-making power. The housing and zoning policy proposed by SB2919_SD2 empowers counties with the flexibility to respond to the needs of our communities.

Regulation on short-term rentals is needed now more than ever. Hundreds of our union members and their family lost their homes in the Lahaina wildfires, along with thousands of other residents. They are struggling to put their lives back together, and many have found this nearly impossible in the midst of an acute housing shortage. Rents, already too high, have been exacerbated by the loss of so many homes.

We urge you to pass SB2919_SD2.

Thank you for your consideration.



**REALTORS® ASSOCIATION
OF MAUI, INC.**

March 15, 2024

The Honorable Luke A. Evslin, Chair

House Committee on Housing

and

The Honorable Sean Quinlan, Chair

House Committee on Tourism

State Capitol, Conference Room 312

RE: Senate Bill 2919, SD2, Relating to Property

HEARING: Friday, March 15, 2024, at 9:30 a.m.

Aloha Chair Evslin, Chair Quinlan, and Members of the Committees

My name is Gary Saldana, I am the Government Affairs Director for the Realtors Association of Maui, providing comments in **opposition** of Senate Bill 2919, SD2, the purpose of which is to: allow the counties to regulate by zoning ordinance the time, place, manner, and duration in which uses of land structures may take place; allow the counties to amortize or phase out transient accommodations uses in residential or agricultural zoned areas; and expand the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

The objective of this measure is to reduce short term rentals to achieve securing long term rentals for our residents. Accordingly, we would respectfully request that you oppose this bill and consider redirecting your focus on illegal transient vacation rentals in securing long term rentals.

As Maui County and the State focus on disaster recovery and relief, it's important to note that short term rental property owners played an integral role in our recovery. Hundreds of short term rentals have been secured to house many of the fire victims. Short term rental owners heeded the call by the Governor, Legislature, FEMA and County officials to provide their properties to help survivors of the wildfires. The very segment of the community this measure is seeking to remove is the segment of the community that has stepped up and provided shelter to individuals and families that have lost everything. On its face, this measure appears to

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undermine a segment of our community that has secured housing for wildfire survivors. Please don't abandon the property owners that helped in a time of need.

Furthermore, it's also important to note that short term rental property tax revenue will play an integral role in funding recovery. To encourage the "amortization or phasing out" of a potentially significant revenue generating resource would be devastating to the State and Maui County economy, not to mention how it would impact the recovery potential for Lahaina and Kula.

In 2019 the County of Maui initiated an aggressive effort to curb the increase of illegal vacation rentals. At that time it was estimated there were thousands of illegal vacation rentals operating in Maui. According to a Maui Department of Planning official, providing TAT and GET parcel information would be a useful tool in enforcement of illegal operations. The Zoning Administration and Enforcement Division of the Maui Department of Planning has indicated that providing parcel information by the State would allow them to determine if the operation is legally permitted and is within the appropriate zoning classification. Pursuant to Section 19.65, Maui County Code, illegal transient vacation rental shall not apply for a transient vacation permit for five years. Considering this provision, it would be an opportunity for the property owner to use the unit for long term rentals.

Legal short term rentals in Maui County are a significant and legitimate part of our hospitality industry, and have been for many years. These operations are paying a high real property tax, local and State TAT. It is the illegal operators that are not contributing to the State and County revenue base, therefore the focus should be on enforcement. It does not make sense for the State to encourage the County to create laws that would shut down legal operating small businesses, especially the ones that bring millions in real property tax revenue.

Accordingly, RAM would respectfully request your consideration in opposing this measure and refocus your energies to crack down on illegal transient vacation operations, by providing local authorities TAT and GET parcel information for enforcement purposes and provide funding to allow this effort to continue on Maui and other Counties.

Mahalo for the opportunity to testify on this measure.



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March 14, 2024

HOUSE COMMITTEE ON HOUSING
HOUSE COMMITTEE ON TOURISM

HEARING DATE: March 15, 2024
TIME: 9:30 am
PLACE: Conference Room 312

Re: TESTIMONY ON BEHALF OF AIRBNB OPPOSING
SENATE BILL NO. 2919 S.D. 2

Dear Chairs Evslin and Quinlan, Vice Chairs Aiu and Hussey-Burdick, and Committee Members:

We write on behalf of our client, Airbnb, in opposition to Senate Bill No. 2919 S.D. 2 (“**SB 2919 S.D. 2**”). We are concerned that this bill is likely to result in unconstitutional actions that result in substantial future legal action. The stated purpose of the proposed amendments contained in SB 2919 S.D. 2 is to allow the Counties to amortize or phase out “transient accommodations” from the class of residential use that is protected from amortization by the terms of Section 46-4 of the Hawai‘i Revised Statutes (“**HRS**”). Effectively, this would mean that a lease term of 179 days would be subject to elimination by the Counties while a lease term of 180 days would not. This proposed amendment would likely result in substantial conflict with existing constitutional rights that have been explicitly recognized by courts in the State of Hawai‘i. As discussed more fully below, such changes would potentially cause numerous consequences, including deprivation of vested rights of existing, residential homeowners. The end result of such impacts would likely be substantial litigation. For these reasons, we would strongly urge that the Committee not pass this bill.

A. Section 46-4 of the Hawai‘i Revised Statutes Reflects the State’s Statutory Codification of Property Rights Arising from the Hawai‘i and United States Constitutions.

As currently enacted, Section 46-4(a) of the Hawai‘i Revised Statutes (“**HRS**”) protects the property rights of residential homeowners, which are vested in owners by both the Hawai‘i and United States Constitutions.

Specifically, the language of Section 46-4(a) makes clear that existing uses which were permissible at the time of the enactment of the statute shall not be impacted by subsequent governmental acts, providing:

Neither this section nor any ordinance enacted pursuant to this section shall prohibit the continued lawful use of any building or premises for any . . . purpose for which the building or premises is used at the time this section or the ordinance takes effect.

The effect of this provision was to provide that a county was precluded from passing a law that discontinues any previously lawful use of any property. Additionally, the statute limited counties’ passing of zoning ordinances that provided for the elimination of nonconforming uses or for the amortization or phasing out of nonconforming uses solely to commercial, industrial, resort, and apartment-zoned areas only. The statute further confirms that, “In no event shall such amortization or phasing out of nonconforming uses apply to any existing building or premises used for **residential** (single-family or duplex) or agricultural uses.” (emphasis added).¹

In interpreting Section 46-4, it is important to look to the history of its passage.² The Legislature noted property owners’ protections arising from the Hawai‘i and federal Takings Clauses and passed the language that would limit the counties’ ability to adopt zoning ordinances that “prohibit the continuance of the lawful use of any building or premises for any trade, industry, residential, agricultural or other purpose for which such building or premises is used at the time . . . such ordinance takes effect.”³

In 1980, the Legislature amended Section 46-4 and added the above-cited language to prohibit the counties from phasing out “any existing building or premises used for residential or agricultural purposes.”⁴ As the 1980 House Journal confirms, this amendment was intended “to restrict the areas where the counties are allowed to amortize or phase out non-conforming uses to non-residentially zoned areas.”⁵

The intent and effect of Section 46-4(a) are clear: counties may not phase out the continued lawful use of any property used for residential purposes. Courts have enforced that limitation in a

¹ Haw. Rev. Stat. § 46-4.

² Hawai‘i law expressly recognizes that a statute’s legislative history is relevant to ascertain its “true meaning.” H.R.S. § 1-15.

³ Act 234, Hawai‘i Session Laws 1957, § 6.

⁴ 1979 Hawai‘i Senate Journal (Special Committee Reports) at 1235.

⁵ 1980 Hawai‘i House Journal (Standing Committee Reports) at 1676–77 (noting the amendment “restricts the counties from amortizing or phasing out existing buildings or premises used for residential or agricultural purposes.”).

variety of contexts to ensure that property uses lawful under preexisting zoning ordinances receive grandfathering protection.⁶

B. As Amended, SB 2919 S.D. 2 Could Result in Violations of the State and Federal Constitutions by Impairing Existing Vested Rights and by Enacting an Unconstitutional Special Law

It is incontrovertible that the Hawai‘i State Legislature has a duty to pass laws that are consistent with and effectuate the protections of the Hawai‘i and Federal Constitutions.⁷ Passage of this bill would conflict with the Legislature’s obligations to adopt laws consistent with constitutional principles. Amending HRS § 46-4 through SB 2919 S.D. 2 would not change the underlying constitutional protections that the statute codifies. Furthermore, the Legislature’s authority to adopt laws does not authorize it to redefine constitutional requirements.⁸ Such a change could, thus, result in substantial litigation, which would be time-consuming, costly, and harmful to Hawai‘i’s residential landowners.

1. SB 2919 S.D. 2 would likely result in impairment of existing vested rights in violation of existing State and federal constitutional protections.

As noted, one of the fundamental purposes of HRS § 46-4 is to protect the uses that lawfully existed prior to the effective date of a zoning restriction. Such protection has its foundation in principles arising from protections in both the United States and Hawai‘i constitutions. The Fifth Amendment to the United States Constitution prohibits “private property [from] be[ing] taken for public use, without just compensation.” U.S. Const. amend. V. Similarly, the Hawai‘i Constitution states that “[p]rivate property shall not be taken or damaged for public use without just compensation.” Haw. Const. art. I, § 20. Furthermore, the Hawai‘i Constitution provides even broader protection than its federal counterpart, as it prohibits not just takings, but also mere “damage” to property interests.⁹ As such, “[w]hen applying the Hawai‘i Constitution, Hawai‘i courts may interpret it to afford greater protection than provided by the U.S. Constitution.”¹⁰

⁶ See, e.g., *Waikiki Marketplace v. Zoning Bd. Of Appeals*, 86 Hawai‘i 343, 354, 949 P.2d 183, 194 (Ct. App. 1997).

⁷ “[E]very enactment of the Legislature is presumptively constitutional.” *Schwab v. Ariyoshi*, 58 Haw. 25, 31, 564 P.2d 135, 139 (1977) (citing *State v. Kahalewai*, 56 Haw. 481, 541 P.2d 1020 (1975)); cf. *League of Women Voters of Honolulu v. State*, 150 Hawai‘i 182, 194, 499 P.3d 382, 394 (2021) (“[I]f the Legislature could alter the meaning of the Hawai‘i Constitution through its own rules of procedure, theoretically, there would be no need to go through the formality of amending the Hawai‘i Constitution. See *Mason’s Manual [of Legislative Procedure]* (2010 ed.) § 12, ¶ 1 (‘A legislative body cannot make a rule which evades or avoids the effect of a rule prescribed by the constitution governing it, and it cannot do by indirection what it cannot directly do.’).”)

⁸ *Sierra Club v. Dep’t of Transp. of State of Hawai’i*, 120 Hawai‘i 181,196, 202 P.3d 1226, 1241 (2009), as amended (May 13, 2009).

⁹ See, e.g., *Cnty. of Hawai‘i v. C & J Coupe Family Ltd. P’ship*, 119 Hawai‘i 352, 382, 198 P.3d 615, 645 (2008).

¹⁰ *Id.* (citing *Hawai‘i Hous. Auth. v. Lyman*, 68 Haw. 55, 69, 704 P.2d 888, 896 (1985)).

Both Hawai‘i and federal litigation has recognized the principle that all preexisting uses of land are protected, including nonconforming uses. “Under the United States and Hawai‘i Constitutions, ‘preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate.’”¹¹ Significantly, even preexisting nonconforming uses are protected from subsequent restrictive zoning regulations.¹² As the Hawai‘i Intermediate Court of Appeals has recently stated, “The statutory protection of lawfully existing uses and structures ‘prior to the effective date of a zoning restriction is grounded in constitutional law.’”¹³

The Ninth Circuit has similarly recognized that the right to continue a preexisting lawful use is constitutional in nature. “A provision permitting continuance of a nonconforming use is ordinarily included in zoning ordinances because of the hardship and doubtful constitutionality of compelling the immediate discontinuance of nonconforming uses.”¹⁴

It is important to note that one of the primary issues raised by SB 2919 S.D. 2 is its attempt to define any rental of property less than 180 days in length as no longer constituting a “residential” use. However, courts in Hawai‘i and across the United States have repeatedly reaffirmed that short-term rentals are a fundamentally residential use. Most recently, the Hawai‘i Federal District Court held that short-term rentals of 30-89 days were “residential uses” because the property was being “used” for “ordinary living activities.”¹⁵ The court further recognized that residential owners have such vested rights and that limitations would likely violate constitutional takings principles in holding that the County ordinance likely violated both Section 46-4(a) and the Takings Clause of the Hawai‘i and Federal constitutions.¹⁶ As to Section 46-4(a), the court recognized that short-term rentals are a residential use of property, and counties therefore were required to provide grandfathering protection.¹⁷ But the court did not stop there. Recognizing that Section 46-4(a)’s statutory protection was grounded in constitutional principles, it also found the ordinance likely violated the Takings Clause. The court stated:

The Takings Clause, made applicable to the States by the Fourteenth Amendment, provides that private property shall not “be taken for public use, without just compensation.” U.S. Const. amend. V. 21 . . . In the present case, 30–89-day rentals in non-Resort districts are a vested property right protected by takings principles. Plaintiff has articulated its vested entitlement to this property right on the basis of equitable reliance principles: . . . Here, there is no question that there has, in that

¹¹ *Ferris Trust v. Planning Comm’n of Kaua‘i*, 138 Hawai‘i 307, 312, 378 P.3d 1023, 1028 (Ct. App. 2016) (internal citations omitted).

¹² *Young v. Planning Comm’n*, 89 Hawai‘i 400, 410, 974 P.2d 40, 50 (1999) (internal citations omitted)

¹³ *Ferris Trust*, 138 Hawai‘i at 312, 378 P.3d at 1028 (internal citations omitted); *Waikiki Marketplace*, 86 Hawai‘i at 353, 949 P.2d at 193 (citing the due process clauses of the United States and Hawai‘i Constitutions).

¹⁴ *League to Save Lake Tahoe v. Crystal Enterprises*, 685 F.2d 1142, 1145 (9th Cir. 1982).

¹⁵ *Hawai‘i Legal Short-Term Rental All. v. City & Cnty. of Honolulu*, No. 22-CV-247-DKW-RT, 2022 WL 7471692, at *7-8 (D. Haw. Oct. 13, 2022).

¹⁶ *Id.* at 10 (“In the present case, 30–89-day rentals in non-Resort districts are a vested property right protected by takings principles.”)

¹⁷ *Id.* at *5-8.

Ordinance 22-7 outlaws the rentals in question within 180 days and without providing any process to compensate or accommodate nonconforming uses. In this light, Ordinance 22-7 likely violates the Takings Clause.¹⁸

Accordingly, the Hawaii Federal District Court enjoined the City and County of Honolulu from enforcing certain provisions of an ordinance that prohibited the previously lawful rental of one's residence for 31–89 days because it effected an unconstitutional taking.¹⁹ Further, just last month, the Hawai'i Federal District Court permanently enjoined enforcement of that very same Honolulu ordinance.²⁰

The effect of trying to redefine what courts have already found to be a valid, residential use would inevitably lead to continued improper attempts to regulate existing vested uses of residential property that are protected. As such, we would urge that the bill be held as it would not accomplish any legitimate governmental objective and would ultimately lead to substantial and unnecessary litigation.

C. SB 2919 S.D. 2 Potentially Implicates the Equal Protection Clauses of the Hawai'i and United States Constitutions.

It should be noted that the distinction being created by SB 2919 S.D. 2 by characterizing transient accommodations, i.e. stays of less than 180 days, as somehow not a residential use, while stays of 180 days or more are a residential use, creates a distinction between different owners of traditionally residential property that does not appear to have any rational basis. In order for a law such as SB 2919 S.D. 2 to create distinctions between individuals, the legislature must have, at a minimum, a rational basis for such disparate treatment.²¹

To the extent that SB 2919 S.D. 2 creates the distinctions identified herein, it has not provided any valid justification for such disparate treatment.

It is noted that in the recently decided Hawai'i Federal District Court case, Judge Derrick Watson examined the fundamental nature of a short-term rental and concluded that it was a "residential use."²² In response to the argument that "short-term rentals are [] business, commercial, and transient/resort type land uses; they are not 'residential uses' protected from

¹⁸ *Id.* at *6-7.

¹⁹ *Id.*; see also *Hawai'i Legal Short-Term Rental All. v. City & Cnty. of Honolulu*, No. 22-CV-00247-DKW-RT, 2023 WL 8850247, at *1 (D. Haw. Dec. 21, 2023).

²⁰ *Hawai'i Legal Short-Term Rental All.*, No. 22-CV-00247-DKW-RT, 2023 WL 8850247, at *1.

²¹ See *Willowbrook v. Olech*, 528 U.S. 562, 564 (2000); *Armendariz v. Penman*, 75 F.3d 1311, 1327 (9th Cir. 1996); *DW Aina Lea Development, LLC v. Bridge Aina Lea, LLC.*, 134 Hawai'i 187, 218, 339 P.3d 685, 716 (2014) ("[T]he equal protection clauses of the United States and Hawai'i Constitutions mandate that all persons similarly situated shall be treated alike[.]").

²² *Hawai'i Legal Short-Term Rental All.*, No. 22-CV-247-DKW-RT, 2022 WL 7471692, at *9.

amortization under HRS § 46-4,”²³ Judge Watson stated: **“The Court disagrees. Whether a use is residential depends much more on what is being done at a residence than for how long.”**²⁴ Judge Watson continued to state:

[T]hese rentals are being used for ordinary living activities by the occupants. Although the occupants of monthly rentals may shift more frequently than some neighbors and perhaps Defendants would like, there is no doubt that these tenants are using the homes for residential purposes. Moreover, the use does not depend on why the property is owned. By Defendants’ logic, any home rental of any length is a commercial use if the property is owned for “speculative” financial or investment purposes.²⁵

Thus, Judge Watson has already identified the standard for evaluating what constitutes a residential use and found that the distinction between a shorter term use and a longer term use is not legally significant, as the character of the use is the primary factor. SB 2919 S.D. 2 does not articulate any rational basis as to why a tenant with a six month lease is a valid residential use, but none of the following uses are “residential”: (1) a temporary worker who comes to Hawaii for 90 days to help address the lack of affordable housing; (2) an environmental scientist who spends 30 days in Maui reviewing environmental impacts; or (3) a guest professor who comes to Hawaii for a semester to teach a class. All of these uses are fundamentally the same in that they are all using the rented property for ordinary living activities and all are providing great benefit to the State of Hawaii. The fundamental effect of SB2919 would be to characterize these as different uses even though they are essentially identical. As such, this attempted redefinition of what constitutes a residential use results in a law that impermissibly treats groups of people disparately in violation of the Hawaii and United States Constitution. For this reason, SB 2919 S.D. 2 should be held.

D. Conclusion

For the reasons set forth herein, we have significant concerns about the proposed changes in SB 2919 S.D. 2 and would strongly recommend that the Committee hold this bill.

Very truly yours,



DAVID M. LOUIE

JOSEPH A. STEWART

for

KOBAYASHI, SUGITA & GODA, LLP

²³ *Id.* at 8.

²⁴ *Id.* (emphasis added).

²⁵ *Id.*



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March 15, 2024

COMMITTEE ON HOUSING

Rep. Luke A. Evslin, Chair
Rep. Micah P.K. Aiu Vice Chair
Committee Members

COMMITTEE ON TOURISM

Rep. Sean Quinlan, Chair
Rep. Natalia Hussey-Burdick, Vice Chair
Committee Members

SB 2919 SD2
RELATING TO PROPERTY

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health, and cultural and natural resources *supports* SB 2919 that upholds county home rule authority to phase out transient accommodations in residential and agricultural zoned areas.

A DBEDT May 2023 Hawai`i Vacation Rental Performance Report notes that Maui County had the largest vacation rental supply of 257,200 available unit nights in May 2023. Oahu had 227,300 available unit nights in the same month. In May 2023 Hawai`i islands vacation rental supply was 207,200-unit nights and Kaua`i available vacation rental unit nights were 125,100.

An April 2023 UHERO Short-term Vacation Rentals and Housing Costs in Hawai`i report found that the share of the state's housing stock posted on Airbnb is 4.7%, more than three times higher than San Francisco and more than seven times higher than New York City. Maui County has 12% of all housing units listed on Airbnb and on Kauai the figure is 14%.

The report states that *Each short-term rental (STR) represents a housing unit that could otherwise be part of the local supply of permanent housing, exacerbating the state's current housing shortage.*

The report further states. *While many factors contribute to high housing costs, the economic logic linking STRs to increases in the cost of housing is fairly unequivocal: diverting units from the pool of long-term housing reduces long-term housing supply and pushes up rents and home prices.*

A Barcelona study comparing STR activity near and far from tourist attractions found that adding 50 STRs to a neighborhood increased rents by 2% and home prices by 5%.

A study from Los Angeles looking at an STR policy change showed that reducing Airbnb's by 50% led to a 2% reduction in home prices and rent.

These statistics represent homes in residential neighborhoods that could be and should be rented by or sold to Hawaii residents.

We urge the committee to pass SB 2919 SD2 in support of the counties right to plan for and make decisions on transient vacation rentals.



House Committee on Housing and House Committee on Tourism

Hawai'i Alliance for Progressive Action (HAPA) **Supports**: SB2919 SD2

Friday, March 15, 2024 9:30 a.m. Conference Room 312

Aloha Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing on behalf of the Hawai'i Alliance for Progressive Action to express our strong support for SB2919, SD2. This crucial bill serves to clarify that counties in our state have the unequivocal right to phase out short-term rentals over a reasonable period. The recent devastating fires in Lahaina have underscored the significant role short-term rentals play in exacerbating our housing crisis. It is imperative that we take decisive action to address this issue, and SB2919 is a vital step in the right direction.

As we commend the intent of SB2919, we believe it is essential to ensure that its provisions extend to apartment-zoned properties. Communities statewide, including Lahaina, have felt the adverse impacts of the proliferation of short-term rentals in apartment-zoned areas. This unchecked expansion has only worsened our housing shortage and driven rental prices beyond the reach of many residents.

By explicitly including apartment-zoned properties in SB2919, SD2, we can ensure that all areas affected by the negative consequences of short-term rentals are adequately addressed. This extension of coverage is critical to safeguarding the integrity of our neighborhoods and ensuring access to affordable housing for all residents.

We urge you to incorporate language in SB2919, SD2, that explicitly applies to apartment-zoned properties. This inclusion will strengthen the bill's effectiveness in tackling the root causes of our housing crisis and fostering more equitable communities across our state.

Thank you for your attention to this matter. We look forward to your continued leadership in advancing policies that promote housing affordability and community well-being.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anne Frederick', is written in a cursive style.

Anne Frederick
Executive Director

1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813-6452
Telephone (808) 531-8031
Facsimile (808) 533-2242
E-Mail: gwk@hawaiilawyer.com
www.hawaiilawyer.com

March 14, 2024

House Committee on Housing

Rep. Luke A. Evslin, Chair and Rep. Micah P.K. Aiu, Vice Chair

House Committee on Tourism

Rep. Sean Quinlan, Chair and Rep. Natalia Hussey-Burdick, Vice Chair

Re: Testimony in Opposition to SB 2919
Hearing: Friday, March 15, 2024

Dear Chairs Evslin and Quinlan, Vice-Chairs Aiu and Hussey-Burdick, and
Committee Members:

We represent Hawaii Legal Short Term Rental Alliance (“HILSTRA”), a Hawaii not-for-profit corporation whose purpose is to create a sustainable business environment for legal property rentals in Hawaii. HILSTRA’s members are numerous property owners and property managers who engage in the perfectly legal practice of renting residential properties throughout the State of Hawaii. HILSTRA strongly opposes SB2919 for the reasons stated below.

HILSTRA recently prevailed in a federal lawsuit in the United States District Court, District of Hawaii – *Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu*, Civ. No. 1:22-cv-00247-DKW-RT – in which the District Court held that HRS 46-4 prevented the City and County of Honolulu from amending its zoning ordinance to prohibit previously lawful rentals of residential property of 30 to 89 days.¹ The District Court found that the rental of property for ordinary living activities is a “residential use” protected by the express prohibition of HRS 46-4 against using zoning laws to eliminate lawful residential uses of property in Hawaii. *Id.* Bill 2919 is nothing but an attempted end-run around the District Court’s opinion and well-settled constitutional principles upon which HRS 46-4 is premised.

1. Lawful Residential Rentals Are Constitutionally Protected Vested Rights.

HRS 46-4 was initially adopted by the Legislature in 1957 by Act 234. In granting Hawaii’s counties the power to enact zoning ordinances, the Legislature specifically prohibited the adoption or amendment of zoning ordinances which would prohibit the continuance of the “lawful use of any building or premises for any trade, industry, residential, agricultural or other purpose for which such building or

¹ *Haw. Legal Short-Term Rental All. v. City and County of Honolulu*, 2023 U.S. Dist. LEXIS 227895 (D. Haw., Dec. 21, 2023).

David H. Abitbol
Kira-Nariese K. Brown
Nicholas K. Ernst
Matthew T. Evans
Tred R. Eyerly
B. Matthew Gozun
Clint K. Hamada
Diane D. Hastert
Daniel J. Koller
Christine A. Kubota
Gregory W. Kugle
Kenneth R. Kupchak
Na Lan
Megan L.M. Lim
Jonathan N. Marchuk
David P. McCauley
Casey T. Miyashiro
Mark M. Murakami
Anna H. Oshiro
Christopher H. Pang
Katie T. Pham
Douglas C. Smith
Ross Uehara-Tilton
Toren K. Yamamoto
Michael A. Yoshida
Madeleine M.V. Young

Of Counsel
Jed Kurzban

Denis C.H. Leong
(1942-2023)
R. Charles Bocken
(1921-2020)
C. F. Damon, Jr.
(1926-2017)
Charles W. Key
(1929-2008)



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premises is used at the time this act or such ordinance takes effect.”² Preexisting lawful uses could only be eliminated as the use was discontinued by the owner. *Id.*

The statutory protection of prior lawful uses is simply a codification of underlying constitutional principles. As has been repeatedly noted by Hawaii’s appellate courts: “The statutory protection of lawfully existing uses and structures ‘prior to the effective date of a zoning restriction is grounded in constitutional law.’”³ “Such uses are vested rights that zoning ordinances may not abrogate.” *Id.*

When the Legislature amended HRS 46-4 in 1980 to introduce “amortization or phasing out of non-conforming uses”, it made crystal clear that the counties could not use their zoning powers to amortize or phase out uses in residentially zoned districts by stating that a zoning ordinance may provide “for amortization or phasing out of nonconforming uses or signs over a reasonable period of time in commercial, industrial, resort, and apartment zoned areas only.”⁴ The Legislature removed any doubt when it added “In no event shall such amortization or phasing out of nonconforming uses apply to any existing building or premises used for residential (single-family or duplex) or agricultural uses.” *Id.* The Legislature’s intent was to make sacrosanct residential and agricultural uses in Hawaii.⁵

While the counties have long pushed for an amendment – like SB 2919 – to remove this restriction on certain residential uses in residential districts, such a statutory change will be ineffective. That is because HRS 46-4’s limitations on zoning are simply a codification of underlying constitutional protections embedded in the Hawaii and United States Constitutions, which both explicitly protect private property and due process. “The statutory protection of lawfully existing uses and structures ‘prior to the effective date of a zoning restriction is grounded in constitutional law.’”⁶ Thus, the constitutional protections will remain a legal

² Act 234, Hawai‘i Session Laws 1957, § 9.

³ *Ferris Trust v. Planning Comm’n of Kauai*, 138 Hawaii 307, 312 (Ct. App. 2016) (holding that HRS 46-4 and constitutional due process protect the owner of property used as a transient vacation rental when Kauai amended its zoning code to restrict such use); *Waikiki Marketplace Inv. Co. v. Chair of Zoning Bd. of Appeals*, 86 Hawaii 343, 353 (Ct. App. 1997) (noting HRS 46-4’s protection of lawful uses of property was grounded in constitutional law).

⁴ Haw. Rev. Stat. § 46-4(a) (emphasis added).

⁵ 1980 Hawaii House Journal (Standing Committee Reports) at 1176-77.

⁶ *Ferris Trust v. Planning Comm’n of Kauai*, 138 Hawaii 307, 312 (Ct. App. 2016) (holding that HRS 46-4 and constitutional due process protect the owner of property used as a transient vacation rental

House Committee on Housing
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protection against any effort to amortize or phase out certain politically disfavored residential uses. Although the HILSTRA litigation included claims that Honolulu’s Ordinance 22-7 – which attempted to eliminate lawful residential uses of rentals less than 90 days – violated the Hawaii and United States Constitutions’ protections of private property and due process, the District Court of Hawaii did not need to decide those constitutional claims. Enactment of a bill like SB 2919 will still run head long into the constitutional protections.

2. Legal “Short-Term” Rentals Are Used By Hawaii Residents.

Contrary to the false narrative that short/shorter term rentals are only used by tourists, they are essential to Hawaii residents. As noted by the District Court in the HILSTA litigation, restricting the ability of homeowners to legally rent properties on a month-to-month basis impairs “(1) service members’ ability to easily transition to or from on-base military housing; (2) traveling medical practitioners’ ability to provide contracted care at O’ahu health care facilities; (3) local residents’ ability to transition between homes; (4) contractors’ abilities to perform work on O’ahu; (5) displaced residents’ ability to find housing following natural and man-made disasters, including the Red Hill fuel leak, fire and flood; (6) neighbor island residents’ ability to travel to O’ahu for medical care or events; and (7) other individuals’ ability to travel as they prefer.”⁷ This is no less true for hula halau travelling to Hilo for Merrie Monarch, or canoe clubs competing inter-island. There are many Hawaii residents who cannot or do not need to enter year-long rental arrangements as their housing, employment or travel needs require.

3. Legal “Short-Term” Rental Generate Millions In Tax Revenue For Hawaii.

Studies have shown that alternative accommodations like “short-term rentals” provide significant benefits to Hawaii’s economy. According to the Department of Business, Economic Development & Tourism’s Vacation Rental Performance Report (2022), the total state and county revenue from short-term rentals in 2022 was

when Kauai amended its zoning code to restrict such use); *Waikiki Marketplace Inv. Co. v. Chair of Zoning Bd. of Appeals*, 86 Hawaii 343, 353 (1997) (noting HRS 46-4’s protection of lawful uses of property was grounded in constitutional law).

⁷ *Haw. Legal Short-Term Rental All. v. City and County of Honolulu*, 2023 U.S. Dist. LEXIS 227895 (D. Haw., Dec. 21, 2023).

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\$740,000,000! In 2023, the total direct visitor expenditures from short-term rentals was \$4.8 billion, the total sales generated was \$8.9 billion, the household income generated was \$2.4 billion and the number of direct and indirect jobs supported was 48,639.⁸ This is a direct and substantial economic benefit to Hawaii's economy, which would be dramatically impaired by legislation like S2919.

4. The Legislature Intentionally Protected Residential Use In Hawaii.

As was observed in 1604 by Sir Edward Coke, “the house of every one is to him as his Castle and Fortress”. This was equally evident to Hawaii's legislature in 1980 when it placed residential uses above all others by amending HRS 46-4 to enact the prohibition on zoning away residential uses.⁹ The Legislature should not begin to erode those protections, which allow Hawaii residents to use their homes to meet their living and income needs.

5. The Legislature Has Wisely Refused Previous Efforts To Amend HRS 46-4.

SB 2919 is only the latest attempt by Hawaii's counties to amend HRS 46-4 in this fashion. As the District Court observed “the State Legislature has been lobbied by the DPP and other counties since at least 2014” to amend HRS 46-4 to grant counties the power to amortize or phase out nonconforming or otherwise allowed short-term rentals.¹⁰ Year after year, the Legislature has declined the counties' invitation to water down the protections afforded for residential uses by HRS 46-4.

The counties already have the power to eliminate short-term or transient accommodations if they desire. The Legislature has granted each county with the power of eminent domain. HRS 46-61. Thus, each county already has the power to take private property for public purposes, upon the payment of just compensation to the owner. Should the counties wish to eliminate lawful residential uses of property quicker than the already permissible means of discontinuance, then each already has the power of condemnation, which is the constitutionally permissible way to take private property rights.

⁸ HTA Economic Impact Model.

⁹ 1980 Hawaii House Journal (Standing Committee Reports) at 1176-1177.

¹⁰ *Haw. Legal Short-Term Rental All. v. City & Cnty. Of Honolulu*, 2022 U.S. Dist. LEXIS 187189 n. 19 (D. Haw., Oct. 13, 2022).

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6. Passage of SB 2919 Will Generate Litigation.

Courts in other jurisdictions have ruled that amortization as a means to eliminate private property rights is an unconstitutional taking of private property without compensation.¹¹ The Georgia Supreme Court, interpreting its constitutional protection against private property being “taken or damaged” – the same language found in Hawaii’s Constitution – held that the uncompensated amortization of nonconforming signs was an unconstitutional taking of private property.¹² The Missouri Supreme Court held that “zoning zealots” used the amortization technique to eliminate preexisting lawful uses and that such elimination was unconstitutional.¹³ Thus, the counties’ invitation to the Legislature to grant them an arguably unconstitutional power may well invite litigation against the State. And, if SB 2919 is passed and zoning laws are amended to amortize certain disfavored residential uses, the counties themselves will surely be sued.

For all of the foregoing reasons, the House should decline to advance SB 2919.

Very truly yours,

DAMON KEY LEONG KUPCHAK HASTERT

Gregory W. Kugle
Toren K. Yamamoto

GWK:rp
847673

¹¹ *Lamar Adver. of S. Ga. v. Albany*, 389 S.E.2d 216 (Ga. 1990); *Hoffman v. Kinealy*, 389 S.W.2d 745 (Mo. 1965).

¹² *Lamar Adver. Of S. Ga. v. Albany*, 389 S.E.2d 216 (Ga. 1990).

¹³ *Hoffman v. Kinealy*, 389 S.W.2d 745, 750 (Mo. 1965).

**Kathleen M. Pahinui
67-237 Kauai St
Waialua, HI 96791**

March 14, 2024

Aloha Representatives Evslin and Quinlan and Committee Members:

I strongly support Bill SB2919 SD2 which promotes home-rule for the counties and enables the counties to phase out vacation rentals in residential neighborhoods over a reasonable period.

We need to protect our communities and their residential character and the integrity of the zoning on each island. Each county is very aware of the needs of their residents and is best placed to implement solutions for housing and managing vacation rentals.

We must promote sustainable tourism and reign in the tourism sprawl that has affected all of our islands.

The North Shore of O'ahu is a perfect example of a place that has welcomed visitors in the past but now, is pushing back as the proliferation of vacation rentals has moved into the plantation-era communities where we live. It is hard to sleep when they are partying next door, taking up all the street parking and otherwise disrupting the fabric of where we live.

Vacation rentals should be in resort-zoned areas, where it is appropriate and welcome. We have such an area on the North Shore – Turtle Bay.

Please support this important bill and allow the counties to decide on how to manage vacation rentals.

Mālama 'āina,

Kathleen M. Pahinui
President, Save Our North Shore Neighborhoods
Waialua Resident, North Shore, O'ahu



The Ohana Aina Association

Honorable Chairman Sean Quinlin
House Committee on Tourism
Hawaii State Capitol
415 S Beretania St
Honolulu, HI 96813

Dear Chairman Quinlin,

The Ohana Aina Association represents the 7,000 families on the Big Island who depend on short term rental income to make ends meet each month.

We are not off-island investors. We are not proffitters. We are families and kupuna who rent an ohana or a bedroom to visitors as a critical part of our livelihood.

Our Island is Big. Much of the island is isolated and lacks resort districts and the infrastructure necessary to participate in the tourism economy. An economy that is the ONLY economy we have now that sugar and pineapple are gone.

Our island is also unique because we don't regulate hosted vacation rentals. That has allowed more than 4,000 households to open their doors and host visitors in their own home.

Since are unregulated we don't have licenses or permits to operate. We are free to operate without them and have done so responsibility for decades.

This bill grandfathers licensed operators, but since we are free and have not been forced to obtain licenses, we don't have them.

That means this bill is a ban on our operations. If implemented as written it will cost thousands of families their livelihoods and create significant financial hardship for our community.

The short-term rental industry plays a vital role in our community, providing essential housing options for a diverse range of individuals and families. In particular, I have seen firsthand the impact of the industry on displaced residents, newly housed residents, those in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, students, and our family and friends. Events such as



The Ohana Aina Association

the Red Hill Crisis and Marco Polo fires have displaced thousands of residents, and the short-term rental industry has provided crucial temporary, furnished housing in such challenging times.

The short-term rental industry not only sustains the livelihoods of individuals and families but also contributes to the economic stability of our community. It provides economic opportunities for self-employed individuals, including housekeepers, gardeners, site managers, handymen, and more. Additionally, it allows mainland residents to work remotely from their rental accommodations, supporting local businesses and contributing to the overall economy.

As we consider the potential impact of Senate Bill 2919, it is crucial to strive for solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry. I urge you to take into account the voices and stories of those who rely on the short-term rental industry for their livelihoods and to work with us to find solutions that support economic stability for families like those represented by the Ohana Aina Association.

Thank you for your attention to this critical issue. I am available to further discuss the implications of SB2919 and explore alternative solutions that can address the concerns of all stakeholders involved.

With aloha,



Joshua Montgomery

President, Ohana Aina Association

PO Box 59

Holualoa, HI 96725

ph: +1 (785) 840 6155

joshua.montgomery@ohanaainaassociation.com

<http://ohanaainaassociation.com>

SB-2919-SD-2

Submitted on: 3/14/2024 9:33:09 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry Lodge	IRC Cleaning	Oppose	Written Testimony Only

Comments:

Chair and Members of the Committee,

My name is Terry Lodge and I am a resident of Oahu. I stand before you today to urge you to oppose SB2919, which would further restrict short-term rentals on our island.

This bill poses a significant threat to my livelihood as a small business owner and the well-being of countless Oahu residents. Oahu currently has only 2,000 legal short-term rentals, excluding hotels. Further restrictions will cripple this vital sector, leaving residents and visitors with limited options. Reducing business and forcing layoffs.

Impact on Oahu's Residents:

Short-term rentals play a crucial role in accommodating a diverse range of residents:

- **Transitions and Needs:** Short-term rentals serve residents in transition, those newly arrived, or facing unforeseen circumstances. They offer flexibility for inter-island residents seeking medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, and students.
- **Affordability:** Short-term rentals can be a more affordable option than hotels, especially for extended stays. This is critical for many Oahu residents, myself included.

Impact on Visitors and Oahu's Economy:

Tourists and visitors also rely on short-term rentals. Restricting supply will:

- **Limit Options:** Where will visitors stay if short-term rentals are further restricted? Are we forcing them towards expensive hotels, limiting their ability to experience our island authentically?
- **Impact on Economy:** Tourism is a cornerstone of Oahu's economy. Limiting short-term rentals hurts small businesses, restaurants, and activities that rely on tourist dollars.

Considering Alternatives:

Instead of restrictions, let's explore solutions that address legitimate concerns while supporting this vital industry. We can:

- Focus on Enforcement: Ensure existing regulations are enforced, addressing issues like noise and neighborhood disruptions.
- Promote Responsible Hosting: Implement programs to educate short-term rental owners on responsible hosting practices.

Conclusion:

Short-term rentals are woven into the fabric of Oahu's life. They provide shelter to residents in need, offer affordable options for visitors, and contribute to our island's economy. Passing SB2919 would have a devastating impact on Oahu.

I urge you to consider the needs of residents and visitors alike. Let's work together to find solutions that promote responsible hosting while preserving this vital sector of Oahu's economy.

Thank you for your time and consideration.



March 15, 2024

The Honorable Luke A. Evslin, Chair
House Committee on Housing
The Honorable Sean Quinlan, Chair
House Committee on Tourism

State Capital Conference Room 312 – Via Videoconference 9:30 a.m.

RE: SB 2919, SD2 Relating to Property

Aloha Chair Luke Evslin and Vice Chair Micah Aiu and Members of the Committee

Aloha Chair Sean Quinlan and Vice Chair Natalia Hussey-Burdick and Members of the Committee

Rental By Owners Awareness Association (RBOAA) fully supports compliance with State taxation laws and County zoning regulations.

We strongly **oppose** Senate Bill 2919 (SB 2919) SD2.

Here's a breakdown of our concerns:

Unfair Impact on Existing Businesses: The bill grants counties the power to phase out existing short-term rentals (STRs) in residential and agricultural zones. This could force legal businesses, including longstanding Bed and Breakfasts, to shut down, jeopardizing their livelihoods.

Unintended Consequences of New Definitions: The bill's broad definition of "transient accommodation" could unintentionally restrict long-term rentals (over 30 days) currently subject to transient occupancy tax. This raises concerns about the legality of previously permitted activities.

Vague Grant of Power: The bill empowers counties with unclear language regarding the "time, place, manner, and duration" of land-use permissions. This ambiguity creates uncertainty for residents and reduces transparency.

Limited Impact on Long-Term Rentals: The bill is unlikely to achieve its stated goal of increasing long-term housing availability. Existing non-conforming use permits for STRs are limited to just a few hundred dwelling on Oahu, Maui, and Kauai. Even the conversion of all these permits to long-term rentals would have a negligible impact on overall supply.

Focus on Building Restrictions: Decades of research by UHERO (University of Hawaii Economic Research Organization) demonstrates that building restrictions are the primary factor limiting housing supply in Hawaii. Efforts should prioritize addressing these barriers.

We urge the legislature to hold SB 2919 and consider alternative solutions that address the actual obstacles to creating more long-term housing options.

Sincerely,

Alicia Humiston, President
Rental By Owner Awareness Association

SB-2919-SD-2

Submitted on: 3/14/2024 10:56:49 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sande Greene	Ocean Breeze Hideaway	Oppose	Written Testimony Only

Comments:

I am 80 and my husband is 83. I need you to understand that my husband's life is at risk, as he was very recently diagnosed with a reoccurring aggressive cancer. Our Kihei vacation rental condo is our only source of income, other than small social security. This is how we are supporting ourselves and others in the community including housekeepers and other workers.

We are full time residents living on Maui since 1996, and prior to that lived on the Big Island since 1992. We do not live on the mainland. We have great compassion for the people of Lahaina, and others seeking long term rental, and continue to contribute as much as possible to Lahaina recovery efforts.

We are not selfish and irresponsible if we don't participate in turning the condo into a long term rental. The condo has been operating as a short term rental for over 23 years. Having to be forced to cancel and return the numerous deposits received for 2024 and the ensuing income for the year, should SB2929 SD2 go into effect, would be a financial disaster for us. Stating this does not negate the tremendous hardships and loss experienced by the victims of the Lahaina fire, or others seeking long term rentals. Originally purchased as our retirement plan, the condo income is now needed to assist with medical costs that health insurance does not cover.

Most importantly, the possible passage of SB2929 is critically affecting my husband's already precarious health.

I ask that you please take this into consideration.

Thank you.

Sande Greene

SB-2919-SD-2

Submitted on: 3/14/2024 12:34:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maria Alexander	Hodge Capital	Oppose	Written Testimony Only

Comments:

Given the legal and economic uncertainties surrounding SB2919's approach to regulating short term rentals, we recommend that the Committee defer this bill.

We own a villa in Hualalai, have done for the last 17 years. Love our unit. Large family. Also rent it out to mitigate costs. Rentals are tightly controlled and screened We are very happy to contribute to the economy of the Big Island with this unit.

SB-2919-SD-2

Submitted on: 3/14/2024 1:03:48 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Eisert	Kona Kai LLC	Oppose	Written Testimony Only

Comments:

Dear Senator Rhoads,

I am writing to express my strong opposition to SB2919 SD2. My name is Jason Eisert, and I am a short term rental owner in Kailua Kona, Hawaii. My entire livelihood is based on short term rentals, and the proposed bill directly threatens my ability to continue providing this service. As a kamaaina, I have invested my entire life into this endeavor and believe that I am entitled to the non-conforming use permit. If this permit is taken away, it constitutes a taking of my property rights, regardless of the "reasonable" timeout proposed in the bill.

SB2919 SD2 establishes a state-wide framework for heavily regulating vacation rentals, including pre-approval for all listings, exorbitant fines for non-compliance, mandated property inspections, and the potential retroactive phase-out of non-conforming use certificates by counties. These stringent regulations represent an unconstitutional taking of property owners' economic rights and are in conflict with the constitution of the State of Hawaii.

Moreover, as a resident in Kailua Kona, I can attest to the vital role that short term rentals play in accommodating displaced residents, traveling professionals, and visitors seeking temporary housing. In a region already impacted by housing challenges, the proposed bill will only exacerbate the difficulties faced by families who depend on short term rentals for income and by those in need of affordable accommodations.

I urge you to consider the far-reaching implications of SB2919 SD2 and its detrimental effects on residents, local economies, and the future of the vacation rental industry in Hawaii. I respectfully request that you oppose this bill to safeguard the rights of property owners and the livelihoods of those who rely on short term rentals for their income.

Mahalo for your attention to this matter.

Sincerely,

Jason Eisert

75-5785 Pikake Place

Kailua Kona, Hawaii 96740

Owner, Kailua Kona Estate

State Capital, Honolulu Hawaii

Re: SB2919, SD1 Relating to Property

Hearing Scheduled: Friday, March 15, 2024

Testimony in Strong Opposition

Aloha Senators,

The O`ahu Short Term Rental Alliance (“OSTRA”) represents many thousands of residents who own, manage and work within the legal mid and short-term rental industry – and we strongly oppose HB1838. Our President Kelly Lee submitted this as written testimony and I’m here to provide it verbally as I’m a co-Director of OSTRA.

Our rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. Our short and mid-term rentals provide critical housing to meet the needs of residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state’s budget in 2022 and contributed \$165 million toward the County budget.

We believe you also will oppose HB1838 when you understand the immediate implications for housing, local jobs, the economy, and tax revenue for Hawai`i. Simply holding hearings on these types of bills creates unnecessary uncertainty particularly for housing, tourism, and real-estate related businesses at a vulnerable time.

HB1838 would give the counties authority to enact ordinances to eliminate, or phase out short-term rentals in any zoning classification.

What Hawai`i needs most is clear, consistent, fair rules for business to thrive. Instead, this bill would have each County able to eliminate existing property rights without compensation (so making it legal for Counties to do what would now be considered an illegal taking of private property). The most likely result will be confusion, law suits, and illegal attempts by county officials to eliminate productive, legal, tax and local-job generating businesses.

This bill creates fear for some of our most vulnerable residents and would hit them hardest: on O`ahu, 80% of the short-term rental owners are residents and also kupuna (seniors). 70% of them own 1 unit that provides income to subsidize the ever increasing cost of living in Hawaii.

Our short-term rentals provide furnished, temporary housing to residents as well as visitors. 25% of Oahu's visitors are non-vacationers (per the HTA). 13% of those visitors are friends and family that need affordable accommodations. It is very likely that if you live on another island, you have stayed in a short-term rental on O'ahu.

The following groups stay in our affordable, temporary or transitional housing¹

Residents

- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the

Marco Polo fires

- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events

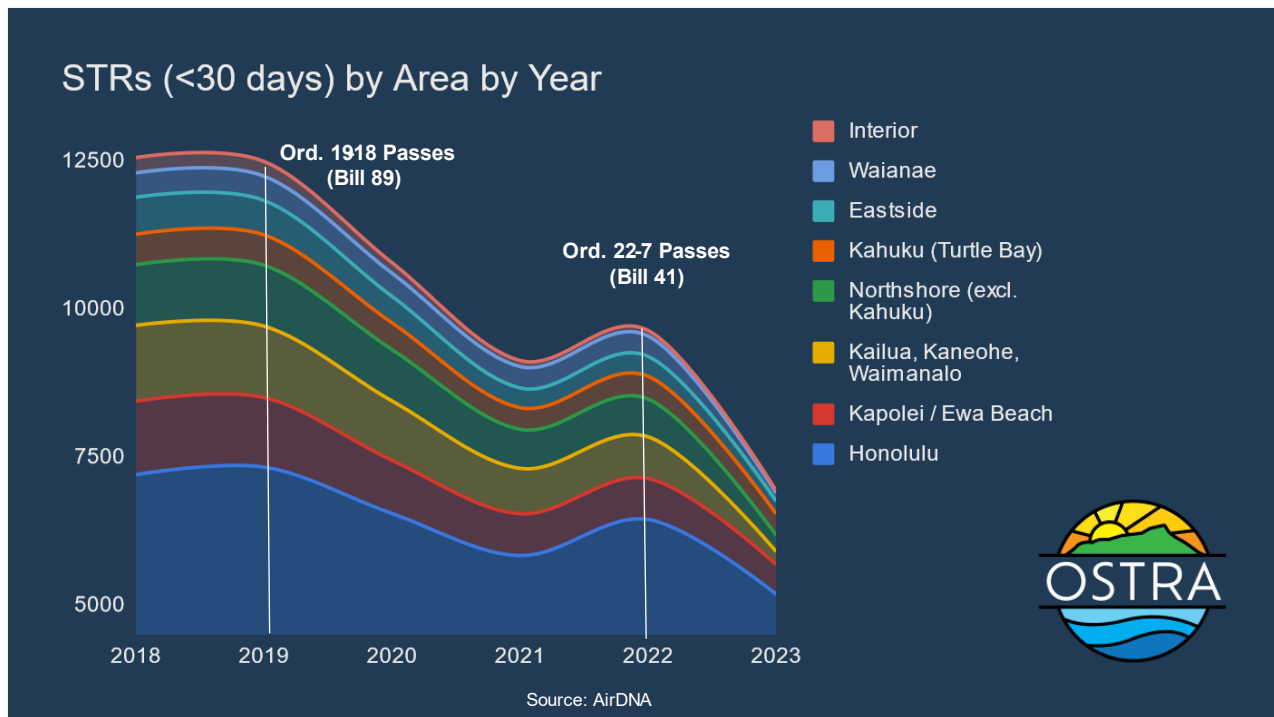
Non-Residents

- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night.

They choose short-term rentals for affordability and also the livability versus a hotel room.

The following chart shows the 45% decline in short-term rentals on O'ahu due to regulations:



SOURCE: AirDNA, July 2023

As you can see, by passing this Bill, the counties will further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

As a result of Bill 89 and Bill 41, over the last 5 years Excluding rentals defined as “hotel units”, O`ahu is down to ONLY 2,000 legal short-term rentals or

1% of our housing. Vacant homes account for 9% of all housing on Oahu. (Source Air DNA July 2023)

1 Note, for O`ahu, the short-term rental (less than 30 days) industry is extremely small and increasingly owned by hotels due to recent changes in Honolulu County rules (and recently amended by the Courts due to successful litigation by a group representing owners called HILSTRA). Due to the litigation, there is now a small group of people who can advertise for mid-term rentals. This group may become increasingly important as STRs have almost disappeared on O`ahu but much of our existing data does not necessarily distinguish these new categories.

OSTRA supports legal rentals and will work to make compliance clear and easy. Unfortunately, it appears that the inability of the Honolulu City and County Planning and Permitting Department to enforce existing regulations before passing new regulations has resulted in continued illegal activity. Additional authority will result in new laws that will punish those operating legally, and proliferate the illegal activity.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities

for residents to own, live, and rent, and keeps spending in the communities.

Please DO NOT pass this Bill that would allow the County to further erode an essential right and component of housing for our residents and important visitors.

Michael Heh, Director OSTRA

808-382-4515



SB-2919-SD-2

Submitted on: 3/14/2024 4:22:28 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Englert	Rentals Maui, Inc.	Oppose	Remotely Via Zoom

Comments:

Aloha Committee Members,

I wanted to voice my opposition to SB2919 for several reasons and I will try to keep it brief... I was born and raised in Maui and have been directly involved in the management of STR's in South Maui for over 15 years. I love Maui with all my heart, but if I'm being honest Professional Careers are very limited here compared to the rest of the United States. The tourism industry has been our bread and butter for as long as I can remember and MANY working families, (those who would be considered "our workforce") will be severely impacted by any form of Phase Out, if passed.

We directly employ 24 Maui residents and we indirectly provide consistant, subcontracting work for another 46 housekeepers. The job loss alone with our company would severely impact at least 70 different families. AND we are just one company of many. This bill would also significantly impact hundreds of small businesses, restaurants, beach rentals, and shops that cater to this specific traveler; most of which would never survive without their business.

We are all part of the workforce this bill is claiming to help, but if this bill is passed you will most certainly be hurting a large portion of our workforce. And you would be doing so without any Guaranty that this will solve our Workforce Housing problem. The University of Hawaii' economic Research Organizaions Study claims that Short Term Rentals in Oahu raises housing cost by 5%. So we could safely assume that phasing out Vacation Rentals will lower the median home price in Hawai by 5%.

While it is important to bring down the cost of housing, the median Home Price in Maui right now as of February 2024 is \$1.3 million dollars, bringing that figure down 5% to \$1,235,000 doesn't get our worforce into housing, it doesn't even move the needle. The only thing this bill guarantees is job loss for our hardworking residents and an acommodation monopoly for the hotels. Solving this issue will require a complicated solutions, we need to build our way out of this, not tear down what we have.

Thank you for your time.



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEES ON HOUSING and TOURISM
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 312
Friday, March 15, 2024 AT 9:30 A.M.

To The Honorable Representative Luke A. Evslin, Chair
The Honorable Representative Micah P.K. Aiu, Vice Chair
Members of the Committee on Housing
To The Honorable Representative Sean Quinlan, Chair
The Honorable Representative Natalia Hussey-Burdick, Vice Chair
Members of the Committee on Tourism

OPPOSE SB2919 SD2 RELATING TO PROPERTY

The Maui Chamber of Commerce **OPPOSES SB2919 SD2.**

The Chamber feels this bill has **the potential to result in substantial legal issues**. Although the stated purpose of this measure may appear to be an innocuous delegation of authority, the proposed changes could conflict with constitutional rights as well as existing state statutes. Such changes could potentially cause numerous unintended consequences, ultimately leading to the deprivation of vested rights of existing residential homeowners, that then would likely result in substantial litigation.

As a fundamental residential use, property owners in Hawai'i have, for decades, relied on the protections enshrined in HRS Section 46-4 to offer short-term rentals to their guests. And these fundamental protections—which, as described below, are “grounded” in the Hawai'i and United States Constitutions—should not be dismissed or undermined. To do so would not only contest important constitutional protections, it would potentially drive significant litigation around the State.

Both Hawai'i and federal litigation has recognized the principle that preexisting uses of land are protected. “Under the United States and Hawai'i Constitutions, *‘preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not abrogate.’*” Even preexisting nonconforming uses are protected from subsequent restrictive zoning regulations. As the Hawai'i Intermediate Court of Appeals has recently stated, “The statutory protection of lawfully existing uses and structures *‘prior to the effective date of a zoning restriction is grounded in constitutional law.’*”

The Chamber strongly agrees with the comments offered by the Grassroot Institute of Hawaii when they say “... the assumption that greater regulation or a phase-out of short-term rentals is a desirable goal is not supported by an impartial analysis of the visitor industry and the actual participants in the STR economy. A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state's economy and sustained 46,000 jobs. The survey also found that *‘30% respondents reported that if there was not a home and vacation rental option during their recent stay in Hawaii, they would not have made the trip.’*”



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

OPPOSE SB2919 SD2
Friday, March 15, 2024
Page 2

“Thus, the removal of STRs from the vacation unit inventory could have a cascading effect, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well grocery and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.”

We feel the committee report #3014 from the Judiciary and Ways and Means committees of the Senate are not taking the whole of the industry and the nuances of short-term rentals into account when they say, “Your Committees find that not only do short-term rentals disrupt the State's traditional and economically indispensable lodging industries, they also disrupt the character and fabric of residential neighborhoods.” It is important to understand that not all short-term rentals are disrupting “the fabric of residential neighborhoods”, but it is widely recognized that some are. This is because proper enforcement has not been done. To place ALL short-term rentals in harm's way because of a few bad apples is overreacting and could cause economic harm. We feel counties need to expand their enforcement efforts to protect neighborhoods where harm is being created and in doing enforcement would generate revenue through fines. There are many illegal short-term rentals who are promoting their units outside of Airbnb and VRBO and we need to look at enforcement beyond those two platforms. Many units are rented by private brokers and therefore, more consideration should be given to complaints that come in for properties that are not listed on those two platforms.

For these reasons, we **strongly OPPOSE SB2919 SD2** and respectfully request it be deferred.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



HAWAI'I LODGING & TOURISM
A S S O C I A T I O N

Testimony of Mufi Hannemann, President & CEO
Hawai'i Lodging & Tourism Association

House Committees on Housing/Tourism (HSG/TOU)
SB2919 SD2 RELATING TO PROPERTY
Friday, March 15, 2024
Position: SUPPORT

Chair Evslin, Chair Quinlan, and members of the Committees,

On behalf of the Hawai'i Lodging & Tourism Association, the oldest and largest private sector tourism organization in the state, we express our full support for SB2919 SD2 RELATING TO PROPERTY. This bill would expand the zoning powers of counties granting them the authority to regulate by zoning ordinance the time, place, manner, and duration in which uses of land and structures may take place; and amortizing or phasing out transient accommodations uses in residential or agricultural zoned areas.

The Hawai'i Lodging & Tourism Association – the state's largest and oldest private sector visitor industry organization representing more than 50,000 hotel rooms and nearly 40,000 lodging workers – has long prioritized the regulation of short-term rentals (STRs) across our state.

Short-term rentals in neighborhoods bring several drawbacks, including disruption within communities due to frequent turnover of renters, increased noise levels, and other potential disturbances. These rentals also strain local infrastructure, pose regulatory challenges in enforcement, and raise safety concerns. Moreover, the conversion of properties into short-term rentals reduces the availability of housing for long-term residents, driving up rental and purchasing prices for local renters or buyers, and negatively impacting property values. This issue is particularly prevalent now, exacerbating the challenges of long-term housing in the overall recovery of West Maui.

We have always held the view that STRs should operate in appropriate areas such as hotel and resort districts where they are deemed legal, and can be held accountable to the same taxes, rules, and regulations that hotels and resorts are required to adhere to. As progress is made in reeling in short-term rentals within our residential neighborhoods, this clarification of jurisdiction will help strengthen our county governments' ability to enforce their rules and laws.

Mahalo for the opportunity to offer our testimony.



March 1, 2024

To: Honorable Representative Luke A. Evslin,
Chair, House Committee on Housing

And

Honorable Representative Sean Quinlan,
Chair, House Committee on Tourism

And,

The Honorable Members of The joint House Committees of
Housing and Tourism,

From: Kekoa McClellan, on behalf of The American Hotel and Lodging
Association (AHLA)

Regarding: **Support for SB2919 SD2 Relating to Property**

Aloha e Chairs Evslin and Quinlan,

Please accept this testimony in **Support for SB2919 SD2 Relating to Property**. This important measure will help local families reclaim our communities from the explosive growth and harmful impacts of short-term rentals.

First and foremost, I want to thank the joint chairs for hearing this bill. This is about housing. Housing for our workforce, housing for our kūpuna, housing for our keiki, and housing for all of us who call Hawai'i home. We know that short-term rentals have driven up the cost of housing in Hawai'i. Whether that information is coming from community groups living through the nightmare of the explosive effects of illegal short-term rentals, from the raw statistics that show the exodus of local people leaving Hawai'i because they can't afford it anymore, or independent studies like those conducted by the Hawai'i Appleseed Center for Law and Economic Justice or the University of Hawai'i Economic Research Organization, the fact is that short-term rentals are a major factor in Hawai'i's housing crisis. Knowing the truth of this matter, the membership of the American Hotel and Lodging Association has worked in earnest to solve the problem that short-term rentals, both legal units and illegal units, have had on our island home.

Over the last seven years, we have worked in all four counties to change laws around regulation, around reporting, and around enforcement. We have partnered with labor unions, community advocates and affordable housing groups to bring forward change on this front. We have provided independent information, resourced county administrators on enforcement, and promoted educational campaigns throughout our membership and our more than 110,000 member employees here in Hawai'i. Despite this incredible effort by so many people across our state, short term rental numbers have increased in number and continued to rob local families of critical housing supply and driving up the cost of living.

The numbers tell the truth, and according to a recent report from the independent short-term rental data mining platform "All The Rooms," there were more than 89,000 listings for short-term rentals in Hawai'i in the last 12 months alone. To put that in context, this is more than double our state's entire hotel room inventory. The only way to address affordability, housing insecurity, homelessness, and to promote regenerative tourism that locals so desperately deserve, we look to you to provide this enabling legislation that will allow the state and our counties to rein in short-term rentals. As written, SB2919 provides clear context and authority for our counties to make reasonable changes to their Land Use Ordinances that enable the phasing out of short-term rentals and further enables county regulation against illegal short term rentals.

In closing, I want to thank you on behalf of the membership at the American Hotel and Lodging Association. For over 100 years, we have advocated for our members, their employees, and the communities that we collectively serve. Despite record high wages and benefits, providing access to a thriving career right here in our state, and investing heavily in our workforce, if we cannot address the cost of housing, we cannot address the needs of our people. So, we look to you for help through the support of this measure.

Mahalo for your time and consideration of this testimony in support of SB2919 SD2.

Me ka ha'aha'a,



Kekoa McClellan for The American Hotel and Lodging Association
Principal, The McClellan Group
Kekoa.McClellan@gmail.com
1.808.393.7937





January 31, 2024

Honorable Representative Luke A. Evslin,
Chair, House Committee on Housing

and

Honorable Representative Sean Quinlan,
Chair, House Committee on Tourism

And,

The Honorable Members of the joint House Committees of Housing and Tourism,

Regarding: Testimony in : **Strong Support for SB2919 SD2 - Relating Property**

Aloha Chairs Evslin and Quinlan,

I am Jerry Gibson, President of the Hawaii Hotel Alliance, writing to express our unwavering support for SB2919. This legislation is crucial in addressing the negative impact of short-term rentals (STRs) in Hawaii, an issue that demands immediate attention.

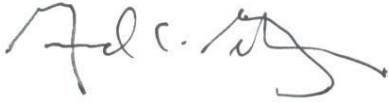
While hotels contribute significantly to our communities, providing employment and tax revenue, the unchecked growth of STRs has hindered efforts to address affordable housing needs. Despite past legislative efforts, the number of STR units continues to rise, reaching alarming levels on Maui (12% of all housing units) and Kauai (14%).

SB2919 presents an opportunity to rectify this situation. By eliminating STRs and third-party illegal rental sites, we can reclaim housing for our people. This legislation offers a tangible solution to bring down housing prices, establish a reasonable pricing structure, and transform stolen housing into homes for our communities.

In the aftermath of the devastation in Lahaina, the urgency to act is clear. On Maui, we have the means to deactivate third-party sites and provide housing for thousands. The Hawaii Hotel Alliance stands united with our members, employees, and the people of Hawaii, urging the swift passage of this critical legislation.

Thank you for your attention to this pressing matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Gibson". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping tail.

Jerry Gibson

President, Hawaii Hotel Alliance

Jerry@hawaiihotelalliance.com

SB-2919-SD-2

Submitted on: 3/12/2024 12:26:06 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Ochsenbein	Individual	Oppose	Written Testimony Only

Comments:

Please consider very carefully what the consequences of this bill and who it will benefit. The hotel industry will certainly gain a few guests. The money will go to the big corporations and benefit CEOs that are already making millions in the tourism industry. Who will it hurt? The little guy. Those just trying to make ends meet by renting out an extra space for a month or so. Many of these owners do not or cannot accommodate permanent renters. What happens to traveling nurses, contractors, those that have to relocate due to insurance claims, etc. What happens to Ohana that come to visit, but cannot afford the big hotel rates. Please don't be duped into thinking this will help our housing crisis. Our neighbor has been waiting over 2 years just for the DPP to issue a permit to build a rock wall. All of the government regulations in this state are the cause of the housing crisis. Just look at states where the government regulations aren't as cumbersome. West Maui is a prime example. Trying to fix the system with more regulations is ridiculous.

SB-2919-SD-2

Submitted on: 3/12/2024 12:33:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah Riddle	Individual	Oppose	Written Testimony Only

Comments:

Thank you for accommodating written testimony. We are owners at Waikiki Banyan, 201 Ohua Avenue. Our permanent residence is in Coronado, CA and we purchased our unit at the Banyan in 2019. We have enjoyed 4-6 mo the each year in our unit but appreciate the opportunity to rent the unit when we are not in residence.

as retired real estate brokers from a tourist heavy community we certainly appreciate the potential negative impacts that short term rentals (STR) can cause in residential areas. Sadly, few bad actors can have the effect of tainting the entire concept. That said, we, respectfully, ask that the legislature refrain from "throwing the baby out with the bath water".

the STR provides a valuable form of housing that is beneficial to the community at large. From the traveling nurses to the student interns, family and friends visiting from the mainland, people newly arrived seeking long term housing and soon to be departing the island, even those are temporarily displaced due to family, financial, health or housing disruptions, the STR fills a "niche" in the housing market as a whole.

do people use the STR as an investment t opportunity? Certainly. and the city and county is entitled to (and has a obligation to) regulate. Owners should u derstand be willing to pay reasonable fees and taxes associated with such business ventures. But, keep in mind, each business venture offers employment for local residents. Real estate, historically, is the largest economic contributor to the GDP.

this bill is not the solution. We ask that you vote "no"

SB-2919-SD-2

Submitted on: 3/12/2024 12:59:49 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
SharLyn Foo	Individual	Oppose	Written Testimony Only

Comments:

Just wanted to pass along some info to be helpful in defense of NUCs. Oahu has around 750 total certificates on the island of Oahu . Certificates are given by the unit not TMK. These original NUC certificates were slotted since 1989.

The Numbers in other counties are just minor compared to illegal and newly given NUC

Non of which were given in residentially zoned areas on Oahu.

Honolulu city and county has been smart to limit certificates unlike Maui .I realize since Lahaina needs to deal with their lack of housing. Passing this bill will only hurt residents on other islands . On Oahu 80% of stas are owned by locals which allows them to afford to live here .

There are a total of 114 (units) NUCs in residential zoning on entire island of OAHU. I have not been part of housing market in over 30 years . I don't think taking away my NUCs will help with the housing shortage of over 15,000 units needed .

Once again my family has lived up to all rules and regulations and paid all taxes and fees

Increasing property taxes , increasing fees have really hurt us already

Please stop targeting legal vacation rentals. The problem is enforcing against illegal rentals Let counties prove they can enforce before giving them any more authority.

Mahalo

I strongly oppose SB 2929 sd2.

Prior attempts to require rentals encompass 90 days were rejected due to our state constitution. This was based on the requirement that individuals owning property, are entitled to use the property according to rules that were in effect when they bought the property. The 30-day requirement has been in effect for numerous years and property owners have made investments, based on this long-term requirement. It is unfair to block property owners from conducting business for which they legally invested in their property.

Short term monthly rentals make it possible for families to visit relatives, often grandparents visit their grandchildren. They are able to stay close to the family instead of in Waikiki or other resort area. Also, the pricing for short term rentals is more reasonable for groups larger than 2 individuals who want to spend a longer time visiting Oahu. Resort prices are not within many visitor's budgets. Those who are doing major home renovations and need temporary places to stay can also be accommodated.

Short term monthly rentals also allow for visiting nurses required by the state to prevent hospital serious hospital shortages, construction workers, required for work at UH, hospitals, the rail system and others, to come to Oahu and contribute to everyone's welfare. Short term rentals have also accommodated displaced residents, from Red Hill, and Maui fires, when there were no alternative safe places to stay.

Please reject the bill in its entirety.

SB-2919-SD-2

Submitted on: 3/12/2024 1:05:08 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ken Kribel	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2919. This bill stops small businesses in favor of large hotels. STR's employee's 49,000 workers and brings in \$4.8 billion to the state.

Those jobs are so important to many families. The \$4.8 billion brings in much needed revenue to local businesses along with a great amount of tax revenue to the state. This bill is not the right direction for a state in need of jobs and has the highest debt rate per capita.

This bill does not make any sense.

Please vote "NO"

Ken Kribel

SB-2919-SD-2

Submitted on: 3/12/2024 1:08:52 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Valarie	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Alexander Leal and I live on the island of __Oahu_____.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills and send me out on the streets.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

SB-2919-SD-2

Submitted on: 3/12/2024 1:21:38 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Curtis Costanza	Individual	Oppose	Written Testimony Only

Comments:

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members - my name is Curtis Costanza and my wife, and I are residents of Kihei. I am testifying in opposition to HB1838 currently for a variety of reasons.

First and foremost, how will the lost tax income be replaced? Maui's short-term rentals provide 40% of the real property tax revenue for the county. Without a substantive plan, this Bill could have unexpected consequences. Additionally, there are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, on-island contacts, etc. This is another unforeseen or undervalued negative consequence if this Bill is allowed to progress. I feel that more research and alternatives must be investigated.

Are we in a housing crisis? Yes, of course. But this Bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires, the devastation of the fires cannot be under expressed. But in our haste to believe what would be a benefit to our community, may ultimately be a hindrance. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state. The thousands of jobs lost will be significant.

Let's continue to brainstorm ways to help those that are in a housing crisis without decimating the livelihood of others. STRs do have positive contributions to our community, yet they are being treated as if they are the main underlying cause of the crisis. This is not true. The average tourist cannot afford the astronomical prices of hotel rooms, they rely on moderately priced STRs to afford their visit. I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community. Thank you for the opportunity to testify my opposition to Bill SB 2919.

Mahalo, Curtis Costanza

SB-2919-SD-2

Submitted on: 3/12/2024 1:21:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Valerie Shick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Valeria Shick. I stayed in a short term rental because is affordable and right infromt of the ocean.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable specially water front! nor livable to many that have families, need to prepare meals or need more space than one room. If you issue is affordable housing trust me the owner paid a fortune monthly but stilL is able to share his beautiful place with us and other tourinst. It really represents the aloha spirit and the beauty of the island.

This bill will hurt me, other residents and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Valarie Shick

SB-2919-SD-2

Submitted on: 3/12/2024 1:28:35 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Cadiz	Individual	Comments	Written Testimony Only

Comments:

I am in support of expanding the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations. We've seen first hand the flagrant abuse to the environment that car/van camping can cause when there are no appropriate facilities for their biological waste.

I OPPOSE expanding the zoning powers of counties at this time. It seems we are in a very emotionally charged time. I am afraid that overzealous and emotional councilmembers are not making fiscally sound sense. We have a burgeoning county budget. TVRs generate about 40% of that budget. This is no time to be sabotaging the budget.

Therefore I request that this bill be ammended to delete the "expansion of county zoning powers" language.

Thank you for your consideration.

SB-2919-SD-2

Submitted on: 3/12/2024 1:32:14 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elyse Lewin	Individual	Oppose	Written Testimony Only

Comments:

Please do not take away the option of renting an AirB&B or some other short term rental house. I am very old and go to Oahu to spend time with my daughters and grandchildren who live there. I make dinners for them, and have them come play with me on the beach. I spend a great deal of money in Hawaii. I buy gifts for my grandkids , lots of food and wine, car rental, gas, etc. I could not afford to stay in a hotel and needless to say, I could not make my famout Filipino dishes for my family, if I was staying in a hotel room. I would not be able to go to Oahu much if at all. Please do not pass this bill. Thank you, Elyse Lewin

SB-2919-SD-2

Submitted on: 3/12/2024 2:07:11 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maya	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Maya Suzuki-Jones and I live on the island of Oahu, in addition to being born and raised here.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I work for a small business that services short-term vacation rentals on my island.

This bill will hurt me and put at risk my ability to afford to live here.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Mahalo for your time,

Maya Suzuki-Jones

SB-2919-SD-2

Submitted on: 3/12/2024 2:19:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sean Breeze	Individual	Oppose	Written Testimony Only

Comments:

I am a property owner on North Shore of Oahu and I oppose this bill due to the following:

- We purchased our property largely due to the zoning and flexibility we have, and re-zoning our property poses a significant risk to our investment.
- I fear that allowing counties to re-zone property will lead to excessive commercialization of the island and further degrade the environment.
- I fear that a greater amount of power in the market will go to the hotel industry and have negative impact on short term and mid term rental industry. I agree that short term rentals must be regulated BUT please know that limited short term rental industry supports trades and ensures market balance (many tourists like short term rentals). If this bill passes, the hotel industry will be the beneficiary and the consumer/tourist will be the loser.

Property owners should feel comfortable that they will not be adversely affected by unforeseeable zoning changes. I performed due diligence when purchasing my property and fully understood the zoning of the property. This bill makes it impossible to value real estate going forward has the potential to adversely impact current property owners.

SB-2919-SD-2

Submitted on: 3/12/2024 2:22:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Orly Maor	Individual	Oppose	Written Testimony Only

Comments:

I am against this bill, it will hurt the community, many business owners, and employees.

Aloha Chair, Vice Chair and Committee,

I am writing to express my strong opposition to SB2919, which would authorize counties to phase out short-term rentals in specific zoning areas. This bill threatens the rights and livelihoods of short-term rental owners in Oahu and would have significant economic and social consequences.

One of the primary concerns with SB2919 is its potential economic impact. Short-term rentals are a vital accommodation option for visitors and residents, offering a more affordable alternative to traditional hotels. With only 2,000 legal short-term rentals currently available on Oahu, further restrictions could lead to a shortage of accommodation options, driving up prices and adversely affecting both the tourism industry and the local economy.

Moreover, short-term rentals play a crucial role in providing housing during emergencies and crises, such as natural disasters or fires. By limiting these rental options, SB2919 could hinder the community's ability to respond effectively to such events, leaving individuals and families without a place to stay during times of need.

Additionally, short-term rental owners contribute to the local economy by providing income for homeowners and supporting local businesses. Restricting their ability to operate could have a ripple effect, impacting the financial well-being of individuals and businesses that rely on tourism and rental income.

Furthermore, rather than imposing further restrictions, efforts should be focused on enforcing existing regulations and ensuring that rentals comply with local laws and standards. This approach would allow for a balance between regulating the industry and preserving the rights of property owners.

In conclusion, SB2919 poses a significant threat to the rights and livelihoods of short-term rental owners in Oahu. I urge you to oppose this bill to protect property rights, preserve economic opportunities, and ensure that the community can effectively respond to emergencies.

Thank you for considering my testimony.

Sincerely, Tim Chiang

SB-2919-SD-2

Submitted on: 3/12/2024 2:26:59 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosemary Hedge	Individual	Oppose	Written Testimony Only

Comments:

For over 20 years we have owned an apartment in 4 Paddle that has a Non Conforming Use Certificate (NUC) for which we pay regular bi annual fees and TAT and GET. In that time our daughter has lived in it while attending HPU, and we and our extended family have stayed in it many times. We cherish being able to stay in it for several weeks to visit friends and colleagues from when we were kamaaina, something we will not be able to afford if we were unable to rent it out when we are not on island.

When we or family and friends are not staying there, Captain Cook Resorts have over the 20 years managed it for us and so we have provided employment for many reliable workers over that time. Without the ability to rent it out, which does go against our individual freedom in the US Bill of Rights, we will be forced to sell and thus not be able to come back to where we lived, worked and contributed to the economy.

Your bill SB2919 to cut out short term rentals from the small pool of available furnished accommodation that alllows self serviced vacations with a kitchen, and much appreciated cost effective secure accommodation to families with children for whom the ridiculously expensive hotel rooms are not an option.

Also for many overses visitors for whom the US and Hawaii in particular, is an expensive vacation, short term rentals are a vital option.. Do you want to lose a big proportion of your visiting public? I would have thought that sensible governance should recognize that "one size does not fit all" both for the holidaying public and those people on island for short term work assignments, families for weddings, furnished accommodation in times of disasters, and for kamaaiana returning to the islands.

For those reasons you should consider legal short term rentals as vital a part of the island economy as the rooms of the Ritz Carltons, Outriggers, Marriotts etc and therefore bill SB 2919 should not proceed further.

Rosemary and Brian Hedge

SB-2919-SD-2

Submitted on: 3/12/2024 2:32:33 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Warner	Individual	Oppose	Written Testimony Only

Comments:

Dear Madams/Sirs,

State and county services are supported (% ?) by revenue generated from visitors (STR's, % ?) who come to the islands. If you take a portion of that revenue away then the only other recourse I see is for the politicians to raise the taxes for the residents. Please be wise and look into the future when you will see discontent from the people when you convey to them that their taxes have to be raised !

Mahalo,

Randy Warner

SB-2919-SD-2

Submitted on: 3/12/2024 2:37:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Panizzi	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I am writing in opposition of SB 2919.

As a property owner who owns a legally permitted short-term rental, I strongly oppose any legislation that seeks to phase out or restrict the operation of legal short-term rentals. Short-term rentals play a crucial role in supporting various segments of our community and local economy. First and foremost, short-term rentals provide essential accommodation options for travelling individuals, such as those travelling for medical care, military personnel, healthcare professionals, and individuals in various industries. Legally permitted short-term rentals (per Ord 22-7) are equally important for tourism on the island of Oahu as they provide families and visitors with variety and choice as compared to a hotel room. A hotel room is not affordable nor livable to many that have families, need to prepare meals, or need more space than a small hotel room can provide. This bill will hurt the county and state due to the loss of revenue created by GE, TA, and OTAT taxes that current, legally permitted short-term rentals generate and pay to the county and state of Hawaii.

In addition, this bill will hurt me, other residents and important visitors that rely on current, legally permitted short-term rentals as temporary, furnished, and affordable housing. It will threaten my ability to make a modest living along with the other residents we all employ, such as cleaners, electricians, plumbers, painters, maintenance workers, handymen, property managers, and small business owners who live and work in our community.

Please let the counties enforce the laws that they already have. I ask that you please do not move this bill forward.

Thank you for your time.

SB-2919-SD-2

Submitted on: 3/12/2024 2:45:02 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christine Frazer	Individual	Oppose	Written Testimony Only

Comments:

The removal of legal nightly rental opportunities for short-term rental unit owners would result in significant financial losses, impacting our entire life savings, employment for cleaners and handymen, and affordability for displaced individuals and travelers. Exorbitant hotel rates would strain the community, limiting access to temporary housing options in Oahu.

The availability of mid and short-term rentals plays a crucial role in accommodating various individuals, including displaced residents, travelers seeking medical treatment, and visiting family members. The potential loss of more rental units could indeed pose challenges for those in need of temporary, furnished housing.

It is important to consider alternative solutions and explore options to address the potential shortage of temporary housing in Oahu. This may involve advocating for policies that support the preservation of existing rental units or exploring partnerships with local organizations to provide alternative housing options for those in need.

Ultimately, it is essential to prioritize the well-being and accessibility of temporary housing for residents and visitors in Oahu to ensure that individuals have affordable and suitable accommodations during their stay.

SB-2919-SD-2

Submitted on: 3/12/2024 2:46:41 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alicia hill	Individual	Oppose	Written Testimony Only

Comments:

No reason to go after the legal vacation rentals Oahu!!! This should not be a fit ALL bill!!!

SB-2919-SD-2

Submitted on: 3/12/2024 2:59:38 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Berton Hamamoto	Individual	Oppose	Written Testimony Only

Comments:

This is another attempt by government officials to skirt around current law, and a court order in this case, to get what they want! I oppose this bill for various reasons.

1) Short term rentals that are not hotel rooms are a fact of life and a global product that consumers have said they want! if Hawaii wants to be a tourist destination, we need this type of product to offer consumers or they will just find another destination to go to. The hotels may think differently, but the consumers will tell you they will just go somewhere else.

2) lengthening the minimum stays to over 30 days as Oahu wants to do is problematic and again not meeting the needs and wants of consumers. I own a company that handles over 1500 long term rental properties on Oahu and I've been involved with long term rentals for over 40 years. Time and again, we use the month to month rentals for numerous reasons. Owners who are thinking about selling but are not sure, elderly clients who are moving into assisted living arrangements but not sure they want to stay there and want to keep their homes open for them to move back to, owners who just passed, and trustees or heirs want to rent the property out for an undermined month to month tenancy because they are unsure if they are going to sell, rent, or move into the property, travelling medical professionals, neighbor island family who have a family member battling cancer or some medical issue that requires them to be in Honolulu for an openended time, gig workers who are hired for a short term job, military either coming in or going out, people who are remodelling or building a new home, family members of the owner who are in need of housing for a short period of time. All of these consumers DON'T want to stay in a hotel room! They want to have a kitchen, a parking stall, live in a quiet residential neighborhood, have a "normal" living arrangement rather than being in the middle of a tourist environment. They are NOT tourist!!

If you want to solve the problems that vacation rentals create, like parking and noise, ENFORCE current laws. Take away licenses if there are complaints, or if there are violations, enforce current laws. That seems to work in other cities when I speak to my counterparts in other states. Trying to solve those problems with new laws will only create more problems within our industry for other consumers and violators will still violate whatever new law you put down because no one enforces these laws anyway so why bother following it?

If you want to solve the problem of affordable housing, allow developers to BUILD MORE HOUSING!! Simple law of supply and demand. Moving short term housing to long term is not creating more housing, you're just shifting the needs to another sector and creating shortages in

the area you took housing away from... which in this case is tourism... which is only our main income product for the state of Hawaii. Not too bright if you ask me.

Why don't you ask, and listen to, the people who are in the business of housing, short term as well as long term. The Hawaii Realtors oppose this bill... don't you think they know something about housing? Listen to property managers like me. Why we oppose this bill? All of our clients are your constituents. We have very few out of state clientel, and even if they are out of state, they have ties to Hawaii as former residents, family who live here, or businesses that they own, etc. You'll just make life harder for them and make it less appealing to own rental property in Hawaii... again taking away inventory from one sector to give to another, but in doing so just shifting the burden and creating new problems within that sector.

Again, we don't need new laws... just enforce what you currently have!

SB-2919-SD-2

Submitted on: 3/12/2024 3:13:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
vicky Poland	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators

Please accept my testimony in opposition of SB2919. My husband Grant and I own Rainbow Inn. A licensed NUC bed and breakfast 90/BB38. We came here in 1991 in response to Oahu's nursing shortage. I have been a bedside nurse for more than 30 years caring for local folks in the ICU. Our 3 children grew up here and my son has served more than 20 years in the US Army. We hope one day soon to retire here. We were counting on the income from our Bed and breakfast to do so. We live here on the property. This is our home and we are already faced with increased property taxes due to the new designation of Bed and Breakfast home.

The fire on Maui show there is a need for STR and mid term rentals on Oahu. There is currently less than 2000 I believe. These are needed to house Military folks transferring here, medical personnel on travel assignments, emergency contractors and extended family visiting their family members as well as displaced residents.

Losing our NUC Licese would be a major decrease in our property value. We have guests that have been coming to Rainbow Inn for more than 30 years and have seen 3 different owners. Our guest spend their money in the local community. We paid a higher price for this property because of the NUC license and to lose that would be a huge financial loss to us.

Please vote no to SB 2919

Respectfully

Vicky Poland

SB-2919-SD-2

Submitted on: 3/12/2024 3:51:41 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Andersen	Individual	Oppose	Written Testimony Only

Comments:

Please don't destroy my livelihood by taking away my NUC. I can't survive without it.

SB-2018

Submitted on: 3/12/2024 3:57:01 PM

Testimony for HSG on 3/14/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to prohibiting a county from changing the land use designation or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan or specific land use designation and zoning ordinances in effect on January 1, 2024. Allows a county to change a land use designation or zoning ordinance to a less intensive use if the county concurrently enacts measures to ensure that there is no net loss in residential capacity.

SB-2919-SD-2

Submitted on: 3/12/2024 4:40:04 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Brazwell	Individual	Oppose	Written Testimony Only

Comments:

I ask that you oppose SB2919. With tourism down year over year, hotel rooms here being some of the most expensive in the country, and cost of living being outrageously high, it is hard to image how this will help local residents. Vacation rentals are one of the few places that families and visiting workers can afford. The tax revenue helps everyone. This is not in our best interest. Regulate, do not eliminate.

Please do not give into the hotel lobbyists again. Oppose Bill SB2919.

SB-2919-SD-2

Submitted on: 3/12/2024 4:45:00 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Funk-Linton	Individual	Oppose	Written Testimony Only

Comments:

This bill is wrong on many levels. We do not live in a "one size fits all" world. How can we accept hotels as the only short term lodging option? There are OFTEN times when people need short term living accomodations and you should not limit them to being forced to pay the high price of hotels. I have personally experienced friends and/or family need short term lodging on many occasions.

I've had family & friends from the outter islands m need to stay over for medical appointments or to visit/assist someone in the hospital and need an affordable short term place to live.

I work in real estate and FREQEUNTLY have clients who arrive on island and while looking for housing and going through the purchase process who need a place to stay for a few weeks. Same is true for clients who are selling their home here who may want or need to stay on for a few weeks after the sale of their home closes for personal or work-related reasons. It is WRONG that we enact laws that do not allow them to be accomodated without going to a hotel.

If it's a family in any of these above situations it could be multiple hotel rooms that they would have to pay for. If they have pets it's even more difficult. Plus restaurant meals vs being able to have a home cooked meal. Many are finacially strained to begin with in these medical and home buying situations. Not allowing Short Term rentals only adds to their already-strained situation. It's unkind and unfair to say the least.

When my daughter got married a couple years ago her mainland friends from college (in their mid to late 20s) could not afford to come for her wedding because of the cost to get here + hotel rooms and all meals eaten out would be too much for them to cover. It's sad that this very special event for this born-and-raised island girl could not be attended by all her friends due to the cost of lodging.

A 60, 90 or 180 day minimum requirement is too long in any of these circumstances. Where is your humanity?

We need need to allow reasonable short term accomodations! Shorter than 30 days are needed, but don't cut off 30 day rentals, either.

Lengthening the short term rental requirements beyond 30 days is simply wrong. Everyone of these situations and others could be helped by having MORE short term 30-day rentals available, not less (or God forbid, none!).

Not to mention that I believe in the rights of individual home owners to use their properties as they see fit--providing their peaceful enjoyment does not infringe upon their neighbors peaceful enjoyment. Our system is burdensome and overbearing.

Please let common sense prevail and realize that short term lodging of 30 days is greatly needed and allow it to not only continue, but we should be adding more units and the ability to have shorter stays to the mix.

Mahalo for your time & your opposition to this new measure.

SB-2919-SD-2

Submitted on: 3/12/2024 4:48:15 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Young	Individual	Oppose	Written Testimony Only

Comments:

I currently own a condo in Honolulu. The rental income supplements my retirement pension providing nutritious food for my children & I as well as other necessities. Without the rental income there will be less nutritious food for my children as well as a decrease in heating, water & school supplies that every parent must purchase.

Oahu is down 2000 legal-short term rentals excluding hotel units. We cannot afford to lose more.

Mid & Short-term Rentals accommodate displaced residents, newly house residents, residents in transition, inter-island residents coming for medical treatments or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Red Hill Crisis & Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Where will people stay when they come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

SB-2919-SD-2

Submitted on: 3/12/2024 4:55:03 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Janet Iliahi Curtis	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Iliahi Curtis and I live on the island of Hawaii.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Mahalo for your time ,

Iliahi Curtis

SB-2919-SD-2

Submitted on: 3/12/2024 4:55:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheri Michel	Individual	Oppose	Written Testimony Only

Comments:

Star Advertiser: "Hawaii hotels led U.S. markets with the nation's **highest average daily room rate of \$380** and revenue per available room" Are we becoming a state that only welcomes the affluent? Our friends and family with children are unable to afford vacationing here since so many vacation rentals have closed or been restricted to one-month minimums. They can't afford the high prices and having to take their families out for breakfast, lunch and dinner unlike their vacation rentals where they could choose to have one or more meals at home.

And what about housing for temporary workers (healthcare, emergency) as well as displaced residents (Red Hill, Marco Polo fires)...what are their options going to be now?

We also have lost so much revenue from vacation rentals that could go toward fixing and maintaining our infrastructure, upgrading our school systems, handling our out-of-control homelessness and drug addiction rampant on our island.

Please focus on these issues and enough on more regulations to eliminate vacation rentals.

Mahalo,

Cheri 🌸

SB-2919-SD-2

Submitted on: 3/12/2024 5:42:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bhansen	Individual	Support	Written Testimony Only

Comments:

Strong SUPPORT for SB2919! As a Native Hawaiian and resident of Hawai'i that can trace my lineage back more than 8 generations it is sad to know my children will never be able to buy in Hawai'i if something doesn't change about STRs. We are competeing with foreign investors who make a profit utilizing STRs. Any housing availability becomes more STRs for profit. I oppose people from all over the world being able to profit on housing while local working famlies are priced out of Hawai'i. In an environment where land, space and housing is finite something has to budge.

SB-2919-SD-2

Submitted on: 3/12/2024 5:42:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Vieau	Individual	Oppose	Written Testimony Only

Comments:

To Whom it may concern. I believe that representatives have good intentions but are seriously misjudging the impact the loss of Jobs, Taxes, and overall economic impact this bill would create. If you are truly concerned about housing costs you would lower state fees for builders. Encourage new building in your state. As someone who owns a STVR I directly employ 4 people. They will all lose their jobs. I don't need the income from my rental. I will never let it become housing. It will just be empty except when my family and I choose to use it.

SB-2919-SD-2

Submitted on: 3/12/2024 6:10:23 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Sedlic	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern

Phasing out a property like Papakea **resort** that is on apartment zoned land but is on the minatoya list would be terrible for the local community. We employ over 35 staff, our guests support all the local businesses within walking distance and the tax revenue collected that can be used towards the countys affordable housing fund.

Thank you for your consideration in opposing this bill.

Lisa Sedlic

SB-2919-SD-2

Submitted on: 3/12/2024 6:19:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anand Mudliar	Individual	Oppose	Written Testimony Only

Comments:

As a property owner at Papakea, I am against SB2919 SD2 for the following reasons: Papakea has been functioning as vacation rentals since 1978, supporting approximately 35 local resident employees. Some of these employees have been with the property for over 15 years, starting from entry-level positions and progressing into supervisory roles.

Papakea contributes to the local economy by employing various trade professionals such as pest control, HVAC, plumbing, electrical, and tree trimming services. The current maintenance levels and personnel at Papakea are sustained by high maintenance dues, which rely on revenue generated from short-term rentals.

Short-term rentals at Papakea support numerous small businesses in the Maui community, including housekeeping services, handymen, on-island agents, and contractors. Papakea's short-term rentals contribute to the State of Hawaii and County of Maui through property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Guests staying at Papakea also support local businesses on the island, including restaurants, food trucks, tour operators, state parks, national parks, and shops.

Papakea has a significant number of returning guests who have been visiting Maui for years and have established strong connections with the community. Based on the reasons outlined above, I oppose SB2919 SD2, and urge the committee to defer it.

Respectfully submitted,

Anand Mudliar

SB-2919-SD-2

Submitted on: 3/12/2024 6:48:02 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christie Shinn	Individual	Oppose	Written Testimony Only

Comments:

I oppose because my friend will lose their legal vacation rental business. Her license to do business was legally given 40 years ago and she will lose their family's livelihood if this goes through.

SB-2919-SD-2

Submitted on: 3/12/2024 7:22:56 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brad N Baker	Individual	Oppose	Written Testimony Only

Comments:

Aloha To Our Honorable Senate Committee,

I have been an owner at the Papakea Resort since 1990. I do not believe that short term rentals at the Resort or in other properly managed short term rental property in any manner harm the local community, and in fact the Short Term Rental properties provide local jobs, GET and TAT taxes for the betterment of the local communities, and property taxes that are so necessary to provide the municipal structure that safeguards our magical island.

The elimination of short term rentals if pursued aggressively will eliminate many jobs for the local residents, cause property values of many units to decline which will reduce property taxes, and the loss of tourism will seriously reduce GET and TAT revenues.

The hotels would benefit from the elimination of short term rentals, but many families that travel to the Northwest portion of Maui cannot afford to eat every meal at a restaurant which the elimination of short term rentals would most certainly require.

Oh wait...restaurants are unable to hire sufficient staff to meet the demand as it currently exists. Not to worry, the precipitous drop in tourism will give the restaurants the breathing room that they need...although not what they necessarily want.

There really are no good solutions to choose from at present.

However, eliminating short term rentals is not the "least evil" solution to choose. Try to find the "least evil" path which is realistically the best that can be done. (I do not envy you who need to try to pick the "least evil" path with imperfect information and unintended consequences lurking at every turn.

My best friend from kindergarten was in charge of crisis management for the State of Alaska for several years as his position with the Attorney General's Office dictated. (He was second in command behind the elected position of Attorney General.)

In speaking with him about the Exxon Valdez spill which occurred on his watch, he said that even though everyone was screaming for action to be taken, his analysis started with "What happens if we do absolutely nothing?" He said that it was surprising how often the "do nothing"

path actually was the best path (a majority of the time in fact), and the "minimal action" path came in second place.

My friend's courage to stand firm when everyone was demanding that "something must be done" was actually admired by most when the dust settled.

Governments can throw a lot of money at a problem without really impacting the end result (like in the Exxon Valdez spill), and unintended consequences abound when the free market is hampered unduly.

Who is this friend of mine from kindergarten? Google Robert (Bob) Maynard. (They just had a Bob Maynard Day two years ago in Idaho where he matriculated from Alaska.)

I do not envy the tough decisions you must make, but I do encourage you to proceed with caution so that you have time to figure out what the actual "least evil" path may be. (I will light candles for you all.) I thank you for your consideration. Sincerely, Brad Baker

SB-2919-SD-2

Submitted on: 3/12/2024 7:28:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tom Flynn	Individual	Comments	Written Testimony Only

Comments:

To Whom it may concern: I would like to take a moment to share my comment. I October of 2022 I purchased a condo in Waikiki that had been in a 30 day rental program. I intended on signing with a management company to continue using it as a 30 minimum rental. I closed on November 15th of 2022 and when I reached out to the management company they explained the pending court case and that they would not be taking on any new clients until there was a resolution. In March I was informed about the decision being overturned and that I could now signup to have it managed in a 30 day minimum program, which i promptly did. I believe having such rentals provides local jobs, tax revenues, tourism opportunities that might not be realized with hotel product and money being spent in restaurants and other local business. Eliminating such a product would also reduce or eliminate those revenue sources as well as property values. I thank you for taking the time to read my comments and hope that you will reconsider allowing for the 30 day minimum rentals

SB-2919-SD-2

Submitted on: 3/12/2024 7:46:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jackie Keefe	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Evslin and Quinlan, Vice Chairs Aiu and Hussey-Burdick, and Members of the Committees on Housing and Tourism.

Thank you for hearing this bill. My name is Jackie Keefe and I am a resident of Lahaina.

I am writing in **strong support of SB2919 SD2.**

Maui County is desperately in need of the authority to restructure our zoning laws, especially regarding short-term rentals (STRs).

We have heard a lot about the shortage of housing, especially affordable housing, in Hawai'i in recent years. The thing is, though, we don't have a shortage of housing. We have a surplus of STRs. Areas that used to entirely house our working people have been sold off over the years and have brought us to this breaking point.

You, no doubt, will and have heard a lot from STR owners about how a bill like this will affect them. What they fail to recognize is that when you treat a piece of property like a business, you are subject to market and other changes - just like a business would be. You aren't immune from business losses just because you bought a piece of property in Hawai'i and those seem to always be increasing in market value. We always hear about how this would hurt the owners' bottom lines, but far less discussion about how this is one of the main reasons that we lose more and more local families to the continent each year. Working families, generational families, kanaka families are having to move away from the place they love most because the cost of living - and specifically housing - has gotten out of control.

We cannot continue to have the conversation shift towards the need to "build more housing," when we don't even have adequate water for the housing that we do have. The conversation needs to center around how to regulate the STR industry, and relatedly, overtourism.

STRs also negatively affect the bottom line of the counties for multiple reasons. Most do not offer concierge services, so people go snorkeling in murky water, swimming in tides they're uneducated about, and find guidance in books like "Maui Revealed" for how to guide yourself. This is dangerous for them, and costs us as taxpayers when they need to be rescued.

STRs being dominated by mainland owners is also a problem for the ecology of our island. When the HOA is controlled by people without island knowledge, they make decisions like building sea walls rather than sand dunes. They plant lawns that need watering and mowing rather than native gardens. They opt not to transition to renewable energy because of the "endless resources" mainland mentality.

STR properties also do not offer shuttle services, so we have more cars on the roads. On west Maui, our parking lots are full at our local parks and our **one, one-lane road into and out of Lahaina** is always congested. Not only do we have Lahaina families who have been forced to move to the other side even though they still work in Lahaina, but now each tourist family rents a car. We still do not have proper evacuation routes within or without west Maui, and the problem is exasperated by tourism.

Businesses are struggling to survive on Maui since the August wildfires. They've had it hard enough. But now, we're losing our entire workforce because there is nowhere for them to live. We have had over 1,500 families move away (and that number is from weeks ago) since the fires, and this will continue to get worse. Until we make these STRs that used to house our working class available as housing for our people, Maui will remain unbalanced.

The counties must have the power to make decisions like this for themselves! I hope that you will do what's right for our people, our 'aina, and our wai and choose the people of Hawai'i over unregulated tourism. It is time that we choose people over profit, and pass this bill.

Thank you for your consideration.

Jackie Keefe

Lahaina, Maui

SB-2919-SD-2

Submitted on: 3/12/2024 7:57:45 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Lawnsby	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Mike Lawnsby and I have lived on the island of Oahu for over 20 years

I am writing in opposition of bill SB2919 SD2 because it will threaten my ability to make a living along with my cleaners, electricians, maintenance workers, and other small businesses like me, who live, work and make this wonderful community what is is, filled with Malama and Aloha to serve and support one another.

I own a short-term vacation rental business in Waikiki .

This Income is my families primary source of income which puts food on the table, and allows us to survive here as active members of the Hawaiian community. To impose such a bill to eliminate short term rentals would absolutely be devastating to myself and my family and will put at risk my ability to pay for my own housing and bills.

The creation of this bill would also substantially reduce the large influx of state opertaing revenue of 18% Short term Rental taxes that are currently collected severely impacting the state itself to operate effectively with current fiscal responsibilities.

Many people who travel inter island for medical treatment will be forced to stay in high priced hotels as well as traveling nurses, doctors, displaced people with an emergency such as the maui fires, red hill water crisis, people moving to hawaii that need time to find permanant housing, and scores of men and women in the military that come for temporary excercises and training, friends and family as well.

There are many other ways to create affordable housing in Hawaii but to continue to propose bills limiting or restricting short term rentals is not the way to do so, especially in a commercial zone like Waikiki.

Let the counties enforce the laws that they already have and work with the community to make adjustments as necessary to create a win win agreeable situaiton for all.

I ask that you please do not move bill SB2919 SD2 forward.

Respectully

Local Community Member

Mike Lawnsby

SB-2919-SD-2

Submitted on: 3/12/2024 9:04:38 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joe Schneckenburger	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 2919 and urge you to defer this bill. This will jeopardize our 30-year vacation rental that would cause a direct TAT/GE tax loss to the county and state of over \$100,000 annually. In addition, it would cost citizens their jobs and further hurt many other local businesses and reduce tax revenue further from all the other local businesses our guests, our staff and our vacation rental support.

The assumption that greater regulation or a phase-out of short-term rentals is a desirable goal is not supported by an impartial analysis of the visitor industry and the actual participants in the STR economy. A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state’s economy and sustained 46,000 jobs.³ The survey also found that “30% respondents reported that if there was not a home and vacation rental option during their recent stay in Hawaii, they would not have made the trip.”

The removal of STRs from the vacation unit inventory would be a slippery slope, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well grocery and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.

I urge you defer SB2919

SB-2919-SD-2

Submitted on: 3/12/2024 10:38:26 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachel Irving	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Rachel Irving. I have been coming many years to Hawaii as a tourist with my family and have always stayed in a short term rental because of their affordability, comfort and flexibility for my growing family.

I am writing in opposition of this bill because short-term rentals are important. A hotel room is not affordable nor livable to many that have families, need to prepare meals or need more space than one room.

This bill will hurt Hawaiian residents and visitors like me that rely on short-term rentals as temporary, furnished, affordable housing.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Rachel Irving

SR 2919

Aloha and mahalo for the opportunity to provide testimony regarding this bill.

I am the owner of a small 2-bedroom unit STR in West Maui. This property has existed as a resort for 50 years. It has a front desk where visitors check in. We employ 30 full time employees (30% of our Ohana lost homes and were housed for free by STR owners from day one.). In addition to the 30 property employees, there are dozens of local property management businesses who earn 25-50% of gross rental proceeds. Those firms have several to dozens of employees. These rentals also collect 18% tax on gross sales. In fact this property is #21 on Maui as far as total tax dollars paid by STR properties, for the State and County incomes.

As a property owner here, my unit also generates employment for maids, handymen, and contractors. At a minimum, I think the state, for fiscal reasons, would want to protect the highest revenue properties to minimize the impact to the State budget.

The tourist who stay in my unit spend dollars at local businesses, supporting tourism activity businesses, restaurants, local artists and shops. The Maui/ Hawaii economy is dependent on tourism. In 2022, 2.9 million visitors came to Maui spending 5.69 billion dollars.

One sad result of turning resorts into ARC housing is the loss of businesses. A local café renting at a prominent resort where 1500 survivors were welcomed and sheltered, they recently closed their doors because they could not make it without normal tourist numbers at the resort. This is like the canary in the coal mine. The collateral economic damage to local businesses if resorts are converted to local housing. Just this one business had 10 employees.

This bill has obviously been introduced as a reaction to the Maui housing crisis which has existed for 2 decades. It is now at a crisis due to the horrific 8/8 fires. (So you have been lead to believe). In actuality the housing crisis has existed for years if not decades, and ignored by govt. I want to ask that you consider the economic consequences of allowing the taking away of property owner rights. At a minimum, it would be negligent to pass such a bill without first doing an economic analysis of the impact to state budgets. Has that been done? I believe the answer is "no". Because *economically this makes no sense. People will not need housing in west Maui if there are no jobs here.*

Are you aware that the major advocates of this bill are not locals like most STR owners, it is Mainland Hotel owners who make up a meager 12% of the tax collections received from short term lodging. The governors rhetoric that STR are mainland landlords owning dozens of properties is the exception, not the rule. Most are single property second home owners who contribute tourist income to the economy by renting their second home when not here. Trust me, it is not a good business venture. It is a lifestyle choice.

I want to ask you if you think it should be legal for a county to tell you that your property can no longer be used in the way that it has been used for over 50 years. Are you willing to assume the liability of such legislation.

While it is easy to act swiftly in the face of such a crisis situation on Maui, I caution you to consider the consequences of using a strategy to solve housing, that completely devastates the economy. Housing won't be an issue anymore if you take away STR economic activity and tax revenue. People are already

leaving Hawaii, this was happening well before the fires. A significant issue you face as legislatures is the permit process to build affordable housing has prevented it from being built.

Don't think the housing crisis can be solved by crushing the economy and tax revenues. A healthy economy is the only way for Maui to fully recover. Set that aside and solve the housing issues statewide by strategic community planning, getting rid of permit gridlock.

This bill is basically rushed legislation.

Ask yourself.

- What is the estimated loss of state tax proceeds if STR lose status to rent to tourists? (How can you vote on this bill without knowing)
- Is there a better legislation that could solve the housing issues statewide?
- Is it possible that solving building permit backlogs could solve the housing problem
- Are developers who could build on Hawaii discouraged by the onerous red tape, and could solving that problem ease the housing burden while not decimating the tourism and job prospects?
- Is this bill well thought out from a fiscal perspective?
- Is this bill likely to be contested in court? What are those costs?
- Am I a victim of politician rhetoric which places STR as enemy? (Please compare what the state and county coffers intake from STR.
- Is it certain that the tourist lodging economy generating the vast majority of tax revenues for the State and County (STR) are dispensable and won't cause economic devastation when lost?
- Am I voting from emotion or have I done due diligence on this bill as far as economic impacts to the State budget?

Mahalo for your attention.

SB-2919-SD-2

Submitted on: 3/13/2024 12:49:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
snow2136@netzero.net	Individual	Oppose	Written Testimony Only

Comments:

Dear Sir/Madame:

My family and I strongly oppose this Bill SB2919 SD2. This Bill is not to stop illegally operating short-term rentals. This Bill goes after operators who are in full compliance of the law for possibly decades like my family who depend on this revenue. We have operated legally within our particular location with a legally nonconforming certificate as well as a unit without a NUC and were never informed we were in the wrong otherwise as the city and state collected their taxes and fees from us. Again, this Bill is not a regulatory act to eliminate an illegal use, instead the focus is to eventually eliminate all short-term rentals even with NUC's who have been in compliance for many many years. It will boost the bottom line for hotels and motels while eliminating their short term rental competition. Why can't legal short term rentals continue to coexist with hotels and motels? Eliminate the illegal operating short term rentals.

This Bill is not necessary. Many short term rentals(STR's) have operated legally in Hawaii for decades. STR's are a big part of the economy and a big option choice for tourists and short term employees such as visiting doctors, nurses, construction and educators. The STR's are an integral part of the Hawaiian economy from cleaners, transportation, realtors, suppliers and restaurants, to the grocery stores. When visitors come and stay in a STR, they usually have a kitchen and cook for themselves spending money all over in the economy but saving at the same time from not staying in expensive hotels. If people did not have this STR choice, they might have never come to experience Hawaii or spend their money thus destroying the economy.

If you want to free up rental options for more permanent residents, eliminate the illegal short rentals. Don't attack the compliant short term rentals. The inflation in our country and state has experienced is significant and compounding that with additional loss of income that people depend on from STR's will be a real hardship on every island. In addition, the economy will suffer if homes, condos and all STR's lose the option to operate as legal STR's, the units will be devalued and not sell quickly or at all.

Please eliminate this Bill immediately and protect the legal STR's now and in the future.

Thank you,

Jane Moy and Family

SB-2919-SD-2

Submitted on: 3/13/2024 2:15:39 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Llorens	Individual	Oppose	Written Testimony Only

Comments:

As an owner of a condo unit in the Waikiki Banyan me and my family reside there 3-4 months per year. We also make this unit available for rental when we are not there. Annually I spend \$5,000-\$10,000 with local vendors to support my unit with HAVC, pest control, cleaning, laundry, property mgmt, appliance repair, plumbing, furniture, etc. A detailed list with spend can be provided upon request. My spend multiplied by 1,000+ others is \$10M+ going to support local businesses many employ local blue collar workers. To eliminate this revenue stream would be a severe negative impact on the "common worker" and their families.

Thank you for reading my statement.

SB-2919-SD-2

Submitted on: 3/13/2024 2:41:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Jackson	Individual	Oppose	Written Testimony Only

Comments:

Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

This bill, if passed, will do immeasurable harm to the Oahu economy, and will do very little to help provide affordable housing. Please don't be fooled!

SB-2919-SD-2

Submitted on: 3/13/2024 4:42:40 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Franzen	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I **OPPOSE** SB2919, SD2.

My name is Susan Franzen and I have owned a condominium property at Papakea since 1983. Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums that was initially marketed and sold as vacation rental property. The property has been in consistent operations since the 1970's with the majority of units under 600 square feet with limited parking for only 1 car per unit. Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea is a partner with Maui locals, with a workforce of approximately 35 residents, many with long term employment with the resort. Several employees spent their entire 40-year career with us starting at entry level and moving up the later to supervisor and then management level positions. Additionally, the owners of Papakea continue to support a large number of Maui residents in a variety of occupations from pond maintenance, housekeeping, laundry to local general contractors, plumbers, electricians and more. Some of these workers are part of local small businesses who rely on Papakea for their livelihood. What makes Papakea unique is that each owner manages their own individual units, which make our ties to local businesses even stronger. A majority of units are managed by local small business teams like Chasing Rainbows, Maui Dreams Come True (business closed due to fires) My Perfect Stays, Hawaii Life, Aloha Vacations and more. Unlike the hotels, these local management businesses look to Maui residents for the majority of their employees.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. But more importantly, Papakea guests support many of the small businesses including restaurants, food trucks, tour operators, state parks, the national park, and shops.

Finally, Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. Until Covid, I had the same couple come and stay in my unit for 20 years in a row for multiple weeks as they escaped the cold in Illinois. They loved to support the community through volunteerism and eating at places like Down the Hatch and the Fish Market.

Please do not take away the jobs of the people who rely on our unit for their livelihood, because there is a housing shortage. We opened our unit to locals during the crisis and donated to the causes on the island. We hope to return and be able to support the small businesses and volunteer our time as appropriate.

For the reasons stated herein I OPPOSE SB2919, SD1 and urge the committee vote **NO** on this matter.

Respectfully submitted,

Susan Franzen

SB-2919-SD-2

Submitted on: 3/13/2024 5:31:40 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Napua Fetzer	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill - it would be detrimental to legal short term rentals (with NUCs and 30 day rentals) and would not solve the housing shortage. It would also eliminate tax revenue from these rentals.

SB-2919-SD-2

Submitted on: 3/13/2024 5:58:16 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Judith E Smith	Individual	Oppose	Written Testimony Only

Comments:

With much respect for the people who lost their homes and are working to rebuild their future, the choice to eliminate short term rentals in Maui is not the solution. It only creates a larger obstacle for working residents to overcome. Local artists who depend on tourists to purchase their products, small business, local rental car companies and the people that they employ, cleaning businesses for short term rental properties, tour companies and their employees will all be effected by the loss of these accommodations for travelers. STRs are also valuable and cost effective solution used by inter-island residents coming for medical treatment, visiting friends and family, residents temporarily displaced, traveling nurses, traveling contractors and emergency workers, volunteers, and temporary military and students.

Vacationing guests will choose to go to other destinations.

The costs of accommodations will escalate and become unaffordable for average families. Only large corporate owned lodging, restaurants, high end shopping, etc will survive. Only the large corporations will benefit. Only the very wealthy will be able to visit and support the economy. The state transient tax, GET tax and property taxes are already creating a decline in travel and spending in Maui.

Unfortunately many properties with short term rental occupancy will have units shift to second homes or go into foreclosure also creating a less than desirable environment for local families or for choosing Maui for hard earned vacation time.

There needs to be a balance and long term plan to allow the residents to return to a normal lifestyle. Most of the short-term rentals are not designed or appropriate for long term family living. The solution is to expedite and provide affordable housing and assistance in rebuilding the properties that families lost.

Ending short term rentals will only creat more challenges for the devastated residents. Recovery efforts as in hurricane Katrina and other natural disasters need to be implemented with volunteers and assistance organizations that are trained in rebuilding homes and businesses need to be allowed to come on island and begin construction as soon as possible. The county could greatly assist in expediting this permitting and processing.

Mahalo for understanding these negative effects that this legislation will impose on the people of Maui.

SB-2919-SD-2

Submitted on: 3/13/2024 6:08:17 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Milo McGarry	Individual	Oppose	Written Testimony Only

Comments:

If enacted, SB2919 will invite litigation because it is unconstitutional. Various groups have already successfully litigated against the state when it attempted to erode property rights that are protected by Hawaii and the US Constitution. Why would the state tie up its valuable time and resources with this when Maui and rebuilding Lahaina will require so much effort and money.

Why would the state attempt to hamper tourism, it's most important industry and employer and source of tax revenue. After the Lahaina fire, many people left the island because of lack of work. One sure way to make sure there are enough homes for hard working local families is to eliminate tourism jobs so that workers have to leave the island to find employment.

Your job is to make sure there is enough economic activity to pay for housing and the care of elderly and retired people. Your job is to create economic certainty so that people can invest in and help build Maui and the state.

You need to codify and protect legally operating STR's, not create more uncertainty which ultimately harms the economic potential of the state.

SB-2919-SD-2

Submitted on: 3/13/2024 6:20:36 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roderick Yu	Individual	Oppose	Written Testimony Only

Comments:

Alo

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I OPPOSE SB2919, SD2.

I am a resident, along with my wife, who try to support our simple living by renting out our tiny 300 sq ft studio. The studio is in a legallly-zoned hotel/resort area.

Most of these STRs were built in the 70s was initially marketed and sold as vacation rental property. And our building complex was never converted from workforce housing to transient vacation rental use.

Most of these resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

These old resorts have been operating legal vacation rentals for almost fifty years. The resort operations provide employment for approximately 50 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

These STRs supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Many small businesses owned and operated by local residents from the Maui community rely on these short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals means putting these folks out of business with fewer employment opportunities.

STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

STR guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops. STRs also has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE SB2919, SD1 and urge the committee vote no on this matter.

Mahalo piha!!

ha, I am a residen

SB-2919-SD-2

Submitted on: 3/13/2024 7:10:48 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Harris	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to SB2919 referencing Short Term Rentals. My wife and I are owners of a STR on Maui. During the fires we opened our condo to employees and emergency workers to use. We also volunteered at several distribution centers giving out food and water. The reasons for opposing the SB2919 is that not only do the STR's bring in over 40% of the income and millions in tax dollars, but they support businesses on Maui. Businesses such as management companies, retail stores, maintenance companies such as cleaning, remodeling, AC and heating companies, flooring companies, appliances companies, and local restaurants. I would hate to see businesses be affected, by cancelling out the STR, which has supported local businesses on Maui. Your consideration in this matter is greatly appreciated.

March 13, 2024

Dear Representative, Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** SB2919, SD2. for the following reasons:

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums. It was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea's Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea's resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
- Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, contractors, restaurants, food trucks, tour operators, state parks, national parks, etc.
- These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures.
- Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

This is a family resort and has been for over 50 years so please consider all the factors carefully and all the jobs that will be lost and the impact on the local economy if STRs are shut down.

For the reasons stated herein **I OPPOSE SB2919, SD2**.and urge the committee to defer it.

Respectfully submitted,

Randy Hnatko
604-328-3974

SB-2919-SD-2

Submitted on: 3/13/2024 7:27:00 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Henry	Individual	Oppose	Remotely Via Zoom

Comments:

SB2919 SD2 is ILLEGAL under both the US and Hawaiian Constitutions:

Under the The US CONSTITUTION Article I, Section 3.1: Separation of Powers and Checks and Balances, the separation of powers and the checks and balances of laws in all 3 branches of government are equal and independent so that they are capable of checking one another.

THE SHEER AUDACITY THAT AFTER THE COURTS DEEMED YOUR PROPOSED ORDINANCE 227 UNLAWFUL, YOU ARE NOW PROPOSING FOR LEGISLATION TO REMOVE THE VERY LAW THAT WAS DECLARED ILLEGAL BY THE COURTS IS BLATANTLY UNCONSTITUTIONAL.

The courts ruling declaring Ordinance 227 Illegal:

"...finding that Ordinance 227 is preempted by Hawai'i Revised Statutes ("HRS") § 46-4(a); and (2) invalidating Ordinance 22-7, or, in the alternative, PERMANENTLY enjoining Defendants City and County of Honolulu ("the City"), the Department of Planning and Permitting ("DPP"), and Dawn Takeuchi-Apuna in her official capacity as Director of the DPP from enforcing or implementing Ordinance 22-7 insofar as it prohibits 30-89 home rentals, or the advertisement of the same, citing violations of: [HRS § 46-4\(a\)](#) (Count I); the state law doctrines of vested rights and/or zoning estoppel (Count II); substantive due process under the federal Constitution (Count III) and Hawai'i Constitution (Count IV); just compensation under the Takings Clauses of the federal Constitution (Count V) and Hawai'i Constitution (Count VI); the Contracts Clause of the federal Constitution (Count VII); the Excessive Fines Clauses of the federal Constitution (Count VIII) and Hawai'i Constitution (Count IX); and civil rights under [42 U.S.C. § 1983](#) (Count X).

It is ILLEGAL for this legislature to attempt to pass a new law with the purpose to nullify a court ruling that declared a previous law unconstitutional, this is an unlawful delegation of your legislative power.

This is ILLEGAL in both the Hawaii Constitution and The U.S. The Constitution as both contain clear and unassailable provisions that establish the separation of powers and the role of the judiciary in interpreting laws.

By this legislature seeking to circumvent and override the Judicial Branch's Court Ruling by attempting to pass this new legislation, is a CLEAR VIOLATION of the US Constitution and

undermines the Judicial Branch's authority and rulings, and attempting to supersede the judicial branch's authority, is illegal.

The Hawaiian Constitution Article V under the separation of powers and the check and balance doctrines, all 3 branches of government are equal and independent so they are capable of checking one another's powers. This law was enshrined in the Hawaiian Constitution to avoid this exact scenario of an overzealous legislature seeking to undermine the Hawaiian Constitution.

This legislative maneuver to override the court's unfavorable verdict is **ILLEGAL** and must be stopped now!

SB2919 SD2 IS ILLEGAL AND UNCONSTITUTIONAL.

PLEASE do not spend one more dollar of our tax payer money passing unconstitutional laws that are a clear violation of the constitution, that if enacted would be immediately overturned in court.

Enacting legislation for the purpose to overturn a judicial verdict is against the law and against the US Constitution, which is the stated purpose of this bill in the very first sentence of the proposed bill.

SB2919 IS ILLEGAL AND UNCONSTITUTIONAL AND MUST BE STOPPED NOW.

Respectfully,

Robert Henry

SB-2919-SD-2

Submitted on: 3/13/2024 7:34:56 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle McGarry	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to SB2919

I purchased a legal STR 6 years ago, that is run with a front desk and employs approx 20 local residents to look after grounds, amenities and maintenance. I myself employ local residents to clean and maintain my property. I pay local accomodation tax and a higher property tax to Maui. Why would Maui want to lose all the revenue that is collected from legal STR as well as take away jobs from Maui residents? As a waterfront property it could never maintain itself if rented longterm as the costs are so high. Why not focus on illegal rentals than trying to ban STR that were bought legally and infuse huge dollars into the local econmy?

SB-2919-SD-2

Submitted on: 3/13/2024 8:12:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Froerer	Individual	Oppose	Written Testimony Only

Comments:

As a retired individual on a fixed income, the income derived from my short term rental is vital to my economic survival. Tourism is the lions share of the Hawaiian economy. Mixed use accommodations like the Waikiki Banyan offer tourists more choice when they spend their dollars in Hawaii. Short term rentals also help travel nurses, mainland workers and displaced hawaiian residents. It would be shortsighted to eliminate it. Also, concerning the NUC that is threatened with being "phased out"...the agreement with the NUC was that if one kept up the annual fee, the NUC would stay in place. There was no grandfather clause. I feel it would be in bad faith for the legislature to renig on the NUC agreement made so many years ago.

sincerely

Michael Froerer

SB-2919-SD-2

Submitted on: 3/13/2024 8:14:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalpesh Koli	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kalpesh Koli and I live on the island of Oahu.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

SB-2919-SD-2

Submitted on: 3/13/2024 8:16:01 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patti Tews	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Respected Members of the Senate-

SB2919, the proposed law which allows for the amortization or phasing out of transient accommodation uses in residential or agricultural zoned areas, is unconstitutional under both the United States Constitution and the Hawaii State Constitution.

SB2919 violates the Due Process Clause of the Fourteenth Amendment by creating an unreasonable and unpredictable burden on landowners' property rights.

Additionally, it contradicts established Hawaii statutes and case law protecting existing nonconforming uses, including single-family and duplex residences, and agricultural operations. Singling out transient accommodations for is illegal under the Fourteenth Amendment of Equal Protections.

The Fourteenth Amendment's Due Process Clause prohibits the government from depriving persons of "life, liberty, or property, without due process of law." This law guarantees landowners clear and predictable laws governing their property rights as established in Logan v. Zimmerman Brush Co., 455 U.S. 422 1982.

Furthermore, Hawaii Revised Statutes § 205-16(a)(3) (1993) explicitly exempts existing single-family and duplex dwellings from conforming to zoning changes. The proposed law's attempt to phase out these uses through amortization directly contradicts this statutory legal protection.

SB2919 violates so many legal protections including the Due Process Clause, Existing Land use Law, and the Equal Protection Clause and creates ambiguity and uncertainty for landowners, contradicts established protections for existing land uses. SB2919 singles out transient accommodations exclusively for amortization - which is illegal and discriminatory.

SB2919 is unconstitutional and should not be considered.

Respectfully,

Patti Tews

SB-2919-SD-2

Submitted on: 3/13/2024 8:26:53 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gretchen Froerer	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am a retired senior and what income I receive from my short term rental at the Waikiki Banyan helps me to make ends meet. The Banyan offers tourists to Hawaii greater choice in accommodation. There are also seasonal workers, displaced Hawaiian residents, students, travel nurses and workers from the mainland who would be negatively impacted if this type of accommodation were taken away. I also have a current NUC for my unit and have faithfully kept it current, paying my fee annually. I feel it would be breaking the agreement the state made with me so many years ago if the NUC is phased out. I strongly oppose the elimination of short term rentals in Waikiki. The problem seems to be mainly with AirBnB rentals in residential areas. World famous Waikiki is where tourist want to be and it makes sense to allow short term rentals in Waikiki proper.

Thank you,

Gretchen Froerer

SB-2919-SD-2

Submitted on: 3/13/2024 8:27:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ernest P Crea	Individual	Oppose	Written Testimony Only

Comments:

Subject: Urgent Opposition to Restrictive Short-Term Rental Provisions

Dear Officials,

I hope this letter finds you well. I write to you today as a concerned resident of Oahu and an active participant in the short-term rental industry. I am deeply troubled by the proposed legislation that threatens to limit or eliminate short-term rentals on our beautiful island. This development, if allowed to proceed, will not only affect my livelihood, but also disrupt the lives of countless residents who rely on these rentals as affordable, convenient accommodation options.

The number of legal short-term rentals in Oahu has already dwindled to a mere 2,000, excluding hotel units. We simply cannot afford to lose more. These rentals are not just for tourists looking for a local experience. They serve as invaluable resources for our community members, accommodating displaced residents, newly housed individuals, inter-island visitors seeking medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, students, and even our own friends and family.

In times of crisis, such as during the Red Hill incident and the Marco Polo fires, thousands of our fellow residents were displaced. It was the short-term rental units that provided them with a temporary haven. If we further decimate this industry, where will these people go the next time disaster strikes?

Moreover, when you or any other resident needs to visit Oahu for work, family visits, or healthcare, will you be forced to stay in a \$700 per night hotel? The financial burden of such an arrangement is simply untenable for most.

Our island thrives on the spirit of Aloha, of welcoming all who come to our shores, whether they are tourists, temporary workers, or our own residents in need. Short-term rentals embody this spirit by providing affordable, flexible, and comfortable accommodation options.

Therefore, I implore you to consider the far-reaching implications of this proposed provision. Let us work together to find a balanced solution that protects the rights and livelihoods of short-term rental owners, while also addressing any legitimate concerns related to this industry.

Thank you for your time and consideration. I trust that you will make a decision that reflects the best interests of all Oahu residents.

Sincerely,

Ernest Crea, Wendi LeVigne

SB-2919-SD-2

Submitted on: 3/13/2024 8:27:33 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Reva Uso	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB2919 SD2. We need short-term rentals (less than 30 days) at the Waikiki Banyan at 201 Ohua Avenue, Honolulu for traveling nurses, temporary military, students, family visits, etc. I am 75 years old and offer my unit at affordable prices & I also need the extra income to buy groceries and help me with other daily expenses. I NEED the income from the short-term rentals, please. Short-term rentals at the Waikiki Banyan also help support a Lot of local people who work at the Banyan. If these people are let go, they will have to file for unemployment which is stressful and also costly to the state of Hawaii. And the surrounding restaurants and stores also need income from these short-term renters. Long-term renters don't spend money on these businesses. As an owner, I pay more taxes to the City & County and State of Hawaii, which is beneficial to the government. PLEASE Allow legal Short Term Rentals - less than 30 days at the Waikiki Banyan

SB-2919-SD-2

Submitted on: 3/13/2024 8:42:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Hall	Individual	Oppose	Remotely Via Zoom

Comments:

Legal Opposition to SB2919: Unconstitutional Targeting of Transient Accommodations

Senate Bill 2919 (SB2919), which proposes the amortization or phasing out of nonconforming transient accommodation uses in residential and agricultural zones. SB2919 violates the fundamental property rights of landowners under the United States Constitution and the Hawaii State Constitution, SB2919 establishes legal ambiguity, and contradicts established principles of Hawaiian land use law.

Argument I: SB2919 Violates the Takings Clause and Due Process

- **SB2919 authorizes the amortization of existing transient accommodation uses, effectively forcing owners to cease a lawful use. This constitutes a taking of private property without just compensation, violating the Fifth Amendment's Takings Clause ([U.S. Const. amend. V]).**
- **Similarly, Article I, Section 4 of the Hawaii State Constitution prohibits the "unreasonable taking of private property" ([Hawaii Const. art. I, § 4]). Amortization diminishes property value without compensation, potentially constituting an unreasonable taking.**
- **The distinction between "residential use" and "transient accommodation use" in SB2919 violates the due process under the Fourteenth Amendment ([U.S. Const. amend. XIV]).**
- **Hawaii Revised Statutes § 205-2 (1993) defines "residential use" broadly, ([HRS § 205-2]). SB2919 creates illegal uncertainty for landowners regarding their legally protected property rights.**

Argument II: SB2919 Conflicts with Established Precedent and State Law

- **The Hawaii Supreme Court has consistently upheld the right to maintain nonconforming single-family and duplex dwellings. These principles extend to all residential uses, not only transient accommodations, which is a violation of the Constitutional Equal Protections Laws.**
- **Hawaii Revised Statutes § 205-16(a)(3) (1993) explicitly exempts existing single-family and duplex dwellings from conforming to zoning changes. SB2919 directly**

contradicts this legal statutory protection by targeting existing, lawful uses (HRS § 205-16(a)(3)).

Argument III: SB2919 Undermines the Agricultural Way of Life

- **Article XI, Section 3 of the Hawaii State Constitution mandates the state to "conserve and protect agricultural lands" ([Hawaii Const. art. XI, § 3]). SB2919 directly conflicts with this provision by allowing the amortization of existing agricultural operations that utilize transient accommodations (e.g., farm stays).**
- **Hawaii Revised Statutes § 205-4.2(d) (1993) further emphasizes the state's policy to "encourage the continuance and viability of agriculture" ([HRS § 205-4.2(d)]). SB2919 undermines this policy by potentially forcing the closure of established agricultural businesses.**

Argument IV: SB2919 Grants Unreasonable Regulatory Power

- **SB2919 unfairly singles out transient accommodations for potential amortization within residential and agricultural zones. Zoning regulations typically address a wide range of uses within a zone, not just one specific use. This targeted approach is illegal and can lead to arbitrary treatment and abuse to property owners.**
- **SB2919 fails to consider alternative regulatory measures that are already lawfully in place that address legitimate concerns regarding transient accommodations. Zoning regulations already address issues like noise, density, and parking. SB2919 disregards protected property rights of Hawaii landowners.**

Conclusion

SB2919 constitutes a clear violation of the fundamental property rights of landowners, established legal precedent, and the Hawaii State Constitution's protection of agricultural practices and prohibits legally protected clear and predictable regulations for all property owners in Hawaii.

SB2919 cannot be enacted as it is illegal within the US Constitution, Hawaii Constitution and under Hawaii Law.

With Respect and Aloha,

Lisa Hall

SB-2919-SD-2

Submitted on: 3/13/2024 8:43:10 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynne wood	Individual	Oppose	Written Testimony Only

Comments:

Short term are better than long term as far as noise, less cars, etc etc . How many of you decide this for everyone else.? How many people agree with you? Many more oppose but you don't care . Trying to kill our economy. In my building we know have low income. A low income disabled drug addict lives next to me know thanks to you. Owners scrambling to get any renters they can. Unreal. Lynne

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I **OPPOSE** SB2919,

Thank you for receiving comments on this important issue.

I own a unit at Papakea Resort. Like virtually all of the units in Papakea, it has been used as a short term rental for the past 50 years. Since the disaster, I have been renting it to a couple whose home burned down in Lahaina. In the future however, I will need to continue short term rentals in order to retain my Hawaiian home.

My unit is a studio which is slightly over 400 square feet and has very limited storage. It is not designed to be a long term rental and is poorly suited for that purpose. My current renters, who lost their home to the fire, are moving out in May because they finally found a larger place. They found our unit to be unsuitable for longer stays.

If short term rentals are banned at Papakea, I will be in a predicament of not being able to do short term rentals and having a difficult time getting long term renters who will stay in our unit. I feel that this is detrimental to the housing stock in Maui and to the Papakea property since the lack of ability to rent will likely cause the property to deteriorate. This is not in anyone's best interests.

During my ownership and use as a short term rental, I have contributed substantially to the island economy by hiring rental agents, house cleaners, handy men, contractors and purchasing many items at local stores (we were on a first name basis with many of the stores). In addition, I have paid GE tax, TA tax, property tax and income tax. I feel that I have been a benefit to the local businesses and economy.

I don't understand the focus on terminating short term rentals when there are so many time shares that are much more intensive uses and will have much less financial impact to owners if they can't rent them short term.

Please help me to retain my Hawaiian home. My wife and I have come every year to Maui for over 40 years. We feel part Hawaiian and greatly respect the Ohana in Hawaii.

Mahalo.
Rich Holmer

SB-2919-SD-2

Submitted on: 3/13/2024 8:54:49 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Enslin	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose Bill SB2919.

A 2020 study done by the Hawaii State Tourism Authority found that STR's added \$6 billion to the State of Hawaii's economy and on top of that sustained 46,000 jobs. The study also found that 30% of respondents stated they would not have made a trip to Hawaii if it had not been for a vacation rental option.

The removal of STR's from the vacation rental could have a harmful cascading effect causing irreparable damage to other businesses in the state that are tourist focused, such as restaurants, car rentals, tour operators, grocery stores and also to businesses involved in cleaning, repairing and maintaining STR's.

Oahu is already down to 2,000 STR's and we cannot afford to lose anymore.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Where will people visiting stay when they come to Oahu to work, visit family or seek healthcare? A \$700/night hotel? This will greatly affect the bottom line of so many people.

Sincerely,
Susan Enslin

SB-2919-SD-2

Submitted on: 3/13/2024 8:58:58 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Hall	Individual	Oppose	Remotely Via Zoom

Comments:

Senate Bill 2919 poses a significant threat to the property rights of landowners in Hawaii. The bill authorizes the amortization, or gradual phasing out, of existing transient accommodation uses in residential and agricultural zones. This action effectively forces owners to eventually cease this lawful activity, constituting a taking of private property without just compensation in violation of the Fifth Amendment's Takings Clause and Article I, Section 4 of the Hawaii State Constitution.

Furthermore, SB2919 creates legal ambiguity by excluding "transient accommodation use" from the definition of "residential use" in Hawaii Revised Statutes § 205-2. This contradicts established precedent where the Hawaii Supreme Court has protected nonconforming residential uses, and directly conflicts with the statutory exemption for existing single-family and duplex dwellings enshrined in § 205-16(a)(3).

The bill also undermines the state's commitment to agriculture as outlined in Article XI, Section 3 of the Hawaii State Constitution and Hawaii Revised Statutes § 205-4.2(d). By allowing the amortization of agricultural operations that utilize transient accommodations, SB2919 hinders the "continuance and viability of agriculture" the state aims to promote.

Beyond the violation of established legal principles, SB2919 unfairly singles out transient accommodations for potential amortization within residential and agricultural zones. Zoning regulations typically address a wide range of uses within a zone, raising concerns about arbitrary treatment and a lack of equal protection under the law.

SB2919 deprives landowners of essential knowledge regarding the future use of their properties and is illegal.

In conclusion, SB2919 presents a series of legal and practical challenges. I urge you to reconsider this proposal and uphold property rights, promote responsible land use within the state, and avoid the obvious legal pitfalls associated with SB2919's selective targeting and ambiguity.

With Aloha - DO NOT PASS SB2919,

David Hall

SB-2919-SD-2

Submitted on: 3/13/2024 9:00:02 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Storrs	Individual	Oppose	Remotely Via Zoom

Comments:

NO TO SB 2919

Rebecca Stores

Aloha! As a short-term rental owner since 2016, I am deeply concerned about Bill SB 2919 as it will decimate Hawaii's economy by no longer permitting STR. Like many other STR owners it will affect their income as it will mine. If Bill SB 2919 passes this will lead to a domino effect as tourism will cease to exist as visitors find renting an STR much more affordable compared to staying to that of a hotel. With 40% of revenue being driven from STR property taxes how will the state of HI continue to operate? Without tourism the unemployment rate will dramatically go up as residents will lose their jobs as most work in the hospitality industry. My property has brought great joy not only for myself but to all guests who have stayed there. I hope that you will take my feedback into consideration.

SB-2919-SD-2

Submitted on: 3/13/2024 9:15:02 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Deb Black	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha,

This letter expresses my fervent opposition to Senate Bill 2919 (SB2919) for its blatant disregard for fundamental property rights enshrined in both the United States Constitution and the Hawaii State Constitution. The bill specifically authorizes the amortization of existing transient accommodation uses within residential and agricultural zones. This targeted approach constitutes a multi-pronged attack on established legal principles.

First, SB2919 compels the cessation of lawful transient accommodation activities, effectively effectuating a taking of private property without just compensation. This directly contravenes the Takings Clause of the Fifth Amendment and Article I, Section 4 of the Hawaii State Constitution. Furthermore, this bill creates legal uncertainty for property owners protected rights, thereby violating due process under the Fourteenth Amendment. Hawaii Revised Statutes § 205-2 offers a broad definition of "residential use" encompassing dwellings, which SB2919 arbitrarily excludes for transient accommodations.

Second, SB2919 stands in stark opposition to established legal precedent set by the Hawaii Supreme Court. The court has consistently upheld the right to maintain nonconforming residential uses, a category that extends to transient accommodations. Additionally, the statute directly conflicts with the protections afforded by Hawaii Revised Statutes § 205-16(a)(3), which explicitly exempts existing single-family and duplex dwellings from conforming to zoning changes.

Third, SB2919 undermines the state's constitutional mandate to safeguard agricultural lands and promote agricultural businesses. By authorizing the amortization of agricultural operations that incorporate transient accommodations, the bill directly contradicts Article XI, Section 3 of the Hawaii State Constitution and Hawaii Revised Statutes § 205-4.2(d).

Fourth, SB2919 exhibits an extremely concerning pattern of selective targeting by singling out transient accommodations for potential amortization within residential and agricultural zones. Zoning regulations address a wide range of uses within a zone, not just one specific use. This targeted approach raises concerns about arbitrary treatment and a potential violation of equal protection under the law.

Finally, SB2919 demonstrably violates due process by failing to comply with the essential safeguard outlined in Hawaii Revised Statutes § 205-4.5(a), further depriving landowners

of crucial knowledge regarding the lifespan of their existing use, which violates their constitutionally protected property rights.

SB2919 is illegal and poses a significant threat to property rights, established legal precedent, and the state's commitment to agriculture.

This bill must not pass, please vote No on SB 2919.

Mahalo,

Deb Balc

SB-2919-SD-2

Submitted on: 3/13/2024 9:25:34 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carmen Yu	Individual	Oppose	Written Testimony Only

Comments:

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members,

My name is Carmen Yu, I am testifying in opposition to HB1838. I'm a new owner of a condo in Maui, my family and I love visiting Maui and recently made the decision to purchase a condo as our 2nd home so we could have a home away from home when visiting our favorite place. Owning a property in Maui is outrageously expensive, we could only afford to keep this home if we could rent it out as a short term rental to help offset our costs when we're not there. This bill will force us to lose our home, our ability to visit, and support local communities.

In addition, the property tax and transient tax that STR pays provide 40% of the real property tax revenue for Maui. How will the loss tax income be replaced? We also help create job opportunities and are the main source of income for cleaner, property managers, contractors, handyman, and many more work forces that service the STR industry. Forcing out STRs will not only hurt Maui's economy, it will eliminate job opportunities and quality of life for local residents. This is a huge negative impact if this Bill is allowed to progress.

This will also impact the larger tourist industry as many visitors who couldn't afford expensive hotels will stop visiting Maui. In addition, it'd also deter tourists traveling with large families who need more spacious accommodations to house them, getting multiple small hotel rooms will not meet their needs or budget. Mid and Short-term Rentals not only accommodates tourists, they also help provide temporary shelters for displaced residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. Events like the Lahaina Fire displaced thousands of residents, where will residents find temporary, furnished housing if our industry is further decimated?

Having less STR/Mid term rentals will only hurt Maui. I strongly urge you to continue working on housing issue without disrupting the lives of so many people living in the community. Thank you for the opportunity to testify my opposition to Bill SB 2919.

Carmen Yu
Owner at Kamaole Sands

SB-2919-SD-2

Submitted on: 3/13/2024 9:27:32 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Krauchek	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I OPPOSE SB2919, SD2.

My name is Karen Krauchek and want to thank the committee for the opportunity to submit my written testimony about this bill.

Our Maui condo resort, Papakea was built in 1978 and has operated as vacation rentals for almost fifty years. It has never been workforce housing that converted to a transient vacation rental. It was initially marketed and sold as a vacation rental properly. The average size of the units is under 600 square feet, have no storage space within the unit other than a couple of closets and limited parking. These units are not practical dwellings for long term living. Passing this bill and phasing out STRs that were built for the purpose for renting short term will have an economic impact to the state and the local people.

Our guests, whom many are repeat visitors, support the local economy while they visit the island. They shop in the local stores/markets, eat at the local restaurants/food trucks, and support the local tourism business (whale watching, surfing, sun set cruises etc). They also support all the people who are employed in the airport, car rental agencies and big box chains. Without these visitors all local businesses would be hugely impacted without tourist dollars and would put many local people out of work with fewer employment opportunities available.

Our STR personally also supports many local businesses within Maui like furniture stores, HVAC companies, pest control, housekeeping businesses, contractors, rental management companies and other local trade professionals. These companies rely on our business to keep their employees and businesses running. STR owners spend more on average to keep their units pristine. As long-term residences generally don't need to replace all their furniture every 4-5 years or schedule maintenance companies every 6 months to be proactive that things don't break down while a guest is staying in their units.

Papakea Resort itself employs approximately 35 local resident employees; some have worked at the property for over 15 years. Our resort operations require extensive maintenance and upkeep which makes the monthly dues very high compared to other long-term housing. Unsubsidized long term rental rates do not come close to covering the maintenance dues, special assessments,

mortgage payments, property taxes and insurance which prevents Papakea from becoming a sustainable longer term housing option.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the higher short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. This would be a huge loss to of revenue to the state if STR is phased out. How would the state make up for this lost revenue without putting more financial burden on the local people/economy?

For the reasons stated herein I OPPOSE SB2919, SD2 and urge the committee vote no on this matter.

Respectfully submitted,

Karen Krauchek

SB-2919-SD-2

Submitted on: 3/13/2024 9:30:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bertrand Baud	Individual	Oppose	Remotely Via Zoom

Comments:

Subject: Testimony in Opposition to [Bill Number/Name] - Ban on Short-Term Rentals

Dear Members of the Hawaii Legislation,

I am writing to express my strong opposition to Bill SB2919 SD2, which proposes a ban on short-term rentals in the state of Hawaii. While I understand the concerns about housing affordability for local residents, I believe that this proposed legislation is misguided and would have detrimental effects on both our economy and our communities.

The main premise of the bill, that short-term rentals significantly contribute to the housing affordability crisis by reducing the available housing supply for local residents, is not supported by research and data. In fact, the percentage of housing utilized for short-term rentals is already relatively low, and thus, their impact on housing prices is minimal.

Furthermore, it's important to recognize that many users of short-term rentals are not traditional tourists. They include military personnel, medical professionals, and remote workers who contribute significantly to our economy and bring essential skills to the state. Banning short-term rentals would not only deprive these individuals of much-needed accommodation but also hinder Hawaii's ability to attract and retain talent.

Additionally, tourists who choose to stay in short-term rentals contribute substantially to our economy. As a short-term rental owner myself, I can attest that many of my guests would not visit Hawaii if they were limited to hotel accommodations. Retirees staying for extended periods and families with young children, for example, often prefer the amenities and space offered by short-term rentals over hotels. Banning short-term rentals would deter these visitors and result in lost revenue for our state and its residents.

In conclusion, I urge you to reconsider [Bill Number/Name] and its implications for Hawaii's economy and communities. Rather than enacting a blanket ban on short-term rentals, I encourage exploring alternative solutions that address housing affordability concerns while preserving the vital contributions of short-term rentals to our state.

Thank you for considering my testimony.

Sincerely,

Bertrand Baud

SB-2919-SD-2

Submitted on: 3/13/2024 9:36:04 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amanda Dowell	Individual	Oppose	Written Testimony Only

Comments:

I am testifying in opposition to HB1838 currently for a variety of reasons. We are a resident of Maui and have 4 STR condo's. Our cleaner and handyman rely of our work we provide for them. We all know how hard it was to survive when uneducated celebrities said last year not to come to Maui. Lots of people shut down businesses and left the island. We all just tried to hold on as we believe in Maui and tourism is what supports the island.

First and foremost, how will the lost tax income be replaced? Maui's short-term rentals provide 40% of the real property tax revenue for the county. Without a substantive plan, this Bill could have unexpected consequences. Additionally, there are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, on-island contacts, etc. This is another unforeseen or undervalued negative consequence if this Bill is allowed to progress. I feel that more research and alternatives must be investigated.

Are we in a housing crisis? Yes, of course. But this Bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires, the devastation of the fires cannot be under expressed. But in our haste to believe what would be a benefit to our community, may ultimately be a hindrance. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state. The thousands of jobs lost will be significant.

Let's continue to brainstorm ways to help those that are in a housing crisis without decimating the livelihood of others. STRs do have positive contributions to our community, yet they are being treated as if they are the main underlying cause of the crisis. This is not true. The average tourist cannot afford the astronomical prices of hotel rooms, they rely on moderately priced STRs to afford their visit. I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community. Thank you for the opportunity to testify my opposition to Bill SB 2919.

Amanda Dowell

SB-2919-SD-2

Submitted on: 3/13/2024 10:03:18 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Wotring	Individual	Oppose	Written Testimony Only

Comments:

TESTIMONY IN OPPOSITION

SENATE BILL SB2919 SD2

March 13, 2024

Aloha, Chair, Vice Chair and Committee,

My name is Anne Miller Wotring, and I am pleased to submit this written testimony in opposition to SB 2919 sd2 which—if I understand correctly—will authorize the local jurisdictions to phase-out or place additional term restrictions on short term housing rentals.

I first arrived in Kailua in 1963. My parents built their dream home here in 1972 and lived in Kailua and Kaneohe until my father’s death in 2014. I have returned to these beautiful islands virtually every year since 1990 to visit family and friends.

The opportunities to enjoy multi-week visits, particularly on the windward side of Oahu, would be severely limited absent shorter-term housing rentals. Requiring visitors to rent rooms in Honolulu would not only result in daily commutes over the Pali (adding to already challenging traffic) but would deprive windward side communities of valuable economic resources. Our current stay will result in a payment of more than \$40,000 to local homeowners, grocery stores, restaurants, and yard maintenance/house cleaning services.

The economic impact of SB 2919 can be fairly debated—but there is no honest disagreement over its effect on frequent visitors like me and my family. We simply will not be able to see our family and friends (see photos attached) and enjoy these islands in the same way and with the same frequency should this bill become law. I unaware of any harm—economic or otherwise—that this proposed legislation is intended to address.

Mahalo nui for the opportunity to submit this statement.

Sincerely,

Anne Miller Wotring

Phone: (301) 814-0557



Kelly A. Lee

Beachside Realty, LLC
Principal Broker
600 Queen St. #C-1
Honolulu, HI 96813
808-225-0349

The Housing Committees on Housing and Tourism
Hearing Scheduled: March 15, 2024 9:30 am
State Capital, Conference Room 312
Re: SB 2919 sd2, Relating to Zoning

Testimony in Strong Opposition

Aloha Chair Evslyn, Chair Quinlan, Vice-Chairs, and Members of the Committees,

My name is Kelly Lee, and I am a single mother of two boys, both of whom are 6th generation local residents. As an Oahu Realtor with over 20 years of experience, I have witnessed the unique economic landscape of Hawaii and the vital role that short-term rentals play in sustaining the livelihoods of local residents.

I am deeply concerned about the potential impacts of SB 2919 on our community. The testimonies from local residents highlight the devastating effects this bill could have on our ability to afford living in Hawaii and the economic opportunities it provides for self-employed individuals and service providers in the vacation rental sector.

The unintended consequences of this bill could lead to inflated rents, forcing local residents out of paradise and eliminating mutually beneficial, affordable opportunities for long-term renters and self-employed individuals. As a realtor, I understand the importance of finding a balance between regulating the industry and ensuring economic stability for families like mine.

I urge you to consider the real-life impacts of this bill on local residents and the broader community. Let's work together to find solutions that preserve our unique economic landscape while addressing the concerns raised by the proposed legislation.

Mahalo for your consideration,



Kelly Lee



SB-2919-SD-2

Submitted on: 3/13/2024 10:05:51 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Teresa Nelle	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Teresa Nelle, I have lived on Maui fulltime for 32 years. I am in the real estate industry and also finally was able to purchase a short term rental. I see the amount of jobs short term rentals provide as well as the tax revenue they provide to the states. I know many people that would suffer (even further) by limiting them. I am sure this bill is backed by big, off island corporations that want to wipe out the little person as we are a pain in their side. The multi national resorts do not want us little mom & pop shops competing with them. When we are gone, they have even more of a monopoly on the island and will continue to raise their room rates, making it so that only the rich and famous can come visit us.

I understand limited short term rentals to single family homes and fully support keeping neighborhoods local. In fact, I voted to restrict short term rentals in singled family homes and applauded it when it passed. I am speaking about wiping out short term rentals in already established and legal condo complexes. Instead, really get serious about the illegal single family residences that are still making plenty of money and not being charged for taxes etc. As far as I am concerned, this bill is just going after the low hanging fruit.

Teresa Nelle

SB-2919-SD-2

Submitted on: 3/13/2024 10:07:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shirley O'Connor	Individual	Oppose	Written Testimony Only

Comments:

Thank you for the opportunity to submit testimony in opposition to this bill.

I'm 56 years old and I've been coming to Oahu since I was a child. I own a condo on the North Shore with a NCU Certificate.

I think the hollowing out of the short-term rental industry is very short-sighted. It's not just about my rental income - in fact, it's very little to do with that. The Maui fires is a good example. FEMA has placed hundreds if not thousand of residents in comfortable, furnished residences. Where would anyone find temporary, furnished housing in a crisis like that? Short-term rentals also accommodate inter-island residents visiting family or for medical procedures, traveling nurses, and members of the military. Plus, there's the loss of tax revenue - where will that be made up?

Thank you for your consideration of my opinion.

Shirley O'Connor

SB-2919-SD-2

Submitted on: 3/13/2024 10:14:24 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
leslie lam	Individual	Oppose	Written Testimony Only

Comments:

I support the Short Term Rental Bill and all points mentioned in the Ccover Letter ,

I have been in the travel industry for 44 yrs , I have lived on Oahu , Maui and Kauai over the past 50 plus yrs . I am very disheartened by the extreme cost of living for our Young and Old here in Hawaii .

My main source of income to support myself is through the tourism that comes to Hawaii . The local community that follows the laws , paying for their Taxes and Certificates should not be penalized. I vote this bill not be passed.

SB-2919-SD-2

Submitted on: 3/13/2024 10:15:20 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
sandy szymanski	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I OPPOSE SB2919.

I am a property owner of both a long term and a short term rental. I live 100% of the time in Pukalani, Maui. There has been way too much stripping of property owners rights since COVID. This needs to stop.

I agree there is a housing problem but the answer is Build More Homes and make them affordable. Maui has more open space than it does developed space. There's plenty of land. Build More Homes! If you want to reduce property rights in order to accomplish the goal of housing, then change the laws or restrictions for undeveloped lands and leave lands already developed grandfathered in as originally built with rights as originally granted.

Don't forget about all the income STVR bring in to the County and the State. Don't forget about all the jobs that STVRs bring to the county's and state's people.

For whatever it's worth, thanks for listening and for your hard consideration.

With Aloha,

Sandy Szymanski

224 Hanalani St, Pukalani, HI 96768

Dear Representatives and Members of the Committee:

I oppose Bill SB2919 for some of the following reasons:

1) We own a short term rental condo in Maui and it supports many local individuals. Most of these individuals would lose their jobs if this wasn't a short term rental property.

- The resort employs many local resident employees.
- As owners we also support a local management company, housekeepers and contractors.
- Guests support many local small businesses and their employees on Maui including restaurants, tour operators, shops and local businesses.
- Guests also support employees at the airport, car rental companies, national parks, and state parks.

2) Our development was never an owner occupied complex. It has always been a vacation rental property. It isn't a desirable property for permanent residents, our unit and many of the other units are only one bedroom.

3) The complexes short term renters support the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Short term rentals provide 40% of the real property tax revenue for the county, tax revenue for the state and county would significantly decline if there wasn't a short term rental market.

4) We are currently working with FEMA and they are currently housing a local couple in our unit who are displaced by the horrible Lahaina Fire. These local individuals would likely be unable to find temporary, furnished housing if the short term rental market was eliminated.

SB-2919-SD-2

Submitted on: 3/13/2024 10:31:31 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
lillie mcafee	Individual	Oppose	Written Testimony Only

Comments:

PLEASE DO NOT PASS SB2919--vote NO! Why should we, who have run legitimate vacation rentals for 34 years, always paid our taxes, obeyed all the rules, and without a single complaint from anyone, be put out of business? That is grossly unfair.

SB-2919-SD-2

Submitted on: 3/13/2024 10:33:45 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Fernandez	Individual	Oppose	Remotely Via Zoom

Comments:

Totally oppose this bill.

Because it could and will allow the counties including Oahu to pass wacky ordinances that are going to make matters worse for residents not only on Oahu but residents from the other islands. Consider the shortage of essential workers esp in the medical field . Do you really think a nurse and doctors are going to be holed up in a hotel room in waikiki for 1 or 2 months? Oahu already serves as the last safe haven for many outer island patients and this bill is now going to increase the medical staff shortage on Oahu.

How about many local families who are getting repairs or upgrades to their homes do you think they will be holed up inside a hotel room paying \$400/night plus parking for 1 or 2 months. Consider those with children

Or how about local residents many who work in the service industry and are always looking for better paying and health opportunities on other parts of the island and wish to live nearby their new jobs? Many local families are looking for monthly rentals for these reasons.

If the legislature really understood the economic consequences they would not even consider such ridiculous bills such as SB2919.

Mahalo,

Richard

SB-2919-SD-2

Submitted on: 3/13/2024 10:35:43 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Martin V Murphy Jr	Individual	Oppose	Written Testimony Only

Comments:

Good afternoon:

I oppose this bill because it restricts property rights.

Sincerely,

Marty Murphy

SB-2919-SD-2

Submitted on: 3/13/2024 10:40:56 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maren Purves	Individual	Oppose	Written Testimony Only

Comments:

I am the owner of a 4 BR single family home in Hilo that has an STVR/NUC permit. That STVR/NUC permit was obtained by the previous owner on the last possible day to get one but due to COVID never rented it. I got lucky to get a one night rental just to keep the permit/NUC. Since then I have incurred more green waste than I want to keep track of, taken care of a leak, got lucky with renters who fixed one thing or the other and didn't get mad at me about a sewage backup that was undoubtedly caused by the previous owner, but just let me know (and I got that fixed the same day).

I wouldn't mind renting longer term if that didn't automatically give renters "squatters rights", implying possibly significant damage to the house, and mandatory mitigation if rent isn't paid.

I'm currently renting my 4BR short term rental house (because it still needs work) at a rate that somebody I know was renting her spare bedroom for but had to give up on that because the new regulations took her homeowners exemption away.

People who commute from wherever need places to stay. that don't exceed what they get paid working for a living.

Not everybody who comes here for a short time is a tourist. My last renter was a coworker who went out of state to take care of family and came back here because he was needed here.

The house I bought with a vacation rental permit was on the market for close to a year. If people wanted it they could have bought it. I know there was an offer before mine and the people who made that offer rescinded it after inspection because there are (or were) wrong with it.

I'm currently renting at a rate that, if the \$25 + \$50 penalty took effect, I'd be renting at a loss. This is in Hilo, not West Maui.

There are no resort zoned areas in Hilo, Puna or Ka'u (and probably North Hilo or Hamakua eaiher) that include single family homes that would allow a family to stay there, especially not for families on a budget, or even single people or couples on a budget.

SB-2919-SD-2

Submitted on: 3/13/2024 10:43:45 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Paulin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and Committee Members,

I am writing to express my strong opposition to SB2919, which presents a serious threat to the short-term rental industry in Hawaii, including my own livelihood as a short-term rental owner. This bill, if passed, would not only impact my ability to continue renting out my property, but it would also have far-reaching negative effects on the local community and the state's economy as a whole.

I urge you to carefully consider the detrimental consequences of SB2919 and to oppose this legislation. Instead of imposing severe restrictions, I believe there are alternative solutions that can help address any legitimate concerns without jeopardizing the livelihoods of thousands of families and the economic well-being of the state. I also implore you to take into account the real and positive contributions of the mid and short-term rental industry in accommodating displaced residents, providing housing for emergency contractors, traveling nurses, and families in transition, and supporting the local economy in numerous ways.

The impact of this bill goes beyond individual property owners. The short-term rental industry plays a vital role in Hawaii's economy, contributing over \$720 million in taxes and providing employment to more than 49,000 people at wages that average \$40/hr. The devastating effects of SB2919 would not only result in job losses but also force many families to leave Hawaii, creating a ripple effect of economic distress in our community.

I appreciate your consideration.

Jill Paulin

SB-2919-SD-2

Submitted on: 3/13/2024 10:44:50 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anita Vancil	Individual	Oppose	Written Testimony Only

Comments:

March 13,2024

RE: SB-2929 Oppose

Aloha e Committee,

Thank you for taking the time to review this bill and to hear my testimony. I realize that you have received many testimonies from big companies and lawyers, but I would like to give my perspective as a short term rental owner.

My husband and I have owned a condo in the lovely Papakea since 2016. Before owning, we rented condos yearly for over 30 years. It was an affordable way to vacation and enjoy lovely Maui. While renting we took whale and dolphin cruises, day trips to Hana, bicycling down Haleakala, helicopter tours of the island, zipline excursions, as well as supporting the community through shopping and eating out.

All of the excursions that we have gone on have been excellent due mainly to the marvelous employees of Maui. Cutting the short term rentals, will greatly diminish the need for these workers. As an owner, we see our guests write about their vacation and the many wonderful experiences that the Maui people have given them. Our guests spend a great amount of money on tours and the joy of eating at restaurants.

Papakea employs many local residents from landscaping artists, pool workers, security, repair men, front desk workers, not to mention a huge number of housekeepers.

We were in our condo from Jan 13-March 2. During our visit, we spent over \$700 at Times Market, The Fish Market, and the Farmers Market, over \$800.00 was spent at Budget Car Rental, and \$500.00 at restaurants. We also supported Rainbow Glass, Dan Browns Condo Care, Maui Fan Center Inc, and Appliance Service Co of Maui. As you can see, STR owners give a lot back to this lovely county.

The short term rental classification generated 40% of real property tax revenue this fiscal year (FY 23-24) \$213.7 M. This is 20% of the county operating budget. Please consider for just a moment where you are going to make up this huge deficit if you pass SB2919. Personally, we pay over \$12,000 in taxes not to mention the Hawaii tax, GET, and TAT.

Please consider my testimony to the amount of income generated to the county of Maui through Short term rentals. **Vote no on this bill SB2919.**

Mahalo,

Anita and Greg Vancil

owners of Papakea K204

SB-2919-SD-2

Submitted on: 3/13/2024 11:02:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy McIntyre	Individual	Oppose	Written Testimony Only

Comments:

I ask that you please reconsider the SB2919 in its current form as it does not protect the law abiding citizens. When we purchased our unit we researched where Vacation Rentals were allowed. We felt confident we made the right choice as our complex was listed on the Minatoya List. We have played by the rules that were in affect. We applied and were approved to list our unit. We have always paid our transient and property taxes on time.

My wife and I spend considerable time on Maui. We participate in cultural activities and have been Volunteers multiple times to help with the Lahaina fire victims. We recommend our local businesses, who we have come to know over the years. Legal and proper Vacation Rentals are the backbone of tourism for the island. The hotels have continued to increase their rates and profits. They would tell you that if small owner vacation rentals were eliminated they could pay a living wage. In Maui the resorts are asking \$1,200 per night starting. How can they not pay a living wage now. When Covid hit, hotels furloughed their staff. Our property manager kept staff employed doing projects. If affordable rents are eliminated in the island Middle class tourism will cease to exist. Revenues for each county will drop and the people who live and work on the island will be impacted.

On a personal level, our unit is a large part of our retirement plan. If we can't generate revenue from the rentals we will actually lose some of our nest egg. Further, if we then have to sell our property, it is certain the value will drop and we could lose equity that will irreparably damage our retirement.

I ask that you consider grandfathering the Minatoya List and protect your law abiding taxpayers.

SB-2919-SD-2

Submitted on: 3/13/2024 11:15:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Keesler	Individual	Oppose	Written Testimony Only

Comments:

March 13, 2024

Mike and Terry Keesler

8 Plumeria Place Lahaina HI 96761

Local Full Time Residents in Lahaina and owners of a condo at Papakea Resort on West Maui.

RE: SB-2919 Oppose

Aloha e Committee and Mahalo for reviewing this testimony:

Since the day of the wildfires on August 8th, our lives have not been the same in west Maui. The day after the fire, we took fire victims into our home and sheltered them and comforted them as best we could. We still provide help and aid to this day. We also have an Airbnb condo and used it to house a family right after the fire for a short period of time at no cost to them or the county of Maui or the state of Hawaii, in other words it was out of our pocket. This is what we do here as Ohana.

But giving it for free or taking less than what it takes to continue owning our condo is going to force us off the island. This condo which we worked for and saved for and purchased as a condo-tel is part of our retirement and is what we need to sustain our future. Our condo also provides other locals with work, which includes cleaners, maintenance which is needed for short-term renters, along with constant upgrades which help local retailers. Stopping our short-term rental will also mean a reduction in the number of employees at Papakea which will put a direct hardship on these employees families and could cause them to lose their homes.

I am not a writer, and I am sure I have left a lot of potential harm this bill will do to families that are barely making it with short-term rentals, especially those of us that live right here on Maui. Taking away from us and the real probability of having to move off island is making my family feel that the Wildfire is still burning and is going to burn our Ohana down. You are swapping one disaster for another.

Sincerely

Mike and Terry Keesler

Regarding the proposed SB2919, I would like to submit my comments and testimony in opposition.

My understanding of the finding from the Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu, No. 22-cv-247-DKW-RT (D. Haw., 2022) was that it was unequivocal about the prohibition of thirty- to eighty-nine-day home rentals, or the advertisement of such rentals, in any district on Oahu.

Given this finding, it needs to be retained in any legislation that might alter it. My reading of the current proposal is that this would not be the case.

I fully support enforcement actions against illegal Short-Term Rental operators. I support every effort to properly enforce a 30-day minimum. This is where any potential legislation should be targeted, not with methods such as being proposed, which would have significant economic impact on both the local economy and property values in Waikiki.

There are people on Oahu who need rentals of less than 180-days. I have had a number of renters who were on work contracts of less than 180 days, were moving/renovating their house and needed an interim place to stay, family/military connections needs, etc.

These people didn't need or want or couldn't afford to stay at hotels for the period of time they needed accommodation. Hotel accommodations do not provide 'home' amenities that are available in a condo rental. There should be an option for them to stay at condos less than 180 days with affordable rates. This benefits Hawaii's economy.

There are many people who want to 'snowbird' for 1-3 months in warm places like Waikiki. Such people are NOT 'vacation' renters. They would stop coming to Hawaii if their only choice was a hotel. As they are 'living' in Waikiki for this period of time they need the additional amenities for such a length of stay and the hotel costs for such a period of stay would be prohibitive. These people also bring substantial benefits to Hawaii's economy.

If the 90-180 day restriction from the current injunction were removed by the provisions in this bill, it would significantly affect both my current day income and the market value of my property. It completely oversteps the market conditions that existed when I purchased my property.

Waikiki is unique as a successful tourism destination, with many local businesses, restaurants, and shops that depend on tourists, both week stay 'vacation' ones and month+ stay 'visitor' ones. There need to be options to accommodate this. The Hotel Industry cannot be the only option.

Sincerely,

Robert Griffith

2140 Kuhio Ave

Aloha,

I am writing to express my strong opposition to Bill SB2919 and its potential repercussions on various job sectors, specifically those associated with the hospitality industry. This bill, if enacted, will have far-reaching implications beyond what may be implied on the surface.

One of the primary concerns lies in the adverse impact on employment opportunities, affecting crucial roles such as housekeeping staff, maintenance workers, painters, plumbers, electricians, and reservations agents. These professionals play a vital role in sustaining the functionality and appeal of our local accommodations and tourism industry.

Housekeeping staff, responsible for maintaining the cleanliness and comfort of lodging facilities, would face potential downsizing or reduced work hours, directly affecting their livelihoods. Maintenance workers, painters, plumbers, and electricians contribute to the upkeep of properties, ensuring they meet safety and quality standards. The passage of this bill may lead to decreased demand for their services, jeopardizing their job security.

Furthermore, reservations agents, who serve as the frontline representatives of the tourism sector, might experience a decline in opportunities due to potential decreases in the number of available accommodations. This would have a cascading effect on the entire local economy, as tourism-related businesses heavily rely on a robust and thriving hospitality sector.

It is crucial to consider the interconnected nature of these professions and the broader implications of any legislation affecting the tourism industry. I urge you to carefully evaluate the potential consequences of Bill SB2919 on jobs, businesses, and the overall economic landscape before making any decisions.

Thank you for your attention to this matter. I trust that you will consider the diverse perspectives of those whose livelihoods are intricately linked to the success of our local hospitality sector.

Sincerely,

Sam

SB-2919-SD-2

Submitted on: 3/13/2024 11:28:34 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
TERI HILL-MCINTYRE	Individual	Oppose	Written Testimony Only

Comments:

I am writing to voice my opposition to SB2919. I feel that this bill will not only affect myself and my family but will also affect the overall economy of the island. I feel that terminating all STRs is very short sighted and is not going to solve the housing crisis that Maui County is facing.

I have been coming to the Hawaiian Islands since the mid-80's I have had the opportunity to visit Oahu, Kauai, the Big Island and Maui, and Maui stole my heart. We were fortunate to have the ability to use short term rentals when we came to the islands over the years. This has allowed us to travel with family and friends and not break the bank. The two times we stayed in hotels the cost was exorbitant.

We made the decision in 2017 to purchase a property that had been in the short-term rental market for almost 40 years in South Kihei, Kamaole Sands. This complex was built in the early 80's with the plan of being a "resort" complex. We rent our unit for approximately 8 months of the year, and we stay there for 4 months of the year. The rental income pays for the general upkeep of our unit, property taxes, HOA fees, Hawaii Electric, Hawaii, GET, TAT and Maui TAT and on island property management (including housekeeping). Without this income we would not be able to cover our expenses. We have been happy to pay double the property tax with the understanding that this money would be helping the residents of the island. We were also happy to see the extra 3% tax for Maui with that money going to housing for residents. However, we have been very disheartened to see that that is not what has been happening.

Since purchasing our unit, we have worked with a cadre of local businesses to upgrade our unit and furnish it as well as on island property management. Some of the businesses include IQ Construction – who subcontracted with local plumbers, electricians, drywallers, painters, etc., Certified Air, Lifestyle Maui Furniture, Exclusively Yours & Ceramic Tiles Plus, U'I Gallery, Valley Isle Lighting, Arrow Glass and Mirror, Jurassic Stone, Pacific Source, and many other businesses over the years. Our on-island management is Vacation Maui, which is locally owned and operated, not a management company that is part of a national conglomerate.

With the bill that have been introduced regarding the abolition of STRs the hotel industry has been all in on supporting these bills. I have sat in Zoom meetings that have taken place at both the State and County level, and in one of the hearings a hotel representative talked about if short term rentals were abolished, they would be able to pay their employees more and guarantee more work. I find this interesting. In the time we have owned here we have met a couple of different hotel managers, and they were new to the island, not a local who has worked in the industry and then put in that position. Hotels are large corporations that are worried about their bottom dollar, not about hiring local people and tradespeople and paying a fair wage. They have a lot of big dollars behind them for media campaigns and the promise of support of local politicians. Short term rentals are based on supporting the local economy. We work with small business owners and promote local family-owned restaurants and businesses to our guests.

This bill would negatively impact my family. We purchased our unit as part of our retirement planning. Without the ability to use our unit at a STR it would become almost impossible to pay the large monthly HOA fee and the doubled amount of property tax that we pay. Also as an investment if STRs are terminated, the value of our property would fall significantly.

SB-2919-SD-2

Submitted on: 3/13/2024 11:30:05 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
marilyn jansen lopes	Individual	Oppose	Written Testimony Only

Comments:

I oppose any zoning changes or in amortization on my bed and breakfast upcountry Maui because it is my only source of income. It is different than rentals where the owners live out of state and are using property specifically as a short term rental. As a A bed-and-breakfast, the owner is required to live on the property and this is my primary residence. I oppose phasing out bed and breakfast where homeowners live on the property adjacent to their bed and breakfast. We contribute to the local economy, our guests contribute and we pay taxes accordingly. Thank you for considering that local homeowners should not have to give up their businesses.

SB-2919-SD-2

Submitted on: 3/13/2024 11:47:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dora Sialana	Individual	Oppose	Written Testimony Only

Comments:

I'm against this bill, and here's why:

1. **Misplaced Priorities:** It's crucial to tackle the issue of illegal Short-Term Rentals (STRs) first and foremost. Before diving into other housing matters, we need to ensure that illegal rentals are addressed effectively.
2. **Permitting Problems:** One of the main barriers to housing construction is the cumbersome permitting process. We should prioritize streamlining this process to encourage more housing development.
3. **County's Focus:** Allowing counties like Maui to prioritize the elimination of all STRs over other housing needs is concerning. It seems shortsighted and could have negative repercussions.
4. **Affordability Issues:** Legal STRs are often out of reach for ordinary residents due to their luxury status or prime vacation location. This exacerbates the affordability crisis we're already facing.
5. **Unsuitability for Long-Term Housing:** Legal STRs are typically not designed for long-term residency. They lack essential amenities and come with hefty additional fees, making them unsuitable for permanent housing solutions.
6. **Economic Consequences:** Banning STRs would not only lead to job losses but also reduce much-needed tax revenue that funds affordable housing initiatives. Instead, it might result in vacant properties or be snapped up by out-of-state investors, further exacerbating the housing crisis.

Overall, this bill fails to address the root causes of the housing problem and could have detrimental effects on both affordability and economic stability.

SB-2919-SD-2

Submitted on: 3/13/2024 11:48:31 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Howard Herzenberg	Individual	Oppose	Written Testimony Only

Comments:

I wish to testify against SB 2919. We have had a condo in Waikiki since 1984. We love it. We visit once or twice a year. Our children and grandchildren also visit and stay there every year. When we aren't there we rent out the unit and we have a short term use certificate. We could not have afforded to buy the unit if we couldn't have been able to rent it out short term when we weren't there. Many other people do the same as we do. We and our guests pay transient occupancy and real estate taxes. When we need to have our unit cleaned or repaired we hire local workers. All the workers in the Waikiki Banyan buildings owe their jobs to the needs of the buildings. Also the security guards, maids, handymen, painters. Also the providers of furniture, linens, laundry, etc. So many people are supported by the rental activities in the building. I think we should continue with the Short Term Rental Permits and allow us and others to continue our short term rental while continuing to support the economy of Hawaii. Thank you for your consideration. Howard Herzenberg

SB-2919-SD-2

Submitted on: 3/13/2024 11:48:31 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Howard Herzenberg	Individual	Oppose	Written Testimony Only

Comments:

I wish to testify against SB 2919. We have had a condo in Waikiki since 1984. We love it. We visit once or twice a year. Our children and grandchildren also visit and stay there every year. When we aren't there we rent out the unit and we have a short term use certificate. We could not have afforded to buy the unit if we couldn't have been able to rent it out short term when we weren't there. Many other people do the same as we do. We and our guests pay transient occupancy and real estate taxes. When we need to have our unit cleaned or repaired we hire local workers. All the workers in the Waikiki Banyan buildings owe their jobs to the needs of the buildings. Also the security guards, maids, handymen, painters. Also the providers of furniture, linens, laundry, etc. So many people are supported by the rental activities in the building. I think we should continue with the Short Term Rental Permits and allow us and others to continue our short term rental while continuing to support the economy of Hawaii. Thank you for your consideration. Howard Herzenberg

SB-2919-SD-2

Submitted on: 3/13/2024 11:50:00 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Portia Igarashi	Individual	Oppose	Written Testimony Only

Comments:

Our retirement years living on Kauai depend on the income we receive from our vacation rentals on Kauai. We bought and built our home and guesthouse here because the property was zoned for vacation rentals. Allowing the county the power to eliminate the vacation rental zoning would amount to a taking of our property in that the value would plummet along with our means of being able to live on Kauai. Please do not do this. Our vacation rentals provide an alternative to hotels; many many family are able to stay in a nice home and have wonderful experiences that they cannot get in a hotel. Please do not destroy vacation rentals and therefore give the hotel industry a total monopoly of the vacation housing industry in Hawaii.

SB-2919-SD-2

Submitted on: 3/13/2024 11:51:33 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Biederman	Individual	Oppose	Written Testimony Only

Comments:

As retired husband and wife we would be devastated if this bill passes. We have saved our whole working life to buy our condo on Maui. We could not afford to keep it without the income we get from our wonderful guests. We have some who have rented from us for over 10 years. We pay our taxes faithfully every month to the County. How would the County survive without the income from STR's. Because we have family staying at our condo during the year we could not use the FEMA program but rather we have made a sizable donation to the Red Cross designating Maui relief. We have no washer and dryer, no A/C, very little closet space and 2 flights of stairs to the bedroom so it would not be a suitable place for a long term rental. SB2919 is not your answer to the housing problem on Maui. Please don't take our retirement vacation home away. Mahalo

SB-2919-SD-2

Submitted on: 3/13/2024 11:51:49 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie Hall Morin	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I have owned a vacation rental in an ag-zoned neighborhood that happens to be oceanfront. I have followed every rule along the way and paid every tax, permit fee, etc. I am surprised to see this bill being introduced to take away the privileges of those who have complied with the county's regulations. Many repeat visitors love East Hawaii and the STVR experience of vacationing here. We employ several maintenance workers who thrive on our shared success. I urge you to do the right thing and stand by the permission granted to serve in this way.

Mahalo,

Stephanie Hall Morin

SB-2919-SD-2

Submitted on: 3/13/2024 11:52:09 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
kageki yamasaki	Individual	Oppose	Written Testimony Only

Comments:

I oppose to this bill of eliminate for STR because I believe it would not to good effect for Hawaii in the future between both Hawaiians and global investors.

SB-2919-SD-2

Submitted on: 3/13/2024 11:55:05 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Rogers	Individual	Oppose	Written Testimony Only

Comments:

We strongly oppose this bill. We have had a licensed bed and breakfast in Haiku,, Maui since 2012. Our workers depend on the jobs we provide for their livelihood. This business allows us to afford to keep our home. Many local businesses in our area also benefit from the business we send them. There are already many local laws and regulations that adequately govern our businesses. This bill is targeting small locally owned mom and pop businesses that keep and spend their money in Hawaii unlike the big corporate hotel chains that send profits back to the mainland.

SB-2919-SD-2

Submitted on: 3/13/2024 11:55:23 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kai Akana	Individual	Support	Written Testimony Only

Comments:

The State has been restricting STR to the point that it infringes on people's property rights as well as imposing fines without due process.

there should be rules regarding noise and neighborhood disturbances but that should be the extent of it.

I am a Kapuna and a widow trying to survive in Hawaii. If they're going to be restrictions, kama'aina and people living in the house or apartment should be exempt from restrictions.

It would be more reasonable to place restrictions on foreign owners. We understand that the hotel lobby is the main funder of these restrictions.

Should the state be protecting big non-Hawaiian corporations? No!!

Please support homeowner rights.

Aloha

March 13, 2023

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

Our names are Patrick and Laura Frambach and we own a condominium at the Papakea resort on Maui and we appreciate the opportunity to provide written testimony opposing SB 2919.

Papakea is a property that is 46 years old and was initially sold as vacation rental property. This property has never been workforce housing and therefore was never converted from workforce housing to transient vacation rental use. Its location is such that it is part of a section of hotel-zoned and multiple commercial properties. Due to the age of the resort, day to day operations require extensive maintenance and unsubsidized long-term rental rates would not come close to covering the costs of special assessments, mortgage payments, property taxes and insurance which means that Papakea would not make a good option for sustainable long-term housing!

The resort employs 35 island residents and relies on a variety of local professionals to provide such services as pest control, plumbing, electrical HVAC and tree trimming. And as owners, we rely on many small businesses owned and operated by local residents to keep our condo up and running, and thereby boosting Hawaii's economy. This includes our property management company, the independent housekeepers that they hire, our handyman, along with upholstery and carpet cleaning services.

As Papakea resort owners, we also provide payment of property taxes, Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax, which in turn helps support the State of Hawaii and County of Maui. And, as guests of Papakea visit the island, they in turn support restaurants, grocery stores, island adventures and shopping which fuels small, local businesses.

For the reasons mentioned above, we OPPOSE SB2919, and urge the committee to vote NO on this matter.

Thank you for your time-

Patrick and Laura Frambach

OPPOSITION TO BILL SB2919

This bill will impact us as owners of a short-term rental, possible put us in foreclosure of our property along with many other short term rental owners.

This bill could result in the phasing out of 13,744 LEGAL short-term rentals on Maui. This can change the future of Maui forever.

- Limit the number of tourists that come to the island
- Decrease jobs on the island, most tourist related jobs
- Restaurants would close their doors, more jobs lost
- Maui's short-term rentals provide 40% of real property tax revenue for the county as well as being the top funding source for affordable housing for Maul.
- Short term rental property tax revenue represents 18% of the county's 1.7-billion-dollar budget. Where will that revenue come from?
- Short term rentals house many that are coming to Hawaii to visit family, traveling nurses, emergency contractors, temporary military, students, family & friends.
- Taxes such as GET & TAT will be greatly reduced
- The Cities, Counties, and State will lose so much money

Please vote no on Bill SB2919

SB-2919-SD-2

Submitted on: 3/13/2024 11:58:31 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Juliana Cherry	Individual	Oppose	Written Testimony Only

Comments:

SB 2919

I oppose SB 2919 because it could have a grave impact on my life. It seems that the proposed legislation SB 2919 has picked up last year's HB 84. We understand that there are people not following the rules already set forth for short-term rentals, and we support enforcement of the rules. However, the following provision is excessive and seems to go against the historical practices of "grandfathering" in non-conforming uses. This is not the way to solve housing issues and the hotel industry should not receive favoritism. Our tourist industry would suffer.

We have a vacation rental with a legal non-conforming use permit and we live on the property in our ADU apartment. My husband and I have lived in Kauai on this property for over a dozen years and we are retired in our mid/late 70s. We cannot live on Social Security alone. The income from the vacation rental is necessary. We have planned and arranged our lives counting on the fact that we are operating under the guidelines set forth by the county and state. We know there are many people, younger and older than us, who live on Kauai and have similar situations where they count on income from short-term rentals. This bill would be a huge impact on ourselves and many others.

The other aspect of the situation is that many visitors prefer to have more of a local experience rather than staying in a hotel or resort. We have hosted many multi-generational families who are happy to spend the day exploring our island of Kauai and then be able to return to a comfortable "home away from home" where they can prepare a meal and play games together or watch TV. And yes, this is a more affordable option for a family of 5-8 people. Is the state of Hawaii trying to discourage the common man, the little people, from being able to travel to and enjoy our blessed islands?

We hope that the state and counties can honor the arrangement made through the process of "grandfathering in" many vacation rentals and not cut off a flow of money much needed by residents of the Hawaiian islands. Plus the fact that the short-term rentals are a source of revenue via GE & TAT taxes and state income tax. We urge you to vote NO on SB 2919.

SB-2919-SD-2

Submitted on: 3/13/2024 12:00:13 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Cherry	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE SB2919

I have been the owner of a non-conforming use vacation rental since 2005. I have always complied with local Kauai requirements regarding our rental, including paying a large annual fee to the county. If SB 2919 is passed and our rental can no longer be rented to transient vacation guests the retirement income of my wife and I will be severely impacted. The grandfathered-in clause in our legislature is meant to protect the constitutional rights of the owner by preventing him or her from being deprived of the viable economic use of their property. SB 2919 if enacted would do just the opposite of the intended tenets of the Grandfather Clause.

To Whom It May Concern:

I would like to offer my testimony for SB 2919. However, I am forced to do so anomalously due to the stories many of us have witnessed and heard of how when a TAR host has attempted to voice their concerns they were then misinterpreted and suddenly became directly targeted by the Hawaii County Planning Department which became a threat to the livelihoods of those directly and indirectly involved.

Sadly, I know many TAR hosts or locals (*housekeepers, landscapers, and maintenance workers*) will not present their testimonies due to this very real fear so many of us have that the council that represents us does not listen (*as have been very present with Councilperson Kimball during the development of this bill – “don’t bother trying, it will just fall on deaf ears” is a common comment*) and/or the ramifications that will happen if we do speak up regarding our concerns.

I do hope that the present Council will listen to the people they represent and review the majority of opposition this Bill has generated since its conception.

Myself and most TAR owners understand the real situation and that new strategies need to be established for a better future for Hawaii and its residents.

All we ask is to work *with* us. Not *against* us.

Please do not pass this Bill, at this time, as it is. So many residents and their families will lose BOTH immediately and long term because of it and not solve the real problem.

UPDATE: as of 3/13/24 I know of five more local families who have been here for four or more generation all have to leave Hawaii due to losing their jobs as housekeepers, landscapers etc due fear reactions from TAR closing their vacation rental prematurely due to the threat of this bill. The frustration of locals is 1) your ‘solution’ is causing them to lose their jobs and 2) the vacation rentals are not being converted to help locals. Due to the squatter rights in Hawaii owner such as myself will avoid renting to locals at all costs and instead 1) keep vacant 2) make available only to owner’s family 3) offer only to out of state people wishing to move to Hawaii.

Please take the time to listen, really listen to what we have to offer to help you solve this problem for the long term.

A win for you. A win for us. A win for all Hawaii residents is possible.

Aloha,

One of many concerned citizens of Hawaii.

1. This is testimony is against SB 2919
2. My TAR is in the South Kona District.
3. The income from my TAR has allowed me to maintain my property and pay taxes and establish enough supplemental income that I have been able to put money back into the local community including providing income to multiple service providers (*housekeepers, landscapers, maintenance workers etc*), so they and their families may continue to live and grow up here in Hawaii.

After speaking with my workers about how SB 2919 will significantly reduce or **eliminate TARs to make more housing available** for them... which also **means eliminating their jobs** as housekeepers, landscapers, and maintenance workers.... **they are very scared!**

SB 2919 approach that is presented in an attempt to solve a problem, will instead, create many more problems in its wake. Sadly, many locals are unaware this will happen to them and/or they are scared to speak up to the Council about how this Bill directly hurts them much, much more than helps them.

4. This approach will generate more unemployment...
 - *Creating any situation that reduces TARs or require TARs to convert to LTR will immediately eliminate 1000's of local jobs (housekeepers, landscapers, and maintenance, property caretakers etc) that locals and their families depend on to survive here. Without these jobs these people will lack the ability to afford to live here and ultimately be forced to leave the island, as so many have already.*
5. This approach is attempting to force LTR prices to be reduced...
 - *which, research will show that prices will not reduce or be reduced enough to make any significant or insignificant difference to the current situation.*
6. This approach is attempting to increase the number of long-term rentals...
 - *I know I am not alone when I say a majority of us will **NOT convert from TAR to LTR**. We would rather keep our units vacant and establish other sources of income than shift to LTRs. **The list of risks including financial is just too great with LTRs here in Hawaii due to current Tenant/Landlord laws.***

THE REASONING:

- Originally, I had LTR. I did not want to deal with the complexities of TAR. However, after the continual negative experiences of having LTR dominating and the ongoing real threat of non-paying tenants taking advantage of the ease of leveraging Squatter Rights here in Hawaii, and tenants not respecting other basic county laws i.e sound ordinances, health, safety, occupancy numbers, and the difficulty we as Landlords face trying to enforce these due to current tenant rights... I converted over to TAR.

- Having LTRs I not only lost income, but I also still had to pay the utilities consumed by the non-paying tenants while waiting to move through the long legal and costly eviction processes. In the end I was unable to recoup any of the lost income and utility costs consumed by this financial resource. A LTR is a significant financial burden that most will not return to until the tenant/landlord laws are drastically changed.

NOTE: Additional risks of LTR and why most will not convert their TARs and will choose vacancy instead:

- i. From first-hand experience, the chances and risks are very high for renting to local long-term tenants who does not choose to have a standard of living that motivates them to care for their environment, follow health and safety codes, maintain construction to code nor respect the current quiet hours.
- ii. With LTR tenants I had more issues with tenants hosting unapproved parties with other local families and friends not honoring the 10pm quiet hours and disturbing neighbors. When forced to involve the police to manage the tenant. In retaliation, the tenant compromised both health, safety, and construction codes that due to current tenant laws made it almost impossible for me as a landlord to enforce until after the eviction which took many, many months to achieve.
- iii. Long-term tenants exceed, without approval, the agreed or legal number of occupants by bringing friends and/or family to live with them and compromising both health and safety codes.

The bottom line due to current tenant rights the chances of having tenants that will violate basic renter standards are too high and the ability to enforce any health and safety codes and avoid property damage or neglect is very, very difficult.

For most of us who have additional units, the risks of maintaining LTR are too high and converting is not a viable option. If forced out of TAR business these units will remain vacant, and will only produce a greater loss for everyone.

The majority of the solutions presented needs to be revisited and other options considered and presented. As currently presented it will not solve the problem. Instead, it will generate more problems in both the short and long term for both the local people it was intending to help and the long-term sustainability of the economy of Hawaii.

Thank you for your time and for considering the considerable amount of negative ramifications this Bill will present both immediately and over the long term to those it is attempting to help.

Sincerely,

A concerned citizen of Hawaii.

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I OPPOSE SB2919, SD2.

We have been coming to Maui and Papakea for over 40 years and have been owners at Papakea for 13 years. We have experience as both renters of units at Papakea and many other resorts and now as owners. We purchased our Maui home as we love Maui and feel connected to the community.

We completely renovated our unit when we purchased it which provided employment and revenue for many local contractors and their employees. We continue to invest in our Maui home with everything from installing air conditioning to purchasing furniture and appliances as they need replacement. We also employ a management company who oversee our maintenance, housekeeping etc. which also helps provide local employment. All of this contributes to the Maui economy.

The Papakea resort was built in 1978 and was initially marketed and sold as vacation rental property. It has 364 condos most of which are under 600 square feet.

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors; highlighting any specifics about service providers that you rely on.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

Papakea guests support many small businesses on the island included restaurants, food trucks, tour operators, state parks, the national park, and shops.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE SB2919, SD2.

Respectfully submitted,

Robert & Ramona Wakefield

Owners of Papakea E-207

SB-2919-SD-2

Submitted on: 3/13/2024 12:00:56 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
mark Warren	Individual	Oppose	Written Testimony Only

Comments:

After travelling to Oahu for over fifty years I find it hard to imagine not being able to find short term accommodation due to this bill SB2919 eliminating the small number of available rentals that currently exist.

Certainly tourism is a major driver to the Oahu economy but not everyone can afford luxury hotel accommodation yet spend a lot of money on their short term stay with other expenses while here.

thank you for your attention to this and hopeful that common sense will prevail.

kind Regards

SB-2919-SD-2

Submitted on: 3/13/2024 12:05:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrick Francis	Individual	Oppose	Written Testimony Only

Comments:

The proposed bill SB2919 sd2 poses a grave threat to our community by authorizing counties to phase-out short-term rentals in any zoning. This shortsighted approach fails to acknowledge the immense value that mid and short-term rentals provide to Oahu residents and visitors alike.

Let's consider the facts: Short-term rental accommodations have served as vital housing options for a diverse range of guests, including families, military personnel, government contractors, and medical professionals. These guests contribute significantly to our local economy, supporting businesses and injecting revenue into our community. Moreover, their presence has had zero negative impact on our condo communities; in fact, short-term guests support the vibrancy of our neighborhoods and businesses alike.

By providing guests with the option to stay in a "home away from home" rather than an expensive hotel, short-term rentals offer a net benefit to Oahu. They bring revenue, support local businesses, and provide a more affordable and comfortable alternative for visitors. The notion that short-term rentals disrupt local communities is unfounded and based on exaggerations of rare incidents where a visitor may not conform to community expectations.

It's crucial to recognize that arguments against short-term rentals are often driven by interests within the hotel industry, seeking to protect and expand their own market share. These arguments lack substance and fail to acknowledge the positive contributions that short-term rentals make to our community.

Rather than stifling a thriving industry that benefits Oahu residents and visitors alike, we should focus on responsible regulation that balances the needs of our community with the economic realities of our island. SB2919 sd2 would only serve to undermine this balance and must be opposed to ensure that Oahu continues to thrive as a welcoming and vibrant destination for all.

SB-2919-SD-2

Submitted on: 3/13/2024 12:05:51 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Matt Hubner	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Members of the Housing and Tourism Committees,

Thank you for the opportunity to provide feedback on SB 2919 SD2. I oppose this bill and ask you to defer it on the grounds that amortization of a residential use of a property as identified by the federal government would be a taking and therefore unconstitutional. Adoption of this bill would result in litigation and lost time and money that could be used to put toward developing housing solutions. Identical bills to this one have come up nearly every legislative session for the past decade and all have been deferred. Phasing out of vacation rentals will not eliminate vacation home ownership, nor will increase affordable housing. This bill would only serve to single out one class of citizens for restrictions while benefiting another industry by eliminating its competition. Please oppose this bill. Mahalo for your consideration of my testimony.

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I **OPPOSE** SB2919, SD2

My name is Maureen Donohue and my husband and I own a property at the Papakea Resort. I'd like to thank the committee for the opportunity to testify about this bill.

The Papakea Resort has operated for almost 50 years and consists of 364 individual condos. It is located next to a long stretch of hotel-zoned properties. Papakea employs about 35 local residents, some of whom I have watched grow from entry-level positions to supervisory roles. This property was marketed and sold as vacation rental property and has never been workforce housing. So it is not a property that converted from workforce housing to transient vacation rental use.

In its regular operations, the Papakea Resort supports many local trade professionals including plumbing, electrical, propane, HVAC, tree trimming, and pest control. These operations require extensive regular maintenance. This costly maintenance combined with the financial support of the staff makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. The Papakea relies on short-term rental revenue to support these costs and would not be able to cover all its costs under a long-term rental rate structure. And it's very likely a large number of staff would lose their jobs.

The short-term rentals at Papakea support a large number of small businesses in the Maui community such as housecleaning, handymen for repairs, drapery & window cleaning, plumbers, electricians, contractors, and on-island property managers just to maintain the properties from month to month. Shutting down short-term rentals could put these folks out of business.

In addition, as owners, we regularly spend at furniture stores, with contractors for renovations, and at hardware stores. And of course we and our guests support a multitude of restaurants, retail shops, and on-island activities. This kind of spending is critical for the Maui economy. It was evident what the pandemic and loss of guests visiting the island did to local businesses who are still struggling to survive.

Lastly, short-term rentals support the State of Hawaii and County of Maui through payment of property taxes (at our short-term rental rate), Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax. I would imagine losing this tax base would severely impact future needs in Maui and the state.

For these reasons stated, I **OPPOSE** SB 2919, SD1 and respectfully urge the committee to defer it.

Thank you for your consideration.

Maureen Donohue, Papakea Resort Owner

SB-2919-SD-2

Submitted on: 3/13/2024 12:10:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Heritage	Individual	Oppose	Written Testimony Only

Comments:

This is overstepping by the State Government and would damage the tourist economy in a big way.

SB-2919-SD-2

Submitted on: 3/13/2024 12:11:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andre Chabot	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my wife and I are 69 years old plus we have a 40 year old disabled son. We live in Puna near Kehena Beach. We are retired and receive some social security but we mainly rely on money from our vacation rental to pay for health insurance , food, transportation and pay property taxes. My son lives w/ us and we take care of him. He would be homeless if he didn't live with us and would probably die on the streets. He helps us clean the rentals and we give him a little money to buy what he needs. Without our little vacation rentals, we have no idea what we would do. We think our little vacation rental helps the community too because we attract a lot of people WORLDWIDE to come to the area and they spend LOTS of money at local restaurants and stores in Paha.

Our guests don't bother anyone in our area and do a lot of good for the economy around here. In addition, we pay lots of taxes to the state every month and that ranges from \$2000 - \$3000 every month.

We also keep the area clean up and down the street by cutting grass and picking up trash at the Kehena Beach We give back to the community as well by hiring Gardners and handymen to help out.

Please please don't take our livelihoods away from us. Our little business is good for our remote community.

vote no on this bill. It will hurt us!

kind regards

Susan and Andre

808.937.7897

SB-2919-SD-2

Submitted on: 3/13/2024 12:11:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret DeStefano	Individual	Oppose	Written Testimony Only

Comments:

I am a resident of Lahaina and currently work for a property management company that manages short term vacation rentals. I am concerned that the rezoning of the STVR units will result in a loss of jobs for not just people like myself, but all that we employ to help us as well, i.e., vendors, cleaners, contractors, etc. who all make their living from the STVR industry. My husband lost his job when the art gallery on Front Street in which he worked burned down. Now, I am facing the very real possibility of losing my job as well.

The reduction of STVR's will also have a negative impact on our tourism, which in turn will affect the rest of the small businesses who rely on tourists to keep their doors open.

I do not understand why the government of Hawaii decided to try and use STVR's in the first place to house the displaced families. In doing so, it has upset not only the short-term rental market, but also the long-term one as well. With FEMA offering \$7500 for a one-bedroom apartment, landlords of long-term rentals are evicting their tenants to get the higher rent. So, the government is essentially displacing families to place displaced families.

I believe that if the government had made a decision to bring in modular homes - which they are now doing - right after the fire happened, every family displaced by the fires would have already been relocated.

I am not in favor of rezoning popular resorts such as Papakea in order to fix a problem that only creates more problems. Why can't the government simply allocate more land for affordable housing instead of trying to convert units that don't really accommodate families, i.e., no closet space, no storage, no parking.

Thank you for letting me express my concerns and opposition to this bill.

SB-2919-SD-2

Submitted on: 3/13/2024 12:14:39 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brad Fieldson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I Strongly oppose bill SB2919. . There are so many reasons but here are the most important ones. This bill hurts me personally. I have co-workers and Family who come to Hawaii for 3 to 6 weeks at a time. They don't want to stay in a hotel room where they can't cook, and keep their families together. Also, are you really trying to put thousands of employees who work in the Short Term industry out of work? Is that your goal? Cleaners, managers, maintenance staff, etc. These people all vote!! What will happen if there is another Marco Polo type or Maui type disaster. Where are these people going to find a home, not a hotel room, to stay? This Bill will do absolutely nothing to help with affordable housing. People then asked themselves who benefits from such a decrimating bill? The lobbyists and off shore hotel owners I would have to guess. I can understand that out in the single-family home communities, STR's could use some guidance. Let the counties enforce the laws that they already have.The condominiums and condo-tel buildings have house rules that regulate how the units can be rented out or not at all. They don't need help from any government agency trying to run their buildings. Please step back for a moment and consider, that how this bill is written today, how obviously discriminating the bill is and the enormous negative impact it would have on the thousands of residents and families who work in the STR industry. Not to mention the negative impact to tourist, the loss of GET and TAT and other taxes to the city and county. I ask that you please do not move this bill forward. Vote **NO**.Thank you for reading my testimony and considering its content.

SB-2919-SD-2

Submitted on: 3/13/2024 12:14:42 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Hori	Individual	Oppose	Written Testimony Only

Comments:

To: Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members. My name is Jim Hori and my wife and I are owners of a short term rental (STR) in Kihei. The reason that I am writing to you today is to testify in oppositon to SB 2919. We are long-time owners and have been loyal visitors to Kihei for over 30 years. We love the island of Maui and all it represents. During the time that we have owned our unit, we have had the pleasure of hosting many visitors to Maui. We have a book in our unit for folks to make comments and it is heartwarming to read these comments and stories. They talk not only about the special memories that were created but also the ability to come to Maui on a reasonable budget. The ability to make meals for your family, park your car without having to tip a valet, having snorkeling and beach gear available, and many more things that contribute to making those memories happen. Without STRs, hotels will price to demand, and you will sadly price out many visitiors. Also, there are many residents that are dependent on STRs for their livelihood, there will be thousands of job lost if this bill passes. Taxes will be less, budgets will be difficult, and even occupations that are not related to tourism or STRs will be negatively impacted. It is not lost that housing is an issue but I believe more discussion, and more incentives to build long-term affordable housing, should be given more time. The devastation to the lives and to the economy of Maui cannot be understated, but this bill will hurt more than it helps. There is no doubt that in-time Maui will need tourism to come back, and STRs will be a key part of that comeback. Please vote against SB 2919. Thank you for your time. - Mahalo, Jim Hori

SB-2919-SD-2

Submitted on: 3/13/2024 12:15:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Aimee Agnew	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB2919. We purchased our proeprty in a zone that was and still is labeled as a transient property. We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local resdidnts that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a govenerment can come in and simply override a property that we purchased under a certain agreement and understanding. Please do not proceed with this bill. Please oppose it.

SB-2919-SD-2

Submitted on: 3/13/2024 12:15:24 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam Tamayo	Individual	Oppose	Written Testimony Only

Comments:

I want to express my opposition to this. I understand there are many moving parts to any housing shortage. In my view, visitors in the way of the tourism industry strengthen an economy in levels of excess as compared to what the results of this proposal would impact. I believe there are parallel paths to meet the needs of housing the people of Maui and the islands in whole while also sustaining the very large economic benefit it creates to residents livelihood. I own a condo along the coast, that has long been used as a vacation rental. The team of local companies and contractors used to maintain the unit, reunit the unit, and so forth are substantial. There are a large number of residents who have build their way of life, their ability to raise their families, stemming from this vacation industry in which short term rentals play a major role. We are all productive contributors to the economy, help share the culture and experience of Hawaii with the world, using our housing units to rent to visitors. The units also come in hand for local events, tragedies, black swan events, etc. They have many uses. Hawaii has a substantial revenue stream coming from Hawaii visitors that are will and have long been willing to pay additional taxes and fees for the privilege of visiting. This is a unique ability of the state of Hawaii. I can't imagine the destruction of the local economy should this segment of the economy get altered. Thank you for the opportunity to share my thoughts.

Regards,

Sam Tamayo

Aloha Chair, Vice Chair and Committee,

My name is Amber Peterson and I live and work on the Island of Maui.

I am writing in opposition of this bill and all future bills that attack the use of legal vacation rentals. My family has owned and operated a vacation rental home in Kihei since the 80's. The upstairs is a rental unit and the downstairs is housed by my husband, myself, and our son who attends Maui High School. Having the rental upstairs has made it possible for my family to live and survive in Maui. It has always been a family home. My husband and I both work multiple jobs to afford to live where we do. We choose to live in Maui.

I was a flight attendant for United based in Seattle, Boston, and Chicago... affordable housing was a problem in all these cities 25 years ago. I shared a unit with 15 other flight attendants to afford to have a roof over my head. The lack of affordable housing is everywhere.

In addition to managing our home, I clean vacation rental units. I have a client in Wailea who sold a property in Cape Cod in December and bought the 3 cheapest condos in Kihei/Wailea that he could find in January 2024 to avoid paying taxes (1031 exchange). **This is the problem!!!!** Condos are first-time homes. They are the most affordable units. But people coming from the mainland are scooping them up as soon as they hit the market and driving prices up. He has no intention of living in Maui, just making money here. Go after the units that are not owned or occupied by people living and working here. That was three units priced from \$500,000 to \$600,000 taken away from local families.

When my family and I travel we always rent homes on VRBO or AirBNB. We live all over the US and when we travel, we like to stay together. We couldn't afford 5 hotel rooms and eating out all the time. By pushing bills like this you are hurting families and ultimately hurting tourism.

I saw on the news last night that the State and Counties must cut spending by at least 10%, why are you even pushing bills that take away from generous tax dollars? Our home in Kihei has flooded 3 times from poor planning and drainage coming from upcountry. My husband is a contractor in Maui, it takes multiple years to get a building permit. Permitting should not take so long. Most families that lost their homes in Lahaina were renters... they need a permanent home. Build affordable housing neighborhoods on the West Side and quickly. And **future** condos should not be vacation rentable.

Let the counties enforce the laws that they already have in place, let us move forward not backward. My family has been dealing with the threat of taking our business away for generations. Let's make buying on Maui less desirable for non-residents, leaving real estate for locals.

Mahalo for your time,
Amber Peterson

SB-2919-SD-2

Submitted on: 3/13/2024 12:16:17 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Agnew	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB2919. We purchased our proeprty in a zone that was and still is labeled as a transient property. We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local resididnts that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a govenerment can come in and simply override a property that we purchased under a certain agreement and understanding. Please do not proceed with this bill. Please oppose it.

Gregg Leitz

Owner, Papakea Unit C105

Lahaina, HI 96761

Re: Opposition to SB2919, SD2

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

We are extremely compassionate to all who have lost their homes due to the devastating fires in Lahaina and the resulting need for housing. We are personal friends with many homeowners, renters, and business owners who lost everything to it. However, I don't believe that the spirit of this bill accomplishes the longer-term 'good will for Hawaii' as it is intended. In fact, this bill could have extraordinary unintended consequences, as I outline below.

As a homeowner at Papakea Resort and customer to many of the local business owners, there is no doubt of the negative impact this would have on the resort and surrounding community. Aside from the state and county STR tax revenues that are currently generated, the resort brings thousands of unique visitors per year that contribute millions of dollars annually to the local economy of car rentals, crafts people, local restaurants, souvenirs, tours, etc.

While those with longer stays would still contribute to the economy, it is very likely they would not spend as much as those who are vacationing here. In fact, the longer-term residents would likely be dependent on these incomes, given most of them would be working in the service industry. It seems that the bill would not accomplish the very problem it is trying to solve.

Papakea has complied with the Short-Term rental process for nearly 50 years and aside from the revenues mentioned, it has offered a true ohana experience to all that have visited. That experience is supported through the high HOA fees that as owners, we have agreed to pay to support the 13-acre property, seawall, adjoining canal and beginning this summer, a \$32 million project to upgrade our interior plumbing. If Papakea is affected by this bill, these types of maintenance simply would not be afforded, as it is a high percentage of that STR revenue that provides the income to pay for it.

In addition, the association offers employment to 35 residents, some of whom have worked here 15 years. These people, as well as cleaning and maintenance companies will be impacted.

We have met many returning ex-Hawaiian residents that choose Papakea for their short term visit. They come to support family and friends, even more so since the devastating fires of Lahaina. They specifically mention the ohana appeal that Papakea provides, as opposed to some of the big-name resorts that cannot compare.

In addition, many of our visitors have supported local volunteer organizations, such as the Kahana Gateway food distribution (operated by GEM), and others. Personally, we promote this on our welcome package and our guests who have utilized the opportunity are thankful for it.

For the reasons stated herein **I OPPOSE S.B. 2919, SD2 and urge the committee to defer it.**

Mahalo for your time and understanding,

Gregg Leitz

SB-2919-SD-2

Submitted on: 3/13/2024 12:16:56 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Moss	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB2919. We purchased our proeprty in a zone that was and still is labeled as a transient property. We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local resididnts that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a govenerment can come in and simply override a property that we purchased under a certain agreement and understanding. Please do not proceed with this bill. Please oppose it.

SB2919

Tyler Baker here,

Local resident, business owner, and employer. My short term rental provides for my family and creates many jobs with local vendors. Cleaners, plumbers, handymen. I also generate large revenue monthly for Maui County through collecting GET and TAT taxes.

Regarding the Lahaina housing issue. Are you aware that over 1000 STRH owners have offered up their homes to victims? Do you know that there are less than 500 families still waiting for housing?

Are you aware that the 3 vendors that the state hired to find housing for the victims are so overwhelmed with people offering housing to victims they don't even have time to get back to the property owners that are offering? I have contacted them to offer up my property and it has been weeks and they haven't got back to me because they are so overwhelmed with property owners trying to help.

Leave us legal short term rental owner, local residents, law abiding tax payers alone.

SB-2919-SD-2

Submitted on: 3/13/2024 12:17:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randall Moss	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB2919. We purchased our proeprty in a zone that was and still is labeled as a transient property. We are a 5 star, law abiding short term rental property that provides an affordable place to stay for local residnts that need to travel between islands and different areas of Oahu as well as folks visiting the island for work or pleasure. We work with local cleaning crews, contractors, and property managers and help provide a form of income for locals. I do not see how a govenernment can come in and simply override a property that we purchased under a certain agreement and understanding. Please do not proceed with this bill. Please oppose it.

SB-2919-SD-2

Submitted on: 3/13/2024 12:20:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gordon Lindquist	Individual	Oppose	Written Testimony Only

Comments:

Any attempt to give counties the ability to further restrict STVR or TAR will have a devastating effect on my wife and I who as Kapuna rely on the income from our vacation rentals as our retirement plan. If restricted we would be forced to sell our property and move to another state on the mainland where individual property rights are honored and valued.

Our support personnel such as cleaners and landscapers would lose their income. Some work 2 jobs including cleaning just to survive.

Finally many of our guests who can't afford the higher prices of hotels and resorts will not come. There would be a loss of over 20k a year in taxes. Local business will suffer as tourists will not come because they can't pay resort prices.

Please consider the economic losses that both individuals and local businesses will suffer.

SB-2919-SD-2

Submitted on: 3/13/2024 12:21:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maya Myers	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to Hawaii County Bill SB2919 SD2

Aloha Council Members,

As a lifelong resident of Hawaii, I am deeply concerned about the potential impacts of Hawaii County Bill SB2919 SD2 on our community. This legislation, under the guise of addressing affordable housing concerns, could result in significant economic loss and emotional duress for many families who depend on vacation rental income to make ends meet.

I urge you to consider the following points:

1. **Lack of Evidence:** Hawaii County has conducted no studies, engaged in no research, and retained no consultants to evaluate the impact of this legislation. It is imperative to engage in an open public process to thoroughly investigate the consequences of the bill to make informed and fair public policy decisions.
2. **Economic Impact:** This legislation will cost hundreds of families their livelihoods, upend families, eliminate jobs, and potentially lead to significant suffering. With the tourism industry being a primary source of income on Hawaii Island, it is crucial to protect the rights of homeowners to participate in the tourism economy. Every single one of our service providers live and work in Lahaina.
3. **Accessory Dwellings:** It is important to note that regulating vacation rentals while simultaneously planning to make it easier to build accessory dwellings presents a false choice. Encouraging new construction without destroying the livelihoods of many families is possible and can contribute to increasing the housing stock without causing significant economic loss.
4. **Loss of Tax Revenue:** Maui's STR's provide 40% of the Real Property Tax revenue for the county, as well as being the top funding source for affordable housing for Maui. Without this source of tax revenue, where will the much needed tax revenue come from? It's evident that phasing out legal STR's will further delay affordable housing projects on Maui, compounding the problem even more so.

I oppose this legislation across the board as it is a solution in search of a problem and will have widespread negative impacts on local families, employees, and service providers. I urge you to carefully consider the voices of those who will be most affected by this bill and work toward solutions that benefit the entire community.

Mahalo for your attention to this matter.

Sincerely,

Maya Myers

750 Kai Hele Ku St

Lahaina, HI 96761

SB-2919-SD-2

Submitted on: 3/13/2024 12:21:56 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
hayden pogni	Individual	Oppose	Written Testimony Only

Comments:

3/13/2024

Aloha,

I oppose SB 2919. I lost my B-2 Zoned Legal Vacation rental and my wife’s salon in the fire.

This constant abuse towards Legal Vacation Rentals is not based in logic. It is based on a narrative to cover up the stringent zoning laws Maui County continues to enforce that plague Maui’s people. The reason we do not have enough housing is because Duplexes are basically illegal on Maui, ADU units are impossible to get permitted, every main house on Maui can only have one stove, Ag lots can only have One main house, One Ohana and One non-livable Barn And no tiny homes on Ag lots! Its hard to believe that this county will not let tiny homes on Ag lots that are 1 to 5 acres. I would have spent \$70K to put a tiny home on my lot to house a displaced family but the Planning dept said If I did, they would fine me. To further the narrative, the county is constantly saying “vacation rentals are everywhere”, well total Homes that are permitted Legal Vacation Rental on Maui is only 164 out of 72,927 homes according to the Census. That means that STR homes are .003% of all Homes on Maui. This is not the reason for the housing shortage. Numbers don’t lie.

However, on the flip side: Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. The STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

STR’s constitutes for 80% of the roads budget. Jobs are provided by legal STR such as cleaners, handymen, electricians, plumbers, landscapers, AC service providers and much more. In addition, they ARE LEGAL BUSINESSES!! I know allot of STR owners and they are

hardworking, local families. They spent their life savings on a business that was approved by our government and now it is being threatened by the same government that approved it. Hawaii is at the very bottom of the Business Friendliness scores. We score F in all the surveys that are conducted nationally. This is an insult to all businesses on Maui, what business are you coming for next? Maui residents should not have to constantly stress that their rights are being taken away at a time like this. We should be thinking GROWTH, not coming up with draconian measures to restrict, bankrupt and demean hard working local business owners. Instead of this waste of time we should be doing everything we can to help the people that lost their homes in the Lahaina fire BUILD BACK FAST!

SB-2919-SD-2

Submitted on: 3/13/2024 12:23:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ka'eo Keeling	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Respected Members of our Hawaii Senate,
Please accept this letter as my VEHEMENT OPPOSITION to Senate Bill 2919 (SB2919). I cannot support this bill due to the many violations of both US Constitutional and Hawaiian Constiutional Rights and the proposed detrimental impact on property rights and its violation of long established legal principles.

SB2919 specifically targets existing transient accommodation uses in residential and agricultural zones for amortization, a process that phases property owners out of their legally protected property rights. This targeted approach not only poses a threat to property values but also creates devastating ambiguities that hinder future planning and investment that is critical for Hawaiian property owners, and violates legally protected rights under both the The Constitution of the State of Hawaii and under the Constitution of the United States of America.

Violation of Hawaii State Constitution Article I, Section 5 Erosion of Property Values:

The failure of SB2919 to provide explicit future legal protections for homeowners' property usage rights directly contravenes the Hawaii State Constitution's Article I, Section 5, which ensures the protection of private property. Additionally, SB2919's lack of clarity violates homeowners' rights to clear and predictable laws governing property rights, as guaranteed by Hawaii Revised Statutes (HRS) § 91-1.5. This failure to provide adequate legal safeguards is a particularly egregious oversight for Hawaiian property owners, considering that the average home price is \$1,075,000 as of today, March 13, 2023, and any investment in Hawaii, particularly an investment of an average of over 1 MILLION DOLLARS, should be fiercely protected.

**Violation of US Constitution Amendment 14 Article Article I, Section 10, Clause 1
Violation of Contracts and Equal Protections:**

SB2919 violates our the 14th Amendment of the US Constitutionally protected right to property protection and equitable treatment under the law. Targeting transient accommodation owners in creating zoning laws that only pertain to TAR's and agricultural land is illegal under the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution which prohibits states from denying any person or property equal protection under the law, yet this proposed SB2919 illegally discriminates against Hawaiian property owners engaged in lawful transient accommodations use of their property, violating this legally protected status.

SB2919 is a Direct Violation of the 14th Amendment of the US Constitution Article I, Section 10, Clause 1: "No State shall enter into any Treaty, Alliance, or Confederation... or pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts."

In addition to prohibiting states from enacting bills of attainder and ex post facto laws, the 14th Amendment of the US Constitution seeks to protect private property rights from state interference by limiting the states power to enact legislation that alters existing contract rights. Amendment Fourteen of the Constitution Contract Clause makes it illegal for any State to pass any Law impairing the Obligation of Contracts.

The Supreme Court has interpreted this clause to limit a state's power to enact legislation that: "breaches or modifies contracts or regulates contracts between private parties".

When entering into a purchase contract, potential buyers rely on clear legal framework to assess the long-term viability of their financial and property investment and the state cannot SB2919 introduces a cloud of uncertainty, leading to a substantial decrease in property value and directly violates Article I, Section 10, Clause 1 of the 14th Amendment of the US Constitution. In addition to prohibiting states from enacting bills of attainder and ex post facto laws, the Constitution seeks to protect private property rights from state interference by limiting the states power to enact legislation that alters existing contract rights. This Constitution's Contract Clause provides that No State shall pass any Law impairing the Obligation of Contracts. The Supreme Court has interpreted this clause to limit a state's power to enact legislation that: (1) breaches or modifies contracts or regulates contracts between private parties.

When entering into a purchase contract, potential buyers rely on clear legal framework to assess the long-term viability of their property investment.

SB2919 introduces a cloud of uncertainty and illegally introduces ex post facto laws (laws after-the-fact) that removes legal property zoning designation usage rights, and amortizing (phasing out) zoning classifications that are protected in the original Purchase Contract at the time of sale is illegal.

SB2919 substantially changes property usage which substantially changes the integrity of the property at the time of signing the contract, which substantially changes the availability of the property on the free market, which substantially changes the monetary value and investment of the property, all of which are all a direct violation of legally protected rights in Article I, Section 10, Clause 1 of the 14th Amendment of the United States of America Constitution.

Violation of the Fifth Amendment Due Process Clause and The Takings Clause:

The United States Constitution also protects property rights through the Fifth Amendment of Due Process Clauses and more directly The Takings Clause which states: nor shall private property be taken without just compensation.

SB2919 violates this legally protected right by taking the value of the property from the owner through this proposed legislation which illegally leaves the property owner without the protection of the Constitutionally protected takings clause that protect the economic value of the protected property.

Contradiction with Established Precedent:

SB2919 violates the well-established principle of Due Process which guarantees fair notice of the law's application and the property owners ability to plan accordingly. By introducing ambiguity around the future zoning of transient accommodation use, SB2919 unilaterally deprives and circumvents the property owners legally protected rights of the crucial ability to make informed legal and contractual decisions about their protected property at the time of entering into the purchase contract.

The lack of protections in SB2919 is not only constitutionally illegal, it also prohibits the property owners the ability to plan for the future, thereby creating significant and devastating financial losses for the Hawaiian homeowner.

SB2919 is illegal and violates our Hawaiian Ohana's protected Constitutional rights and cannot be moved forward.

With Much Aloha and Great Respect,
Ka'eo Keeling

SB-2919-SD-2

Submitted on: 3/13/2024 12:23:47 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David W Medina	Individual	Oppose	Written Testimony Only

Comments:

As a resident of Lahaina, I am deeply concerned about the potential impact of SB2919 on our community. If this bill is passed, it will not only threaten the economic stability of many local residents who rely on vacation rentals for their livelihood but also the availability of temporary, furnished housing for those affected by crises like the Lahaina fires.

The proposed bill unfairly empower counties to phase out short-term rentals, potentially eliminating a significant source of income for many families. Additionally, it could retroactively change the rules, further complicating the situation for property owners who have made investments in their communities based on the legal right to rent their properties.

We must address the housing needs of our community without jeopardizing the economic well-being of local residents. I urge our lawmakers to reconsider the potential impact of this bill and work towards solutions that support both the housing market and the livelihoods of our neighbors.

Sincerely,

David Medina

Lahaina

SB-2919-SD-2

Submitted on: 3/13/2024 12:24:37 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Fletcher	Individual	Oppose	Written Testimony Only

Comments:

Aloha State Legislators and thank you for your work.

I own two condos in Honokowai and on Aug. 19, 2023 I began renting, at a huge discount, one of my condos to displaced residents (their relative from the mainland was my vacation guest the month before the fire so they had my direct contact info). I'm now renting the condo long-term to a displaced family who lost 3 homes in the fire (I'm paying \$14,000 to have A/C installed for them, also paying my on-island property manager a 'retainer' of \$500 monthly to help soften the loss of regular housekeeping income for vacationers). Personally, I am very happy to help everyone, all while I must pay attention to my own financial standing as I'm a primary caregiver of 2 family members, including my brother with Glioblastoma (terminal brain tumor/cancer) – I had to retire from my “9 to 5” job to care for him, knowing I was having to now count entirely on my condo rental income to survive. Finally, I wanted to respectfully call to your attention the high costs I and other condo owners are facing to pay for mandatory sea wall and sinkhole repairs on our property, as well as extensive plumbing projects to replace pipes from the 1970's. My homeowner's fees increase annually (now \$2100 and \$1700) and I just can't fathom my HOA fees are now like a second mortgage payment. I just don't see how the proposed legislation will add affordable housing - condo ownership is not sustainable for me if I'm not able to rent as vacation rentals and if I had to rent as a long-term rental, the monthly rent would be astronomical for me to just pay the condo bills. If I sold the unit to a current resident, it doesn't seem sustainable for them to pay a mortgage and crazy HOA fees, plus there's no storage or reliable parking. I worry about the potential look of disrepair on some of these resorts too if some upkeep has to fall through the cracks due to such high costs. Thank you for your consideration.

Mahalo, Jill Fletcher

Kathleen Gildred

I'm the owner of Hale Alana Vacation Rental in Maui Meadows. We've been permitted since 2002, and in those 22 years, we've had no complaints or problems with our neighbors.

Our guests have told us they would not stay in a hotel. They come for a private experience, and would only want to come to Maui if they can stay in a beautiful home. We provide a quality, private accommodation that makes people want to come back over and over again. And, these are people who contribute significantly to commerce on Maui. Also, we have been able to house families who have been displaced by the wildfires.

If short term rentals were discontinued, it would mean less jobs for property managers, cleaning and maintenance people who we hire to continually keep the house in top shape for our renters. On a regular basis, we employ at least 10 people and a half dozen more temporary workers throughout the year. Specifically:

- Housekeeping staff
- Pool maintenance
- Yard maintenance
- Property managers
- Handymen

And others as needed.

We at Hale Alana alone paid over \$40,000 in state and county taxes last year. A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state's economy and sustained 46,000 jobs. There would be a substantial loss to the Maui county revenue without short term rental property tax. Maui's STRs provide 40% of the real property tax revenue, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will all that revenue come from if STR's are discontinued?

On a personal level, it's important for me to be able to come to my home in Maui. I'm an environmental consultant, and through the years have done much to ensure the sustainability of Maui, including producing an environmental report of the island that was used by Mayor Apana to improve the effectiveness of programs in waste management, energy, etc. I've initiated an agricultural program that identified and connected organic farmers in the Hawaiian islands, which started farmers markets and brought the Hawaiian Organic Farmers Association to Maui. I've worked with local organic farmers to determine how it would be possible to grow enough food to feed the people of the island with locally grown organic produce. I'm very dedicated to ensuring the sustainability of the island, however, I'm not currently able to live there full-time. It's important to me to have my home as a vacation rental so that I can be there part time.

Mahalo for hearing my testimony.

Kathleen Gildred
Hale Alana Vacation Rental, Maui Meadows

SB-2919-SD-2

Submitted on: 3/13/2024 12:39:06 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marie Preitauer	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to SB2919

I am writing to express my strong opposition to SB2919. As a long-time visitor and property owner in Hawaii, I have personally witnessed the positive impact of short-term vacation rentals on the local and state economy. My husband and I have owned two properties on Maui for over 17 years and have contributed to the economy through county and state taxes and job creation. We pay our taxes every single month, and have always been properly licensed and registered. We are just one example of the countless property owners who are positively contributing to Hawaii's economy through short-term vacation rentals.

The proposed SB2919 creates a state-wide framework for heavily regulating vacation rentals, including pre-approval for all listings, exorbitant fines for non-compliance, and granting counties the ability to phase out non-conforming use certificates. This bill not only infringes upon the economic rights of property owners, would likely result in massive litigation, and also poses a significant threat to the livelihood of many families who depend on income from vacation rentals to make ends meet. In fact, the industry paid over \$720 million in taxes last year and employed more than 49,000 people at wages averaging \$40/hr.

Moreover, the detrimental impact of this bill extends beyond property owners. It will also affect car rental companies, cleaning companies, maintenance companies, tour operators, restaurants, and local retailers, leading to a broader negative impact on the state's economy.

I urge you to oppose SB2919 and work towards a solution that addresses Hawaii's housing shortage without penalizing small vacation rental operators and jeopardizing the state's economy. Let us find a balanced approach that supports the interests of property owners, sustains local economies, and ensures the availability of temporary housing for residents and visitors alike.

Mahalo for your attention to this matter. I trust that you will consider the far-reaching implications of SB2919 on our communities and our state.

Sincerely,

Marie Preitauer

303-249-8402

SB-2919-SD-2

Submitted on: 3/13/2024 12:40:04 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
megan arita	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Megan Arita, and I am a local resident, short-term rental property manager, and realtor in Hawai‘i. I am writing to express my strong opposition to SB2919. As a representative of the vacation rental industry, I have witnessed firsthand the significant impact that this bill could have on the livelihoods of many residents, including myself.

The vacation rental industry provides essential income opportunities for individuals and families involved in various aspects, from cleaners to reservationists. These are hardworking people who rely on the income from this industry to support their families and livelihoods. If SB2919 is enacted, it will create insurmountable challenges, jeopardizing the financial stability of countless individuals and families who rely on the vacation rental industry for their income.

I stand with the members of the vacation rental industry and urge you to reject SB2919. This bill poses a significant threat to the economic well-being of our community and will have devastating effects on the individuals and families who rely on the vacation rental industry.

Mahalo for your consideration of the potential hardships that this bill will create for the residents of Hawai‘i.

Warm regards,

Megan Arita

SB-2919-SD-2

Submitted on: 3/13/2024 12:40:15 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jon Wimber	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2919

SB-2919-SD-2

Submitted on: 3/13/2024 12:41:32 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Magdalena Odonnell	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill being passed. Not only it will ruin the lives of many workers such as management companies, cleaners, handymen, and more, but it's not fair toward property owners that have property rights. Please do not destroy our island and the lives of many people even more! By passing this law many people will lose their stream of income.

SB 2919 IS BAD FOR MAUI

I have been legally renting a vacation rental in Ka'anapali for almost 40 years. This allows my many return guests to enjoy the beautiful island of Maui over and over again. The taxes on their visits are reported monthly, with the revenue going to the respective municipalities. That is a huge source of income for Maui.

This bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui.

Short Term Rentals provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. That would be a big hit to the budget if no more tax revenue.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. I personally have housed families whose homes were lost in the fire in my vacation rental.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB-2919-SD-2

Submitted on: 3/13/2024 12:47:48 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie Ringstad	Individual	Oppose	Written Testimony Only

Comments:

My name is Leslie Ringstad and I want to thank the committee for the opportunity to testify about thisbill SB2919.

Background on Papakea:

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea’s Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea’s resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
- Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents,

and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
- Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
- Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. They support fundraising efforts, cultural programs and environmental programs.

For the reasons stated herein **I OPPOSE SB2919, SD1** and urge the committee vote **no** on this matter.

Respectfully submitted,

Leslie Ringstad

SB-2919-SD-2

Submitted on: 3/13/2024 12:48:33 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kirsten Carlson	Individual	Oppose	Written Testimony Only

Comments:

Aloha! I'm opposed to [SB2919, SD2](#) . My name is Kirsten Carlson and I'm a full-time Real Estate Agent with LUVA LLC. I don't understand why the Hawai'i Legislature wants to take away my rights on how to use my property by eliminating or phasing out Residential Non-Conforming Use Permits. My Mother built our vacation home for her retirement income and to pass along to me to use in the same manner. I rely on the rental income besides staying at my vacation home and have calculated my retirement based upon this income for when I retire next year. The vacation home was built in 2008 and has been a vacation rental property since Sept. 24, 2008 thru VRBO. I continue to follow the County rules with my STVR & NUC permit renewals and paying fees to stay current. If I miss my renewal, I understand I could lose my STVR & NUC permits, that alone stresses me out. Plus, isn't that already a way to keep the NUC permits in check and over time eventually eliminate some of the NUC permits? Why give the County the right to eliminate these permits at free will by taking away our free will to use and enjoy our properties? I hope the Legislature takes all the residents that currently rely on their permitted vacation rentals and follow the County rules into consideration when they vote on this bill. I also currently live as a primary resident in Kealahou, HI and need this vacation rental income to offset the high living expenses here. Plus, I employ other neighboring families to maintain and clean my Vacation Rental home. If you take away my current use of my property, you take away income from other families. It's just not right! I hope the Hawai'i Legislature does not pass this Bill.

105 Grand Drive
Remuera
Auckland 1050
March 14, 2024

To Whom It May Concern,

Regarding the proposed Bill SB2919, I oppose this Bill for the following reasons:

My husband and I and our wider family have travelled to Honolulu a number of times over the past fifteen years, for a few weeks at a time, to visit family and enjoy a vacation. When we come we book and stay at a privately-owned condo in Waikiki managed by a resort company. As my husband and I are retired we travel on a budget, and cannot afford the room-only prices charged by Waikiki hotels with their added resort fees. Our choice is for short-term condo rentals with kitchens, so that we can cook our own meals on our holiday.

We could not afford to stay for more than 30 days in a rental condo, so a 3-month stay would be out of the question. We believe there should be an option for tourists like us to stay at private condos for short visits at affordable rates

There are many tourists like us who require budget accommodation for stays of three-weeks or less. This benefits Hawaii's economy as my family and I shop for food, groceries and consumer goods while we are in Honolulu and always try to purchase local produce and Hawaiian-made gifts. We also hire rentals cars and visit cultural sites and performances on Oahu, and when we return to New Zealand have always presented Hawaii in a positive light as a very enjoyable and affordable holiday destination to our friends and acquaintances.

This proposed restriction on short-term rentals means that my husband and I would not be able to visit Hawaii as often or for as long as we have in the past, for the cost would be prohibitive.

Susan Potter

SB-2919-SD-2

Submitted on: 3/13/2024 12:57:11 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
pat weber	Individual	Oppose	Written Testimony Only

Comments:

Our cleaning lady is concerned you will destroy her job and many others as you support the **BIG OVER PRICED HOTELS**. Don't forget average workers **VOTE**. Your **ACTIONS** have **CONSEQUENCES** average Maui workers do not want.

1, This bill will put many Maui residents out of work: cleaning businesses, office staff, managers, and rental businesses of 13,744 legal short-term rentals. These tourists will not be coming to Maui because they cannot afford the high price hotels that support your destructive ideas.

2. It will hurt small businesses and restaurants that these average-income tourists support.

3. You will lose tax money that has been a top funding source of affordable housing.

4. How many people can you house in Kihei Kai Nani's 180 621 sq. ft. condos?

5. What happens to our renters from So. Dakota and Canada who have bought their airplane tickets for next Nov., Dec., and Jan. trips to Maui?

Many owners know nothing about this bill and have not had the opportunity to comment. We just learned of it this afternoon from our cleaning lady.

Please let counties enforce the laws they have.

Get small homes and trailers that would be better than 621 sq. ft.

Thank you,

Pat Weber

Condo owner for 40 years

SB-2919-SD-2

Submitted on: 3/13/2024 1:01:02 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ben Jackson	Individual	Oppose	Written Testimony Only

Comments:

- **SB2919 SD1 aims to expand county zoning powers to phase out transient accommodations, dictating the timing, use, and duration of land and structural uses.**
- **The bill's broad zoning powers could negatively affect the housing market and economy by stifling housing growth with additional regulations.**
- **Despite the intention behind SB2919 SD2, changing zoning powers might not effectively eliminate short-term rentals due to ongoing legal protections for property rights. Courts have recognized pre existing uses as vested rights protected by due process under both Hawaii and U.S. constitutions.**
- **The assumption that phasing out short-term rentals benefits the economy lacks support; a 2020 study for the Hawaii Tourism Authority showed short-term rentals contributed \$6 billion to the state's economy and supported 46,000 jobs.**
- **The study also found that 30% of visitors would not have visited Hawaii without the option of home and vacation rentals, suggesting the removal of STRs could harm various tourist-focused businesses and employment in sectors such as car rentals, restaurants, and maintenance services.**
- **Recent U.S. Supreme Court decisions (Tyler v. Hennepin County and Timbs v. Indiana) have upheld property rights against government regulations, indicating potential legal challenges to SB2919 based on property rights protections. Given the legal and economic uncertainties surrounding SB2919's approach to regulating short-term rentals, we recommend that the Committee defer the bill.**

SB-2919-SD-2

Submitted on: 3/13/2024 1:04:12 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Colin Redekop	Individual	Oppose	Written Testimony Only

Comments:

Good Day,

My name is Colin Redekop. I own a condo at Haleakala Shores in Kihei. I purchased this condo in 2021.

My family and I first visited Maui in 2014. We had a terrific time and were left with memories that will last a lifetime. We wanted to continue to make those memories with other family members and close friends. Over the next several years, we saved money and made plans to make more frequent visits to Maui. We visited with some friends with the dream of purchasing a unit. After a couple of years of searching our dream became a reality.

Over the last 3 years, we have made many trips with friends and family. Some who have made the trip for the first time and others who go as often as they can.

Every trip we make, we invest in upgrades. We have reinvested all of our profit (plus some) back into our condo. We ensure we employ local trades people, purchase appliances from locally owned businesses and decorate using local artisan pieces. We research local companies who provide vacation services such as zip lining, trips to Mokolini and tours. In turn we recommend these vendors to our family and friends.

The only way we can afford these experiences is by renting when we aren't visiting Maui. We purchased the condo (at a premium) with the knowledge that it could be used as a short term rental.

Maui's Short Term Rentals (STR) provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Thanks for giving me the chance to submit my testimony.

Colin

SB-2919-SD-2

Submitted on: 3/13/2024 1:04:17 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeff Gress	Individual	Oppose	Written Testimony Only

Comments:

I oppose regulations to STR properties in Waikiki. When I was a student at UH Manoa I was fortunate enough and had the foresight to invest in a condo to live in while attending college. I chose to purchase in Waikiki due to the flexibility of use and ability to rent the unit short term as I joined the workforce here in Hawaii, thereby allowing me to stay in Hawaii. I invested into the property for that reason rather than a larger residence I would be able to grow into and start a family. It is unfair to revoke the usage rights for a building built for rentals especially in a neighborhood like Waikiki where it does not displace residents nor create a nuisance to others. I respectfully suggest the consideration of those who have made sacrifices to invest in properties built with STR intentions.

SB-2919-SD-2

Submitted on: 3/13/2024 1:05:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Oswald	Individual	Oppose	Written Testimony Only

Comments:

3/13/2024

Aloha Honorable Senators:

Respectfully and urgently requesting that you vote AGAINST SB 2919 SD2 as written.

Our State government authorizing our local government to purposely eliminate all LEGAL Short-Term Vacation Rentals is a violation of the compact between responsible citizens and their government.

This is because it SOLELY punishes GOOD citizens: STR-owners who are law-abiding, rule-following, and most importantly - tax-paying.

STR-owners did not create the affordable housing shortage, and it is outrageously unfair that we are being blamed for it.

Benefits of the STRs to Hawaii are many: taxes paid, visitor dollars attracted, affordable nearby accommodations for Hawaii-residents' visiting family members.

If the purpose of SB 2919 is to continue the throttling of "overtourism", then we testify now that the goal has already been met – without SB 2919. Tourism IS now reduced; our future bookings are down by well-over 50%. "Mission accomplished."

Perhaps the purpose of SB 2919 is to "never let a crisis go to waste", meaning use the Lahaina Fire and subsequent increased affordable housing shortage for the political goal of eliminating perceived STR-competition for the well-connected resort industry.

If so, then this letter is futile because SB 2919 – "Revenge of the Resorts" - is already bought and paid-for. (But we optimistically hope that is NOT the case!)

The irony is that we, the STRs, are NOT competitors for the resorts.

Were all STRs to go away, our visitors will NOT simply switch accommodation-types and book at a resort, because STR-visitors do NOT want a resort experience. They will change to a

destination that offers what they want in another tropical venue. And there are LOTS of good choices other than Hawaii that are also less expensive.

Final point against Passage of SB 2919: It will induce a smug, “Told you so!” response from the underground, unlicensed, and ILLEGAL STR-owners because none of this affects them. They will remain happily un-taxed, unregulated, and operating in the shadows.

What to do? Here’s a “single stroke of the pen” means of allowing many thousands of potential long-term rental units to enter the market: Simply remove the building code rules that limit single-family residential dwelling structures to ONE kitchen.

Many Hawaii homes have attached Ohanas that could be truly independent dwellings – except they’re not allowed to have a full kitchen. Changing that rule would bring about an immediate increase in available long-term rental units, without any government “taking” of property.

Pssst... BTW – this is widespread anyway. Attached Ohanas are rented out long-term, and the tenants live without a full kitchen, cooking on hotplates, etc. Not at all a “dignified” housing situation. Allow attached Ohanas to have full kitchens!

On a personal note: Our Maui Bed & Breakfast is our retirement plan. SB 2919 and the subsequent loss of that modest income will end our dream of living in Hawaii – it will be back to the mainland for us. And it also means loss of income for the six LOCAL individual cleaners we part-time employ.

And BTW again: Our governor’s oft-repeated statistic that STRs are SIX-times more profitable than long-term rentals is a ridiculous exaggeration. There’s more to it than comparing nightly rates.

And we wonder why no one begrudges a resort charging a rate MANY times higher than long-term rentals.

After all, according to the Governor:

It's OK to compare long-term rental rates to STR rates. ("A is equal to B")

And it's also OK to compare STR rates to resort rates. ("B is equal to C")

We logically know that if $A = B$, and $B = C$, then A is also equal to C .

So it follows that resort rates may also be compared to long-term rental rates. (" $A = C$ ")

And that difference really IS at least 6 times higher!

Yet somehow resorts are entitled to 6X rent, but STRs' much lower rent-multiple is seen as excessive.

Faulty conclusion from a faulty assumption, Mr. Governor.

We'd be pleased to provide details, if interested.

Respectfully urging you to vote AGAINST SB 2919 SD2

With Cheer and warm Aloha,

Robert & Stephanie Oswald

4356 Opana Pl

Haiku, HI 96708

SB-2919-SD-2

Submitted on: 3/13/2024 1:07:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Emi Chiusano	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to SB2919.

My elderly parents are long time residents of Honolulu. They live in a small condominium with no room for me to stay when I visit.

I purchased a unit at the Waikiki Banyan, a condotel so I have a place to stay near them when I visit so I have a place within walking distance of their condominium. With the very high HOA fees at most condominiums in Honolulu, I would not be able to afford to retain the unit without the income from renting the unit.

I stay anywhere from a week to several weeks to take care of my parent's needs and staying in a hotel would be out of the question due to cost and inconvenience.

My parents who are 89 years old would be distraught if I can no longer visit and help them when necessary.

Please reconsider this bill. This law changes how the property can be used as it was originally intended. If I had known such a change may occur, I would have explored other options.

SB-2919-SD-2

Submitted on: 3/13/2024 1:10:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
karin omahony	Individual	Oppose	Remotely Via Zoom

Comments:

Please do Not move this bill forward.

This bill will actually hurt local residents. Local residents like my family rely on legal mid term (30 day) rentals to survive: pay our mortgages, elder care and school tuition expenses.

This actually seems like a set up to force local families who have figured out how to own a home in Hawaii to have to sell to developers. If the minimum rental period can be changed to 90 days or more, we will not have the ability to rent our home to residents in transition, to grandparents visiting their mo'opuna, adult children coming to care for aging parents, construction industry temporary workers, medical industry temporary workers or even house our own visiting Ohana. If we cannot use part of the home we live in as our 3rd job, we could be forced to sell.

Once the legislature passes the bill (SB3202) to increase housing density to 3 homes per 2000 sq feet, the developers will happily displace local families who own their own homes.

Moving forward on SB2919 hurts local residents. Please stop SB2919 now.

SB-2919-SD-2

Submitted on: 3/13/2024 1:11:50 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven K Sneary	Individual	Oppose	Written Testimony Only

Comments:

My Wife and I purchased a small one bedroom condo in 2019 at the Maui Kamaole Resort using my entire 401K for the down payment with plans to move there when our family obligations are no longer required in California. We barely break even on a good year with the mortgage paid to a Hawaiian bank, taxes, HOA fees and insurance from the rent we collect. We travel to Maui and stay in our unit, do repairs, upgrades and enjoy the island twice a year while doing short term vacation rentals through VRBO and guests that rent from us directly to fill in most the rest of the year. We have a cleaner, use a handyman, have had many maintenance issues that directly provide work for locals and the resort HOA employs maintenance workers, gardeners, office personnel and contracts repairs, pest control and others to maintain this beautiful resort. The fact that we can't be there most the year requires us to hire locals to take care of even the smallest things that we would naturally handle if we were there. We and our guests do excursions, dine out and purchase many things on the island from furnishings to souvenirs to gifts to our families. Our home has a lot of artwork made by locals that make our home a special paradise we enjoy and share with our guests that pay exorbitant GE and TA taxes until we can become full time residents. Please consider that we don't have deep pockets like the big hotels and find the characterization Mr. Green states of us is purely insulting. Yes, we are mainlanders for now and all non-native people on the island came from somewhere. My Great Grandparents lived on Oahu and had to move to the mainland following the bombing of Pearl Harbor, which is another tragedy endured by many. The islands have held a special place in the hearts of our family. Our place is small and fully furnished. There is no reasonable space for people to add their belongings. It's setup so visitors need only to bring a suitcase. We are hardworking Americans and are preparing a place in the location we love, with friends we enjoy time with for our golden years.

Please consider this SB2919 to be an unfair treatment to lawful people that bought into Maui with the expectation that the laws in place would continue to be fair, reasonable and predictable as this is our one shot at retiring in Maui and many have their own stories. We struggled to hold on to our place through Covid burning through my pension and now we are being characterized like we are the problem with foul language hate speech. The fire is a terrible tragedy, but we are not to blame for this. Please help those to get their properties back, the insurance paid out and the right to rebuild, so they don't have to pay rent somewhere and mortgage for their rightful homes at the same time. It should be a crime for the insurance to not be paid out by now and all mortgages and insurance premiums should be frozen for these properties until they can be occupied again to start with.

Vote NO on SB2919.

Vote No to discriminating against legal small businesses.

Don't allow more wrongs under the pretense that people like us are doing something sinister and don't accept the ridiculous rhetoric of the price gouging fortunes the little guys like me are supposedly making. It's just not true. The wealthy don't need to rent out their homes to keep them and they don't have to struggle to afford the possibility of someday retiring in a little home in Hawaii.

Don't find unique exceptions to characterize us all. That's discrimination and it's ugly.

Don't let this tragedy be the excuse for the government or a governor to opportunistically take the land and homes from the victims of the fire while destroying small business owners to inflate the earnings of deep pocketed hotels, developers or others under the guise of so called good governance.

Don't endorse unwarranted hate speech as a tool for all these deeds the governor is trying to impose.

Don't let hot headed foul language motivate you. Punctuating a point with an ugly word or phrase like the fecal matter of bull has literally no clear relevant meaning. It is not brilliant, it's just crude. Don't let crude represent what Hawaii is about.

Mainlanders are critical to the vacation centric livelihood of Maui. Don't let this governor categorically isolate Hawaii from the rest of the USA with negativity against Mainlanders. Hate sells, it starts wars, divides countries, and motivates people to do terrible things for the sake of the few selling it while convincing the masses it's for their own good. At best it distracts and buys the incompetent or evil time. We mainlanders, the people of Maui and businesses mutually need to be inclusive, feel safe in Hawaii and even wanted as a whole without losing the shirt on our back.

You have the power to rise above this ugliness starting here by voting NO on SB2919.

This bill makes as much sense as closing family run restaurants purposefully to keep large restaurant chains open because there "are people going hungry". This SB2919 is about "Phasing Out" small businesses instead of declaring an emergency back in August. This clearly shows the target is destroying small businesses and not helping victims when they most needed it. The last Governor made us out to be bad people in his speeches and now the current one is trying to demonize us with this terrible unrelated tragedy as his excuse. Unlike the deep pocketed hotels that have business in many locations throughout Hawaii and in many cases throughout the USA, they don't seem to be targeted like the little guy just trying to do the best he can with the little he's got, like us. We only have one place and losing it means losing it all. Please say no to this by voting "No to SB2919" and other proposals like this.

Mahalo,

Steve Sneary

SB-2919-SD-2

Submitted on: 3/13/2024 1:18:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rick & Nancy McMahon	Individual	Oppose	Written Testimony Only

Comments:

Short term rentals should be an available option for an occupied homeowner/resident and as an alternative for visitors to the islands. However, Non-resident/investors should NOT be allowed to rent short term as they add to a shortage of available rentals and contribute to escalating property market values. The notion the TVU's cause homelessness is unfounded and ill gotten. Local homeowners and families have to rely on subsidizing their limited or lost income due to retirements, divorces, unemployment, medical expenses, emergencies AND the highest cost of living in the country. We believe vacation rentals should be permitted, regulated and taxed BUT not eliminated nor phased out completely. What world do proponents of this bill live in? Have they not traveled off island? You can go almost anywhere and enjoy staying in an ABNB or VRBO, notwithstanding the big hotel companies like Marriott and Hilton offering home stays worldwide and NOT all in resort zoned areas. The state legislature and city officials need to see the compromise that serves ALL of the constituents of the state not just those that lobby with the deepest pockets and cater to those that stomp their feet the loudest. Their is room and money to serve all the interests of the people of Hawaii. We live in a state heavily reliant upon tourism where residents, the city and state can coexist and benefit from this vitally significant economic cottage industry the rest of the world has embraced, reckoned with and found financial and cultural compromises. The state has a financial responsibility to make it work, make it right and make it fair so that residents and visitors alike can show ALOHA the city and state can coexist and benefit from this vitally significant economic cottage industry the rest of the world has embraced, reckoned with and found financial and cultural compromises. The state has a financial responsibility to make it work, make it right and make it fair so that residents and visitors alike can show ALOHA

SB-2919-SD-2

Submitted on: 3/13/2024 1:29:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Valarie Wayne	Individual	Oppose	Written Testimony Only

Comments:

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members - my name is Valarie Wayne and I am testifying in opposition to HB1838 currently for a variety of reasons.

First and foremost, how will the lost tax income be replaced? Maui's short-term rentals provide 40% of the real property tax revenue for the county. Without a substantive plan, this Bill could have unexpected consequences. Additionally, there are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, on-island contacts, etc. This is another unforeseen or undervalued negative consequence if this Bill is allowed to progress. I feel that more research and alternatives must be investigated.

Are we in a housing crisis? Yes, of course. But this Bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires, the devastation of the fires cannot be under expressed. But in our haste to believe what would be a benefit to our community, may ultimately be a hindrance. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state. The thousands of jobs lost will be significant.

Let's continue to brainstorm ways to help those that are in a housing crisis without decimating the livelihood of others. STRs do have positive contributions to our community, yet they are being treated as if they are the main underlying cause of the crisis. This is not true. The average tourist cannot afford the astronomical prices of hotel rooms, they rely on moderately priced STRs to afford their visit. I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community. Thank you for the opportunity to testify my opposition to Bill SB 2919.

Mahalo, Valarie Wayne

SB-2919-SD-2

Submitted on: 3/13/2024 1:32:02 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
JaNell McCullough	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee, Thank you for reading my testimony. I have a short term rental condo on Maui which my late husband and I have owned for 47 years. It has always been rented when we are not there. Due to the high costs and taxes, it is important that I continue to rent it. Please don't take away my income. It feels as though I am being penalized because of the horable fire. That was tramatic for all of us, especally on the West side of Maui

Building the necessary housing for people quickly, seems like a better solution. I appreciate your time.

Sincerely, Janell McCullough

SB-2919-SD-2

Submitted on: 3/13/2024 1:34:40 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elaine Cuaresma	Individual	Oppose	Written Testimony Only

Comments:

Aloha, We were born and raised in Maui. My husband is a retired Maui County firefighter retired due to having a heart attack on duty. Our morgage is 3500 and his Disablity retirement is 1800 .So we had to change our cottage to a legal B&B . It helps us keep our house since he can't work anymore. Its the only way we can stay in our home on Maui ,without this we would have to move to the mainland. We help Maui County and the state with lots of extra tax dollars and keep many employed. We did everything asked of us to be legal. We spend alot more money for Insurance due to the county classfiying us as a commercial property even thou we need to live on property and have lived here on our property for 40 years. Maui needs help right now it is not the time to shorten your tax incomes. All the short term rentals your losing those tax dollars in west maui for units that went into Fema.. Lost of those tax Dollars as well .This county is going to go broke . Mahalo Elaine Cuaresma

SB-2919-SD-2

Submitted on: 3/13/2024 1:36:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Ng	Individual	Oppose	Written Testimony Only

Comments:

This bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui needs all the help it can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

SB-2919-SD-2

Submitted on: 3/13/2024 1:38:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Soo Ng	Individual	Oppose	Written Testimony Only

Comments:

I strongly believe this bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui needs all the help it can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

SB-2919-SD-2

Submitted on: 3/13/2024 1:43:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ALAN KAY NG	Individual	Oppose	Written Testimony Only

Comments:

This bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui and the locals need all the help they can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

SB-2919-SD-2

Submitted on: 3/13/2024 1:45:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracey stefanyk	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose SB2919 as it would be devastating to the economy.

Short term rentals are a solid source of revenue for counties. In Maui, short term rentals provide 40% of the total Real Property Tax collected. This represents 18% of Maui's total 1.7 billion dollar budget, and the largest source of revenue for affordable housing. How would the counties operate with that large a shortfall? If Short Term Rentals were shut down in Maui, it would create an unmanageable loss of revenue for the county.

In addition, short term rentals in Hawaii pay Transient Accommodation Tax (10.25%) and General Excise Tax (5%). Short term rentals in Maui pay an additional 3% for Maui Transient Accommodation Tax, adding millions of dollars to State and County budgets. Losing this steady and reliable revenue would deal a severe blow to county and state budgets.

Short term rentals are also a solid source of income for local families, and in some cases, the sole source of income. I personally know several good, hard-working, local families who rely on income from housekeeping in short term rentals to support their families. There are currently 13 744 legal short term rentals in Maui. If they shut down, it would leave thousands of local families without income.

Many local business also rely on the patronage of guests who chose to stay at short term rentals. There are many restaurants, entertainers, boutiques, gift shops, markets, tours, and rental companies who rely on business from these guests. Many of these businesses would be forced to close if short term rentals were shut down.

Local families who have to travel inter-island for medical appointments and other important meetings rely on short term rentals as the only affordable, comfortable option for accommodation. They simply can't afford the \$400/night plus for a basic hotel with no cooking facilities. The same applies to emergency service and other temporary workers required to do important work on the islands.

Allowing counties to shut down short term rentals is short sighted. It would severely damage the economy through major job losses, business foreclosures, and massive loss of revenue for programs, housing and infrastructure. It also represents gross government interference and overreach on the rights of legal property owners. It's an unsustainable option. A wiser option is to keep short term rentals protected by current laws, protect local jobs, businesses, and the local

economy, and use this revenue to support more affordable housing, services, and programs needed by local residents. Thank you for your time.

SB-2919-SD-2

Submitted on: 3/13/2024 1:46:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Levi Brooker	Individual	Oppose	Remotely Via Zoom

Comments:

After living in Honolulu for a decade, my wife had to move to the mainland for employment, but our dream has always been to find a way to live on Oahu permanently. As such, we purchased in the resort community of Ko Olina because the CC&Rs allow you to rent your home on a 30+ day basis, which we do when we are not there in order to afford the payments. Due to TAT and GET taxes, we don't come anywhere near breaking even on the rental each year, but eventually the loan will be paid off and we will be able to move into the home when we retire in a decade or so.

Over the years, we have provided much needed housing to visiting families of local residents, government workers, military personnel and local families in need of temporary housing, in addition to traditional vacationers who spend tons of money in Ko Olina. In all cases, hotels were not a viable option due to exorbitant price and lack of space/cooking areas that a family needs when they are living somewhere for a month or two.

Oahu has already successfully cracked down on problematic short term rentals, and there are very few legal short and mid term rentals remaining. There is no data showing that resort area homes like mine, which were developed with the explicit right to rent on a 30-day basis, are a problem, and to the contrary, they serve a vital role that can't be satisfied by hotels or long term rentals. We also employ local cleaners and a property manager, while paying 17.75% in taxes to the State and County.

The hotel lobby is **extremely** influential on Oahu politics, and we were beyond relieved when the HILSTRA permanent injunction was put in place, because that meant the State offered us protection against the powerful hotels who will stop at nothing to strengthen their grip on the island. With SB2919, we are now back to losing sleep every night because, if the power to change existing zonings is put in the hands of the Counties, the hotel lobby will never stop pushing on local politicians to take away our property rights.

I see no issue in stamping out short term rentals in areas where they don't belong, but when it comes to resort communities where owners have made a significant financial investment based on the right to lease their home out for 30-days at a time, we are not hurting anyone, and are in fact providing a valuable service that stimulates the local economy in addition to generating tax revenue. If SB2919 passes, we will go back to mom and pop owners with limited resources fighting against the misinformation and propaganda put forth by the hotel lobby. It is obvious that public sentiment is skewed in favor of the non-data-based narrative the hotel lobby / local politicians have put forth, but whatever happens, please make sure the resort community of

Ko Olina is allowed to continue renting homes out on a 30-day basis without usurious taxes, regulations, etc. The owners in Ko Olina have done nothing wrong, so please don't give Honolulu County the ability to attempt a Government Taking for no purpose other than to get votes and backing from the hotel lobby.

SB-2919-SD-2

Submitted on: 3/13/2024 1:46:59 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Ng	Individual	Oppose	Written Testimony Only

Comments:

This bill will create economic distress to the county of Maui. Not only will there be less money coming from property taxes, (short term rentals pay higher property taxes) but also the County TAT taxes that are collected from the short term rentals.. Jobs will also be lost (management companies, cleaners, handymen) that work with short term rentals. Many visitors do not enjoy staying in hotels, they would rather stay in short term rentals so it feels more like home to them. Going after Legal short term rental owners is not the solution to the issues on Maui. Especially after the Horrific Fire in West Maui and the Kula area. Maui and the local people need all the help it can get to rebuild. Cutting off extra revenue to the County will just cause more distress and hardship.. The unemployment rate will also increase due to lost jobs that are associated with Short Term Rentals. Illegal short term rentals are the ones that need to be shut down.. They don't pay their share of taxes to the county or the state of hawaii.

SB-2919-SD-2

Submitted on: 3/13/2024 1:52:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Plowman	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose.

SB-2919-SD-2

Submitted on: 3/13/2024 1:53:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joan Heartfield PhD	Individual	Oppose	Written Testimony Only

Comments:

- We need our short term rentals in Huelo and Haiku
- My family and friends rent from these good people when they come here. They would be not be able to afford the costly hotels and that would mean they would be an hour away from me instead of 10 minutes. It would casuse a hardship on all of us having to drive and hour to the other side to be together.
- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Visitors who stay in the Haiku and Huelo area also help the local small businesses that are in this region, many Hawaiians and local people, rather than the hotels owned by off island people .

- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB-2919-SD-2

Submitted on: 3/13/2024 1:55:33 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
FRANCESCO FUNICIELLO	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern I oppose bill SB 2919, SD2 for the following reasons. It will be detrimental to the economy, jobs and prosperity of Hawaii Islands. Many families depend on the tourist economy. Starting from the teacher for surfing, the coffee shop employee, the gift store employee, all the chain of people involved into the restaurant business from the waiters to the busboy, the cooks and all the helpers in the kitchen. Suppliers for produce, fish, meat, etc. etc. Many families survive by working with short term rentals. The bigger industries like airline companies, the car companies, and all the other industries related to tourism. All the employments will suffer tremendously, NO EXCEPTION. The tax revenues for the State of Hawaii collected from the transient accommodations STR will be decimated by millions and millions and millions of dollars. I urge you to leave the short term rentals in place. This bill must be eliminated. The only real industry left for the State of Hawaii is the tourist industry. Do not kill the golden goose.

FF

To: The County of Maui
RE: SB 2919
Fr: Ann S. Wlad and Joseph M. Wlad
3875 Lower Honoapi'ilani Rd Apt. A305
Lahaina, HI 96761

March 13, 2024

We are vehemently opposed to the proposal of SB2919.

My husband and I spend a great deal of time on Maui and have for almost 30 years. We own a one-bedroom condo on the Lower Road in Honokowai. Our condo is located in the "tourist zone" on the makai side of the road. To eliminate the ability to maintain STVR status will impact us greatly and ultimately the economy of the west side. We did not purchase our condo to be long term landlords but rather to spend time on the island ourselves enjoying our senior years. We share our unit with guests to help offset the extremely costly expense it takes to financially maintain an oceanfront condo. If SB 2919 passes tourism will significantly decrease as hotels as an only option will make vacationing on Maui unaffordable to many. It is clear eliminating hotel competition is a goal in which the government of Maui/Hawaii and the hotel industry are in cahoots with one another. The subsequent effect will be a downfall of many local businesses unable to survive and local service workers will have their jobs eliminated. We will no longer need to employ our housekeeper and those many and varied services that help us to maintain our property.

The leadership on Hawaii and Maui are terribly misguided to think that eliminating STVR will solve the long-term affordable housing problem, particularly in the tourist area. Any oceanfront property is unlikely to ever be considered "affordable" housing given maintenance fees/taxes/insurance alone are close to \$3200/month.

Local tax revenues will plummet and when the "affordable" housing issue is not resolved by this radical measure alone, where will the funding come from?

We feel this is a very short-sighted solution to a problem that has been long term in nature and take issue after many years of paying STVR property tax rates, a good portion of which was earmarked to help build affordable housing and yet now turning this issue against the very entity that is helping to solve the issue. **Where has that money gone?**

Please understand we have no intention of selling our property or turning it into a long-term rental that prevents us from the ability to enjoy our own home. This is not the solution.

We implore the County of Maui to NOT PASS this Senate Bill 2919. Those legal units in tourist zone that are on the makai side are not nor will ever be "affordable" housing. If SB2919 passes, owners will likely leave their properties unoccupied for their own use or they will be sold and it is reasonable to expect that new owners will not look to purchase these units as long-term rentals.

SB-2919-SD-2

Submitted on: 3/13/2024 1:57:34 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sebastyen Jackovics	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB2919 and/or any bills that would take away our ability to rent our personal property on a month to month or 30 day basis. I travel for work and come and go from my home on the Northshore of Oahu several times a year and depend upon monthly rentals to support my home expenses that have skyrocketed with property taxes and other expenses. Stop this stupidity.

SB-2919-SD-2

Submitted on: 3/13/2024 1:58:03 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Philip Daniel	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

Phil Daniel

SB-2919-SD-2

Submitted on: 3/13/2024 2:03:35 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Dielman	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB 2919.

Short term rentals are a significant benefit to the residents of Hawaii, the county of Maui and the State of Hawaii.

1. Short term rentals support employment in a complete sort term rental economic industry, providing jobs, salaries, and benefits for the residents of Hawaii. There exists a complete economic system providing jobs to cleaners, maintenance people, rental agencies, real estate offices, travel and activity related personnel, local restaurants, and shops. As well as supporting existing complex infrastructure of management, home owners associations, gardeners.... Without short term rentals, unemployment would rise and more native residents would be force to move out of Hawaii to find employment. This would likely increase the burden on the state: increasing unemployment, increasing homeless, and reducing Hawaii tax base.
2. Short term rental provide tourism for those that cannot spend high rental prices at large chain resorts. This provides employment and income to local food stores, restaurants, shops, and tourist activities (fishing, surfing, diving, boating, sightseeing...).
3. Short term rentals provide additional income to the county and state for transient accommodations, general excise, Maui County transient accommodations tax. Hawaii receives 17.75% for all short-term rental revenue.
4. Many owners of short-term rentals need to rent in order to pay Hawaii property taxes, HOA fees, remodel and update their property (remodel, refurbish...). These owners would need to sell their units. This would reduce real estate prices, reduce Hawaiian tax base, increase unemployment, and reduce tourism as less people could afford to stay in Hawaii.
5. Short term rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students...
6. Short-term rental owners give back and volunteer to support Hawaiian locals. A percentage of our rental income goes to support "Feed my Sheep " an on island food

bank We have also volunteered with Feed my Sheep food distribution. We have volunteered with food distribution at Lahaina Gateway for fire victims. We also volunteered at community “free store” for fire victims.

The above are a few of the benefits of short-term rentals to the Hawaiian residents, county and state.

Short-term rentals provide employment, additional taxes, and support a complete eco-system of benefits. Any change or reduction in short-term rental policy would inflict adversity on the local residence, counties, and State of Hawaii. Hawaii top industry is tourism, including real estate, leasing, service, labor, and taxes. Short-term rentals provide significant support for all.

Please oppose SB 2919 and any other legislation targeted at limiting short term rentals.

SB-2919-SD-2

Submitted on: 3/13/2024 2:06:04 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

SUPPORT. GOOD IDEA.

MAHALO!

March 13, 2024

COMMITTEE ON HOUSING
COMMITTEE ON TOURISM

RE: **Opposition to SB2919, SD2**

Aloha Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I am an owner of a 450 square foot studio condo in West Maui. The ocean front resort property where my condo is located was built in 1978 as a vacation rental resort. Despite the property having been marketed, developed, and approved for legal vacation use, and having operated in such manner for almost 50 years, it is on the Minatoya list. While that should denote the vested rights to operate as it always has, this notation has become weaponized with false narratives. This property is not in a neighborhood and has never been longterm or workforce housing, rather it is a resort that is bordered by commercial properties and is flanked on one side by a hotel zoned property, and a STVR resort on the other.

Our tiny condo directly supports the businesses of no less than five West Maui residents - some of which lost their homes in the fire. These individuals have stressed the importance of maintaining their businesses and creating some normalcy post fire. Our resort property also employs 35 local residents for a variety of functions. Many of the staff have worked at the property for over 15 years. As an example, in December 2023 our resort community celebrated a staff member that retired after 23 years as an employee. If this bill were to pass all of the individuals that directly support our condo as a vacation rental and many of the resort employees will no longer be needed.

The fact that the hotel industry has imbedded itself so much into this issue is deeply troubling. Further, the sweeping negative statements about STVR properties is wholly unfair. The following are just a few of the practices we stand behind: we don't use single use plastic, we encourage visitors to wear reef-safe sunscreen, to not walk/stand on the reef, give sea life plenty of space, to support local businesses, to leave no trace and pick up trash were it is found, and to volunteer. We don't "churn it and burn it." We review each potential guest and routinely turn down visitors that pose concerns as far as conduct while on island. I've never heard of a hotel vetting a visitor.

Other testifiers have pointed to how this bill will negatively impact individuals that need short and mid-term housing. These are individuals are incredibly important and necessary - just a few examples include traveling medical personnel, laborers/contractors, and researchers. As a specific example, we hosted a researcher that came to Maui post fire to study air quality. With hotel rates so astronomical, some research would be cost prohibitive, some traveling medical personnel may choose different assignments, and some projects may be delayed due to a lack of housing for laborers/contractors.

The guaranteed negative fiscal impacts (reduced tax base, increased litigation costs, reduced economic viability of West Maui tourism, increased unemployment claims, etc.) of this bill combined with the unknown housing outcomes make it incredibly ill thought through. Many

owners have expressed that they will not engage in long-term renting even if this bill were to pass. Other housing solutions that are better fiscal stewardship should be explored. As one example, Governor Green has pointed to the approximately 25,000 illegal short-term rentals that are not paying TAT, GET, or MTAT. The regulation of even a fraction of illegal short-term rentals is a logical place to start.

There is already increased unemployment and uncertainty in the Maui community. The additional increased disruption to businesses, the local economy, and lives as the outcome of this bill is inhumane. I can't imagine the pain of being someone that lost their home and who would now lose their business as a result of this bill. For the reasons stated above I OPPOSE SB2919, SD2 and urge the committee to defer it.

Mahalo,

Jeanie O'Kane

SB-2919-SD-2

Submitted on: 3/13/2024 2:28:41 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Hybiske	Individual	Oppose	Written Testimony Only

Comments:

I am writing in **strong OPPOSITION of SB2919** to restrict short-term vacation rentals. This bill will have an extremely negative impact on my family personally, as well as other residents and visitors that rely on short-term rentals as their choice. We are not rich mainland investors....but **we are invested in Maui. We are not the enemy.**

Most STRs are **legally-permitted** and follow the rules, pay their taxes, support the economy, and promote Aloha. Please do NOT remove the choice that visitors have to stay in permitted, correctly zoned, tax-paying condos. We fill a need for many visitors. Many visitors do not want to stay in a hotel room. Certainly returning or frequent visitors prefer to stay where they have more rooms and can cook meals.

My parents are original owners of our condo which was built in 1972. It was their **home on Maui for 50 years**. The condo is now ours to enjoy for much of the year. 4 generations of our family have called it their "Maui home". **My husband and I are now in our 70's and retired on fixed incomes. Our condo is in a resort area where short-term rentals have been permitted to operate for the last 50 years. If short-term rentals are not allowed, we would not be able to afford the ongoing high cost of ownership.**

Short-term rentals fill an important need on the islands, but they are NOT designed for long term living, especially families or more than one person. They are small and were built for short-term "transient" use. HOA policies don't allow animals or noise. Parking is limited, usually one space per condo. Vacation rentals have kitchens, but units lack storage because short term visitors do not need storage. The walls separating the units are thin and do not block out noise. Most lack a designated place for kids to play.

Many local residents will also be impacted negatively. We employ a housekeeper who has a young family. We employ local repair people. They have become friends. We pay many thousands in tax dollars and contribute to the economy with our purchases and expenses. What will these independent people and small businesses do for income if we are unable to continue to rent our condo? Oceanfront living creates considerable maintenance issues. It cannot be considered "affordable housing." Maui's STRs provide **40% of the real property tax revenue** for the county, as well as being the top funding source for affordable housing for Maui. This **STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?**

Short-term vacation rentals are **NOT a good substitute for long term affordable housing** for residents and they do not work, either economically or practically. Housing for residents should be homes and apartments in appropriate neighborhoods which are not in resort locations and do not come with the high maintenance costs and fees associated with HOAs, in part due to their oceanfront locations in prime resort areas.

If passed, the bill will (1) vastly **decrease tax revenue** (both property tax and GET/TAT), (2) **cripple tourism** on Maui and **create hardships for the significant number of Hawaiians who depend on the industry for work**, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) **lead to years of costly litigation** for the state and counties.

STR's are NOT the cause of the housing problem. Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

Build homes and apartments that are specifically designed for long-term occupancy. **Creating more affordable housing is a noble effort, but stripping long-held property rights from existing owners is not the way to achieve it.**

I ask that you **please do not move this bill forward.**

March 13, 2024

HOUSE COMMITTEE ON HOUSING

LUKE A. EVSLIN, CHAIR
MICAH P.K. AIU, VICE CHAIR
DARIUS K. KILA
LISA KITAGAWA
TYSON K. MIYAKE
RICHARD H.K. ONISHI
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HOUSE COMMITTEE ON TOURISM

SEAN QUINLAN, CHAIR
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SAM SATORU KONG
TRISH LA CHICA
RACHELE F. LAMOSAO
NADINE K. NAKAMURA
ELIJAH PIERICK

RE: Opposition to SB2919 SD2

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I am an owner of a small studio condo at a Maui property that is on the Minatoya List where vacation rentals have lawfully operated for nearly 50 years. Directly next door is a series of hotel-zoned properties and numerous commercial properties. The vast majority of the units at our property are under 600 square feet, have limited parking, no storage, minimal kitchens, and the governing documents do not allow companion pets. Our property never served as any sort of workforce housing, so this is not a situation where long-term housing was converted to short-term rental property reducing the supply of available housing units.

Community Impacts of SB2919

Our property employs 35 Maui residents for administrative, maintenance, and security operations. Some members of our team have worked at our property for over 15 years. Our association will no longer be able to support the multiple seven-figure personnel expenses for such a large workforce if short-term rentals are no longer allowed.

Additionally, individual owners utilize a variety of service providers including property managers, housekeepers, on-island agents, handymen, contractors, and other local trade professionals. Local Maui residents are employees of, or own, all these small-businesses. I hope the Committee will consider that this bill will allow the counties to put many local residents out of work and destroy the small businesses they have worked hard to build.

As far as the quantity and type of people that stay in our property, we interview each guest before accepting a booking to ensure that we are not bringing the wrong type of visitors to the island. We decline bookings when we have any concerns. We do not strive for maximum

occupancy and prefer hosting a smaller number of quality guests. We encourage all visitors to volunteer time with local organizations, to come with compassion and patience, we do not provide single-use plastic products, we educate our guests about use of reef-safe sunscreen, and promote local businesses.

For just my small unit, our local team includes a woman and minority-owned housekeeping business formed and operated by a local resident of West Maui, a licensed real estate broker from West Maui to act as our on-island agent, and local handyman from West Maui. Our team sets their own rates, work hours, operating procedures and payment terms. We do what we can to encourage sustainability and productive tourism while supporting local businesses. If short-term rentals are phased out, we would sadly have no further need for the services provided by our local team.

SB2919 Does Not “Convert” Short-term Rentals to Long-Term Housing

The Legislature’s goal of creating affordable housing is admirable but unfortunately this bill has been incorrectly characterized by some as creating long-term housing options. SB2919 does not create any long-term housing. SB2919 would authorize the counties to eliminate non-conforming short-term rental use. The only way for the government to ensure that a short-term rental property actually “converts” to a long-term rental would be to actually exercise eminent domain and fully take ownership to the properties. The underlying assumption that the elimination of short-term rental use will automatically result in conversion to long-term housing is not supported by any actual evidence, studies, or legitimate findings.

SB2919 is Unconstitutional and Will Result in Costly Litigation for Hawaii Taxpayers

SB2919 is an unconstitutional attempt to strip away the “grandfather protections” currently present in HRS 46-4 which have been recognized by numerous Hawaii courts as “grounded in constitutional law.” See e.g. *Waikiki Marketplace v. Chair of Zoning Bd.*, 949 P.2d 183. In *Waikiki Marketplace*, the court proclaimed that “the right of a property owner to the continued existence of uses and structures which lawfully existed prior to the effective date of a zoning restriction is grounded in constitutional law.” *Waikiki Marketplace*, 949 P.2d at 193.

Nine years later, the Hawaii Intermediate Court of Appeals in *Ferris* similarly stated “the requirements of HRS § 46-4(a) as well as the constitutional protection provided to property owners with vested rights to pre-existing lawful uses of their property.” *Robert D. Ferris Tr. v. Plan. Comm'n of Cnty. of Kaua'i*, 378 P.3d 1023, 1029 (App. 2016). Just last year, the Hawaii Intermediate Court of Appeals repeated this same well-established principle in *Campos* by confirming that “in accordance with the Hawai'i Constitution, **the counties cannot prohibit “continued lawful use” of a building or premises at the time an ordinance takes effect.**” *Campos v. Planning Commission of County of Kauai*, 539 P.3d 170 (quoting HRS 46-4) (emphasis added).

SB2919 eviscerates the constitutionally grounded guardrails in Section 46-4 by expressly authorizing the counties take away vested property rights that are currently legal without payment of any compensation. Eliminating 50 years of legal and vested use offends the very nature of the Taking’s Clause. See *Palazzolo v. Rhode Island*, 533 U.S. 606, 618 (2001) (“the purpose of the

Takings Clause, [...] is to prevent the government from “forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.”). Here, SB2919 would force the owners of short-term rentals to disproportionately “bear the public burdens” of the housing crisis which is a complex issue with many contributing factors and cannot be credibly blamed on legal short-term rentals that have been operating as such for fifty years.

During a hearing on a similar bill (HB1838), Representative Tarnas proclaimed that the Hawaii Attorney General found “no constitutional issues” while purporting to read from an Attorney General opinion that relied on two non-binding decisions from New Jersey and California district courts as if those cases completely resolved the constitutionality analysis. Reliance on two cherry-picked, non-binding district court opinions from outside of Hawaii, while ignoring a long line of Hawaii appellate caselaw and a 2022 District of Hawaii decision by the Honorable Derek Kahala Watson¹ opinion should raise questions about the legal advice determining that there are “no constitutional issues.” As a practical matter, neither the New Jersey nor the California opinion dealt with anything close to the legal issues presented by SB2919 which involves elimination of the constitutional guardrails contained in an enabling statute that have been confirmed consistently by Hawaii appellate courts over the last 10 years.

Judge Watson ruled that there was “no question” that a zoning ordinance seeking to phase out short-term rentals was a taking where it did not include “any process to compensate or accommodate nonconforming uses.” *Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu, et al.*, Case No. 22-cv-247-DKW-RT (October 13, 2022). The counties already have the authority to regulate zoning in a constitutional manner. Here, SB2919 seeks to remove all guardrails that appropriately restrict the counties’ authority to pass constitutional zoning ordinances. By deliberately removing the constitutional guardrails in 46-4, the Legislature would be directly enabling the counties to take unconstitutional action. Thus, SB2919 is not a simple clarification of home rule authority by counties to address zoning matters; SB2919 is a Pandora’s box of problems for the State, counties, and local residents that will result in unfortunate and costly litigation.

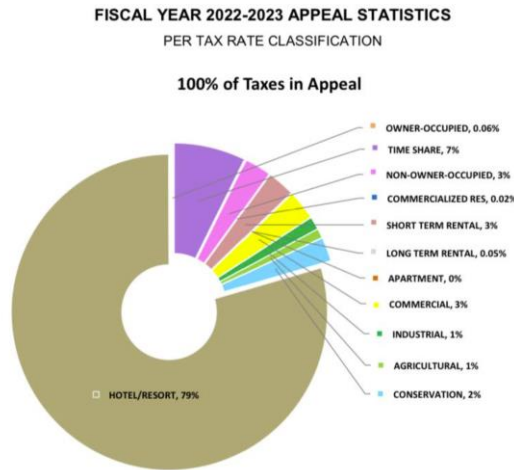
SB2919 Narrows the Labor Market and Limits Competition in the Lodging Industry

The government should not be selecting winners and losers in a particular industry. SB2919 is a selection by the Legislature that hotels are the winners and pretty much everyone else are the losers. SB2919 will result in less competition in the labor market and in the lodging industry which is contrary to the Federal Trade Commission’s entire purpose to “promote[] free and open competition and challenge[] anticompetitive business practices to make sure that consumers have access to quality goods and services at competitive prices, and that businesses can compete on the merits of their work.” Limiting competition is never beneficial to the individual consumers and residents.

The hotel industry is not surprisingly pretty excited about the progress of this bill and this Committee should carefully consider just why the hotel industry is so strongly advocating in

¹ Judge Watson graduated from Harvard Law School and was a former U.S. Attorney for the District of Hawaii until President Obama appointed him to the federal bench.

support of SB2919. It is also unclear why the Legislature would favor the hotel industry where that industry objects to its tax responsibility more so than any other property type:



Additionally, local news sources have highlighted issues with labor practices in the hotel industry:

['They're working us to death': Hotel workers calling for change](#)

[Ilikai Hotel workers rally for better wages and benefits](#)

When COVID hit, the big hotels left local residents high and dry, laying off thousands of workers.² Placing more control over the labor markets in the hands of the big hotels will harm local residents that work in the hospitality industry. None of the biggest hotels are based in Hawaii or owned by Hawaii residents. Executives in these businesses extract obscene compensation while fighting labor unions tooth and nail regarding payment of fair wages:

Company	CEO Total Annual Compensation
Hyatt Hotels Corporation	\$16,660,642
Marriott International, Inc.	\$18,686,271
Hilton	\$23,532,938

The Committee should think long and hard about who actually benefits from SB2919 and how limiting competition in the labor markets and lodging industry will hurt Hawaii residents and consumers generally.

Regulation of Illegal Short-Term Rentals is Necessary

Even if the intent of SB2919 is good, this measure will create bad policy that punishes law abiding citizens and favors law breakers. HRS 46-4 currently sets a positive public policy that the government does not take things from people who have been following the rules. SB2919 sets a

² <https://labor.hawaii.gov/wdc/real-time-warn-updates/2020-warn-notice/>

new policy that catching the bad guys is too hard so the government should take things from people who have been following the rules for 50 years. Governor Green just recently stated that there are 30,000 illegal short-term rentals in Hawaii. Regulation of even a small portion of those illegal short-term rentals could have a more meaningful impact on the housing crisis than SB2919 without the side-effects of decreasing the State and County revenue, destroying small business, and creating more unemployment.

I appreciate the Committee's attention to this important matter and believe that if you carefully consider the negative consequences, you will vote NO on SB2919 SD2.

Sincerely,

Scott James

SB-2919-SD-2

Submitted on: 3/13/2024 2:39:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gale Kramer	Individual	Oppose	Written Testimony Only

Comments:

I have been a legal owner/operator of a water front home in Poipu Beach on Kauai and I have totally followed the law. Most of the houses there are vacation rentals and have to renew licenses every year. The property just behind me were given the status of VDA which allows them to operate without requiring them to have any type of licenses at all. I am water front those house are not. I am taxed at the highest bracket.

The proposal to allow counties to PHASE out transient accommodations as I been told IS very illegal and specific to the federal constitution. This proposal is an ex post facto law which is expressly forbidden by the US constitution. Article 1, section 9, clause 3 (federal laws) and article 1, section 10 (STATE LAWS) AND appears to violate the equal protection clause of the 14th amendment as well.

Gale Kramer

SB-2919-SD-2

Submitted on: 3/13/2024 2:39:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gale Kramer	Individual	Oppose	Written Testimony Only

Comments:

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The proposal to allow counties to PHASE out transient accommodations as I been told IS very illegal and specific to the federal constitution. This proposal is an ex post facto law which is expressly forbidden by the US constitution. Article 1, section 9, clause 3 (federal laws) and article 1, section 10 (STATE LAWS) AND appears to violate the equal protection clause of the 14th amendment as well.

Gale Kramer

SB-2919-SD-2

Submitted on: 3/13/2024 2:46:29 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jon Chaudhari	Individual	Oppose	Written Testimony Only

Comments:

We vehemently oppose SB2919 SD2. We purchased a property on Maui in 2017 and conduct short-term rentals, a permitted use under the zoning classification. While we appreciate and understand Hawaii, like many markets worldwide, is looking for solutions to a housing affordability crisis, we believe the Bill is counter intuitive as it would remove many of the economic drivers for the state and county (primarily the taxes generated but also the many jobs that include rental property management, cleaning, maintenance & repair, etc). Instead we propose the state and county focus on long term solutions which should include the development of housing that is restricted to resident-occupied owners or renters, a model that has been successful in other markets worldwide.

March 13, 2024

Dear Representative, Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee:

I **OPPOSE** SB2919, SD2. for the following reasons:

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums. It was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea's Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea's resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
- Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, contractors, restaurants, food trucks, tour operators, state parks, national parks, etc.
- These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures.
- Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Task, and Maui Transient Accommodations Tax.

This is a family resort and has been for over 50 years so please consider all the factors carefully and all the jobs that will be lost and the impact on the local economy if STRs are shut down.

For the reasons stated herein **I OPPOSE SB2919, SD2.**and urge the committee to defer it.

Respectfully submitted,

Dimitra Hnatko
604-831-3214

SB-2919-SD-2

Submitted on: 3/13/2024 2:50:37 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Guthrie de Bruyn	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

My family and I moved out here with a dream. For the last 8 years we have built that dream with blood, sweat, tears, and all the money we have. We bought land that was unused, overgrown with cane and junk trees, and turned it into a home as well as a small, family owned business. I care a lot about that. If you that are reading this now decide to pass SB2919, then you absolutely do not.

I am not offended. There are those that give life and those that take it away. There must be something more important in your hearts and minds than many residents and families of Hawaii earning money in a way that is the spirit of Aloha. The question I ask myself is: What could be so important that you threaten all of our abilities to financially survive? Because that is what this bill will do if it passes: It will threaten us so greatly with fines we cannot afford, with a future of changing and wavering laws, that we must and will rethink our decision to invest our children's future in such a place. Please consider the harm you will be doing to so many. Please sleep with it. Dream on it. Let it never escape your peace if you allow 2919 to pass.

If you think this is any easy gig, I assure you it is not. If you think we're getting rich from it, I assure we are not. If you think we aren't paying our taxes, even when they are hiked, I assure you that we are. We receive zero complaints. We do not use county roads for parking. And we most certainly do not add ANY burden to the housing crisis. Our rental could never be long term. Besides the fact that squatters have more rights than owners under the current law, we did not build our Ohana for long stays. Where we live our road isn't kept up by the county or state. We neighbors pitch in to keep it alive. Where we live we don't even have the choice of access to county water or electric or phone etc. We catch our rain, we make power from the sun, we drive our garbage to town, we use slow internet from satellite. Do we complain that there are no plans to change any of this? NO. Not ever. We made our choice and have harmed nobody. We have barley financially survived a volcanic eruption. We have barely financially survived a lockdown on travel. We are barely financially surviving an inflated economy and 5 dollar gas, and yet, we still bring in money that trickles into our community, while paying taxes to county, state, and federal. We have survived all of this, and yet the writers of this bill think we need another blade to our throats. Well congrats. Should this bill go through, you will have achieved what none of those other hardships could. We will be forced to give up.

Platforms such as AirBnB is like a self cleaning oven. We are review based. If we don't do a good job, if the place doesn't feel safe or there are too many complaints, we are done. Even AirBnB agrees with this. If we get a horrible review, they give us one chance to improve and then we are booted from the site. Why on earth would you think we need more regulation, on our own properties, in an industry that only helps small families survive? An industry that invites travelers to visit and stay and spend their money in areas of Hawaii that don't have other accommodations or opportunities available eg. NO HOTELS? They bring money from the mainland and they leave it here. They spend it here, and then we spend it here. They pay sales tax, and we pay sales tax. They buy things from local vendors and grocery stores and gas stations and we do just the same. I have such a hard time understanding how anyone without some ulterior motive, can think this bill is good for the people of Hawaii. Not just short term rental hosts, but everyone in their communities that benefit from the spending occurring from it.

This bill will do no good. This bill will only do harm to the people of this state. If you think otherwise, make arguments and provide proof of such- because I look and look, I read and listen and wait for it- but there is nothing. Is Hawaii becoming just like everywhere else? Is Aloha being sacrificed for profit margins and political careers? Or can I tell my children that we made the right choice? To a similar point, I ask whether you be able to tell your children that you made the right choice?

Aloha- J. de Bruyn

SB-2919-SD-2

Submitted on: 3/13/2024 2:52:42 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason de Bruyn	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

My family and I moved out here with a dream. For the last 8 years we have built that dream with blood, sweat, tears, and all the money we have. We bought land that was unused, overgrown with cane and junk trees, and turned it into a home as well as a small, family owned business. I care a lot about that. If you that are reading this now decide to pass SB2919, then you absolutely do not.

I am not offended. There are those that give life and those that take it away. There must be something more important in your hearts and minds than many residents and families of Hawaii earning money in a way that is the spirit of Aloha. The question I ask myself is: What could be so important that you threaten all of our abilities to financially survive? Because that is what this bill will do if it passes: It will threaten us so greatly with fines we cannot afford, with a future of changing and wavering laws, that we must and will rethink our decision to invest our children's future in such a place. Please consider the harm you will be doing to so many. Please sleep with it. Dream on it. Let it never escape your peace if you allow 2919 to pass.

If you think this is any easy gig, I assure you it is not. If you think we're getting rich from it, I assure we are not. If you think we aren't paying our taxes, even when they are hiked, I assure you that we are. We receive zero complaints. We do not use county roads for parking. And we most certainly do not add ANY burden to the housing crisis. Our rental could never be long term. Besides the fact that squatters have more rights than owners under the current law, we did not build our Ohana for long stays. Where we live our road isn't kept up by the county or state. We neighbors pitch in to keep it alive. Where we live we don't even have the choice of access to county water or electric or phone etc. We catch our rain, we make power from the sun, we drive our garbage to town, we use slow internet from satellite. Do we complain that there are no plans to change any of this? NO. Not ever. We made our choice and have harmed nobody. We have barley financially survived a volcanic eruption. We have barely financially survived a lockdown on travel. We are barely financially surviving an inflated economy and 5 dollar gas, and yet, we still bring in money that trickles into our community, while paying taxes to county, state, and federal. We have survived all of this, and yet the writers of this bill think we need another blade to our throats. Well congrats. Should this bill go through, you will have achieved what none of those other hardships could. We will be forced to give up.

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This bill will do no good. This bill will only do harm to the people of this state. If you think otherwise, make arguments and provide proof of such- because I look and look, I read and listen and wait for it- but there is nothing. Is Hawaii becoming just like everywhere else? Is Aloha being sacrificed for profit margins and political careers? Or can I tell my children that we made the right choice? To a similar point, I ask whether you be able to tell your children that you made the right choice?

Aloha- J. de Bruyn

SB-2919-SD-2

Submitted on: 3/13/2024 2:54:52 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Roberts	Individual	Oppose	Written Testimony Only

Comments:

Please stop expanding the power of the tax law. Please do not stop the local residents from creatively supporting their families by renting out their property, vehicle, etc. Please start with the out of state owned rentals. When I searched, I found that 52% of vacation rentals are owned by out of state residents. This does not keep money in our economy.

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

We need these rentals in our areas to keep these folks coming.

SB-2919-SD-2

Submitted on: 3/13/2024 2:57:09 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amelia Pickering	Individual	Oppose	Written Testimony Only

Comments:

I am writing to ask you to oppose SB2919.

My family has owned a home on the Big Island since 1977. Over the years we have spent as much time there as possible but we are scattered over the Mainland and not able to live and work full time in Hawaii. We have rented our home on a short term basis since 1977. Families often come back to Hawaii to rent our house year after year.

These rentals to just our house have contributed hundreds of thousands of dollars to the Hawaiian economy. A 2020 study for the Hawaii Tourism Authority showed short-term rentals contributed \$6 billion to the state's economy and supported 46,000 jobs. We also pay significant property taxes every year based on our short term rental status.

The availability of short term rental homes has brought vacationers to Hawaii who would not come otherwise. Many of our renters tell us they come to Hawaii because they can rent a house like ours - a hotel is not going to work for them, especially for those who want to bring their family. The Hawaii Tourism Authority study cited above found that 30% of visitors would not have visited Hawaii without the option of home and vacation rentals. The impact of removing STRs would harm numerous tourist-focused businesses and employment in sectors such as car rentals, restaurants, and maintenance services. Why would the legislature want to kill this industry that is contributing so much to the economy?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & many friends. These fully furnished rentals are available for families who have been harmed by fires and floods. Without them where would people go?

We understand that there is a serious housing shortage in Hawaii but eliminating short term rentals is not the answer to solving that problem. In fact it takes housing options off the market. If we are not able to rent our home, we will no doubt have to sell it as we won't be able to afford to maintain it, pay property and other taxes, etc. The County and State would then lose the revenue being generated by this property. This property is not going to be affordable for the people who need housing the most. If it is bought by some wealthy person who uses it to vacation in Hawaii occasionally and otherwise it sits empty, it is not going to bring in revenue to the County and State. Why would the legislature want to do this?

We have done everything we can to be good neighbors, to follow all the laws and regulations, and to promptly pay all the fees and taxes associated with our short term vacation rental. We desperately want to be able to keep our home and we want to be able to share it with repeated and new vacationers who fall in love with Hawaii when they stay at our rental.

I urge you to vote against SB2919.

SB-2919-SD-2

Submitted on: 3/13/2024 3:03:22 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Noelle Lindenmann, Kailua-Kona

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Amber Drake
801-361-1791
Adrake8@hawaii.edu

SB-2919-SD-2

Submitted on: 3/13/2024 3:08:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dale Parsons	Individual	Oppose	Written Testimony Only

Comments:

As a resident of Hana, I am writing to express my opposition to SB 2919, which seeks to phase out short-term rentals in any zoning area.

SB 2919 will grant power to counties to retroactively phase out existing legally permitted units. These measures deeply threaten the economic security of property owners.

Eliminating Bed & Breakfast rooms will do nothing to help alleviate the affordable housing crisis. For example, a permitted B&B on Maui is prohibited from installing a full size refrigerator, stove/oven, any sink larger than a bar sink, dishwasher, or garbage disposal. Such a room is habitable for only short stays.

B&B operators are required by the county to be on premises. Furthermore, here in remote Hana, permitted B&Bs offer a safety net for tourists wary of driving back to the other side of the island at night or during severe weather events.

Many residents, especially kupuna with B&B permits, rely on the monies received for mortgage payments, food, and household supplies. Legal B&Bs can provide a much needed supplement to Social Security payments.

I ask that the Committee consider the protection of permitted Bed & Breakfast operators.

Given the significant impact of this bill, I oppose SB 2919.

Mahalo for your attention to this critical matter.

Dale Parsons, Hana

SB-2919-SD-2

Submitted on: 3/13/2024 3:13:51 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jazmyne	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Jazmyne Brown

SB-2919-SD-2

Submitted on: 3/13/2024 3:15:37 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Genesis Purdy	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Mahalo,

Genesis Purdy

SB-2919-SD-2

Submitted on: 3/13/2024 3:17:05 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mahealani Medeiros-Criste	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Mahalo,

Mahealani Medeiros Criste

SB-2919-SD-2

Submitted on: 3/13/2024 3:25:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Bill	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

As someone who has lived in Hawaii for the last 20 years, housing supply has always been a challenge. Trying to find affordable options, close to work and a place that will allow pets has been nearly impossible to find. This impacts our ability to find employees, for the community to stay in Hawaii and have access to the basic needs of life. To think that people that have made the investment in real estate are taking priority over those that live, work and make our community run is disheartening. It is time for change, REAL CHANGE.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Sara Bill & Kaliko Leialoha-Dutro

SB-2919-SD-2

Submitted on: 3/13/2024 3:25:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marissa Godinez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Marissa Godinez

SB-2919-SD-2

Submitted on: 3/13/2024 3:26:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Christofferson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Mahalo for your attention to this critical issue.

Sincerely, Diane Christofferson

SB-2919-SD-2

Submitted on: 3/13/2024 3:27:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nani Dapitan-Haake	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Respected Members of the Committees,

I am writing to voice my strong endorsement for SB2919, SD2, which aims to affirm the counties' authority to phase out short-term rentals over a reasonable period. The recent Lahaina fires have underscored the detrimental role that short-term rentals play in exacerbating our housing crisis.

It is crucial that SB2919 also encompasses apartment-zoned properties in its scope. Numerous communities statewide, like Lahaina, have experienced the adverse effects of short-term rentals in apartment-zoned areas, intensifying the housing scarcity and escalating rental costs.

Therefore, I respectfully urge you to incorporate language in SB2919, SD2 that explicitly pertains to apartment-zoned properties, ensuring that all regions impacted by the negative consequences of short-term rentals are duly addressed. Thank you for your attention to this pressing matter.

Warm regards, Nani Dapitan-Haake

SB-2919-SD-2

Submitted on: 3/13/2024 3:29:48 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kepuhi Purdy	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Mahalo,

Kepuhi Purdy

SB-2919-SD-2

Submitted on: 3/13/2024 3:31:50 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dean Trotzuk	Individual	Oppose	Written Testimony Only

Comments:

As a longtime resident of Maui, I feel very strongly that this legislation is to the detriment of our beloved island. Our economic lifeblood is tourism and no matter how much we try and change the mix of our economy, our competitive advantage now and for the foreseeable future, is people visiting the island. Nearly every segment of the economy is reliant upon tourists.

There are costs associated with tourism no doubt. But it can be managed with thoughtfulness rather than politically motivated measures such as eliminating STRs. Further restrictions on short-term rentals will only cause travelers to go elsewhere while depriving our community of an economic opportunity to provide a decent living for themselves. Short-term rentals are a major part of our tax base. The various types of short-term accommodations currently in existence - short-term rental homes, TRUs, B&Bs - offer an alternative to hotels for our island guests.

By enacting this legislation, we are moving closer and closer to phasing out a major accommodation segment which contributes to the island immensely.

Please do not authorize this legislation.

SB-2919-SD-2

Submitted on: 3/13/2024 3:32:47 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carrie Wurzburg	Individual	Comments	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Being a home Owner I realize the monetary value of short term rentals and it would help me greatly with living expenses, but at what price do you sell the island to tourism. Short term rentals and low price airlines bring a clientele to Maui that is not needed. it takes money away from hotels that employ thousands of workers, in turn leaving less jobs and heavily increases the cost of living. Please look at other cities and vacation areas that have suffered from short term rentals, Apen, Whistler etc. Please think about phasing out short term rentals for the Maui people and bring Maui back to a prized destination location.

Thank you for your attention to this critical issue.

Sincerely,

SB-2919-SD-2

Submitted on: 3/13/2024 3:34:05 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Douglas	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely, Susan Douglas

SB-2919-SD-2

Submitted on: 3/13/2024 3:37:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
mary drayer	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely and with Aloha

Mary Drayer

557 Imi Dr

Wailuku, Maui, Hawaii 96793

SB-2919-SD-2

Submitted on: 3/13/2024 3:37:26 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaikoa Anderson	Individual	Support	Written Testimony Only

Comments:

Pretty easy decision to make. I don't have to repeat or echo what everyone else wants and is saying to do. Do the right thing. Pretty simple. Serve your community and make the right choices. Mahalo, Kaikoa Anderson

SB-2919-SD-2

Submitted on: 3/13/2024 3:39:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Padgett	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely, James Padgett

SB-2919-SD-2

Submitted on: 3/13/2024 3:41:09 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Warner	Individual	Oppose	Written Testimony Only

Comments:

To Whom iit My Concern:

Our short term rental is on the Big Island. It was purchased by my parents as a second home in the 1970's. All of our family members use the house every year. In addition, friends of the family stay there on a regular basis. And we have renters that return year after year. The demand for our property is high as it is among the least expensive vacation homes to rent.

A considerable amount of income for the island is raised by the family, friends and renters using our property. We employ local business to manage and maintain the house. We shop locally, rent cars, go to restaurants, pay for island activities.

If we were to lose the abiltiy to rent the house we would most likely lose the property. The state would lose the bed tax we pay, and several businesses would lose income. Many of the families who come to our house because they can afford to, may choose not to visit the Islands at all. And we are only one short term rental property.

Julia Warner

Julia Warner

SB-2919-SD-2

Submitted on: 3/13/2024 3:48:34 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Isis Usborne	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

- Isis Usborne, 96815

SB-2919-SD-2

Submitted on: 3/13/2024 3:49:06 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Heath	Individual	Oppose	Written Testimony Only

Comments:

My husband and I are fortunate to own a small condominium in Kuilima Estates West, Turtle Bay. We are not residents, but do have strong ties to the islands that span many decades. My grandmother was born and raised in Kukuihaele on the Big Island, later moving to Hilo. My mother was born in Hilo and the family later moved to Honolulu. My mother and father met when he was stationed there during WWII. He was a Pearl Harbor survivor. Both have their final resting place in the Punchbowl. In their retirement, they purchased a condominium in the Kuilima Estates West community which allowed them to visit often and also use the rental income to supplement their retirement. We enjoyed visiting them when they were there. I don't remember exactly when they sold their condo. After they passed, my brother and I sold their California home, allowing us to purchase our condo and feel like we were in some way continuing their legacy. We thoroughly enjoy visiting a couple of times per year and operate it as a short term rental the rest of the time. To keep our condo renting and renting well, we employ two property managers, a house cleaner, a pest control company, contractors for both small and large jobs. We purchase all furnishings, linens, supplies, etc locally. We serve a significant percentage of guests (local or visiting) who either can't afford hotel prices or prefer to stay in an accommodation where they can prepare their own meals and feel more a part of a community. While we are visiting, we spend locally - grocery stores, hardware stores, restaurants, etc. Please oppose SB2919.

SB-2919-SD-2

Submitted on: 3/13/2024 3:50:14 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karla Nava	Individual	Oppose	Written Testimony Only

Comments:

I have been an onsite vacation rental host for 9 years in Hawaiian Paradise Park. I rent out our 400sqft studio guest house built in 1993. The guest house was a deciding factor in buying our home in 2015 and moving to Hawaii so that I could rent it as a vacation rental for extra income to help pay our mortgage and not have to work outside the home. I pay all taxes required to both state and county every quarter. There has never been any issue with guests disturbing the peace or being a bother to my neighbors. Quite a few guests have expressed their appreciation in being able to rent a small house in a rural neighborhood rather than having to stay at a hotel or resort. I don't want to lose this as a livelihood and I don't want to be penalized with fees to be able to continue operating.

I have heard that these measures are being proposed due to the housing crisis in Hawaii. I can see how this might apply for unhosted rentals, but as an onsite owner/host, I don't want to be forced to only be permitted to rent my guest house long term. Nor should people who rent out space in their own home.

I earn an average of about \$2,000 per month. There is no way I could rent it out long term for that amount of money, plus I would have to subject myself to headaches of dealing with late or non-payments and eviction proceedings that are not in my favor.

SB-2919-SD-2

Submitted on: 3/13/2024 3:52:12 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Zabin Somani	Individual	Oppose	Written Testimony Only

Comments:

My name is Zabin Somani. My spouse, Marc Hoelscher, and I are proud owners of a short-term rental condominium at the Noelani in Kahana, having been captivated by Maui's charm since our first visit in March 2012. In 2021, we chose to invest in this short-term rental as a means to not only supplement our upcoming retirement but also contribute to Maui's thriving tourism industry—an industry that is indispensable to the island's economic health.

I stand opposed to SB2919 for reasons that extend beyond personal interest. The tourism sector on Maui, as illustrated by data from January 2023, showcases a robust recovery post-pandemic, with visitor spending reaching \$625.2 million, up 47.3% from the previous year, and a visitor increase of nearly 25% from January 2022. These figures underscore the critical role tourism plays in our economy, providing sustenance for local businesses and contributing significantly to state and county revenues through taxes and employment opportunities.

The proposed bill threatens to undermine this economic cornerstone by targeting short-term rentals—a key component of Maui's tourism infrastructure that not only supports thousands of jobs but also contributes to the diversity and accessibility of accommodations for visitors. Our rental alone supports local property managers, housekeeping staff, handymen, and indirectly benefits countless other sectors tied to tourism. Furthermore, we contribute over 17% in taxes to the state and county, funds that are vital for maintaining and improving the services and infrastructure upon which both residents and visitors rely.

Moreover, the narrative surrounding tourism and community impact on Maui requires a nuanced understanding. While recent events, such as the catastrophic wildfires, have indeed posed challenges, they have also highlighted the resilience of our community and the importance of sustainable tourism practices. The tourism industry, which accounts for over 80% of Maui's wealth, is not merely about visitor numbers; it's about creating a sustainable economic model that respects and preserves the island's unique culture and natural resources.

In light of these considerations, I urge you to recognize the invaluable contribution of the short-term rental market to Maui's economic and social fabric. Curtailing this vital sector will not only harm property owners like myself and Marc but also jeopardize the livelihoods of many who depend on tourism-related employment, reduce the tax revenue essential for public services, and potentially degrade the diverse tourism experience that Maui offers.

I implore you not to advance SB2919. This bill poses a direct threat to the economic vitality and

social well-being of Maui, risking not just individual livelihoods but the very essence of what makes Maui a beloved destination for millions.

Thank you for considering the broader implications of this legislative proposal on the future of Maui and its residents.

SB-2919-SD-2

Submitted on: 3/13/2024 3:53:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Lu Kelley	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing from Kauai to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue. Please do the right thing.

Sincerely,

Mary Lu Kelley

SB-2919-SD-2

Submitted on: 3/13/2024 3:53:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Lu Kelley	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing from Kauai to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue. Please do the right thing.

Sincerely,

Mary Lu Kelley

SB-2919-SD-2

Submitted on: 3/13/2024 3:54:22 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Billy woods	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill mahalo nui billy

SB-2919-SD-2

Submitted on: 3/13/2024 3:54:35 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
RALPH FURLEY	Individual	Oppose	Remotely Via Zoom

Comments:

I have been a landlord for over two decades and I wish to share with you a list of negative impacts on Oahu if a 90 day rental restriction is ever imposed. The following negative impacts are real and part of the fundamental merits that Federal Judge Watson based his temporary injunction and summary judgement against Oahu’s ill-fated Oahu ordinance 22-7:

1. More shortages of essential workers in Hawaii. You read this on the news all the time. From technicians to medical staff that require mid-term (30-180 days) lodging. Such workers obviously require the same basic amenities as long tenants: a kitchen, free parking, ample space and affordable lodging and shopping versus expensive tourist traps in the resorts areas. A large majority of these workers will not travel to Hawaii if required to stay in a hotel for an extended period of time. Passing SB 2919 and allowing the county of Oahu to impose ordinance 22-7 will only compound this shortage of necessary medical and other professionals. Oahu is already the epicenter where many inter-island patients have to fly and get medical treatment. My neighbor’s wife was requested to be released from the Queens hospital back in 2023 due to overcrowded patients from the other islands.
2. Exacerbate the rate of inflation in Hawaii. Besides essential workers there are countless of companies who bring workers specializing in various crafts whose services are necessary throughout our local communities here on Oahu. From Hensel Phelps to Kiewit these companies provide electrical, irrigations, rail, and other specialties to keep our island running. Lodging their staff in hotels which charge triple the amount than local monthly rents will obviously pass down the costs to the local communities.
3. Local families temporary displaced will endure even more hardship. Just imagine local families whose homes are undergoing home repairs or upgrades or temporarily displaced due to disasters such as the Red Hill water contaminations or the Maui fires. It’s unimaginable how local families with children are going to be holed up in small cramped and expensive hotel in remote resort zones. Even insurance companies know better and house these families at local residential rentals on a monthly basis until they can get back.
4. Less visiting families will come to Hawaii. Typically many local residents put up their visiting relatives or friends in nearby monthly rental to either help them during births, illnesses or other emergencies. Just imagine compounding their saga with unreasonable rental restrictions? Many local families nor their visiting relatives/friends cannot afford paying a hotel for an extended period of time.

5. Less families relocating to Hawaii. How on earth are we going to supplement tax revenues and increase our economy with a deficiency in population growth? Just imagine the first dreadful experience an incoming family consisting of 2-5 children will endure locked up in a hotel for up to 90 days while they look for a home? Just think about that? Half of my monthly rental tenants are families with kids needing a home for about 1.5 - 2 months while they settle down. Such overly regulatory and draconian rental restrictions will quickly reverse families from even considering to come live here and contribute economically.
6. Constraint on local service workers. Many local residents, who primarily work in the service sector pursue and seek better jobs throughout Oahu at anytime. For this reason many local couples specifically look for furnished rentals with flexible monthly leases to easily relocate to another residence near their new job site. Image the long commutes and gas expenses these renters will endure without the opportunity to freely relocate because they are restricted with a 90+ day rental agreement?
7. Adversely affect the rental income of local landlords. Consider many tenants who can and will have the right to break their leases prematurely. It's happened to me many times. A landlord will easily lose thousands in rent unable to re-rent until the 90 day restriction is reached. Many kapuna who do not work and local landlords cannot afford such income disruptions in their lives.

Summary. The 30 day minimum rental restriction is the norm and precedence throughout the rest of the United States and especially necessary in an isolated place like Hawaii that requires diverse options. A healthy and vibrant economy requires a mix of lodging options for a normal society to function such as a:

- 1) tourism market (consisting of stays less than 30 days),
- 2) monthly accommodations market for out of state and locally transient workers (consisting of mid term rentals of 30-180 days) and
- 3) long term rental market for residents of over 180 days.

This SB2919 along with Honolulu ordinance 22-7 will intentionally interfere with a reasonable lodging ecosystem and allow hotel's to monopolize a lodging sector that they are not even suitable to provide. Such market disruptions by politicians concern with being popular versus basing decisions on sound and reasonable economic facts will only make matters worse for local Hawaii residents.

So learn to serve us not hurt us,

Ralph Furley

SB-2919-SD-2

Submitted on: 3/13/2024 3:57:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Velasquez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Catherine Velasquez

SB-2919-SD-2

Submitted on: 3/13/2024 3:57:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Gerald	Individual	Oppose	Remotely Via Zoom

Comments:

**Aloha Esteemed Members of the Hawaii Senate,
Please accept my absolute 100% OPPOSITION to Senate Bill 2919 (SB2919) due to its blatant illegalities and egregious violations of both the United States Constitution and the Hawaii State Constitution.**

SB2919 poses significant threats to property rights and undermines well-established legal principles and law. The bill targets legally established transient accommodation uses in residential and agricultural zones for selective and discriminatory amortization and phasing out of zoning designations. SB2919 grants counties unfettered discretion in future zoning, jeopardizing homeowners legally protected right to the perpetual enjoyment and use of their property as originally intended when originally purchased and contracted. This law effectively creates a system of selective retaliation and manipulation, potentially allowing counties to weaponize zoning changes for illegitimate purposes.

Beyond the immediate threat to property values, SB2919 creates immense uncertainty regarding the future viability of these significant property investments, that average over a million dollars each in the State of Hawaii. This future uncertainty illegally deprives property owners of the ability to plan effectively, a crucial aspect of property ownership. The proposed laws in SB2919 constitute clear violations of legally protected rights under both the Hawaii State Constitution (Article I, Section 5) and the Fourteenth Amendment of the U.S. Constitution.

SB2919 violates the Hawaii State Constitution by failing to provide explicit future legal protections for homeowners property usage rights. Additionally, the bill's lack of clarity regarding zoning regulations violates homeowners rights to clear and predictable laws governing their protected properties.

SB2919 also violates the Fourteenth Amendment of the Equal Protection Clause and Due Process Clause by focus only on transient accommodations in these proposed zoning laws and discriminates against local property owners engaged in lawful use of their property at the time of acquisition.

The Fourteenth Amendment prohibits states from enacting ex post facto laws or laws impairing the obligation of contracts. SB2919 violates these principles by proposing illegal ex post facto zoning regulations that retroactively alter the legal zoning status of contracted

properties. This proposed law illegally revokes previously approved zoning designations and usage rights, constituting an illegal seizure of property rights by the State of Hawaii.

The Fourteenth Amendment's Contract Clause further prohibits States from passing laws impairing the obligation of contracts. Supreme Court interpretations of the 14th Amendment have broadly restricted any State's authority to enact laws that attempt to breach, modify, or regulate existing contracts, SB2919 directly contradicts these protections granted by the Supreme Court.

Potential buyers rely on existing clear laws to determine the long-term viability of property investments before entering into legally binding contracts. SB2919 fails to protect these rights by introducing future uncertainty, resulting in significant devaluation of property. This directly violates the legal protections outlined in Article I, Section 10, Clause 1 of the Fourteenth Amendment.

Amortizing or phasing out protected zoning classifications violates the Fifth Amendment's Due Process Clause and Takings Clause. SB2919 substantially changes property usage by altering the character of the property at the time of purchase, which exponentially diminishes the potential property value without compensation, violating the Takings Clause. These legally protected 5th Amendment clauses guarantee fair notice of the law's application and protect private property from being retroactively taken without just compensation by the government.

SB2919's lack of grandfathering clauses is a clear violation of due process, as it allows the State to retroactively impose new zoning restrictions on properties acquired under previous legal frameworks. This action unlawfully strips owners of their vested property rights.

Lastly, SB2919 contradicts long established legal precedents in Hawaii regarding due process that guarantees fair notice of the law's application and the ability to plan accordingly. By introducing ambiguity around future zoning, SB2919 deprives property owners of the crucial ability to make pre-emptive and informed legal decisions about their property. SB2919 not only violates due process laws, but also enables the country to arbitrarily impose laws that will cause unexpected and significant financial distress to Hawaiian homeowners.

SB2919 IS ILLEGAL AND STRIPS PROPERTY RIGHTS FROM OUR OHANA. Please do not pass this destructive bill in Hawaii.

Respectfully and with Aloha,

Jason Paisola

SB-2919-SD-2

Submitted on: 3/13/2024 3:59:22 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lexi Kinoshita	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Lexi Kinoshita

SB-2919-SD-2

Submitted on: 3/13/2024 3:59:48 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Deb Price	Individual	Oppose	Written Testimony Only

Comments:

Aloha, please stop the madness, this is still the USofA, the Hawaii government is becoming the government of mistrust. If there are permits issued in Ag or residential areas, you don't need to rezone them, you can phase out the permits.

SB-2919-SD-2

Submitted on: 3/13/2024 4:07:39 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cary Richman	Individual	Support	Written Testimony Only

Comments:

I am a homeowner, property owner, & at times during the year, a vacation rental owner. I live in a condo that is a HI State registered resort property, so laws restricting HI vacation rentals do not affect me. However, I have seen a proliferation of vacation rentals, both legal & illegal, as well as many that do not serve the Islands. We have given free reign to short term vacation rentals to the detriment of our Islands, their people, the culture, especially our infrastructures, & our current place in the world. As long as we continue to allow relatively unrestricted vacation rentals, we will have an oversized dependence on tourism to the detriment of all other forms of healthy long term growth possibilities. We must not only restrict short term vacation rentals, but we must greatly reduce the number allowed on every Island. Let's invest in a healthy & resilient economic & cultural future for Hawaii!

Thanks very much. Cary Richman Kauai

SB-2919-SD-2

Submitted on: 3/13/2024 4:14:09 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
jessica sill	Individual	Support	Written Testimony Only

Comments:

Dear Chair Wakai, Chair Keohokalole, and Honorable Members of the Committee,

I was a Lahaina resident and long time teacher at King Kamehameha III Elementary School and have been displaced and am now living on Oahu because I own dogs. Immediately after the fire, I was told by the Red Cross that I would have to place my dogs in the care of the Maui Humane Society if I was to be sheltered. I am not capable of putting my dogs in a shelter and so the Red Cross closed my case. I was forced to find housing on Oahu and have had to stay here, away from my everything....

Since the moment those first flames flickered, we have desperately been asking for help. Pleading for help.

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Jess Sill

SB-2919-SD-2

Submitted on: 3/13/2024 4:16:40 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelsey Medeiros	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

As a born and raised Lahaina resident I have seen the STR grow year after year. It is truly sad to see neighborhoods that we once filled with families and children playing in the yards and streets, to now a new set of visitors coming week after week. I understand that Hawai'i needs tourism, but that is what the hotels are for, Providing multiple jobs opportunities to our community to have. But if the workers can't find homes to live in, then they move off island and we lose not only the workers who are able to staff the hotels, but we lose another local family who couldn't find a home because STR's have taken over. With all these people using their homes as "second homes" and only living here a few months out of the year makes me sick knowing that a local family could be housed their!!

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Kelsey Medeiros (born and raised Lahaina resident, preschool teacher, Lahaina fire victim)

SB-2919-SD-2

Submitted on: 3/13/2024 4:17:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
HANH HONG DUONG	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Hanh Duong and I live on the island of Oahu.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Hanh Duong

SB-2919-SD-2

Submitted on: 3/13/2024 4:22:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark LeRoy	Individual	Oppose	Remotely Via Zoom

Comments:

A New Vision for Hawaii's STRs: Enhancing Economic Diversity and Property Rights

As a business owner, employer, taxpayer, and a decade-long resident of Hawaii, I am deeply invested in the economic and social fabric of our community. In light of SB2919, which seeks to expand county zoning powers with potential implications for transient accommodations, I propose a nuanced, economically supportive approach to regulating short-term rentals (STRs).

I advocate for the introduction of a progressive fee structure for vacation rental permitting, tailored to property value or annual revenues, with an additional fees and consideration for properties within non-conforming zones. This system is designed not only to encourage homeowners to make informed choices between short-term and long-term rental options based on their unique needs but also to recognize the broader economic benefits of STRs.

Crucially, opting for the STR path supports a wider array of small businesses and vendors compared to long-term rentals. STRs necessitate a variety of services including property management, cleaning, maintenance, and hospitality. This ecosystem supports local businesses and contributes to a vibrant community by ensuring that homeowners who choose this path are directly investing in the local economy. The flexibility offered by STRs allows property owners to periodically use their homes, providing a balance between personal utility and economic contribution.

This approach not only addresses the regulatory intent of SB2919 but also champions economic diversity and supports the myriad small businesses that are the backbone of our local economy. By fostering an environment where homeowners can make decisions based on their needs and the economic implications of those choices, we can ensure a robust, dynamic market that benefits all stakeholders.

Incorporating this progressive fee structure acknowledges the significant role STRs play in our tourism-driven economy, as underscored by a 2020 Hawaii Tourism Authority study. This study highlighted the \$6 billion economic contribution of STRs and their support for 46,000 jobs, emphasizing the importance of visitor choice in sustaining our tourism ecosystem.

Given the potential legal challenges and the critical economic role of STRs, I urge a reconsideration of SB2919 in favor of a model that supports economic growth, property rights, and the diverse needs of our community. This balanced approach promises to sustain the vibrancy and resilience of Hawaii's economy while respecting the rights and preferences of property owners.

SB-2919-SD-2

Submitted on: 3/13/2024 4:23:16 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Winternitz	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Elizabeth Winternitz

SB-2919-SD-2

Submitted on: 3/13/2024 4:23:47 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
susan kanehaulua	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Evslin, Chair Quinland, and Honorable Committee Members,

I am writing to expremy strong support for SB 2919, SD2, which clarifies that our counties have the clear right to phase out short term rentals over a reasonable amount of time.

The Lahaina fires shed light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue it is essential to ensure SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas exacerbateing our housing shortage and driving up rental prices for residents.

I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Mahalo for your attention to this critical issue.

Susan Kanehaulua

I

SB-2919-SD-2

Submitted on: 3/13/2024 4:25:46 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
teresa tico	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Chair and Members,

I am writing in strong opposition to SB 2919 SD2. I previously submitted written testimony, but would like to reiterate the reasons I am opposed to the phase out of TVRs.

Phasing out TVRs will not solve the housing problem. This is a global issue and can't be blamed entirely on TVRs. Inflation, high cost of labor and imported materials, beaurcratic red tape in obtaining permits, and the widening gap between the haves and the have nots contribute far more to the lack of affordable and long term housing than TVRs.

Phasing out TVRs will only hurt the multitude of local families who rely on renting a room or guest house short term to friends, family, transient workers and, yes, tourists, which income helps them pay for their groceries, gas, health insurnace, mortgages, and taxes among other costs that would otherwise "price them out of paradise."

TVRs where I live on Kaua'i provide hundreds of jobs for local families, from housekeeping, to yard maintenace, plumbing, electrical, power washing, just to name a few. TVR owners pay considerable TAT and GET to the State and Counties. Their guests contribute to the local economy when they shop and go to restaurants, and spend money on activities.

Rather than punish local residents who own TVRs, why don't we focus on the primary reason for the shortage of long term and affordable housing -- government beauracracy. We need to streamline the permitting process and allow housing to be built in a reasonable time, within a year, not 5-10 years. TVRs keep the money in our communities. Hotels move their profits offshore.

Your NO VOTE on this bill will save thousands of jobs and allow local residents to stay in their homes. Mahalo.

Teresa Tico PO Box 220 Hanalei, HI 96714 (808) 639-9080

SB-2919-SD-2

Submitted on: 3/13/2024 4:26:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Waite	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members,

As a local resident and business owner on Maui, I urge you to oppose Senate Bill 2919, which threatens to heavily regulate and phase out short-term rentals in Hawaii. This proposed legislation creates an unreasonable burden on property owners and will have severe, detrimental effects on our community.

SB2919 aims to establish a state-wide framework for regulating vacation rentals, including pre-approval for all listings, exorbitant fines for non-compliance, and the retroactive phase-out of non-conforming use certificates by counties. Such measures not only violate property owners' economic rights but also present a significant threat to the livelihood of over 7,000 families who depend on this industry for their income.

SB2919 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui, creating a severe economic crisis for the county. Maui's short term rentals (STR) provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. If STRs are curtailed, where will the equivalent revenue come from? This isn't a question applicable to just Maui, but to the entire state.

Moreover, the bill's proposed \$10,000 per day fines for operators found to be non-compliant are inconsistent with the State of Hawaii's constitution and the existing regulations on most islands. This severe financial penalty is disproportionate to the violations listed in the bill and would devastate the families who rely on this industry for their livelihoods.

I implore you to consider the real, human impact of SB2919, which would result in significant financial hardship for working families and force many to leave Hawaii. The previous attack on the vacation rental industry in Oahu did not alleviate housing prices and instead led to a surge in the number of vacant homes, thereby proving the ineffectiveness of such measures.

Your consideration of these points as you deliberate on SB2919 is crucial, and I urge you to oppose this legislation for the well-being of our community and the preservation of economic opportunities for Hawaii's residents.

Mahalo,

Mark Waite

SB-2919-SD-2

Submitted on: 3/13/2024 4:32:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristin Ringstad	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am Kristin Ringstad and I want to thank the committee for the opportunity to testify about SB 2919. I want to specifically support the Papakea Resort Property as that is the property I have the most knowledge of.

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use. The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea’s resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea’s Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea’s resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

- Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.
- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
- Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
- Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. They support fundraising efforts, cultural programs and environmental programs as well.

For the reasons stated herein I OPPOSE SB2919, SD1 and urge the committee vote no on this matter.

Respectfully submitted,

Kristin Ringstad

SB-2919-SD-2

Submitted on: 3/13/2024 4:40:09 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bonnie Chadwick	Individual	Oppose	Written Testimony Only

Comments:

- **OPPOSE , OPPOSE, OPPOSE**
- **THE GOLDEN GOOSE WILL NOW LAY**
- **ROTTEN EGGS FOR ALL WEST MAUI**
- See reason for opposing this bill....
- **WE WILL SOON BECOME A THIRD WORLD COUNTY - TOURISM WILL DWINDLE AND WE WILL ALL FACE A PAINFUL SLOW DEATH OF WHAT WAS A WONDERFUL FREE THINKING, FREE DEALING AND HAPPENING ISLAND.....**
- **NO MORE MAUI NO KAI OI**
- **Potential Loss of Legal Rentals:** SB2919 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui.
- **Economic Contribution:** Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?
- **Employment Impact:** Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.
- **Community Support:** Emphasize the role of short-term rentals in accommodating various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- **Housing Options in Crisis:** In times of crisis, like the Lahaina Fire, short-term rentals serve as essential temporary, furnished housing for displaced residents. Where will residents find temporary, furnished housing if our industry is further decimated?
- **RESPECTFULLY,**
- **BONNIE CHADWICK**
- **WEST MAUI**

SB-2919-SD-2

Submitted on: 3/13/2024 4:42:14 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tonia Marie Gebers	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

At this time I oppose this bill for the following reasons:

- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?
- Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.
- Short-term rentals have assisted in accommodating various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- In times of crisis, like the Lahaina Fire, short-term rentals serve as essential temporary, furnished housing for displaced residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB-2919-SD-2

Submitted on: 3/13/2024 4:42:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Arjunan Rajeswaran	Individual	Oppose	Written Testimony Only

Comments:

Dear Esteemed legislature

This proposal to grant extensive power to counties, enabling them to phase out short-term rentals in any zoning area, is very misguided.

It is detrimental to tourism, middle-class owners, the working class in the tourism industry and the overall economy.

1. Thus bill's broad zoning powers could negatively affect the housing market and economy by stifling housing growth with additional regulations.

2. Despite the intention behind SB2919 SD2, changing zoning powers will not effectively eliminate short-term rentals due to ongoing legal protections for property rights. Courts have recognized pre existing uses as vested rights protected by due process under both Hawaii and U.S. constitutions.

3. Most importantly, the assumption that phasing out short-term rentals benefits the economy lacks support; a 2020 study for the Hawaii Tourism Authority showed short-term rentals contributed \$6 billion to the state's economy and supported 46,000 jobs.

The study also found that 30% of visitors would not have visited Hawaii without the option of home and vacation rentals, suggesting the removal of STRs could harm various tourist-focused businesses and employment in sectors such as car rentals, restaurants, and maintenance services.

4. Finally research shows that recent U.S. Supreme Court decisions (Tyler v. Hennepin County and Timbs v. Indiana) have upheld property rights against government regulations, indicating potential legal challenges to SB2919 based on property rights protections. Given the legal and economic uncertainties surrounding SB2919's approach to regulating short-term rentals, we recommend that the Committee defer or deny the bill.

SB-2919-SD-2

Submitted on: 3/13/2024 4:42:28 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Arthur Schneider	Individual	Oppose	Written Testimony Only

Comments:

If this bill is passed, I will have to sell my condo and stop vacationing there. I will not be able to afford to keep the condo without short term rental income.

1. term rentals provide 40% of real property tax revenue for Maui. It is the top funding source for affordable housing for Maui. Where will the revenue come from to replace this lost revenue? Getting rid of STR is economic suicide for the county. Not only will property taxes be lost, jobs such as housekeepers, maintenance, people who work at property management will also be lost. Also less people will be coming to Maui because STR are the affordable alternative as to where most people stay when on vacation. Less visitors impact local retailers, restaurants, food trucks, snorkel rentals, kayak rentals, dive boats, everything related to visitor activities. Many people currently working in this industry will lose their jobs.

Short term rentals accommodate displaced residents, newly housed resident, residents in transition, inter island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military and students, our family and friends.

The Lahaina fire displaced thousands of residents. Where will residents find temporary, furnished housing if the short term rental industry is further decimated?

SB-2919-SD-2

Submitted on: 3/13/2024 4:44:16 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr Marion Ceruti	Individual	Oppose	Written Testimony Only

Comments:

Vote NO on SB2919. It is a threat to private property rights and a short-sighted approach to solving our problems. Short term rentals (STRs) are not just for rich people on vacation from the mainland. When we Hawai'i residents want to vacation, we like to use STRs on other islands, or even in other parts of our home island. If STRs are phased out so they are Kapu, or if they become more expensive, it will be more difficult to vacation here in Hawai'i. Flying to the mainland will become cheaper. Is this what you want?

STRs inject income into the economy of Hawai'i through all kinds of taxes and by helping tourism-related business make money. Local Hawai'i residents can make money and feed their families by helping to maintain STRs and by providing services and products to guests.

Notwithstanding the efforts to diversify out of the hospitality industry, no one has identified an industry that can provide the income of tourism. This is not how we want it to be, it just IS that way.

Not all STRs are owned by people on the mainland. Some STRs are owned by Hawai'i residents either on their home island or on a neighboring island. It would be a major financial hardship for many people if local governments kapu STRs or raise the taxes even beyond the extremely high level where they are right now.

Please, kokua, don't make all our decisions for us, let us decide how to use our property.

VOTE NO on SB2919.

SB-2919-SD-2

Submitted on: 3/13/2024 4:44:30 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrick Holland	Individual	Oppose	Written Testimony Only

Comments:

I work in the short-term rental industry on Maui managing rentals as well as cleaning them. The passing of this bill would be devastating to me and my family. It will also affect thousands of residents on Maui who either directly work in the industry as well as the numerous other industries who are connected through visitors vacationing in Maui/Hawaii. There are lots of residents who own these properties and all of the people working on island in the STR industry are locals. It is a vital part to our economy and community. I strongly oppose this bill and worry about the long-term affects it will have on Hawaii in general via loss of jobs, tax revenue for the state and residents possibly losing their homes. The government here in Hawaii has continually punted the affordable housing issue down the road and now instead of taking responsibility for their lack of creating affordable housing, they're going after residents who have made their careers in this industry.

SB-2919-SD-2

Submitted on: 3/13/2024 4:48:20 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Barry	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,
I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.
Mahalo for your attention to this critical issue. Sincerely,

From: Carol and Dennis Shearer, small business owners, West Maui

RE: OPPOSITION TO SB2919, SD2

Dear Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, Senator Rhoads, Chair, Senator Gabbard, Vice Chair and Members of the Committees:

We OPPOSE S.B. 2919 because we believe it will lead to tremendous hardship for the people of Hawaii without solving any of the problems it says it intends to address.

We'd ask you to recall the "Maui is closed" messaging immediately following the Lahaina fire, and the devastating economic consequences this messaging had. As we talk to Maui residents today - even those far removed from West Maui, in Paia and even in Hana - we are still hearing that they are struggling to get by as fewer visitors are spending fewer dollars more than 7 months after the fire.

This bill provides a vehicle for PERMANENTLY installing that messaging - permanently creating that economic struggle. And the people of Hawaii will suffer. They've already been through so much, first with covid, and then with the Maui fires - let's work on finding REAL solutions for diversifying the economy, and providing quality long-term housing for all our residents, not this recipe for disaster.

We would like to share the following specific information and thoughts -

We own a condo at Papakea, a West Maui resort which was built in 1978 and has operated as a vacation rental property for almost fifty years. The very first time we traveled to Maui, in 1984, we booked a vacation through Pleasant Hawaiian Holidays and stayed at this resort.

Our resort property has a range of resort-style facilities such as tennis courts, multiple pools and spas, putting greens, shuffleboard courts and cabanas, and is situated on 13 ocean front acres with a 1200 foot seawall, all of which is incredibly expensive to maintain. The units themselves are frankly less than desirable for long term occupancy. Because they were built to serve as short-term rentals, units have limited living space and almost no storage, and parking at the resort was designed for 1 car per unit. THEY MAKE NO SENSE AS LONG-TERM HOUSING, AND MAKE LOTS OF SENSE AS SHORT TERM VACATION RENTALS (STRS)

Papakea can only support the current personnel and operational maintenance levels that benefit the economy in Maui (described in more detail below) with high maintenance dues which rely on short-term rental revenue.

For our small 1-bedroom unit at Papakea, our monthly payment to the AOAO right now is \$1,238, approximately 80% of the HUD published fair market rent.

In the next two years, that cost will rise to almost \$2,000/month (due to a \$1.2 million increase in insurance starting December 2023, and a massive increase heading to us in 2026 due to a \$32 million plumbing project that will be starting in June.)

On top of AOAO dues, there is also a Facilities Use Fee of \$170/mo.

After adding GET and property taxes to the AOAO costs, and before any mortgage, the unit will cost close to \$2,600/month to maintain as a long-term rental. WITHOUT A MORTGAGE, and without factoring in insurance, utilities, and maintenance costs.

If the condo were sold to a local resident for their own primary residence, even at only a fraction of its current market value, by the time you calculate even a modest mortgage, this condo - at 597 square feet, almost no storage space, and a single parking slot - makes no economic sense for a local resident.

And just to be clear - slashing AOAO costs would require slashing maintenance of the property - and not maintaining the property would leave

West Maui with a 50 year old, decrepit, unsafe, eyesore of an oceanfront former resort. Which we do not believe anyone wants.

ECONOMIC BENEFITS OF STR AT PAPAKEA -

Papakea employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea Resort itself supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming, and activities providers who offer yoga, tai chi, swimmercize, lei making/ Hawaiian culture and similar activities.

Short terms rentals like ours support a wide range of small businesses in the Maui community including housekeepers, handymen, tradespeople like carpet cleaners and air conditioning maintenance experts, on-island agents, and contractors.

Short term rentals also host more than just “tourists”. We have hosted kama’aina from other islands vacationing or visiting family and friends on Maui, medical personnel, and people volunteering to assist local non-profits on Maui. They offer options to families that are more affordable than the big hotels. STRs encourage visitors to venture out into the community to visit small businesses and residents, rather than confining themselves to the resort bubbles owned by multi-national corporations with NO ties to Maui.

We’d like you to consider the example of our housekeeper, Arcelia Gama. We have spoken to her about this bill, and she has expressed her worry that eliminating short term rentals will put her out of work. She has already lost SO MANY units due to the fire and conversion of STRS to long term rentals, and is right now having to explore getting a night job at a restaurant. (A job which would also disappear if STRs are banned, and which is already incredibly hard to find with the loss of Lahaina town). Arcelia has a mortgage and all her other regular living expenses to pay, and supports both her aging parents and her two children, all of whom live with her. She specifically asked that I share her name with you and her story, and express her fear about this bill.

Short term rentals like ours support the State of Hawaii and County of Maui through payment of property taxes at the short-term rental rate, Transient Accommodations Tax, State and Maui General Excise Tax, and Maui Transient Accommodations Tax. These taxes support essential services for Hawaii's residents, and contribute substantial resources to important programs such as affordable housing initiatives.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, shops, state parks, and the national park. We would like to note that, when we first returned to West Maui in November 2023, when visitors were first being told they could return, we had SO MANY small business owners and employees thank us for coming. And they told us how incredibly hard it had been hanging on as the number of visitors dwindled and income dried up, and they saw their livelihood slipping away. When we were there this past month, preparing our condo to host a family long-term, we heard the same message still - that visitors are fewer, spending less, staying more in the hotel/resort areas and frequenting areas like Paia and Hana less, and the businesses and employees are hurting as a result.

For all these reasons, we plead with you to do the right thing, for Maui and its residents, and reject SB 2919.

Respectfully submitted -
Carol and Dennis Shearer

SB-2919-SD-2

Submitted on: 3/13/2024 4:50:54 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Philamer Felicitas	Individual	Support	Remotely Via Zoom

Comments:

My name is Philamer Felicitas, a renter living in Waipahu, Oahu. I want to one day be able to stop paying more than 1/3 of my "living wage" on rent and house my son and family in a forever home to prevent us moving back to the continent. My story is not unique and I hope one day my story will no longer resonate with the thousands of families that have lived here for generations and contribute to the Aloha and beauty of these islands that so many from outside the islands are willing to pay so much for, much more than I can ever afford.

Regulations and measures like SB2919 can help keep our 'ohana here in the islands, can help stabilize the need for affordable AND permanent housing. I appreciate the opportunity to be heard. Mahalo for this public hearing. I hope that this kind of forum between community and public servants can be maintained to ensure transparency and broad discussion on matters that affect ALL of us.

SB-2919-SD-2

Submitted on: 3/13/2024 4:54:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Angelina Kua'ana	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Angelina Kua'ana

SB-2919-SD-2

Submitted on: 3/13/2024 4:55:34 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaila Wilkinson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

According to UHERO, Maui's short term market represented 15% of the housing supply. This 15% is critical to ensuring that locals can stay in Hawaii. It is time you start protecting the people instead of foreigner's economic interests since 52% of short term rentals in Hawaii are owned by non-state residents.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Kaila Wilkinson

SB-2919-SD-2

Submitted on: 3/13/2024 4:59:48 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Fitzpatrick	Individual	Support	Written Testimony Only

Comments:

Aloha Kakou,

I strongly support SB2919 which would allow counties to phase out short term rentals. Long before the Lahaina wildfires there were housing shortages because housing zoned for residential use was being transitioned to short term rentals and outside investors bought up the housing in order to convert residential properties for this "commercial" use instead of residential use.

Please pass SB2919 so counties could better regulate and phase out short term rentals so they can be transitioned back to housing for our people.

Mahalo,
Fitz

SB-2919-SD-2

Submitted on: 3/13/2024 4:59:51 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara C Griffiths	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Tamara Griffiths

Aloha Chair, Vice Chair and Committee,

My name is Michele Lussier and I live part-time on the Island of Maui

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in the community.

I have taken great care to be fair and inclusive with my rental amount charged and I have successfully run a short-term rental , which has been an essential part of my income for over 25 years.

Also, my tenants spend money on restaurants and events and pay taxes on all. I believe that Short-term rentals must cover a large percentage of Maui's taxes collected from vacationers.

I also understand that the Governor is stuck between a rock and a hard place. If you remove short-term rentals, you remove the ability for many to visit Maui and short-term rentals are more affordable than hotels. Yes, the Lahaina devastation is causing a huge housing shortage.

I do not know the answer (though I am willing to put it in a longer-term pool of up to 18 months as FEMA has asked.

I offered my condo based on availability when the Lahaina fire happened and I also have donated and asked how to help, but to remove my ability to have income from a property purchased for this purpose seems unfair. I have paid taxes and additional TA taxes for many years and removing that after years of paying into it is unfair. What if the condos were available during summer months and allowed short-term rental in the Spring, Fall and Winter?

If this bill passes , it will hurt me and put at risk my ability to pay for my own housing and bills. Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Mahalo,

Michele Lussier

SB-2919-SD-2

Submitted on: 3/13/2024 5:05:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tryg Jon Fortun	Individual	Oppose	Written Testimony Only

Comments:

WE OPPOSE SB 2919. We have had our Maui vacation rental for decades. We hire housecleaners, pool technicians, landscape maintenance people, trades people, etc., to help us provide a great experience for our Guests. We pay these workers very well; for instance, our housecleaners average between \$50 and \$83 an hour. pay substantially higher property taxes because we have a vacation rental, and very significant GET and TAT taxes. Our Guests also buy services and products from Maui business. This money helps other residents and businesses, as well as Maui & Hawaii government. also have housecleaners who help us with our vacation rental living in our home. We urge you to oppose SB 2919.

Thank you.

Tryg & Barb Fortun

SB-2919-SD-2

Submitted on: 3/13/2024 5:06:06 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Polland	Individual	Oppose	Remotely Via Zoom

Comments:

I have lived on Maui since 1976, and I have owned my home in Kula for 29 years. I also was lucky enough to buy a second home many years ago, but it burned to the ground in the Maui wildfires last August. I have a fully permitted BnB in my home, and it is my only source of income now that the other house burned down. In fact, without the vacation rental income of the BnB, I would not be able to afford my mortgage payment, and I would undoubtedly lose my home. I will be 80 years old this Summer, and I'm not fit for any other kind of income producing work. I pay all the TA, GE, and MTAT taxes religiously, I pay property tax, and I have been fully permitted for nearly ten years. SB2919 threatens my livelihood and makes me feel frightened that such legislation could take away what I have worked so hard to achieve. Also of note, I employ two housekeepers, a handyman and a gardener. If my BnB is taken away from me, these people will also lose income that helps them pay rent where they each live. PLEASE do NOT pass SB2919. It has the potential to hurt MANY people. Mahalo.

SB-2919-SD-2

Submitted on: 3/13/2024 5:09:11 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David McAlear	Individual	Oppose	Written Testimony Only

Comments:

Aloha, As a local resident and real estate agent in Maui, I am deeply concerned about the potential negative impact of HB1838 on our island's economy. The bill allows counties to phase out non-conforming single-family transient vacation rentals, which could have severe repercussions for the local housing market and our community's economy. Its unrealistic to expect a family to live in a 1 bed 1 bath condo long term that was once a vacation rental. Even if the prices drop to an affordable price point, the HOA will still be very expensive and will price out most local families. Parking at these complex would be an issue as well. Many of these properties were designed to have 1 car or truck. The real problem lies in the government red tape that prevents the utilization of empty homes, tiny homes, and projects ready to go. Instead of creating laws that will harm locals, the government should focus on approving, enforcing, and providing incentives to address the housing crisis and support our community.. Mahalo, David McAlear

SB-2919-SD-2

Submitted on: 3/13/2024 5:09:20 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Keila Paahana	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this bill to phase out short term rentals

SB-2919-SD-2

Submitted on: 3/13/2024 5:09:28 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennylen Espina	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Jenny

Aloha,

We fell in love with Hawaii 40 years ago then Maui 30 years ago, so much so we purchased property on Maui about 20 years ago. We did this to enjoy our twice per year stays as well as a long term investment. We are so fortunate to spend more than a month in Maui every year, and we don't take it for granted.

When we are not on-island we share our piece of paradise with friends and guests. This helps offset the costs of the purchase and maintenance of our long term commitment to the island. But the other portion of our commitment is to the state of Hawaii and the County of Maui where we significantly contribute to the local economy through so many avenues. Lest we forget, a few are listed here:

- 1) Property taxes paid;total for 2023: \$16,184
- 2) TAT/GE paid; total for 2023: \$16,471
- 3) Local maintenance/contractor 2023:\$24,387
- 4) Local management booking fees 2023: \$12,220
- 5) Local mortgage Interest to FHB: \$21,375
- 6) Local cleaning fees 2023: \$ 8,769

So as you can see, the impact of our condo ownership contributes about \$100,000 to the local economy. And we are only one owner in our large complex of over 300 condos in South Maui. Can you imagine if we were shut down from operating the way we have for nearly 20 years? The State of Hawaii and the County of Maui, not to mention the far reaching implication of our local vendors we employ would be devastating.

But that isn't where the story ends. I can't imagine or have any way to gauge the impact a shut down would do to our investment. We can only say if our complex were shut down, the value of our investment would likely plummet. Not being able to absorb the loss of selling, our condo would be empty a majority of the year until our retirement, which a shut down would accelerate. I will let the Hawaii State Legislature speculate on the change in the way we (and our cohorts) feel about Hawaii if this were to occur.

Mahalo for your consideration

Mark and Susan Simpson
Condo owners

Kihei, Maui, HI

SB-2919-SD-2

Submitted on: 3/13/2024 5:10:23 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashley	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Ashley Moody

SB-2919-SD-2

Submitted on: 3/13/2024 5:10:38 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Fisher	Individual	Support	Written Testimony Only

Comments:

I support SB2919. Housing for the residents of Hawaii is of utmost importance.

SB-2919-SD-2

Submitted on: 3/13/2024 5:10:45 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Adrian Cable	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Keohokalole, DeCoite, Wakai, and Members of their Committees:

Mahalo for the opportunity to write this testimony in opposition to SB2919 and present a 'reality check' to those in favor.

SB2919 grants the Counties the power to eliminate legal short term rentals via zoning ordinance. As pointed out in other testimony, if the Counties exercise this power, it will have the effect of denying rights to homeowners which are prima facie protected by the takings clause of the Hawai'i and Federal Constitutions, which have been affirmed previously in very similar situations by the Hawai'i Federal District Court, the US Supreme Court and others. It is unlikely that any straightforward amendments to SB2919 would address these issues, since taking this legal risk off the table would require compensation of impacted homeowners which (a quick calculation shows) would be unaffordable to the State or Counties. As a result, a legal challenge from affected homeowners, of which there are tens of thousands, is inevitable.

The principal beneficiaries of SB2919 will thus be the attorneys representing the State of Hawai'i and Counties in the protracted, and expensive, litigation that will follow. This money (paid by our taxes) would be better spent building affordable housing in Hawai'i, providing downpayment assistance to low-income potential homeowners, or other approaches to the pressing housing problems faced by the State.

The tragic thing, here, is that those involved in drafting and supporting SB2919 are well aware of this high level of legal risk and the consequences of the inevitable litigation that will follow, indicating that the motive behind its drafting is to disingenuously curry popular favor with the electorate, instead of a genuine attempt to address the State's critical housing issues. I find the number of testimonies in support of this bill on the basis that it ostensibly provides a mechanism to address the State's housing situation rather depressing, especially the 'cut and paste' testimonies from those who clearly haven't thought deeply about what they are helping to set in motion by supporting this bill. I hope that, instead, the Committees and residents of Hawai'i will take a few moments to reflect on the reality of the consequences of trying to pass magical 'silver bullet' bills like SB2919 before choosing to support them.

Mahalo for your consideration.

SB-2919-SD-2

Submitted on: 3/13/2024 5:12:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Heather Smith	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to SB 2919. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns,

Heather Smith

SB-2919-SD-2

Submitted on: 3/13/2024 5:19:45 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Wayne	Individual	Oppose	Written Testimony Only

Comments:

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members,

My name is Eric Wayne and our family has a condominium in Kihei. I am testifying in opposition to HB1838 currently for a variety of reasons.

First and foremost - how will the lost tax income be replaced? Maui's short-term rentals provide 40% of the real property tax revenue for the county. Without a substantive plan, this Bill could have unexpected consequences.

Additionally, there are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, on-island contacts, etc. This is an obvious negative consequence if this Bill is allowed to progress. I feel that more research and alternatives must be investigated.

Are we in a housing crisis? Yes, of course. But this Bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires. In your haste to believe that this Bill would be a benefit to our community would ultimately be a hindrance. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state. The thousands of jobs lost will be significant.

Let's continue to brainstorm ways to help those that are in a housing crisis without decimating the livelihood of others. STRs do have positive contributions to our community, yet they are being treated as if they are the main underlying cause of the crisis. This is not true.

I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community.

Thank you for the opportunity to testify my opposition to Bill SB 2919.

Mahalo,

Eric Wayne

I am testifying to oppose Bill SB2919.

We have owned a condominium at Maui Kamaole in Kihei since 2000 with the understanding that it could be used as a short term rental unit. During the 24 years we rented the property the state of Hawaii and county of Maui have issued permits for its operation and collected taxes from revenue generated by this property. Which led us to believe that this was a lawful and sanctioned activity. We feel it is unfair to deny our ability to rent our condo on a short term basis after all this time.

Additionally, we have contributed to the economy of Maui by providing partial salaries for the property management company, condominium association employees, and cleaning staff. We have also supported a large number of businesses on Maui including several contractors, retail sales, and service establishments.

We feel that Maui has become like our home. We come to Maui every year to inspect and maintain the property then spending time enjoying all the island has to offer. We would be prevented from doing this if the condo was a long term rental. There are very few tenants willing to rent for 90 days. Without short term rental income to offset taxes and association fees we would be very hard pressed keep our condo and come to the island that we love.

Finally, we have tried our best to be good citizens of Maui. We contribute to several entities like Lahaina relief funds, worked as volunteers, and tried to respect the island, its people, and its history.

Thank you for your time,
Steve Kunitake
2777 S. Kihei Rd., K204

SB-2919-SD-2

Submitted on: 3/13/2024 5:26:39 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl hendrickson	Individual	Support	Written Testimony Only

Comments:

Aloha- Please support SB2919, SD2 for counties to phase out short-term rentals. Our state wide housing crisis demand this action. Our neighborhoods have been inudated with a never ending cycle of strangers who do not respect our ways. It must also apply to apartment zoned properites as well because they exacerbate our housing shortage and drive up rental prices. Short term rentals should be legally required in existing hotel and condominium properties only.

SB-2919-SD-2

Submitted on: 3/13/2024 5:27:54 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
tina ah puck	Individual	Support	Written Testimony Only

Comments:

I support this bill because short term rentals have gotten out of hand and we need the tools to locally regulate where and how many are allowed. Seven months after the fire and there is still NO HOUSING for over 4000 people, including children and kupuna. Unacceptable. This bill will be a step in the right direction.

SB-2919-SD-2

Submitted on: 3/13/2024 5:31:06 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karissa Anderson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee:

My name is Karissa Anderson and I own a condo on Maui.

I am writing in opposition of SB2919 because it will threaten my ability to make a living as well as negatively impact the cleaners and maintenance workers who live and work on Maui. SB2919 could result in the phasing out of over 13,000 legal short-term rentals on Maui. If STRs are phased out/banned, many local residents will become unemployed due to a dramatic decrease in visitors and will need to move to the mainland; they will have no need for the housing that was once a STR, and STRs will be left vacant.

Eliminating short-term rentals benefits no one, especially the state of Hawaii. Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from? It will by default increase the tax burden on residents.

Mid- and short-term rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, and our family & friends. I urge you to enforce existing laws and ask that you please not move SB2919 forward.

I rent my condo to visitors who are unwilling to stay in hotels and have told me that they will not visit the islands if forced into hotels. Many of my guests who rent my condo have been visiting for years and put thousands of dollars into Maui's economy every year by supporting small businesses, restaurants, etc.

My condo is zoned apartment, but is located in a resort complex. Like most STRs in Maui, it is a 1 bed/1 bath unit that is unsuitable for longer term renters as there is no storage, no pets allowed, only a single parking space, and a very high HOA fee of \$800 per month. Phasing out STRs will not create more affordable housing; it will only dramatically reduce the amount of income-generating visitors. Locals will not want to purchase former short-term rentals for the reasons stated above. The default buyers of these properties will be wealthy off-island owners who can afford to purchase them and leave them empty for a majority of the year. Hosting visitors as short-term renters adds so much more to Maui's economy.

With respect and aloha,

Karissa Anderson

SB-2919-SD-2

Submitted on: 3/13/2024 5:31:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julio Lopez	Individual	Oppose	Written Testimony Only

Comments:

My wife and I take care of short term rental properties. My cleans and I provide handyman services. Short Term Rentals provide us with jobs that pay a living wage.

Your policies hurt the people who rely on jobs that are provided by Short Term Rentals. The policies that are intended to ban Short Term Rentals hurts people in the low to middle income ranges.

I oppose SB2919 because it will impact me and my family directly.

If you want to provide affordable housing, issue more permits and streamline the process. Many resorts are intended for long term living. Many short term rentals are studios that are less than 500 SF.

Please do not hurt the working class.

Julio

SB-2919-SD-2

Submitted on: 3/13/2024 5:31:34 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Corrine a Fabie	Individual	Oppose	Written Testimony Only

Comments:

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members - my name is Corrine Fabie. I am testifying in opposition to HB1838 currently for a variety of reasons. First and foremost, how will the lost tax income be replaced? Maui's short-term rentals provide 40% of the real property tax revenue for the county. Where would this significant revenue be generated elsewhere which funds schools, infrastructure, etc in the county. This Bill could have unexpected consequences to the many people on Maui which are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, handyman, on-island contacts, front desk employees, etc. This would not solve a housing crisis but further increase unemployment to extreme levels. There are many negative consequences if this Bill is allowed to continue. I feel that more research and alternatives must be investigated if this bill is being considered to "fix" a housing crisis as instead it would cause a severe economic crisis to Maui residents that rely on their employment because of STR. STRs have a positive contribution to the overall economics of our community. STRs have a positive contribution to the overall economics of our community. They are not a cause of the problem of housing. Thank you for the opportunity to testify my opposition to Bill SB2919.

SB-2919-SD-2

Submitted on: 3/13/2024 5:32:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Giuliano Geronymo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

With love,

Giuliano Geronymo

SB-2919-SD-2

Submitted on: 3/13/2024 5:34:17 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Cheatham	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I **OPPOSE** SB2919, SD2.

- We are a small family that loves to visit Maui. We spend a lot of money on our vacations as well as significant amount of money to maintain and remodel our unit (which is also a short term rental). Our guests go out to eat and spend money in the local economy.

Background on Papakea

- Papakea is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.
- Papakea was initially marketed and sold as vacation rental property.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.

- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Papakea's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea's Contributions to the Community

- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea's resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
- Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents,

and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.
- Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
- Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE SB2919, SD1 and urge the committee vote no on this matter.

Respectfully submitted,

Greg Cheatham

SB-2919-SD-2

Submitted on: 3/13/2024 5:35:16 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shailendra K Goel	Individual	Oppose	Written Testimony Only

Comments:

- This Bill could result in the phasing out of 13,744 LEGAL short term rentals on Maui.
- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB-2919-SD-2

Submitted on: 3/13/2024 5:36:46 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jody Mountain	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Jody Mountain

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

[Your Name]

SB-2919-SD-2

Submitted on: 3/13/2024 5:38:11 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jenny Parker	Individual	Oppose	Written Testimony Only

Comments:

Aloha Hawai'i House Committee members,

My husband and I are testifying in opposition to SB 2919 SD2, and we respectfully ask you to please vote NO on SB2929.

We purchased our first condo in Kamaole Sands in Kihei in 2008, then a second unit in 2010. Our two condos are managed professionally by Rentals Maui, a local property management company. We have also used the same cleaning crew for the past 5 years, a local small family-owned business based in Wailuku. We have hired 3 local contractors and did 4 major renovations since 2008.

We take great pride in the ownership of our two Maui condos. We have welcomed countless vacationing families into our Maui home.

Beach condos present a budget-friendly way for families to travel, as Maui hotels are becoming increasingly expensive, and cost prohibitive for average American families.

In February of this year, we paid over \$13K for six-months worth of property taxes. Also, on Feb 20th, we paid over \$6,600.00 for the GE, MCTAT, and TA taxes for just one month (January 2024) on our two condos. We pay these transient taxes on a monthly basis. Although we are not lucky enough to live on Maui full time yet, we have continuously contributed to Maui's tourism, community, and tax revenue since 2008.

We urge you to please vote no on SB2919, as this bill threatens the Maui short-term vacation rental market.

This bill creates uncertainly for the short-term vacation economy. This will negatively impact not just us as individuals, but will negatively impact Maui's tax revenues, and all of the many residents that work and serve in the short-term vacation rental industry, as well as all of Hawaii's tourist industry and related industries like restaurants, tours, water-sports, etc.

Please vote no on SB 2919 SD2.

Thank you,

Trent and Jenny Parker

SB-2919-SD-2

Submitted on: 3/13/2024 5:38:34 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ravi Bugga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committee,

I strongly support passage of SB2919. Our residents desperately need places to live on the West side - there are several thousand cars crowding the 2 lane road daily to Kahului, Kihei etc - a commute of 2-2 1/2 hours a ach day.

I respectfully urge you to please include language in the bill which specifically applies to apartment zoned properties.

Thank you for your attention to this critical need.

Sincerely,

Ravi Bugga

Lahaina

SB-2919-SD-2

Submitted on: 3/13/2024 5:40:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Dooley	Individual	Support	Written Testimony Only

Comments:

Aloha and Thank You for taking the time to consider the voices of the people who actually call Hawaii their full time home. Not their second home, not their business investment, not their retirement plan- the ones who invest ourselves in these magical islands Daily all year long, year after year after year in many many ways. We support each other, we feed each other, we help each other, we love each other. That spirit of Aloha everyone loves to talk about is found in THOSE people- we must protect that not exploit it for financial gain.

We are BEGGING for HELP! Please, prioritize the basic need of shelter that every person should be entitled to over the selfishness of financial investments justifying their greed with "the numbers." Just because we live in "paradise" doesn't mean we don't deserve affordable housing. "Paradise" shouldn't only be for the rich.

short term rentals are often at the heart of this housing crisis issue- many of us have experienced first hand or had friends/family forced out of their long term home because the owner has a financial opportunity to make More than they already were. Are we really okay that the basic right of shelter is exploited this way to such an extreme here in Hawaii? It's only been getting worse year after year. More and more people priced out of paradise. Doing something about this issue begins with the short term rentals- enough is enough. There needs to be a cap & it should have been put in place long ago. It's not too late though! Please help us keep Aloha in Hawaii & not actively price out the generations that commit their lives to stewarding and protecting these sacred islands. Support SB2919!

mahalo nui,

Drea

SB-2919-SD-2

Submitted on: 3/13/2024 5:46:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger R. Pleski	Individual	Oppose	Written Testimony Only

Comments:

HSG/TOU committee,

SB2919 would result in the phasing out of legally permitted short-term rentals on Maui. This is a ridiculous bill that should be shut down immediately. Until you can show the citizens of Maui an industry that can replace tourism and its tax benefits, stop the craziness.

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's \$1.7 billion dollar budget. The question arises: If STRs are curtailed, where will the equivalent revenue come from?

Statewide, over 40,000 jobs are supported by the short-term rental industry. Restricting this sector could have far-reaching consequences on employment.

Short-term rentals in accommodate various community members, including displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military, students, and our family & friends.

In times of crisis, like the Lahaina Fire, short-term rentals serve as essential temporary, furnished housing for displaced residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB2919 could result in the phasing out of 13,744 legally permitted short-term rentals on Maui.

You are all intelligent people and you already know what I have shared above. I honestly cannot understand who could come up with such a catastrophic idea.

Furthermore, you should consider the legal ramifications. This WILL go to the supreme court!! The cost to the state/county will be devastating!

Maybe you should consider a yearly fee for legal STR's. Seems crazy that you could pull a BB-1 license and NEVER need to pay a yearly permit fee! There are people that have owned their STR for 20+ years and have only ever paid the original application fee. If you passed a law that STR's

had a \$300 per year fee, the owners would pay it, no questions asked! Use that income for affordable housing. Just a thought.

Sincerely,

Roger

SB-2919-SD-2

Submitted on: 3/13/2024 5:49:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Keith Paulsen	Individual	Oppose	Written Testimony Only

Comments:

March 13, 2024

House Committee Members

I ask you to strongly consider the negative impacts of SB2919 and vote against this bill.

I am a licensed RE Broker in Hawaii and SB2919 impacts me both professionally and personally.

The real estate industry has been hit hard enough with high interest rates and declining values for condos here in Maui and especially in West Maui where the majority of STRs support the economy. Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui.

Personally, I pay approximately \$9,500 per month to First Hawaiian Bank - mortgage, Destinations Maui - HOA, County of Maui – property taxes, Atlas Insurance of Hawaii - insurance. As you can see, all these funds are paid to companies based in Maui and/or the State of Hawaii. For me to live in my condo, I must subsidize it by renting it out a certain number of days per year. My Maui County tax bill alone is \$22,368.06 per year. These dollar figures do not include the income that I pay to Maui County and the State of Hawaii in TAT and GET taxes. You are killing the goose that lays the golden eggs.

Reducing the number of STRs to provide affordable housing does not work. Lake Tahoe is a great example of this. The restrictions put on STR owners have not opened affordable housing opportunities. It has led to unoccupied property as the owners are using these as a 2nd home and not rentals any longer. They want to be able to use their home when they can, which is not possible if they leased it out. This lack of occupancy has a negative impact on their local economy. Without visitors, there is not any income being spent and no tax dollars being generated.

SB2919 is not the answer.... And I urge all of you to cast a “NO” vote.

SB-2919-SD-2

Submitted on: 3/13/2024 5:50:53 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alana Hendrickson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Alana Hendrickson

SB-2919-SD-2

Submitted on: 3/13/2024 5:52:08 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
jackson mosher	Individual	Oppose	Written Testimony Only

Comments:

Greetings, please consider my testimony regarding HB1838.

I believe this bill will undermine private property owners who own Short term vacation rentals.for the following reasons.

Short term vaction rentals provide affordable options for guests visiting Hawai'i. A family of 6 can stay at a vaction rental for a fraction of the comparable hotels in my area. they also allow visitors to cook and stay for longer periods than would otherwise be economical. This allows them to spend money on other activivites and support business outside of the hotels.

Vacation rentals also support management, maintenance and cleaners in their area. I pay almost \$40,000 dollars a year in transient occupncy taxes and another \$26,000. in property taxes on my two units per year. This bill could eliminate almost a half of BILLION \$\$ of income coming from Maui alone? wouldnt it be smarter to use those dollars to build affordable housing in areas where the locals live??

Of course the big hotels would love to crush the small guys, raise their rates even higher,and fleese the tourists coming to Maui. This bill will also limit the number of tourist that come to maui every day. I hear many people complaining that Hawai'i is getting too expensive and they are going elsewhere.

I believe that cracking down on illegal STVRs,and elimintaing conditional use permits for STVRs in residential aeas where locals live and work can solve the tight housing market many locals are experiencing,

I have stayed at both hotels and and STVR while visiting Maui, and I really think the STVR is a much better experience for most Familys.

Please consider these issues when voting against this agridious legislation.

Jackson Mosher

Jackmosher1@gmail.

SB-2919-SD-2

Submitted on: 3/13/2024 5:53:43 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	In Person

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I stand in support of SB2919.

Housing needs are greater than the needs for profits from tourists. We can't have our own residents, the fabric of our communities, homeless or leaving Hawaii because they can't afford homes, while simultaneously prioritizing profits from tourism. We need to put our people ahead of our profits, now more than ever.

Allowing counties to phase out short-term rentals (STR) in residential areas will play a key role in providing housing options to our residents.

One suggested amendment I have for this bill however, is to also include apartment-zoned properties as well, as many of the STRs are in apartment zoned buildings. The issues with STRs in apartment zoned buildings are the same as those in residential communities.

While many who oppose this bill will argue that converting short-term rentals into long-term rentals will decrease profits and State revenues, we need to prioritize housing for our residents. This argument is also negated by the fact that long-term rentals also provide revenue to homeowners, although it may be less than what they could have made as a STR, the priority still needs to be providing housing for our residents.

In residential areas and apartment-zoned properties, Transient Accommodations (TAs) aka STRs, are detrimental to the community. While some may argue that the use is "residential in nature," nothing about TAs & STRs support the community, and thus do not support residential areas. The basic nature of visitors occupying a house, exploring our islands during the day, and gathering or partying at night, without regard for the care of the community, is very anti-community and detrimental to community building and the health of a residential area. At no point in the use of STRs or TAs is there any relationship building occurring with the neighboring residents. By its very nature, relationships are not able to be formed, camaraderie is not able to be developed, and trust is never really built.

To keep allowing STRs and TAs in our residential areas is to deprive our communities of trust, camaraderie, and tight relationships. This is even when the "best case scenario" is considered, with the visitor being a pleasant family who is quiet and respectful of their neighbors while occupying a TA or STR. With the more "typical" cases of visitors staying in STRs or TAs,

visitors to Hawai'i are often partying, making loud noises late at night while listening to music and having friends over, possibly consuming alcohol, all of which would occur throughout their stay, regardless of the day, even on the typical workdays of Monday - Friday.

Phasing out of STRs will force homeowners to convert into long-term rentals or sell their homes to someone who will live in the unit, both of which will allow for communities to grow and strengthen.

Mahalo nui loa for your time and consideration.

Keoni Shizuma

SB-2919-SD-2

Submitted on: 3/13/2024 5:54:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Biho Montgomery	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fire has shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Tamara Biho Montgomery

SB-2919-SD-2

Submitted on: 3/13/2024 5:54:50 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Andrew Isoda
Lahaina, Mau'i

SB-2919-SD-2

Submitted on: 3/13/2024 6:01:15 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William P Lamkin	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am a retired veteran living on Maui and I depend on the income from my vacation rental to maintain a respectable quality of life. I strongly oppose SB2919.

Mahalo,

Bill Lamkin

SB-2919-SD-2

Submitted on: 3/13/2024 6:09:09 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ron Gittel	Individual	Oppose	Written Testimony Only

Comments:

I would like to strongly object to sb2919 and all other attempts to phase out short term rentals.

SB-2919-SD-2

Submitted on: 3/13/2024 6:09:11 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul	Individual	Oppose	Written Testimony Only

Comments:

the Hawai'i House Committee on Housing and the Hawai'i House Committee on Tourism are scheduled to hold a [joint hearing](#) on [Senate Bill 2919, SD 2](#), which could expand the zoning powers of counties to allow counties to amortize or phaseout transient accommodations in residential and agricultural zones.

as a resident of Maui for 22 years and a taxpaying citizen, my main source of income and business for myself and my family is the bed and Breakfast I have been running at the above address for over 10 years , The proposed amendment which would allow my current permit, which is in good, standing to potentially be phased out, would leave my family and myself without a means of income, as I am retired and severely impact her well-being

The proposed amendment which would allow my current permit, which is in good, standing to potentially be phased out, would leave my family and myself without a means of income, as I am retired and severely impact her well-being.

I have duty abided by all laws and pay taxes both GTTAT and the new MCAT for over 10 years and would greatly appreciate my livelihood not to be threatened by this bill.

I have duty abided by all laws and pay taxes both GTTAT and the new MCAT for over 10 years and would greatly appreciate my livelihood not to be threatened by this bill.

Although I understand the need to Prevent unlawful transient commentation I believe that lawful abiding citizens with proper permits and taxpaying should be allowed to continue without the threat of closure.

Although I understand the need to prevent unlawful transient commentation I believe that lawful abiding citizens with proper permits and taxpaying should be allowed to continue without the threat of closure.

Thank you so much for Your time and consideration, your sincerely, Paul Gotel

SB-2919-SD-2

Submitted on: 3/13/2024 6:09:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amir Tavakkol	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

my wife and I own a condo in Menehune Shores. I'm a retired professor and this condo is a substantial part of my life savings. The small income that our condo generates provides for our livelihood.

the proposed legislation will impact us significantly both in terms of our life savings and our livelihood, as it will diminish our income and the value of our savings.

We strongly oppose SB2919. please reject this proposed legislation.

regards,

Amir Tavakkol

760 S Kihei Rd #422

SB-2919-SD-2

Submitted on: 3/13/2024 6:18:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Falinski	Individual	Support	Written Testimony Only

Comments:

I am writing to express my strong support for SB2919, SD2, which gives counties agency over whether short term rentals should be allowed.

Housing is in short supply, and our neighborhoods are at risk. On O'ahu, where I live, short term rentals feel under control - but on Maui, where I work, the situation is disastrous, with so much of the housing supply left for short term tourists or visitors who do not contribute to the community building work we need right now.

Thank you for your support.

SB-2919-SD-2

Submitted on: 3/13/2024 6:19:46 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Koenig	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs:

Please vote no on this bill which does not accomplish anything for the residents of Hawaii and particularly Maui as the money generated by the property taxes, transient taxes, excise taxes, and support for small business and big ones cannot be replaced in any other manner. This is a cut off the nose knee jerk reaction to 'punish' short term rental owners and not benefit the thousands of residents who work in tourist related industry. This bill will cripple the economy of Hawaii for the next 20 years, Thank you

SB-2919-SD-2

Submitted on: 3/13/2024 6:20:40 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Whitney Welsch	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I am a third generation owner of a condo in Kihei on Maui. I am opposed to this legislation for several reasons:

1. TAT and GET taxes provide a massive income stream to the State and County and will significantly decrease for several reasons if inventory is further restricted on-island:

a. Aside for GeT and TAT, we spend a lot of money maintenance services each year-- cleaners, products, plumbers, handymen, IT, cable, etc. I would estimate 28% of revenues go to taxes (TAT, GET, Propety) and another 25% go to services on island.

b. If rentals are eliminated, property values (and associated taxes) will fall. May be beneficial for a few years but it will not address the long term supply challenges faced by the islands which is land and resource constrained. Creating new, affordable and dense housing for the working class is the best strategy and on maui (the island I am familiar with) there are areas that are very suitable for additional urban density. What keeps getting approved are large single family or townhome development that are not efficient from a long term land planning standpoint. The legislature should focus instead on land planning with density in mind.

b. Hotel prices are already exhorbitant and price out many families and any group other try an the 1%; would venture to say the policy would be discriminatory toward economic classes by ensuring scarcity (hotel stays are regularly \$1000 a night in wailea) -- who benefits? Big business (lobbists!). Suggest the legislature commission a study on the economic well being of cleaners who work in the hotels versus those who run their own small companies working for small individual owners/condos. I would image the second group is significantly more economically prosperous. That is good for a community.

c. we rent our place as a way to alleviate demand for residents on other housing stock. We use it 1/3 of the year and it was vacant for the other 2/3 of a year for roughly 20 years. That seems selfish so we decided to rent it (located in a tourist area where local businesses depend on tourism)-- there is more wear/tear and costs associated (again, which get refunnelled into the

local economy) but more people get to enjoy the islands and support businesses when we aren't there. If the zoning changes, we will not sell our place -- it will just result in roughly \$50k less a year in local economic generation for Kihei/Maui. That's one condo. Suggest someone do the math with the number of condos potentially affected by this policy before making a decision.

d if local businesses can't survive because of less tourism, that's additional lost tax revenue and an erosion of quality of life for the inhabitants of Maui.

In conclusion, I oppose this legislation. It will not affect us in anyway as owners in a material way but will affect many local business and affect a myriad of tax streams the numerous reasons outlined above. (And many more but my fingers are sore from typing this!)

Thanks,

Whitney

RE: OPPOSITION TO SB2919, SD2

Aloha Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, Senator Rhoads, Chair, Senator Gabbard, Vice Chair and Members of the Committees:

My name is Arcelia Gama, and I live and work on the island of Maui.

I am writing in opposition to SB2919 because it threatens my ability to make a living - just like it threatens the other cleaners, electricians, maintenance workers, landscapers, shop keepers, restaurant owners and small businesses like me, who live and work in my community.

I own a small cleaning business that services short-term vacation rentals on my island. I make a good living, create my own schedule and work very near where I live, reducing my commute time and definitely contributing to a wonderful quality of life. It allows me to support not just myself and my two children as a single parent, but my aging parents who live with me as well.

The Lahaina fire destroyed several of the homes and condos I used to clean, and several others have been transitioned to long-term housing for Lahaina fire survivors. This has definitely created challenges for me and impacted my income.

But it's NOTHING compared to what this bill would do. This bill will hurt me and put at risk my ability to pay for my own housing and bills. It would literally put me out of business and destroy my livelihood.

PLEASE - let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Respectfully submitted -
Arcelia Gama, Maui resident and small business owner

Michael A. & Kim Y. Schmidt

737 Terra Nova Drive Chula Vista, CA 91910-7585

(619)755-1655

k.schmidt539@gmail.com

February 20, 2024

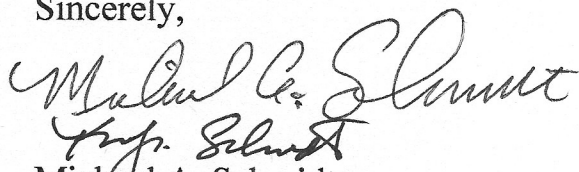
To Whom It May Concern:

As an ex-resident and a graduate of the University of Hawaii, Manoa, that had to leave Hawaii due to a poor job market. My spouse and I purchased a short-term rental condominium at Noelani in Kahana 12 years ago. We love Maui and chose to invest in a short-term rental to help supplement income and provide a future retirement residence.

We are writing in opposition of HB1838 and SB2919. There are so many reasons that we oppose these bills. Our rental not only supplements our income but provides good paying jobs for our property managers, housekeeping, handyman, Maui's tourism, and also over 17% tax to the state and county of Maui. We also pay the highest percentage of property taxes on Maui that helps provide the necessary services for the county economy. Much of this goes away if these bills come to fruition. This bill will hurt us, other residents who pay lower property taxes and important visitors that rely on short-term rentals as temporary, furnished, affordable housing.

We ask that you please do not move this bill forward.

Sincerely,



Michael A. Schmidt

Kim Y. Schmidt

March 13, 2024

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I **OPPOSE** SB2919, SD2.

Thank you for your time today to hear my testimony. My name is Sonia McLeod, and I am representing my parents, Hugo and Brigitte Eppich. My parents have been visiting Maui for over 40 years and purchased a unit at Papakea back in 2016. I am writing to express our strong opposition to Senate Bill 2919. As a property owner in Papakea and someone deeply invested in the island's community and economy, I urge you to reconsider this legislation and its potential impact on local and offshore owners like my parents.

Short-term vacation rentals in Papakea are not only a source of income for local and offshore owners but also a means of maintaining a connection to Maui's unique culture and lifestyle. Many Canadians, like ourselves, have invested in Papakea with the intention of enjoying it as a vacation home and renting it out when not in use. This arrangement allows us to contribute to Maui's economy while also affording us the opportunity to enjoy the island's beauty and hospitality.

Furthermore, Papakea's short-term vacation rentals play a crucial role in supporting Maui's tourism industry and small businesses such as: cleaning and maid service, small maintenance companies, restoration, pest control, construction companies, furniture retail, building supply retail, and so much more. In addition, Papakea Resort has created 50 years of employment for local residents with jobs covering management positions to grounds keeping and other building maintenance. Papakea also retains contracts to sub-contractors specializing in garbage disposal, window replacement and just recent, a complete upgrade to plumbing. This adds another level of financial support to several local businesses for the people of Maui.

It appears the government has invested heavily on advertisement on tourism commercials, we see presently on the mainland. We assume that tourism is a significant driver of its economy. The advertising dollars spent on promoting tourism we assume aim to attract visitors, with government idea to boost local businesses, and create job opportunities. Limiting or removing short-term vacation rentals seem contradictory to these advertising efforts, as it reduces accommodation options for tourists.

In conclusion, I respectfully urge you to oppose SB 2919 and protect the short-term vacation rental property owners, local and offshore, at Papakea. By doing so, we can uphold the principles of fairness, economic prosperity, and community well-being that are integral to Maui's identity.

For the reasons stated herein we **OPPOSE SB2919**, SD1 and urge the committee vote no on this matter.

Sincerely,

Sonia McLeod, representing, Hugo and Brigitte Eppich, Owners
604-834-4182

SB-2919-SD-2

Submitted on: 3/13/2024 6:31:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gwen Rodrigues	Individual	Support	Written Testimony Only

Comments:

Dear Chair Wakai, Chair Keohokalole, and Honorable Members of the Committee,
As a member of the public deeply concerned about the welfare of our communities, I am writing to urge you to consider amending HB1902, HD1 to include language proposed by the Attorney General that incorporates critical protections derived from the harrowing experiences of the Lahaina community in the aftermath of the fires. These protections, including a summary possession moratorium, residential foreclosure moratorium, mortgage payment deferment, loan payment deferment, and credit reporting agency protections, are indispensable safeguards that were sorely missed and urgently needed during the disaster. By incorporating these provisions into HB1902, HD1, we can ensure that our communities are better equipped to weather future crises and emerge stronger and more resilient. Thank you for your attention to this matter.
Sincerely, Gwen Rodrigues

SB-2919-SD-2

Submitted on: 3/13/2024 6:39:57 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Penny Lee	Individual	Oppose	Written Testimony Only

Comments:

This bill has nothing to do with the Maui fires, nor does it help the people of Maui or anybody living in Hawaii. This bill is coming from the Hotel/Resort industry and their many years of influence peddling. When you read this bill you understand this is corruption. They are using zoning, taxation and regulation as a weapon to support a corporate monopoly of the transient accommodation market and destroy local small business competition. They are using flawed data spread by Blackstone RE Hotel and Resorts, Hawaii Hotel Alliance and the American Hotel and Lodging Association (AHLA) to the governor, legislature and the media to rile up the public against vacation rentals. Who needs sound data or economic impact analysis before destroying thousands of resident's livelihood and associated state and county tax revenues? Offshore corporate profits over Hawaii residents livelihood. This enables modern day colonialism, extracting maximum profits from Hawaii.

By amending HRS 46-4 they are trying to legislatively weasel themselves out of judgements they already lost. The district judge already stated that the existing law is very clear on protecting property rights. But they actually think they can just change that very law and undermine the judge's ruling and any future challenges by people like you and me, the people who own property in this state. They are trying to take away our fundamental property ownership rights and hand the tourism accommodation market exclusively to large corporate hotels and resorts. In the process they are trying all kinds of angles like raising our TAT taxes to 25% (why not 99% or 125%?) or trying to classify stays in private homes under 180 days as non-residential uses. Further expanding the zoning power of counties with very broad and vague powers (ie "time, place, manner, and duration"). The state is really trying to overpower the counties home rule. Adding a phase out clause to HRS 46-4 is completely unacceptable and undermines our property rights.

Unfortunately those over the top careless regulations have real damaging effects on local residents trying to make a living in this state. The proposed changes would expose the state and counties to a variety of lawsuits. On the Big Island the resort and commercial zoning is very limited (< 2%) and concentrated in very few areas and very much in corporate developers ownership. Several districts on the Big Island, the largest island, have no resort zoning and also no hotels. This means that almost every locally owned vacation rental is nonconforming and requires a NUC to operate and are the only visitor accommodations in those areas. This is clearly a violation of fair government practices and discriminatory. This would remove essential economic activity out of large areas and greatly harm our little towns, markets, restaurants and shops and every job dependent on vacation rentals. We have been residents of Hawaii for 22

years and our family relies on the income from our legal nonconforming STVR, if that matters to you.

When owners purchased real estate fee simple in Hawaii State, they entered a contract purchasing a bundle of property rights protected by the laws of the State of Hawaii and the United States. These are not rights that can easily be reneged on later and taken away. The number one economy in Hawaii is tourism. Owners purchased Real Estate in Hawaii at a premium, with the expectation to participate in the tourism economy in Hawaii and have been relying on the financial income for many years. The legislators can not just rewrite select property rights out of the existing laws. The current laws are very clear on protecting those very same property rights. The legislature is trying to pretend that vacation rental owners do not have any property rights.

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I **OPPOSE** SB2919, SD2.

I am Laurie Haack. My husband, Paul Haack, and I have owned a unit at the Mahana for 10 years. Thank you for allowing us the opportunity to testify about this bill.

Background on Mahana

- Mahana is an ocean-front property, completed in the 1970's and consisting of 212 individual condominiums.
- Mahana was initially marketed and sold as vacation rental property.
- Mahana has never been workforce housing so Mahana is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Mahana are under 600 square feet and the property has limited parking.
- Mahana is located directly adjacent to a long stretch of hotel-zoned properties and multiple commercial properties.
- Mahana's resort operations require extensive maintenance which makes the monthly maintenance dues very high, compared to properties designed for long-term housing with lower maintenance dues. Unsubsidized long-term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes, and insurance which prevents Mahana from ever becoming a sustainable long-term housing option.

Mahana's Contributions to the Community

- Mahana owners have been operating legal vacation rentals for almost fifty years.
- Mahana's resort operations provide employment for approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.
- Our property manager and our housekeeping team are both expressing concerns that their businesses will be negatively impacted if Mahana no longer allows STRs.
- Mahana supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Mahana short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Mahana means putting these folks out of business with fewer employment opportunities.

- Mahana STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. I faithfully pay the taxes each month.
- Mahana guests support many small businesses on the island including restaurants, food trucks, tour operators, state parks, the national park, and shops.
- Mahana has a high number of returning guests that have been visiting Maui for years and have deep connections with the community.

For the reasons stated herein I OPPOSE SB2919, SD1 and urge the committee vote no on this matter.

Respectfully submitted,

Laurie Haack

110 Kaanapali Shores Place, Unit 108

Lahaina, HI

lahaack@pacbell.net

Aloha Chair, Vice Chair and Committee,

My name is Camille Peterson. I was born and raised in Manoa Valley on Oahu. My dad Charles Lydgate was born and raised in Makawao on Maui. My grandfather was born and raised on Kauai, as was my great grandfather who came over to the Hawaiian Kingdom in 1865 from Canada with his parents. As you can see, we have a lot of history here on the islands.

In 1962, my grandparents purchased a small lot and built a cottage in Makena where very few people lived. It was mostly a fishing town filled with Kiawe trees, cactus and cows. When my grandmother was in her late 80's and living in Kula, the family started renting the Makena house to pay for her nursing care. When my Puna passed away in 2001, we continued to rent the house so that we could afford to keep it in the family and visit it from California, where I now live with my husband, kids and grandkids. When the county introduced a permitting process, we were one of the first to apply for and receive a permit in south Maui.

The fires in Lahaina were devastating and our hearts and support go to all those affected. Shutting down our permitted short-term rental will not help the victims, on the contrary, it would hurt them due to the lost revenue generated by guests and the taxes we pay. We love Maui and visit every three months. My children have been coming to Maui since they were little, and now their kids visit. My oldest grandchild is named Makena. Since we are retired and want to visit often, we will not be renting long term. There are many other ways that we can and do support the people of Maui. My brother, sister-in-law, and niece (who live on Oahu) as well as family on island also enjoy visiting the property and would no longer be able to stay there if we turned it into a long-term rental.

We pay over \$68,000 a year in property taxes. They are high since we are permitted as a STRH. Last year, we paid a total of \$76,632 in GE, TAT and MCTAT taxes. That would be lost revenue to pay for affordable housing and other county needs. That doesn't take into consideration the amount of money our guests spend at restaurants and small businesses and all the folks we employ on island to keep the rental in great condition.

Our little property alone paid \$144,632 in 2023 in combined taxes. The county would still get the \$68,000 in property taxes, although presumably the amount would be lower as we reclassify to second home. Maybe not though. Maybe the county will increase our property taxes to where we end up selling the property. That is something we do not want to do. If we did, it would not become affordable housing and all that revenue would be lost.

I pray the council does not pass HB1838 that will inflict harm on us and all the citizens of Maui.

Mahalo for your consideration and for reading my testimony.

Camille Peterson

SB-2919-SD-2

Submitted on: 3/13/2024 6:54:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise & William Michels	Individual	Oppose	Written Testimony Only

Comments:

William and Denise Michels, owners of B101 Papakea resort. Thank you for the opportunity to testify.

We **OPPOSE** SB2919 for the following reasons:

Papakea is an ocean-front property, completed in 1978 and consists of 364 individual condominiums. It was initially marketed and sold as vacation rental property. The majority of units are under 600 square feet and the property has limited parking, no outdoor storage, and minimal personal storage. Papakea has never been workforce housing so it is not an example of a property that converted from workforce housing to transient vacation rental use. It is located directly adjacent to a long stretch of hotel zoned properties and commercial properties.

Papakea currently employs approximately 35 local resident employees; some have worked at the property for over 15 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, and tree trimming. These are on a continual basis, channeling well needed funds into local businesses. Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. All businesses that suffered greatly during covid when there were no tourism. We source all our supplies on island, using local businesses and contractors for all work. Without the use of short term rentals I would not be able to utilize regular maintenance schedules with local businesses. I would not have need of housekeepers, maintenance personnel, on island agent.

Papakea can only support the current personnel and operational maintenance levels with high maintenance dues which rely on short-term rental revenue. Without the rentals the maintenance dues would be staggering. Papakea's resort operations require extensive maintenance which makes the month maintenance dues very high, compared to properties designed for long term housing with lower maintenance dues. Unsubsidized long term rental rates do not come close to covering the maintenance dues, special assessments, mortgage payments, property taxes and insurance which prevents Papakea from ever becoming a sustainable long-term housing option.

Papakea STRs support a number of small businesses in the Maui community including housekeepers, handymen, on-island agents, and contractors. We regularly support a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical and tree trimming. We use an on island agent (My Perfect Stays) which is providing employment for booking agents, housekeepers, handymen. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short term rentals at Papakea means putting these folks out of business with fewer employment opportunities.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, car rentals, state parks, the national park, and shops. Without their support of the small businesses on the island those businesses would die off. Making it even harder for employment on the islands.

Papakea has a high number of returning guests that have been visiting Maui for years and have deep connections with the community. They understand the importance of spending their money on island to support the local businesses.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax.

For the reasons stated herein we OPPOSE SB2919 and urge the committee to defer it.

Respectfully submitted,

William & Denise Michels

Owner B101

Papakea Resort

March 13, 2024

Aloha,

As a proud property owner and corporate taxpayer on Maui, I strongly oppose SB2919. This bill threatens the livelihood of local workers and business owners like myself and the availability of much-needed temporary housing for our community. It's alarming to see legislation that could restrict private property rental rights and limit the options for both residents and visitors in our beautiful county. I urge you to consider the real impact this bill would have on local families, workers, and our community as a whole. Legislative and enforcement efforts should be focused on curtailing illegal vacation rental properties and constructing affordable and workforce housing, not quashing legal, taxpaying short term rental properties that contribute greatly to the County's tax base and the many services it supports.

Mahalo for your attention to this critical issue.

Warm regards,

Sean George
Maui Property Owner and Taxpayer

176-1 Pualei Dr.
Lahaina, HI
96761

sogeorge@gmail.com

SB-2919-SD-2

Submitted on: 3/13/2024 6:56:11 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charles R. Cerini	Individual	Oppose	Written Testimony Only

Comments:

March 13, 2024

Regarding: Opposition to SB2919, SD2

Dear Representative Evslin, Chair, Representative Aiu, Vice Chair, Representative Quinlan, Chair, Representative Hussey-Burdick, and Vice Chair and Members of the Committee:

We have been visiting Maui for the past 25 years and because we fell in love with the island, its people, customs and the Aloha Spirit, we decided to purchase property at Papakea so that we could spend more time on-island and share our home with others so that they could experience Maui as we have.

This letter will confirm our opposition to SB2919, SD2 and to also thank you for the opportunity to share our concerns if this bill should pass.

Being a part-time resident, we have met many of the local Papakea employees from the maintenance team to the supervisory and management staff who have been employed for many years. From our understanding, there are 35 local employees working at Papakea. We would hate to see how this change would impact them.

Being an owner renting our apartment on a short-term basis, we have enlisted many local business and trade professionals, to keep our apartment at a 5-star rating. Such trades that we have employed directly are: carpet cleaners, pest control, plumbers, painters, carpenters,

electricians, contractors, handymen, and housekeeping. Shutting down short-term rentals at Papakea means putting these people out of business with fewer employment opportunities and greatly disrupting their livelihood.

Also involved in ownership is our property management company who handles the reservations and oversees the apartment when we are not on-island. Our property management company is a mid-size company that also employs many local people including administrative and trades people. Needless to say, the passing of this bill would also affect their lives.

We, along with our guests, support many small businesses including markets such as Foodland, Island Grocery Depot, and Time Market, restaurants/cafes and especially our local food trucks which are down the street from Papakea. This is all in addition to the large number of excursions, luaus, and activities. (We consider ourselves ‘Ambassadors for Trilogy Excursions’!)

We’d also like to mention that as soon as we were able to return to Maui in mid-September, we purchased an abundance of clothing and school supplies for the KiKei Relief Project. We also made personal visits to both West Maui fire stations to provide food and to thank them personally for their service.

Papakea is not only a resort, it’s home for us and for our many returning guests year after year.

1. rentals, especially those with families, prefer to stay at Papakea rather than a large chaotic resort, given the fact that we offer a kitchen, washer and dryer, and many items that make this a home rather than a resort hotel.

Lastly, Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Without this, your income generated from STRs would be eliminated.

For the reasons stated above, we strongly OPPOSE SB2919, SD1 and urge the committee to vote ‘No’ on this matter.

Respectfully submitted with much Aloha,

Charles R. Cerini

Sharon L. Cerini

SB-2919-SD-2

Submitted on: 3/13/2024 6:57:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leo Hirsch	Individual	Oppose	Written Testimony Only

Comments:

If this bill should pass into law the result could be devastating for the state of Hawaii.

If the result is fewer short term rental properties, this would mean that there will be fewer visitors to Hawaii. With fewer visitors there will be fewer dollars flowing into Hawaii. With fewer dollars flowing into Hawaii, there will be fewer businesses in Hawaii. With fewer businesses, there will be fewer jobs available for the citizens of Hawaii. Fewer jobs means less opportunity for Hawaiians. Less opportunity means lower wages, lower employment, and lower property values.

This bill could literally send the state of Hawaii into a recession that will be extremely difficult to recover from.

I urge you to oppose SB2919.

SB-2919-SD-2

Submitted on: 3/13/2024 7:06:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Brant	Individual	Oppose	Remotely Via Zoom

Comments:

SB2919 is illegal, unfair, harmful and pointless. It conflicts with both State and Federal law. It scapegoats STRs for problems that STRs are not responsible for. It would damage the livelihood of many small businesspeople, further weaken the vital visitor industry, and reduce State and County tax revenues as legacy operators are put out of business. And it would solve none of the problems it claims to address. NO!

SB-2919-SD-2

Submitted on: 3/13/2024 7:12:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaiea Medeiros	Individual	Support	Written Testimony Only

Comments:

It's significantly more efficient and effective to have our County's manage their short term vacation rental situation. They know their community the best because they are their community. STR's should serve the community and currently they take advantage. Give the county the authority to do what is best for them. Decentralization of this process will benefit the State as well and will increase capacity to take care of other Kuleana

SB-2919-SD-2

Submitted on: 3/13/2024 7:18:49 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marc Smith	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to SB 2919 SD2. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns

SB-2919-SD-2

Submitted on: 3/13/2024 7:27:03 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Katzman	Individual	Oppose	Written Testimony Only

Comments:

My husband and I are retired seniors and we are able to live a healthy life in Waikiki because of our short term rental at the Waikiki Banyan. We will face great hardship if we lose the ability to rent our vacation rental (just one block from the most famous beach in the world) to tourists who want to experience our beautiful island. Our guests pay tax money that helps keep our island safe and thriving.

We oppose this bill.

SB-2919-SD-2

Submitted on: 3/13/2024 7:28:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Rubinstein	Individual	Oppose	Written Testimony Only

Comments:

The entire topic of short term rental is continually being brought up, not because it is a bad thing, not really, unless you are talking about the multitude of illegal units. This issue is before this body mainly due to non enforcement of illegal offenders. Had the law worked as it was supposed to, there would not have been thousands of these short term rentals and rents for the then limited long term rentals would not have escalated to the degree they have. The answer to this problem IS ENFORCEMENT! There are those who have stuck to the letter of the law, and for instance, on Oahu, only done 30 day minimum rentals, with no abrasion to the surrounding neighborhoods. Keep in Mind, that it is the ILLEGAL Rentals that have created this problem. And the illegal units or homes tend to be those that are not the pricey beachfronts and those are the ones that could be more affordable as long terms rents, but there is a more serious problem even with our long term rentals... The other serious problem on Oahu is the Residential A tax bracket, which covers, essentially ALL OF OUR LONG TERM RENTALS, as those with home exemption are the homes that owners live in, leaving those without the home exemption to be the Long Term Rental Homes. The tax is close to what the hotels are paying and raise every year, causing the owners to have to raise the monthly rates. What I am saying here is that it is The City and The State who have caused us to come to this point. Try ENFORCING THE LAW to free up places for people to live rather than cutting off a very viable income producing field (Pricey Beachfront Homes that would Still be pricey even if they were Long Term Rentals). The people who stay in these homes, are not people who would be willing to stay in hotels and so what you are creating is an exodus of Millions of Dollars of funds spent by visitors. And this genre of visitor typically spends way more than those that stay in hotel rooms and they stay for 30 days at a time, not a week. If you continue with this reckless action, they will merely go elsewhere. They Will NOT Cave to Hotel Dwelling. Think Before You Jump! You have already chased away many of our host culture by not Enforcing these laws since that is what is responsible for the high cost of housing here and we have recently been talking about how much income loss that has created. Now you are looking to toss more. It's Insanity. And all you have to do to stop this merry go round, is Enforce What Exists instead of creating more laws that you won't be able to enforce. "Not enough manpower.....the Hotels are not full like before the pandemic...." Think Before You Jump Off The Cliff!!! Many don't want to be in dense housing like hotels BECAUSE of things like Pandemics.

Another point to consider are the places where there are no or few, hotels, like the Volcano area on the Big Island, where people flock whenever our Goddess Madame Pele begins to dance in eruption. The few multi room facilities are just that, very few, and the surrounding rooms and homes that open up to visitors become important to the influx of people who want to come see

this wonderful act of nature. Don't cut off your noses to spite your faces, as that what this bill will do. Look at the figures brought in by this venue of visitors. You solicit them to come and now you want to cut off some of the options they look for to be house in. These bills are actually close to insane.

Do what you need to do to keep our Lahaina residents on the West side of Maut, but don't throw out the baby with the bath water and cut off both viable income that stays in our State, **UNLIKE THE HOTELS Whose Profits ALL GO OFFSHORE** and give the guests you are soliciting the ability to huddle with their loved ones in one space rather than in littrooms like chicken coops. Leave All Options Open because as they say "If you built it they will come". Well, you built it and they don't all want to sleep in the coops. Keep our funds and our guests within our home land.

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members - my name is Debby Potter, and I own a rental unit in Kamaole Sands along with my sister, Trish Kent. My mother and father purchased the unit 35 or so years ago to use as a rental property. We are testifying in opposition to HB2919 for a number of reasons.

Most importantly, how much tax income will be lost, and how will it be replaced? Maui's short-term rentals provide appx 40% of the real property tax revenue for the county. Loss of this income could have unforeseen consequences.

Additionally, approximately 70% of Maui's income comes from tourists. If short term rentals are disbanded, how will this income be replaced? Also, with the loss of tourist's income, you will then have a large number of Maui residents who rely on the income that the short-term rentals generate who will most likely lose their jobs...service industry workers in particular (maids, maintenance workers, etc.). Where will they go? How will they pay their expenses?

There is no question that the housing crisis needs to be addressed, however by decimating the STRs that have positive contributions to the economy, you are not helping the situation. Ultimately, we feel strongly that you will more than likely be making the economy worse by destroying the livelihood of those needing housing. If they have no livelihood, they will not be able to pay for any of their expenses, including housing of any kind.

There needs to be more discussion on how to address this situation in a positive manner, and not by destroying what currently is a majority of the income of the island.

Mahalo,
Debby Potter / Patricia Kent
Kamaole Sands, Unit 4-311

SB2919

Good Morning Chair and Committee,

My name is Holly Vierra, a local Hawaii Island native.

5th generation Hilo wahine, Kupuna, owner of a Vacation Home in Haiku, Maui.

I've lived and contributed to the Maui community for over 45 years. Had a landmark small business on our island for 35 years. I worked hard. It afforded me to buy my home. My business ended abruptly due to the financial meltdown in 2010.

That was incredibly disappointing that I couldn't sell it as planned for my retirement savings. And an extreme hardship to suddenly be broke and ... broken.

This is my RETIREMENT business. I started it while living with my mother recovering from this life changing trauma. I cared for her until her passing.

If bill SB2919 is passed I will no longer be able to continue to keep my property in Haiku.

It is my only source of income.

I'm very involved and love what I do! My guests are always very happy.

I employ several people in my immediate neighborhood. Cleaners, Landscapers and maintenance guys to maintain the grounds. Handyman, Appliance repair man, Electrician and Plumber. Most of my people are semiretired at this point in their lives and love working so close to home. They work for other owners who I have recommended them to.

I also employ builders who maintain and update as well as cement workers who work on projects to help save the property from the climate change of more storms and rain in Haiku and improve/maintain my home.

So much of my INCOME goes into the Haiku/Maui COMMUNITY .

And TAXES.

Taxes paid by the Vacation Rentals are a SIGNIFICANT percentage of the total tax REVENUE for the State and County Governments. We NEED this MONEY now MORE than ever!

The governor asked for housing for the Lahaina Fire Survivors. MVRA members in every community stepped up.

Housing was also needed for the FEMA, Salvation Army, EPA and other agencies that came to assist with this traumatic disaster. Where would these crews be staying if we didn't have these short term homes?

Think about that.

There is an undeniable need for this type of housing for our current Lahaina Fire situation as well as for families to visit with each other on our island of Maui. Many people prefer a home with a kitchen to be able to maintain their diets, have breakfast before exploring!

Maui HOTELS are SHOCKINGLY EXPENSIVE for ROOMS and FOOD.

This common knowledge.

Other destinations are far less expensive. Many people won't come to Maui if they can't rent a

home. It will just cost too much to bring a family.

I have a good number of guests every year from the other islands who come for weddings, work and reunions. And now that Hawaiian Home Lands has opened lands, I've been contacted by many who will return to plan and finally build their homes!!

I have HOSTED CREWS that built and regularly maintain the Safeway gas station, NASA Scientists, Boeing and US Department of Defense working on Haleakala, Engineers working with MECO for alternative energy projects, Cell Tower Companies, Solar Power Maintenance Co., Rockfall Mitigation Contractor and crew for Hana Hwy, Doctors, many Nurses. And so many more company crews ESSENTIAL for Maui over the years.

There is CLEARLY a need for short term homes.

We have gone through the arduous process of creating the licensing terms.

We have limited the number in each community.

Rules and regulations are in place and are effective.

We PROVIDE a very PERSONAL EXPERIENCE for our guests.

We are local and living here.

It's our source of income!

The "grandfathered" CONDO ZONES have BUILT IN short term rental that allow them to rent without any process.

Entirely different.

NOT PERSONALLY INVOLVED.

THESE are the UNITS that are NEEDED right away for our Lahaina FIRE SURVIVORS. And I don't understand why they won't STEP UP.

PLEASE DON'T PUNISH ALL FOR THE ERRORS of the MAINLAND OWNERS that DON'T GET IT!

We need to preserve and PROTECT our PROPERTY RIGHTS of RESIDENTS.

Our local government is DISCRIMINATING against Maui's Vacation Rental industry FOR NO REASON.

The PROBLEM with housing is NOT the fact that there are Vacation Rentals or VACANT HOMES owned by RICH people. It's really due to the lack of truly affordable housing. KAHOMA Village, built by West Maui Land and pushed through as the new "WORKFORCE HOUSING" BUT I have SEVERAL friends who moved to Maui after PURCHASING brand NEW homes THERE ... by LOTTERY!

Open to the world.

And the COST of BUILDING housing unfortunately makes it more PROFITABLE for developers to build for the people who really CAN AFFORD it.

The focus must be on building temporary housing neighborhoods on the West Side for the Lahaina Fire survivors. There were several construction companies that came to Maui, attended County Council meetings to offer temporary modular and pop up housing.

Hopefully our government is in talks with them and the land owners who have stepped up on on the West Side.

The real ISSUE is that we are NOT building ENOUGH housing as the population grows. It's an issue that isn't just happening in Hawaii but EVERYWHERE in the United States.

Please DO NOT PASS this unfair discriminatory bill.
SB2919 TAKES AWAY the RIGHTS OF PROPERTY OWNERS.
This is UNFAIR AND UNLAWFUL.

This will also cause ILLEGAL short term RENTALS to increase and that's where the real PROBLEM will arise. NOT GOVERNED by any rules, regulations or laws ...
or PAY TAXES.

I WORKED hard TO BUY MY HOME and provide a very personal Maui experience for guests. No additional fees or parking.

Please DO NOT PASS SB2919.

Respectfully,

Holly Vierra
Owner

Michael Manthey
Landscape maintenance

Devi Singer
Cleaning

Damien Castro
Yard man/ tree trimmer

Keith Brown
Appliance Man

Jeff's Plumbing

John Roberson

Painting

Subject: Testimony in Opposition to SB2919 SD2

Dear Members of the Committee,

We are writing to express our vehement opposition to SB2919 SD2, which threatens to devastate our community and jeopardize the livelihoods of countless residents in South Kihei and across Maui. This bill, if passed, will have profound negative consequences for both property owners and local workers who rely on the short-term rental industry.

First and foremost, SB2919 SD2 will force my family to sell our condominium as the demand for long-term rentals in South Kihei cannot support the number of short-term properties in existence. The financial burden of monthly association dues, insurance, utility bills, and other ongoing expenses would be insurmountable without the income generated by short-term rentals. We, like many others, simply cannot afford to shoulder these costs without the revenue from short-term rentals.

Moreover, the impact of this bill extends beyond property owners like ourselves. Our housekeeper and her employees depend on the income generated by short-term rentals for their livelihoods. Long-term rentals would result in significantly fewer cleanings, thereby eliminating crucial employment opportunities for local residents. The ripple effect of this bill would be felt throughout our community, driving many hardworking individuals out of jobs and exacerbating economic hardship.

Furthermore, SB2919 SD2 threatens to phase out 13,744 legal short-term rentals on Maui, which play a pivotal role in our local economy. These rentals contribute 40% of the real property tax revenue for the county and serve as the top funding source for affordable housing initiatives. The loss of this revenue would have dire consequences for our community, affecting essential services and programs that benefit residents across Maui.

Short-term rentals are not just a source of income for property owners; they serve as a lifeline for many individuals and families in need. These rentals accommodate displaced residents, newcomers in transition, inter-island travelers seeking medical treatment or family visits, traveling professionals such as nurses and contractors, temporary military personnel, students, as well as our own family and friends. SB2919 SD2 would deprive these individuals of crucial housing options and disrupt the fabric of our community.

In conclusion, we urge you to reject SB2919 SD2 and consider the devastating impact it would have on our community. Instead of imposing sweeping regulations that undermine our local economy and threaten the livelihoods of residents, we implore you

to work towards solutions that balance the needs of property owners, workers, and the community as a whole.

Thank you for considering our testimony.

Sincerely,

Craig and Jill Tompkins
2777 S Kihei Rd. #J115
Kihei, HI 96753

SB-2919-SD-2

Submitted on: 3/13/2024 7:40:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leila Storey Bardenhagen	Individual	Oppose	Written Testimony Only

Comments:

I am a Maui resident and mother of three Maui born and raised children (7,5, and 2 years old). Despite having a master's degree I am unable to work conventional hours as two of my children require regular hospital visits. My only source of income is from the short term rental of the property I own; this income contributes to my monthly mortgage repayments, HOA fees, utilities, property taxes, insurance and general living expenses. Without income from the short term rental, my future as a property owner and Maui resident is not sustainable. Please reconsider this bill and allow short-term rental for Maui residents.

SB-2919-SD-2

Submitted on: 3/13/2024 7:45:00 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Howard Alpert	Individual	Oppose	Written Testimony Only

Comments:

Aloha My Legislatures,

I would like to submit testimony regarding my opposition to SB 2919. I am a homeowner at Papakea Resort located 5 miles north of Lahaina. The property currently operates as a short term vacation rental when we occasionally leave the island. The surrounding property is zoned hotel and Papakea has operated as a condo hotel for over 45 years.

Regardless of the legal status of the zoning, I believe it is in the best interests of the Maui community to maintain Papakea’s status as a short term rental. As a short term rental, we employ the following local services:

- Chase ‘N Rainbows
- Trinity Maid
- Lei Floor and Window Coverings
- Lamber Electric
- Alyn Dean Handymen
- Sturdevant HVAC installation and maintenance
- Rainbow Glass
- Hamai Appliance
- Paradise Living Furniture and Upholstery
- ACE Hardware
- Valley Isle Lock and Key

In addition, Papakea employs local people to staff the front desk, landscape and maintenance, property management, pest control, elevator maintenance, painters, and local contractors.

Our unit generates GET, TAT, state income tax and property taxes to support Maui’s \$1 billion county budget.

Our guests support a considerable number of local retailers including restaurants, grocery stores, entertainment venues, golf courses, cruises, and tourist-oriented vendors.

If we don’t get tourists back it will be a risky gamble on Maui’s survival. Papakea is just a small part of the system but integral to providing a low impact industry.

Please consider all the benefits that Papakea brings to Maui.

Mahalo,

Howard Alpert

Papakea

3543 Lower Honoapi'ilani Road, A109

Lahaina, Maui, Hawaii 96761

SB-2919-SD-2

Submitted on: 3/13/2024 7:48:04 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
sherri curry	Individual	Support	Written Testimony Only

Comments:

Please phase out STRs so local people have a chance to afford housing.

SB-2919-SD-2

Submitted on: 3/13/2024 7:48:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Katie Mecklenburg	Individual	Support	Written Testimony Only

Comments:

As a resident of Maui, and a previous resident of Oahu and Hawaii Island, please support this bill to protect housing options for folks who actually live here.

Visitor industry should not be prioritized over residents. Folks that live here need to be able to live in homes, not tents on the side of the road or beach.

The insensitivity to folks living in hotels meant for vacations, folks who own homes living on the beach-- folks who contribute to this community who are unhoused, is devastating.

The fact that there is actual testimony on record of folks saying they fund their second and third homes or their retirement off their Short Term Rental units here in Maui and across these islands while folks who live and work and contribute to the community can't afford to live in a home is unacceptable.

End or severely limit short term rentals in Hawaii Nei. Protect the community. Stop prioritizing profits. Sowing down to the pressure of the dollar. Do what is right.

SB-2919-SD-2

Submitted on: 3/13/2024 7:52:45 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Philip Frank Storey	Individual	Oppose	Written Testimony Only

Comments:

As the grandparents of three children born and raised in Maui, my wife and I take every opportunity we can to visit the island to see our grandchildren and help out our daughter, specifically with two of the children who have varying medical needs. The only way we can afford to do this is by staying in a rental apartment. While in Maui we contribute to the economy and do all we can to support our daughter. Should this bill be passed we would not be in a financial position to regularly visit Maui and consequently would not be present to lend emotional support to our grandchildren. My daughter would need to leave the island and move to the mainland which is certainly something that no one wants. Please do not pass this bill or at least modify the bill so that Maui residents are able to offer property for short term rental. Thankyou.

SB-2919-SD-2

Submitted on: 3/13/2024 8:01:43 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leighton Hiranaga	Individual	Oppose	Written Testimony Only

Comments:

I am concerned with this bill since it does not consider out-of-state relatives who cannot afford the expensive hotels. It's one thing they cannot afford to live here and now cannot visit us. This bill also affects my relatives and friends' jobs who would be affected (house cleaners, restaurant servers, car rental employees, handymen, etc.). These are people who cannot afford to lose their jobs. The short-term rentals create churning of visitors creating jobs for my relatives and friends.

Short-term rentals in the major destination areas should be left alone. Instead go after the owners who have short-term rentals in the middle of residential areas. These are where people live.

I bought my short-term condo with the idea that one day I would sell my Maui house I live in and find a rental on the mainland for better health care. I would then spend the rest of time on my home island in my condo while generating income to support this living arrangement.

Please do not make a sweeping change that will penalize many people, espeicall those who can least afford to lose their jobs or cut back on hours. Find ways to target the biggest bang.

SB-2919-SD-2

Submitted on: 3/13/2024 8:05:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Audrey Alvarez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Audrey Alvarez

Aloha Chair, Vice Chair and Committee,

My name is Charlene Casserley and I live on the island of Maui.

Thank you for the opportunity to testify on SB 2919. I am writing to oppose this bill. Defunding a significant revenue source directly impacts our ability to address affordable housing.

STR contributes 40% of total property tax revenue: Despite constituting less than 1% of Maui households, STRs real property tax revenue accounts for over 40% of the total collected. This STR revenue surpasses that generated by hotels, time shares, and homeowners combined.

Many guests are family of residents: Our vacation rental serves both tourists and residents, with many of our guests being island residents or visiting family. For many, the option of a home rental provides a more affordable alternative to hotels.

STRs provide jobs for other local businesses: Legally permitted short-term rentals (STRs) represent legitimate small businesses, distinct from large corporations. These businesses keep tax dollars circulating within Maui. Additionally, they provide employment opportunities for other local small businesses involved in cleaning, maintenance, and repairs.

Personal Impact: On a personal level, my family has operated a permitted STRH. This business has been essential for our livelihood, enabling us to sustain our small family farm and secure the property for future generations. Permitted STRs contribute positively to the local economy while providing vital housing options for various groups, including traveling families, students, and temporary workers. Moreover, they offer income opportunities for older generations who may not be employable otherwise, ensuring that the benefits remain within the community.

In conclusion, I urge careful consideration of the unintended consequences of reducing Maui County revenue.

Thank you for the opportunity to provide testimony on this matter.

Respectfully,

Charlene Casserley

SB-2919-SD-2

Submitted on: 3/13/2024 8:17:17 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
michelle andrews	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am a local resident of Hawaiian decent. I own a vacation rental in Waikiki. I am currently a single mother with 2 young children. My STR is my only source of income bc I cannot go to work because I would have to pay close to \$3000 for daycare. If my income is taken away by this bill than I will no longer be able to support my children. I oppose this bill and hope that you will read my testimony. Mahalo for your time,

Michelle Andrews

SB-2919-SD-2

Submitted on: 3/13/2024 8:19:49 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
C Baker	Individual	Oppose	Written Testimony Only

Comments:

Aloha My name is C Baker,

I am witting again in support of short term vacation rentals on agriculture land . As a caretaker of a coffee farm of my elederly owners. I have to say that without the income from renting the homes here on the coffee farm, the farm would probably go under.

Between all the coffee bore beatles that we have to combat the cost of labor, fertilizer and water we wouldnt be able to continue without the income from the rental.

The vacation home that can be rented is not one to be rented out to local familys as it is an exspenive home that I and the owners are trying to keep up.

We employee coffee pickers , house cleaners, gardners, fumigation services to name a few. these people will probably be put back on the welfare dole if they cant have pride in working for there lively hood.

I would hope that the big hotels wich are constantly full would not be grudge us mind the small vaction rentals that we get to subsidise our life . We do not have millions to fight this but we will continue to write and show up with anything that will help us sustaine our lively hood, and not put us homeless or on DHS.

I understand residential areas are not the place for turn overs for diffrent people weekly, but most ag land is five too seventeen acres and we dont bother any body,

Thank you

C Baker

SB-2919-SD-2

Submitted on: 3/13/2024 8:26:14 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
MATTHEW GRIFFIN	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

People don't want to stay in hotels to experience Hawaii. They don't want to be stacked on top of other families they were trying to get away from. This bill is clearly funded by the hotel lobby to prevent short term rentals on properties.

The ramifications of this will be rampant hotel development and destruction of natural areas.

The financial effect will amplify and further push out struggling families that use short term rentals to survive the cost of past development.

I strongly oppose this bill.

Matthew Griffin

SB-2919-SD-2

Submitted on: 3/13/2024 8:27:08 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Martine Aceves-Foster	Individual	Oppose	Remotely Via Zoom

Comments:

Good afternoon, Chair and Committee Members:

Thank you for allowing me to speak on SB 2919.

My name is Martine Aceves-Foster, and I oppose SB 2919.

I raised my children here in Hawaii, taught for 26 years in the UH system, and my former husband and I bought our home here in Hawaii. After the divorce, I chose to stay in the home I love, amongst my good neighbors and dear friends.

This is the home where my sons stay when they visit me, and that is why I rent short-term. I want my sons to be able to come home. That's important to me.

I own one piece of property in Hawaii with one structure on it, my home. Renting one bedroom in my home has made it more manageable to pay the mortgage, property taxes and utility bills.

Many of my guests have been students, nurses, medical interns on rotation, Oahu residents in transition, and former Hawaii residents returning to visit their ohana. I've enjoyed providing a home for my guests and getting to know them.

As a single divorced retiree on a fixed income, I see SB 2919 as a blunt tool.

Yes, providing enough affordable housing in Hawaii is a serious problem. That is exactly why we rent — so we can make ends meet. Taking that option away does not add affordable housing when we're simply trying to hold on to our homes.

Hawaii's housing problem will not be solved by forcing some homeowners to give up their homes in order for others to have them. And who's to say the buyers will be locals in need of housing? Isn't it true that about 20% of homes on the market are purchased by people who live outside the State?

I would like to see a bill that includes an exemption that allows individuals and couples who reside in their home to supplement their income by renting a room or two in their own home. I and others like me are part of our community. We are your neighbors, your friends and your family. Please, keep that in mind as you legislate.

Please, vote against SB 2919. Please, create legislation that does not replace one homeowner with another homeowner. Please, help all of Hawaii's residents thrive in Hawaii. Mahalo.

SB-2919-SD-2

Submitted on: 3/13/2024 8:29:45 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maureen Levin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and honorable committee members.

I am an owner of a B& B in Wailuku. I am privileged to own my home and run my business for the last 23 years. We see many guests from many walks of life, including many from our neighbors on other islands. Many stay with us seeking affordability and are happy to find us. Many of them come for medical appointments, visits with their Ohana, and sadly even funerals. We House traveling, healthcare, workers and contractors coming to work in Maui County and who need budget accommodations. I currently employ 4-5 people including housekeepers, gardeners, handy people all the time, including my son who manages website and reservation systems. I pay real wages that include \$50 an hour to my best. Both housekeepers own homes and are able to pay mortgages with real living wages. This SB 2919 will increase the housing crisis on Maui and will not improve it. By closing upwards of 13,000 small businesses like my own(I have a permit), will have a ripple down effect that will be seen in all areas of our economy. Restaurants stores, Activities, you name it it will have an effect in an adverse way. It could close other small businesses as well quite possibly adding 30,000+ to unemployment meaning more and more local families will be forced to move off island. Maui County STR'S provide 40% of the real property tax revenue for the county. It's also the top funding source for affordable housing projects. it also represents a whopping 18% of the counties \$1.7 billion budget in short this bill leaves the state in the worst position not a better one. I am encouraging this committee to see the negative impact many sectors of our community will experience if the SB 2919 bill is best. I encourage the committee to stand behind it's hard-working class citizens and vote no on SB 2919.

Mahalo

Maureen Levin

owner Wailuku Guesthouse for 23 yrs.

SB-2919-SD-2

Submitted on: 3/13/2024 8:30:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Celestine Casserley	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Celestine Casserley and I live on the island of Maui.

I oppose SB-2919 due to its potential negative impact on Maui's economy and affordable housing. Here are my key concerns:

Threat to Local Businesses: SB-2919 jeopardizes locally-owned small businesses, including short-term rentals (STRs), which are vital contributors to our economy.

Economic Impact: STRs represent less than 1% of Maui households but contribute over 40% of the county's property tax revenue, funding essential services including affordable housing.

I urge you to reconsider SB-2919 and explore alternative solutions that address housing affordability without harming local businesses or affordable housing.

Sincerely, Celestine Casserley

SB-2919-SD-2

Submitted on: 3/13/2024 8:31:45 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brett Hulme	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Brett Hulme and I live on the island of Oahu.

I am writing in opposition of SB2919 as current, legally permitted short-term rentals (per Ord 22-7) are important for tourism on the island of Oahu as they provide family and visitors with variety and choice as compared to a hotel room. A hotel room is not affordable nor livable to many that have families, need to prepare meals, or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on current, legally permitted short-term rentals as temporary, furnished, and affordable housing. In addition, it will also threaten my ability to make a living along with the other cleaners, electricians, plumbers, painters, maintenance workers, and small businesses like me, who live and work in my community and put at risk my ability to pay for my own housing and bills.

In addition, this bill will hurt the county and state due to the loss of revenue created by GE, TA, and OTAT taxes that current, legally permitted short-term rentals generate and pay to the county and state of Hawaii.

Please let the counties enforce laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Brett

SB-2919-SD-2

Submitted on: 3/13/2024 8:37:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Irene Yamagata	Individual	Oppose	Written Testimony Only

Comments:

Dear SB2919 Committee:

First of all I think you are making this too difficult for citizens to give their testimony, especially for seniors, maybe that is your plan.

My family have been owners since our father purchased his unit at Lahaina Shores, #305 in 1974. Since he passed we started using our unit as a short term rental since we all live in California.

If this bill passes I know this will crush Maui's economy. Visitors will not visit, tourist dollars will stop, business will not be able to survive, employment which revolves around tourism will plummet, homeowners will not be able to pay their rent or mortgage, etc. As you well know this will be a trickle down effect and everyone will lose. Hawaii will lose tax dollars, owners who rent their income property will no longer want to own in Hawaii. Mortgage owners will default on their loans. What will all of the residents do for work; I believe the majority of jobs revolve around tourism. Will people out of jobs become criminals just so they can feed their family. Look what has happened to Mexico, tourism is down because of high crime. Is that what you want Hawaii to become? We already pay extra taxes because we rent our unit. Hawaii is one of the most traveled destinations, everyone love Hawaii, if this bill passes this will change everything about Hawaii. Vacancies will be huge; people will be able to pay their mortgage and will either sell or let their palce go into foreclosure. I think Hawaii has to really think of the total consequences on how this will affect the whole state. Less sales tax dollars, less transient tax dollars, less property tax dollars, more residents will go on welfare, crime will rise, real estate will crash and future investors will not buy. The Wildfires were bad enough and now you want to really cause Hawaii to fail. Hawaii cannot survive without tourism, no places to rent short term will kill Hawaii.

SB-2919-SD-2

Submitted on: 3/13/2024 8:51:47 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cassandra Antonell	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,
I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Cassandra Antonell

SB-2919-SD-2

Submitted on: 3/13/2024 8:56:48 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lipine Muraki-Griffin	Individual	Oppose	Written Testimony Only

Comments:

My name is Lipine Muraki-Griffin and I strongly oppose this bill. I believe it infringes on rights as a property owner and resident of Hawaii.

I believe it will be a greater detriment to our already endangered natural resources by giving the counties more power in zoning and building more hotels/resorts that will only increase the cost of living and drive even more Native Hawaiians out of our State while also destroying our fragile ecosystems. Not to mention the potential to rid of our agricultural land further harming our food security.

As a travelling healthcare provider, I utilize legal short term rentals during my hospital contracts around the state. Our hospitals are already short on permanent staff and this bill creates an even greater and harmful gap in that system by taking away rights as a resident, property owner.

SB-2919-SD-2

Submitted on: 3/13/2024 8:58:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Colleen Costello	Individual	Oppose	Written Testimony Only

Comments:

Oppose this measure. Rental properties contribute greatly to the economy of the Northshore and to it's permanent residents. Restaurants, store owners, surf shops and the like. People who rent private homes spend money in the local community and it's benefits everyone. Share the Aloha.

SB-2919-SD-2

Submitted on: 3/13/2024 8:59:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lauren Palakiko	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am a resident born and raised in Lahaina. I am a realtor, I stand in strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

Our natural resources in Lahaina are stressed and tapped out. Water is a huge issue here. With that being said, we cannot continue to over build and mismanage our land and water. The existing residential housing that is available needs to be used first and foremost to house our local families, not for a few to profit from short term rentals.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Me ka ha'aha'a,

Lauren Palakiko

SB-2919-SD-2

Submitted on: 3/13/2024 9:01:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amber Coontz	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Amber Coontz (Lahaina, HI)

SB-2919-SD-2

Submitted on: 3/13/2024 9:03:43 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marie Sweetland	Individual	Oppose	Written Testimony Only

Comments:

I am a senior citizen living on Maui and wish to explain MY OPPOSITION TO SB 2919. We are residents and registered voters and we need the income from our STR to make ends meet. After working full time and paying taxes our entire lives my husband and I felt fortunate to be able to invest in a home in Maui County for our retirement.

With the high cost of the initial purchase price, along with insurance, taxes and HOA fees, it became clear to us that the only way we could afford our home would be by renting it out for part of the year. We felt so fortunate to learn that our home is in an area where short term rentals are allowed.

We have followed the law and all the rules pertaining to short term rentals and we pay a much higher tax rate as a result. We are honest people who simply want to enjoy the few years of retirement we have left on this beautiful island.

We are not alone. Many of the people we have met in the community here are in the same boat.

Even though we are retired, we are still contributing to local and state government by running a STR business from our home. STRs provide 40% of the real property tax revenue for the County. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget.

CAN MAUI COUNTY AFFORD TO LOSE ANY REVENUE after the fire of August 8, 2023 in Lahaina?

In addition to paying County and State taxes, we help other businesses by housing visitors. Tourism is the lifeblood of the Hawaiian Islands! Many visitors need homes with kitchens due to health or dietary restrictions. STRs are typically more affordable than hotels, and that frees up tourist funds to spend on activities on the island. So many local businesses will be impacted negatively if SB2919 is passed.

In addition to tourists, who generate tax dollars and keep our businesses and restaurants thriving, others need housing too. Traveling nurses. Military personnel. Our family and friends. Think about the contractors that will be coming to the island to rebuild Lahaina – where will they live?

H.L Mechen, an American journalist and essayist once said:

“There’s a simple solution to every complicated problem. And it’s always wrong”.

SB 2919 is not going to solve the housing problem on Maui. This bill will ultimately harm the people who work on the island, eliminating jobs for the existing landscapers, housekeepers, local property management companies, retail workers in shops and restaurant staffs, just to name a few. We are losing too many people since the fire. This bill will reduce tax revenues at a time when the County of Maui is already overextended.

Please KILL BILL SB2919. It will only hurt the island further.

Sincerely,

Marie Sweetland

P O BOX 1793

KAHULUI, HI 96733

SB-2919-SD-2

Submitted on: 3/13/2024 9:12:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoelani Delatori	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Kanoelani Delatori

SB-2919-SD-2

Submitted on: 3/13/2024 9:21:35 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Gallagher	Individual	Oppose	Written Testimony Only

Comments:

my name is Linda Gallagher and I have been a vacation rental permit onwer for over ten years. I have been an upstanding citizen of my Paia community and keep a clean vacation rental property totally up to all standards, and pay my taxes every month to the state country and county. I support this community in bringing my guests to all the local establishmets as well as supporting my landscapers, cleaners, maintenance people, yoga instructors, tour guides, etc.... I also hosted three different families and their dogs after the fires last August. I have worked really hard for all these years building my business into a place where people can enjoy the real Maui, and host locals and thier families. I have many guests with grown children here and grandchildren, and they can stay near their family members. I do NOT want to have to fight for my rights to own this productive buseness any more, I am sick and tired of having to fight.

SB-2919-SD-2

Submitted on: 3/13/2024 9:26:15 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Per Gunnar H Westerdal	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs,

We are writing to tell you how financially devastating this bill would be on us. I am 83 and my wife is 78.

We are retired seniors who have owned and rented our condo unit in the Royal Kuhio, in Waikiki since 1980, over 43 years.

We have paid taxes and followed the rental laws for all these 43 years.

We depend upon the income from short term rentals to pay our mortgage and operating expenses.

If this bill passes we will be forced to sell our condo as this would impose a serious financial hardship on us. Long term rentals produce a much lower income and we can't afford to subsidize the expenses. We have a non conforming use certificate.

Our cleaning help would lose her income (in 2023 \$3,315)

Hawaii tax collectors would lose \$8,000

Please consider a less restrictive bill to allow short term rentals.

Sincerely,

Per & Melody Westerdal

SB-2919-SD-2

Submitted on: 3/13/2024 9:26:22 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shalini Negi	Individual	Support	Written Testimony Only

Comments:

Even before the fire there was a massive shortage of long term rentals available for the people who live and work here. Even if the STRs bring in tourism, it will not matter if you don't have workers living here to take care of them. The state should be more concerned for their people who live here full time, than those who are trying to afford a second home here or eventually trying to retire here. Please take care of your people. We need help. We need homes.

SB-2919-SD-2

Submitted on: 3/13/2024 9:30:23 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Erin Hagan	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Erin Hagan

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. I write because the housing crisis that has affected residents prior to the fire has only been exacerbated by tragedy, and it should be impossible for you not to act.

My focus on housing over the years has honed in on one thing: the effect of housing instability on the education system and educational outcomes for the students. I am not from Hawaii. I came here to teach, and I've stayed to teach. The only thing I care about is whether or not the students in Hawaii get access to education, and teachers in classrooms is the number one way to get it.

It gets worse every year. I looked back at testimony over the years, pleading with elected officials at both the State and County level to do something. In 2018, we knew 1 in 3 units in Lahaina was a vacation rental. The quantity, and quality, of teachers that we are able to recruit, and retain, keeps going down. Our classrooms are filled with more teachers who do not hold valid teaching credentials. Prior to the fire this summer, I sat in interviews with qualified candidates who accepted positions at my school. All of them ended up declining. After weeks of searching, the lack of housing commiserate with teacher pay did not exist. We began the year with empty classrooms, as students filled the gym.

Last month, the Hawaii Department of Education released a list of current vacancies for teacher transfers. It was 134 pages long. 134 pages, with some listing twelve to sixteen positions on a page. Those are all classrooms without qualified teachers. I am looking at the vacancies in the schools in Maui. For some, it's at least half the staff. I reviewed high schools four times the size of my own, and one had 2 vacancies. TWO. Why can a massive school in Oahu staff their school? Simple. A saturation of housing that allows you to still eat while you are a teacher.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to

apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Victoria Zupancic

SB-2919-SD-2

Submitted on: 3/13/2024 9:35:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Kaiakapu	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Mahalo,

Chris Ka'iakapu

SB-2919-SD-2

Submitted on: 3/13/2024 9:36:38 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Agdeppa	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Lisa Agdeppa

SB-2919-SD-2

Submitted on: 3/13/2024 9:39:43 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Victoria N. Puaoi	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2919 because the natives and residents of Lahaina, Maui and Hawai'i should be prioritized over settlers. We are tired of being second class citizens in our own home where many of us lost our ONLY homes in the fire while these part time residents live it up worrying about their second home.

SB-2919-SD-2

Submitted on: 3/13/2024 9:46:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosaline Wang	Individual	Oppose	Written Testimony Only

Comments:

The exodus of hawaii residents claiming cannot afford living in Hawaii is not caused by the short term rentals. In fact it is the government who put too much burden, 58% of construction cost on the developers required to built out the infrastructure that has been quantified by Justin Tyndall, Assistant Professor of University of Hawaii Economic Research Organization, that report was published on 3/5/2024 Star Advertiser. So if your intention is getting rid of all rentals less than 180 days would only bring the Hawai'i economy to halt! giving the realities of two biggest economic engines in Hawaii, there are tourism and real property are both experiencing unforeseen challenges nowadays with the high interest rate and under insured condominiums. Travelers besides no longer want to stay at hotels! They prefer travel in whole family and desire to stay in a multiple rooms residential neighborhood house or condos. Single hotel room would never be able to meet the requirements and the trend of people traveling styles today, only results in further damage the hospitality industry's recovery. As of the real estate industry that has been slow due to the riding interest rate already reducing the collection of conveyance tax, and further impacting the employment industries of real estate, banking mortgage loan, title/escrow companies for properties unable to sell, money cannot loan out and title companies cannot close transactions. Above all, there too many Hawaii condos, 380 are under insured for their hurricane coverage that not only in violation of Fannie, Fredi Mac requirements, as well as the State Law. Therefore , If you think getting rid of short term rentals is to help the affordability, I am afraid to say that you are burying your own head in the sand. Additionally, getting rid of short term or any mid term rentals not only losing the big chunks of transit accommodation taxes and general excise taxes, can't be replaced by the taxes collected from long term rentals. That's because the rental income generated from the short term and mid term rentals are greatly surpassed from those long term rentals' generated general excise tax. Think about thoroughly before you make the decision!!

SB-2919-SD-2

Submitted on: 3/13/2024 9:55:33 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven Slater	Individual	Oppose	Written Testimony Only

Comments:

So this is the third time I have to submit written testimony on the same subject matter. First the house build in the Senate bill than the revised senate bill. By limiting those of us who have gone through the process of fully complying to get legally permitted, the revocation of our ability to compete with the already substantial amount of illegal rentals will just result in more illegal rentals by people who use mainland reservation systems that are much more under the radar than VRBO and Airbnb. This is a very uninformed proposal to let the counties delve in land-use issues that will probably also result in a spate of lawsuits. A lot more research needs to be done before taking such drastic steps. And who has the time to continually comment and work against what the hotel lobbyists keep using their influence to push through.

SB-2919-SD-2

Submitted on: 3/13/2024 9:55:51 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shenise Baniaga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Wakai, Chair Keohokalole and Honorable members of the committee,

As a member of the public deeply concerned about the welfare of our communities, I am writing to urge you to consider amending HB1902, HD1 to include language proposed by the Attorney General that incorporates critical protections derived from the harrowing experiences of the Lahaina Community in the aftermath of the fires. These protections, including a summary possession moratorium, residential foreclosure moratorium, mortgage payment deferment, and credit reporting agency protections, are indispensable safeguards that were sorely missed and urgently needed during the disaster. By incorporating these provisions into HB1902, HD1, we can insure that our communities are better equipped to weather future crises, and emerge stronger and more resilient. Thank you for your attention to this matter.

Sincerely,

Shenise Baniaga

SB-2919-SD-2

Submitted on: 3/13/2024 10:00:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kamauliola Medeiros	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed. Thank you for your attention to this critical issue. Sincerely

Kamauliola Medeiros

SB-2919-SD-2

Submitted on: 3/13/2024 10:00:23 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eve Hogan	Individual	Oppose	Remotely Via Zoom

Comments:

My name is Eve Hogan and I am testifying against bill SB2919

My husband and I have been contributing members of the community on Maui for decades. I taught school here and run a non-profit and we were both self-employed with our own businesses until COVID.

We are both in our 60's. I am a cancer survivor. My husband has heart challenges.

Our LEGAL vacation rentals are now our only income to see us through our senior years.

WE request that you find a solution to the housing problem that is a WIN/WIN instead of a *wishful* win and a definite Lose, Lose Lose Lose.

If you stop allow the County's to stop the legal STR's you will cause a:

HUGE LOSS in revenue to the Counties and State.

A Loss of Employment to the 1000s of single mom's and other cleaners, local yard care providers and maintenance crews.

A loss in business to the last remaining few mom and pop businesses that survived the Covid shutdown.

A loss in Hawaii's reputation in the already shaky travel industry due to cancellations.

A loss of Trust in Hawaii's government for issuing LEGAL business permits that you then take away.

And you will cause devastation to people like my husband and I who are now "elders" and relying on this income for our welfare, our families welfare and others that we are able to

provide for. We are currently housing 5 displaced people for free (which we wouldn't be able to do if we didn't have our vacation rentals.)

In essence, you will severely damage the lives of many law abiding, tax paying small business residents in an attempt to help the lives of others.....BUT WILL IT??

The "WIN" you are seeking, affordable housing, is unlikely to be the actual result.

Shutting down LEGAL STRs will NOT LIKELY RESULT IN AFFORDABLE HOUSING....

because the properties were not affordable in the first place. Instead, more people with money will move here to buy or rent those highly desirable and expensive properties.

Lives will be ruined, but other lives will not actually be helped.

This plan is ultimately a LOSE IOSE LOSE LOSE with no winners. This isn't just my opinion, we saw these results during former Maui Mayor Charmaine Tavares attack on Strs, we saw the devastation during COVID and again in the immediate aftermath of the fires.

IF you want to go after vacation rentals, go after the illegal ones that the law is already in place to address. This bill mentions "enforcement" repeatedly....and yet, if Hawaii can't enforce the already existing Laws, creating new ones that target legal business owners is clearly not the solution.

Thank you. Eve Hogan

SB-2919-SD-2

Submitted on: 3/13/2024 10:09:47 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leila Morrison	Individual	Support	Written Testimony Only

Comments:

I support SB2919. I am from Hawai'i have resided here my entire life. The community needs for short-term rentals to be limited or eliminated in order for the people of Hawai'i to have access to affordable housing. Only those people who directly or indirectly benefit/profit from short-term rentals are in favor of them and wish to protect them at the expense of the communities and people of Hawai'i. Largely those who seek to protect this extractive industry, do so in order profit and even fund their move and lifestyle in Hawai'i even though they are not from here and are not invested in this place. They are invested monetarily for their own gain, but not because they care about Hawai'i. They care about what they can get out of Hawai'i and their expectation and entitlement regarding "the culture" of Hawai'i is that it exists for the purpose of making them comfortable and helping them make money all the while displacing the families of Hawai'i. Again, I support SB2919 as a step forward for the government of Hawai'i to curtail the industry of short-term rentals in order to mitigate Hawai'i's housing crisis and support the people of Hawai'i that they are bound to represent the interests of.

SB-2919-SD-2

Submitted on: 3/13/2024 10:10:12 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cyndi Mayo-Akeo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue!

Mahalo,

Cyndi Mayo-Akeo

SB-2919-SD-2

Submitted on: 3/13/2024 10:12:14 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tonic Bille	Individual	Oppose	Written Testimony Only

Comments:

Chair and committee members.

Short Term Rentals are so important to the economy of Hawaii and essential for these situations :

Families temporarily displaced selling their home,

- Homeowners tenting their homes
- Neighbor island residents needing surgeries on Oahu,
- Visiting family members and grandparents
- Travelling professionals such as nurses, Doctors, also construction and cable crews needed on every islands.

Forcing people out of their homes is inhumaine. Thank you for reading my letter.

SB-2919-SD-2

Submitted on: 3/13/2024 10:13:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Helena Von Sydow	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Hawaii State Legislature,

Subject: Opposition to SB2919

As a local resident of Hawaii, I am writing to express my concerns regarding SB2919 and its potential impacts on the availability of short-term rentals on Oahu could indeed pose significant challenges for both residents and visitors, especially during emergencies or transitional periods.

- Impact on Displaced Residents: short-term rentals provide essential housing options for displaced residents during emergencies like the Red Hill Crisis and Marco Polo fires. Very important maintaining these options for community resilience and recovery.
- Short-term and mid-term rentals accommodate various groups, including displaced residents, visiting family members, medical travelers, and temporary workers. There are diverse needs that these accommodations fulfill and the potential consequences of limiting their availability.
- Affordability aspect: alternatives like hotels may be prohibitively expensive for many residents and visitors. Keep in mind the importance of maintaining affordable accommodation options to ensure accessibility for all.
- Community Impact: Broader impact on the local community, including businesses that rely on tourism and the overall economic contribution of the short-term rental industry. Need for balanced regulation that supports both community well-being and economic vitality.
- Personal Experience: I have seen firsthand how short-term vacation rentals have provided essential financial support to families, allowing them to meet mortgage payments and sustain their lives in Hawaii's unique economic landscape. The operation of these rentals has served as a lifeline for many, including myself, in affording the high cost of living in our beautiful state
- ***Our future; It's crucial to carefully examine the implications of bills like SB2919, particularly when they involve zoning regulations. Zoning plays a pivotal role in urban planning, environmental conservation, and various other aspects of community development. Allowing counties the broad power to change any zoning without appropriate checks and balances could indeed have far-reaching consequences.***

Sincerely,

Helena von Sydow

808-349-9167

SB-2919-SD-2

Submitted on: 3/13/2024 10:13:12 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kazuo Flores	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,
I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Kazuo Flores

SB-2919-SD-2

Submitted on: 3/13/2024 10:14:33 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Isabel Borland	Individual	Oppose	Written Testimony Only

Comments:

As a local resident of Maui, I strongly oppose SB2919. The prospect of this bill could bring significant challenges to our community. It has been highlighted that SB2919 may lead to the shutdown of legal short and mid-term rentals, even those that are currently permitted. This could have a substantial impact on local families who depend on these rentals for a source of income and temporary housing needs.

In our case, this bill will directly impact my family as we own a condo that we rent out, and as a housekeeper, that provides one of our main sources of income. The potential changes arising from SB2919 threaten our livelihoods and the ability to continue earning a living through the vacation rental industry.

I urge you to consider the detrimental effects of SB2919 on local residents and families who rely on the vacation rental industry for their income and housing needs.

Mahalo, Isabel Hall Maui Resident

This email succinctly conveys your personal concern and the potential impact of SB2919 on your family's livelihood. If there's anything else you'd like to add or adjust, please feel free to let me know.

SB-2919-SD-2

Submitted on: 3/13/2024 10:16:26 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalae Calderon	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,
I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.
Thank you for your attention to this critical issue.
Sincerely,

Kalae Calderon

SB-2919-SD-2

Submitted on: 3/13/2024 10:19:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Keala Fung

SB-2919-SD-2

Submitted on: 3/13/2024 10:19:57 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Harald von Sydow	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Hawaii State Legislature,

Subject: Strong Opposition to SB2919

I am writing to express my concerns regarding SB2919 and its potential impacts on the availability of short-term rentals on Oahu. This bill could pose significant challenges for both residents and visitors, especially during emergencies or transitional periods.

One of the most critical impacts of SB2919 would be on displaced residents. Short-term rentals provide essential housing options during emergencies like the Red Hill Crisis and Marco Polo fires, contributing to community resilience and recovery.

Furthermore, short-term and mid-term rentals accommodate various groups, including displaced residents, visiting family members, medical travelers, and temporary workers. Limiting their availability could have severe consequences for these diverse needs.

Affordability is another crucial aspect to consider. Alternatives like hotels may be prohibitively expensive for many residents and visitors. It's essential to maintain affordable accommodation options to ensure accessibility for all members of the community.

The broader community impact cannot be overlooked. Businesses that rely on tourism and the overall economic contribution of the short-term rental industry would be affected. There is a need for balanced regulation that supports both community well-being and economic vitality.

On a personal note, I have witnessed firsthand how short-term vacation rentals have provided essential financial support to families, including my own. These rentals have served as a lifeline, helping families meet mortgage payments and sustain their lives in Hawaii's unique economic landscape.

Looking towards the future, it is crucial to carefully examine the implications of bills like SB2919, particularly concerning zoning regulations. Zoning plays a pivotal role in urban planning and various aspects of community development. Allowing counties broad power to change zoning without appropriate checks and balances could have far-reaching consequences.

I urge you to consider these concerns and oppose SB2919 in its current form. Thank you for your attention to this matter.

Mahalo for your time and consideration.

Sincerely,

Harald von Sydow

808-224-0002

SB-2919-SD-2

Submitted on: 3/13/2024 10:23:35 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashley Wilton	Individual	Support	Written Testimony Only

Comments:

I support SB2919 . Let the local people of Lahaina and Hawaii have more say and support over their housing situation!

SB-2919-SD-2

Submitted on: 3/13/2024 10:26:17 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashlan Austin	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely, Ashlan Austin

SB-2919-SD-2

Submitted on: 3/13/2024 10:27:08 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Straus	Individual	Oppose	Written Testimony Only

Comments:

To Esteemed Committee Members,

The fiscal impact of this bill is of concern. It is being brought up during an emotionally fraught time for citizens of West Maui. While housing is an important and necessary issue, this solution seems to render more problems than solutions.

Hawaii is dependent on tourism, it's a fact. Going from 3 to 2 property tax bases? Will the deficit be passed to those residents who remain? How much must be found to replace the vacation taxes generated by the short term rentals and from where?

Loss of tourism utilizing short term rentals will begin to snowball in employment of citizens. Less flights will see fewer jobs in airline, airport, and auto rentals. The vacation rental market will have office staff, management, cleaners, maintenance, and other staff unemployed. Local restaurant choices will become minimal as a lack of filled tables force closures. This then impacts those employees as well as the fishermen, farmers, truck drivers, linen, floral providers. Tour operators both on land and ocean will also be faced with decreased revenue as fewer tourists are able to visit. The number of residents who will become dependent upon assistance increases as the external source of tax revenue decreases. How can we care for our own without the income generated from those who utilize short term rentals?

Condominiums are frequently not designed to accommodate long term residency. They lack storage, adequate parking, child friendly outdoor space -other than supervised pool activities, and generally don't allow pets.

Hawaii needs to address the housing crisis in a fiscally responsible manner. The phasing out of short term is not a viable solution long term. Please make decisions, not in the emotional moment, but with carefully researched solutions that carry us into a financial future for all residents.

Mahalo for your time and hard work.

SB-2919-SD-2

Submitted on: 3/13/2024 10:29:33 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelei Tancayo	Individual	Support	Written Testimony Only

Comments:

Aloha and mahalo for allowing me to testify in support of SB2919 SD2.

Tourist need to go back to the resorts where tourism is considered good for our economy. Where thousands of people are employed. Where food, security, trash, water, activities, etc are all taken cared of at the resorts responsibility and expense. No more short term rentals, taking away our long term rentals and causing the housing crisis in Hawaii. And adding pressure on our natural resources through over consumption. We need tourist to go back to being tourist in our resorts where majority of the tourism revenue is generated, financially benefiting the County, the State and all the thousands of employees the resorts employ.

Mahalo!

SB-2919-SD-2

Submitted on: 3/13/2024 10:31:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Diana Tevaga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Diana Tevaga

SB-2919-SD-2

Submitted on: 3/13/2024 10:33:40 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marley Taufmann	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to bill SB2919 SD2. As a concerned citizen, I believe that this legislation poses a significant threat to housing growth and could have detrimental effects on our economy, directly impacting jobs in Hawaii.

One of the most alarming aspects of SB2919 SD2 is its broad zoning powers. These powers could potentially stifle housing growth by imposing unnecessary restrictions and regulations on development projects. This bill could exacerbate our already pressing housing crisis, making it even more difficult for residents to find affordable housing options.

Furthermore, the bill's provisions targeting short-term rentals are deeply concerning. Short-term rentals play a crucial role in Hawaii's economy, contributing significantly to our state's overall economic prosperity. According to a 2020 study, short-term rentals have a staggering \$6 billion impact on our economy and support approximately 46,000 jobs.

Phasing out these rentals, as proposed in SB2919 SD2, would have far-reaching consequences across various sectors. It would not only result in job losses within the hospitality industry but also have ripple effects on ancillary industries. Many tradespeople, including those in maintenance, cleaning, and other service sectors, rely on short-term rentals for their livelihoods. A decline in demand for these services would directly translate to job losses and economic hardship for countless individuals and families.

In conclusion, I urge you to reconsider the ramifications of SB2919 SD2 and oppose its passage. We cannot afford to enact legislation that stifles housing growth and jeopardizes the livelihoods of hardworking residents. Instead, I encourage you to focus on solutions that promote sustainable development while safeguarding our economy and the well-being of our communities.

Thank you for considering my testimony.

Sincerely,

Marley Taufmann

SB-2919-SD-2

Submitted on: 3/13/2024 10:34:00 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Chanel Souza	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong support for Bill SB2919 which aims to phase out short term vacation rentals in our community. As a resident who has witnessed firsthand the negative impact of such rentals on our housing market, and the well-being of our community. I believe this is crucial for preserving the availability of housing for locals. Vacation rentals have exasperated the housing crisis in our area, driving up rental prices and decreasing the availability of housing for residence. Many locals, including myself, have been priced out of our own neighborhoods due to influx of short term rentals catering, primarily tourist. This not only disrupts the fabric of our community, but also creates economic instability for long-term residence.

Majority of those who will oppose this bill are strictly out for their own pockets and I would confidently say that majority are NOT from Hawai'i. Please do what is right for the people of Hawai'i.

Mahalo,

Chanel Souza

SB-2919-SD-2

Submitted on: 3/13/2024 10:39:57 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alix Noda	Individual	Oppose	Written Testimony Only

Comments:

Hawaii residents should have the right to choose what they do with their property, within reason and zoning notwithstanding. The State and City and County should be working on behalf of their constituents, not just the mainland corporations who own the hotels. The other islands have legalized short term rentals and allow you to obtain a permit and it is determined on a case by case basis. Please help the kupuna keep their lands.

Aloha ,

I have called Maui my home for the last 20 years. And over these years what has stood out the most about our Aloha is our ability to make our guests feel so welcome that when they think of a restful vacation, they have a strong desire to return to the Hawaiian Islands. Tourism is our bread and butter, and our economy relies strongly on the revenue that it generates to then afford us, the residents, a decent quality of life. Our short-term rentals are not just a place to stay for the tourist. They are filled with a warmth and caring that can only exist in a cottage industry setting.

Some examples of what I mean:

I have a 4 year old daughter and whenever we have guests with kids we not only supply a pack and play but also toys and books for their kids to read while they vacation ... extra car seats, a heating pad, beach toys ... small comfort items that are so meaningful that we don't normally travel with.

I love to bake, and I will often leave warm cinnamon buns for my guests just for aloha. My reviews and guest feedback will prove to you how important this personalized care can be towards creating great memories.

My cleaner had a brain injury many years ago and has a phobia of crowds. She can do the cleaning job at her own pace, in her own space and make a very good life-sustaining income.

A handy man makes his living off of the maintenance issues.

The taxes it generates pays towards a large percentage of the state's total revenue.

The Cottage Industry has historically been the backbone of a strong, vibrant community. If replaced with an all-commercial industry (In this case Hotels) the community most certainly will lose its charm and character.

So today I request to leave the small – business- based short and mid-term rental industry alone. It is regulated enough to be safe, productive and to give back its fair share to the community. Please leave it alone! Thank you !!

SB-2919-SD-2

Submitted on: 3/13/2024 10:49:54 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sweetheart Eleneki	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB2919.

The focus in Hawai'i should return to that of caring for its' people, your family and friends.

One of the primary needs and biggest crisis in Hawai'i is the lack of housing for residence. Short term rentals in Hawai'i continue to displace working class families who for generations from the Hawaiian Kingdom era, and before, have inhabited our islands.

We have seen an increase in short term rentals along with an increase of generations of Hawai'i born and raised families moving to the continent in hopes to afford a primary necessity of life.

In closing I would like to reiterate that I stand in opposition of SB2919.

Thank you for your time.

SB-2919-SD-2

Submitted on: 3/13/2024 10:51:40 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jaime Palakiko	Individual	Support	Written Testimony Only

Comments:

You know what is right for the people of Hawai'i, for your children and grandchildren... support and pass SB2919. Save our land from being prostituted to foreigners who care about nothing more than the money in their pockets.

Listen to your heart, and vote in accordance to what is right for Hawai'i, for Lahaina, for the people of this land.

TO: Members of the Committees on Housing and Tourism

FROM: Natalie Iwasa
808-395-3233

HEARING: 9:30 a.m. Friday, March 15, 2024

SUBJECT: SB2919, SD2, Related to Property
Phase out of Short-Term Rentals - **OPPOSED**

Aloha Chairs Evslin and Quinlan and Committee Members,

Thank you for allowing the opportunity to provide testimony on SB2919, SD2, which expands the zoning powers of counties as well as the definition of transient accommodations.

This bill would allow counties to phase out short-term rentals in residential or agricultural areas. I oppose this bill.

Please vote “no” on SB2919, SD2.

Robert A. Simon
2777 South Kihei Road
L202
Kihei, Hawaii 96753

Ladies and Gentlemen:

I am writing to express my strong opposition to the proposed legislation (SB 2919) aimed at ending short-term vacation rentals on Maui. SB 2919 is a measure would have detrimental effects on our community and local economy, creating far more problems than it will solve. SB 2919 essentially proposes to place a massive burden on a group of people to solve a problem on Maui (housing) that has been present and growing for years and years. Island-wide problems demand solutions that are island-wide rather and solutions that place the onus on a select group of people (in this case, vacation rental owners).

The Lahaina fires were and continue to be an ongoing tragedy and hardship, especially for those affected. The aftermath of the fires have laid bare numerous problems on Maui, including housing issues. These problems have been present for years. It is extremely unfair and a breach of the public trust to pick a specific group of people (vacation rental owners) to pay the price for years of knowing neglect of the housing problem. *The housing issues on island are complex. Complex problems need complex solutions rather than simple solutions or solutions that create an even wider array of problems that the proposed solution aims to resolve.*

I own a condo on the island and use it as a second home. When I am not on island, I rent it out. If SB 2919 passes and is signed into law, I can assure you that I will not rent it out to those in need of housing. I will simply take it off of the rental market and let it sit empty while I am not occupying it. Many people I know will do the same.

Short-term vacation rentals play a vital role in Maui's tourism industry, providing visitors with a diverse range of accommodations and contributing significantly to our economy. Many local families rely on income generated from these rentals to make ends meet, supplement their livelihoods, and support their families. By banning short-term vacation rentals, we would be jeopardizing the financial stability of countless individuals and families on the island. It will cripple tourism on Maui, a source of revenue that is essential, directly or indirectly, to the well-being of each and every family that calls Maui home.

Additionally, prohibiting short-term vacation rentals will have ripple effects on other sectors of our economy. These include local businesses, restaurants, and attractions that rely on tourism dollars to

thrive. A decline in tourism revenue would lead to job losses, decreased tax revenue, and overall economic hardship for Maui residents. If short-term rentals are banned, real estate prices island-wide will plummet, further undermining the economy of the island and devastating the financial posture of countless property owners be they full time residents or short term rental owners. Many people have invested in real estate in good faith. What is being proposed represents a breach of trust between those of us who have invested in Maui and government.

In conclusion, I strongly oppose the proposed legislation to end short-term vacation rentals on Maui. I believe that such a measure would have far-reaching negative consequences for our community and economy. I urge you to consider the interests of all stakeholders involved and to work towards finding a balanced solution that preserves the vitality of our tourism industry while addressing any legitimate concerns.

Mahalo for considering my perspective on this important issue. Please oppose SB2919.

Sincerely,

Robert A. Simon

SB-2919-SD-2

Submitted on: 3/13/2024 11:43:30 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Javin Turalva-Albano	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Javin Turalva-Albano

SB-2919-SD-2

Submitted on: 3/13/2024 11:49:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Roberson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evelin, Chair Quinlan, and Honorable Members of the Committees,

I am a Lahaina fire survivor, unable to find a place to live in Lahaina, writing to express my strong support of SB2919, SD2, which would help to phase out short term rentals over a reasonable amount of time

The proliferation of short term rentals has led to a housing crisis on Maui, making it increasingly difficult for residents to find affordable and long-term housing options. The demand for short term rentals has driven up housing prices, forcing many families to struggle to make ends meet and pushing them out of their own neighborhoods.

Furthermore, the presence of short term rentals has disrupted the sense of community on Maui. Neighborhoods that were once tight-knit and vibrant have become transient and commercialized, with a revolving door of vacationers detracting from the authentic local experience.

In addition to the housing crisis, short term rentals have contributed to issues such as traffic congestion, noise pollution, and strain on local resources. The preservation of our island's natural beauty and cultural heritage is at stake, and it is crucial that we take action to protect Maui for future generations.

By phasing out short term rentals, we can prioritize the well-being of our residents, preserve the unique character of our communities, and create a more sustainable future for Maui. Additionally, it is essential to include the numerous short term rentals in apartment zoned properties. Please include explicit and detailed language including these apartment zoned STR's. I urge you to consider the long-term impact of short term rentals on our island and support this bill which will bring us one step closer to phasing them out.

Thank you for your attention to this important issue.

Sincerely,

Laurie Robertson

SB-2919-SD-2

Submitted on: 3/13/2024 11:49:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Lowson	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Short term vacation rentals are a vital part of the West Maui community. They provide jobs for housekeepers, grounds people, pool cleaners, waiters, bartenders, property managers. Please think this through. Eliminating short term rentals will destroy the Hawaii / Maui economy. Right now short term rentals are keeping our people employed. Off island owners are a vital part of our economy. They pay higher taxes than owner occupants. When they visit they partake in activities: whale watches, golf, shopping, rental cars.....Short term renters employee PEOPLE.

What is destroying our economy is FEMA. They are paying highly inflated rental rates and not following laws professional property managers are required to abide by.

Say YES to short term rentals.

Sincerely, Laurie Lowson, Lahaina, HI 96761 I vote in every election and every primary.

(HUGELY affected by Lahaina Wildfires! Living in Hell with the large trucks on our roads, dealing with Government unrealistic rules (no permits to rebuild to date). Families separated. Keep our people employed. For many going to work is their only "normal" in their lives.

SB-2919-SD-2

Submitted on: 3/13/2024 11:55:12 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Trotto	Individual	Oppose	Written Testimony Only

Comments:

My name is Michael Trotto, a permanent resident of Kihei, Maui. I strongly oppose SB2919 as it directly threatens the livelihood of small business owners who own and operate legal short-term rentals in Hawai'i. The proposal unfairly allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time, which can have severe economic repercussions not only for the affected businesses, but, for the local community as well.

The proposed legislation threatens the financial well-being of numerous families who depend on short-term rentals as a source of income and may lead to significant financial hardship for many households. Furthermore, it could establish a dangerous precedent for taking away private property rights and may create uncertainty for investors and builders, impacting the construction industry at a time when our community needs new development opportunities. Maui's legal short term rentals provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing in Maui County. The STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that shortfall in revenue come from, should this measure pass?

I respectfully urge the Committee to reconsider the implications of SB2919 on the vacation rental industry and the residents of Hawai'i. Instead of punishing small business owners and impeding economic growth, it is crucial to seek solutions that support the sustainability of our local economy.

Mahalo for considering my testimony, and I urge the Committee to oppose SB2919 to protect our community's economic well-being.

Sincerely,

Michael Trotto

SB-2919-SD-2

Submitted on: 3/13/2024 11:58:57 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cecila Gomez	Individual	Oppose	Remotely Via Zoom

Comments:

Hello State Senators,

I totally oppose this bill because the current monthly or 30 minimum rental is necessary to sustain a variety of housing requirements for residents. Unfortunately we have legislators behaving more like politicians and hotel lobbyist than reasonal and honorable statesman.

You have many landlords whose tenants could break their leases leaving a landlord disenfranchised for months wihtout being able to collect rent if ordinance 22-7 on Oahu is passed.

You will have companies required to house workers in hotels that charge a huge amount. Guess who gets stuck with higher prices to do business here in Hawaii? We do. Higher costs to do business here simply trickle down to the residents.

How about all those families that required temporary housing Oahu for what happened at Red Hill - you think a family with children is going to stay in a hotel for months?

Renters who have to move out regarding an insurance claim are not subsidized unless you are the owner. The landlord simply will not charge them rent while the home is being repaired so the tenants's only option is in a hotel for \$400/night while the home takes months to get remediated.

Stupid laws like this is what your constituents will remember you by.

Cecilia

SB-2919-SD-2

Submitted on: 3/14/2024 12:02:32 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Stephens	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Mahalo,

Amy Stephens

Lahaina, Maui

Aloha Chairs Evslin, Quinlan and Vice Chairs Micah, Hussey-Burdick,
And members of the House Committees on Housing and Tourism

I support the idea and intent of the original [SB2919 Section 1](#) as it is groundbreaking as to recognizing the long-standing value of Kama'aina renting.

The original language proposes a registration system for a few thousand owner-occupied short-term rental properties. I ask that language that was deleted, after legislative review, be restored in a way that would be compatible with the DCCA mission.

I strongly oppose SB2919 SD2 as it targets owner-occupied properties.

The human suffering caused by the Maui wildfires is an unimaginable loss! This proposed SB2919 SD2 legislation will work against the recovery effort. It will likely provoke further litigation resulting in additional injunctions that will delay the Maui recovery efforts.

If you pass SB2919 SD2 as is, counties will be able to totally ban short-term and medium term rentals. These rentals are not just for vacationers.

Banning short-term rentals will mean that teachers, medical personnel, construction workers, military in transition and others will not be able to afford lodging in the location that their skills are needed. Implementing barriers to affordable hosted renting will separate those who have the skills from their work locations.

Rental contracts are strictly governed by the HRS § 521, the Residential Landlord Tenant Code:

*HRS § 521-22 Term of rental agreement. The landlord and tenant may agree in writing to **any period** as the term of the rental agreement.*

Why its the Landlord Tenant Code being ignored? Strange that everyone sees to forget this EXISTING LAW

WARD AMENDMENT

Chair Evslin, mahalo for taking the time to debate on the Ward Amendment

The Ward Amendment version of the definition for ‘Owner-occupied’ is:

"Owner-occupied" means property which is used as the owner's primary residence and which property, or portion thereof, is operated as a transient vacation rental unit."

[The House of Representatives floor debate on HB1838 HD2 final passage is here.](#)

We recommend the same ‘Mom & Pop’ exception for owner-occupied in [SB2919 SD2](#). The following will address your concerns you raised in debate:

provided that transient accommodations uses may be amortized or phased out in residential or agricultural zoned areas; provided further that residential uses do not include transient accommodations uses

Add except for owner-occupied

"Owner-occupied" means property which is used as the owner's primary residence. The owner of the hosted property resides in the primary residence and located in the same county during rental periods of less than 30 days."

"Hosted property" means any of the rented portion of the primary residence, one other entire single-family dwelling, the half of a duplex opposite the primary residence."

Respectfully submitted

Victoria Johnson

SB-2919-SD-2

Submitted on: 3/14/2024 12:13:10 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Riley	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it will give the island of Oahu a vvery harmful rental restriction that will backfire on residents. Obviously and unfortunately we have legislators who a clueless with the real economic ramifications further restriction will do to our ohana who require flexible rental terms.

I understand and agree with the less than 30 day rental restriction but restricting more days than infringes on the residential necessities. Obviously the hotels are not the right fit to replace the less than 90 day rental especially families with children void of any kitchen and little space.

I dont understand future residents coming to relocate to Hawaii that would be willing to stay in a hotel for months while they look for a home. The replacement of future residents will drastically get cut.

Please stop accepting donations from the hotel lobbyists and do what is right for our Ohana.

Steve

SB-2919-SD-2

Submitted on: 3/14/2024 12:21:08 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan ng	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SDz, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short term rentals in apartment zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short term rentals are adequately addressed.

Thank you for your attention to this critical issue.
Mahalo, Jordan Ng

SB-2919-SD-2

Submitted on: 3/14/2024 12:29:59 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rhonda Ruidas	Individual	Support	Written Testimony Only

Comments:

Rise Up for Hawaii's Housing Future!

Hawaii's housing crisis is reaching a critical point, and it's time for us to take a stand. Outsiders are dominating the profiting off our homes, and shaping legislation like SB2919, SD2 without our best interests at heart. They want the tourist industry to fund them, but at what cost? No one to wait and serve them because the local family's have to move away? Have you heard what I've heard? Where is all the Aloha going... If the locals can't afford to live here, then they move away, and the visitors want the Hawaiian flare, but they want the five stars as well. You can't have both. Bring back the families that can bring the special Hawaiian culture back to make it feel like Hawaii again. But to do this they have to be able to live here. We are only asking to stop the illegal short-term rentals so they can live in their/our community again.

We cannot allow foreign investors to exploit our housing market unopposed; it's crucial that apartment-zoned properties are included in this legislation to protect and expand our local housing stock. This is a call to action: educate yourself, testify, and let your voice be a beacon of change against those who see our homes as mere investments. Stand up, fight back, and let's secure a future where affordable housing in Hawaii is a reality for all of us.

Sample Testimony:

“Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties and residential areas, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Rhonda Ruidas

Submit testimony here:

https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SB&billnumber=2919&year=2024

SB-2919-SD-2

Submitted on: 3/14/2024 12:40:08 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul W Kasha	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

My name is Paul W. Kasha and I own a short-term vacation rental condo on Maui. I purchased this condo in 2004 with the intention of having a future place to go on vacation. My wife and I live in Alaska. It is very cold in the winter here. I have arthritis and my wife has an auto immune disease. Spending time in Hawai'i helps us both. For almost 20 years we have been able to visit Maui when we can between doctor's visits. Now in retirement and living on Social Security, we find it necessary to rent the condo to make ends meet. We find that short-term rental has made it easier for us to schedule our time between doctor appointments and visiting our condo on Maui. We believe that eliminating short-term rentals like ours will hurt the Maui economy because not everyone can afford the greater expense of a hotel. We oppose this Bill (HB1838) as it will take away our being able to afford visiting our condo on Maui and the necessary upkeep, property taxes, HOA fees, insurance, etc. We ask that you please do not move this bill forward.

Thank you for your time,

Sincerely, Paul and Linda Kasha

SB-2919-SD-2

Submitted on: 3/14/2024 1:03:00 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly Turfler	Individual	Oppose	Written Testimony Only

Comments:

I am proud to say that I am an owner of a STR. I use my home for personal use and rent it when I'm not there. I bring in an incredible amount of taxes which the state and county benefit from, I support full time residents who work for me and provide customers to local business. I treat my home, employees and guests with respect.

I am an active member of the community, I pray that I will not be forced out of business and be forced to sell by this measure. I feel the long term financial implications would be devastating. For a community that depends on tourism for survival.

Kelly Turfler

SB-2919-SD-2

Submitted on: 3/14/2024 1:17:16 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Edward Codelia	Individual	Oppose	Written Testimony Only

Comments:

I oppose the expansion of zoning powers of the Counties, specifically Maui County as Maui County fails to enforce the current zoning laws, and the County of Maui fails to collect the fines and penalties against property owners for zoning violations. It would be more appropriate to expand the county enforcement and collection of fines and penalties for zoning violations. The camper type vehicles should be completely banned from all Hawaiian islands.

SB-2919-SD-2

Submitted on: 3/14/2024 1:20:51 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Staubitser	Individual	Oppose	Written Testimony Only

Comments:

When our son Bryan married his wife Miken they made the decision to start a family and stay on Maui where Miken was born and raised. Now they are a family of 4 living in Haiku. Bryan is a Maui Firefighter stationed in Lahaina and Miken is a Paramedic, also stationed in Lahaina. For years my wife and I wanted a place of our own on Maui, where we could spend time with our son, daughter in law and grand daughters.

In August of 2020 we purchased our Maui home located at 71-3 Puapake PL, Lahaina, in the community of Puamana. We chose the home for many reasons. Knowing that it had a good rental history that would help us afford the maintenance and taxes and we would be able to spend a total of 4 months there to spend time with our son, his wife and our 2 grand daughters. To make this purchase we sold the home in New York where we raised our 4 children and down sized to a smaller, one bedroom home.

We lost our Maui home on August 8, 2023 to the wildfires. Now the time we spend on Maui has been cut short. Fortunately we can stay at our son's house when we come to see family. We have hopes to rebuild in the future and enjoy time with our family before we are too old to travel.

Currently we are burdened with paying HOA fees and wondering what the cost will be to rebuild when we are able. My wife and I oppose SB2919 and the impact this would have on short term rentals, I respectfully request that you consider how this would affect so many. If these bills are passed not only would it lower the value of the property we plan on rebuilding, it would also severely restrict the time we could spend with our family.

TVR's have a positive impact for the islands. They generate a large tax revenue, require services that provide income for many and they aid in the tourist industry which the islands are dependent on. To loose the ability to rent our unit would be a life changing tragedy for us and many others. If you have traveled you would appreciate the benefits and comfort a TVR offers.

Thank you.

Sincerely

Thomas G Staubitser

PO Box 2777

Montauk, NY 11954

631 466-4707

SB-2919-SD-2

Submitted on: 3/14/2024 1:24:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee P Kaiama	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Renee P Kaiama, and I am a resident of Kula, Maui, as well as the broker/owner of Maui Real Estate 808.

During the 1990s, the real estate landscape on Maui was markedly different from what it is today. At that time, the market struggled to attract interest, with realtors eagerly anticipating seasonal spikes in hopes of securing a few sales to visitors. However, as the state increasingly focused on tourism as the primary economic driver, substantial funds were directed towards marketing efforts, positioning Maui as a premier destination globally, endorsed by esteemed organizations like Conde Nast.

While these initiatives undoubtedly bolstered revenue streams for both the state and county, they also precipitated a surge in tourist arrivals, necessitating expanded accommodations. Consequently, issues arose with condominium zoning, as some units were designated for residential use while others were intended for resort or hotel purposes. Opportunistic property owners exploited this situation by engaging in unauthorized short-term rentals within residential complexes, flouting zoning regulations in the process.

Fast forward to the present day, and the consequences of unchecked tourism and zoning violations are readily apparent: overpopulation, strained infrastructures, and a pervasive sense of disillusionment among residents as Maui's distinctive lifestyle gives way to commercialization. Tragically, these factors have contributed to the devastating fires of August 8, 2024, underscoring the urgent need for decisive action.

Maui is not merely a business enterprise; it is a cherished island community with finite resources, now besieged by the daily influx of tourists and the proliferation of unauthorized short-term rentals. Despite my hopes for strategic interventions to mitigate these challenges, the post-pandemic resurgence has seen Maui once again inundated with rental cars, tourists, and zoning infractions related to vacation rentals.

It is my firm belief that had properties adhered to their designated long-term rental zoning, the housing crisis exacerbated by the August 8 fires might have been more manageable. Instead, we find ourselves grappling with a tangled mob of repercussions.

In light of these realities, I urge the legislature to take decisive action by revoking all short-term vacation rental permits and licenses from properties found to be granted zoning variances to

operate short term vacation rentals. If the owner does not live in the home, a long term tenant will be provided by FEMA and the owner will in all likelihood receive a better return on their investment, and for those that are running the vacation home rental as a business, well like many businesses in Hawaii before, during and after the pandemic, business has closed. The surge of the short term vacation management organizations that peddle their votes and threats of economic collapse will adapt and survive or move some place where there services are required. We live on an island, the surge in full time residency has surged, the island is over populated and over housed, please look closely the price points are too high for the locals, has been this way for decades but when the medians are over a million the locals can not buy in, as the cost of living plus the cost of housing against the wages paid by employers on the island do not support the While proponents of such rentals may argue their economic benefits, I challenge the assertion that they outweigh the social and environmental costs incurred. Furthermore, I am confident that the state possesses the ingenuity to devise alternative solutions to offset any potential revenue losses resulting from the enforcement of zoning laws.

In conclusion, my testimony is clear: it is imperative that we prioritize the preservation of Maui's unique character and quality of life over short-term financial gains. By upholding the integrity of our island design, and enforcing zoning regulations, limits we can lay the groundwork for a sustainable future that honors the essence of our island home. My belief is that the cost of tourism for Maui is a depletion of the infrastructures, and resources that the residents were deprived of prior to the spikes in tourism only causing further depletion to the residents. Tourism additionally helps keep the Maui real estate market burning, both ownership, and rentals, driving real estate prices to all time high median pricing.

Mahalo for your attention to this pressing matter.

SB-2919-SD-2

Submitted on: 3/14/2024 1:39:13 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gezim Pema	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

We are Gezim Pema and Shpresa King. We are members of the Maui community. We are Americans. We have worked hard and saved and saved to reach our dream, owning a condo on Maui For our retirement residence . We don't own multiple Maui properties, We are a family who worked hard and trying reached our dream to move in Maui after we retired . Purchasing our condo home took much of our savings and we took out a mortgage on our home to purchase it. To be able to afford the extremely expensive tax and HOA bills, we must rent our condo out part time till we retire . HB1838 would force us to lose our home, and I believe this would be the case for many people. The high fixed expenses of the condo would not make it viable for workforce housing. The inability to rent short term would also weaken the housing marketing, causing us to sell at a loss. All those years of hard work and sacrifice, gone with the stroke of your pen. We are crushed and bewildered and don't know what to do next, other than to write and ask you to consider what this bill will mean to thousands of Maui families.

We feel deeply for the people of Maui who lost loved ones and/or their homes. I was there when fire happen was a nightmare I can't put the words together. We help many times for about two months we were there after the fire We did this in the spirit of Aloha and a sense of Pono, we were not paid by FEMA or any other agency, we did it for our community. Maui is our home too. Passing HB1838 will have unintended negative consequences for thousands of Maui residents. Losing your home to a bureaucratic bill is not like losing it to fire, there is no comparison. But the outcome is the same, our homes will be gone, taken from us by no fault of our own.

Workforce housing shortages have never been eliminated by removing short term resort vacation condo rentals. Our HOA fee is more than \$10,000 a year. Our real estate tax bill, not counting the STR taxes, is more than \$14,000 a year. All of the condos on Maui have expensive HOAs and tax bills. You can see why our family needs to have some short term rental income to afford our condo. These complexes were not originally built for workforce housing. The HOA operating costs alone make it nearly impossible for a typical family to afford these expenses. Even if prices come down, the HOAs will not, it takes that much to run and manage the

properties. And you will need to replace the tax revenue the condos contribute. This extra tax should not be put on the backs of the local workforce.

Please consider the broad unintended consequences of this potential legislation and work to find a solution that doesn't hurt so many families.

There are many businesses and individuals who live here in Hawaii, who rely on the hospitality industry. STR's are a huge part of that industry benefiting many businesses and employing thousands of people and their families. There is enough business with STR's for all to benefit. No one sector of the hospitality industry should be a monopoly. The county should not have the power to phase-out all STR rentals. Once a ruling is put into law, by the city or the state, the county should not be able to cancel or overrule.

I rely on the income I receive through my STR's, to pay my condo fees, all taxes, and provide an income through my retirement years. Why would the city of Honolulu want to eliminate all the revenue generated from our STR's, that contribute to the livelihood of so many. Please reject this Bill SB2919, don't let the deep pockets of one sector of the hospitality industry dominate over individuals living and working in this wonderful city.

SB-2919-SD-2

Submitted on: 3/14/2024 2:40:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Edwin Cordes	Individual	Oppose	Written Testimony Only

Comments:

I am against the further restriction of homeowners rights including the right to rent homes and condos on Maui

SB-2919-SD-2

Submitted on: 3/14/2024 2:47:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Chapman	Individual	Oppose	Written Testimony Only

Comments:

US Senator Brian Schatz informed us that President Biden signed the first half of the bipartisan appropriations bill into law, and Hawai‘i is to set to receive billions in new federal funding. The new funding will improve our roads and infrastructure, provide people with housing, food assistance, and other essential services, and cover significant costs for the state and help address its budget challenges. In addition, we are also bringing home nearly \$400 million in new earmark funding and expect more to come.

That funding:

1) **Native Hawaiian Housing – \$22.3 million.** secures funding for the Native Hawaiian Housing Block Grant Program, which provides financial assistance for Native Hawaiian families to obtain new homes, make renovations, build community facilities, and receive housing services, including counseling, financial literacy and other critical resources to address housing disparities. This year’s funding level preserves the record high from the last two years.

2)

Affordable Housing and Community Development – \$4.7 billion (nationwide). Hawai‘i faces a critical housing shortage and this bill supports programs that will help Hawai‘i build more housing. Specifically, the bill includes:

- \$100 million for the “Yes In My Back Yard” grant program — a \$15 million increase over fiscal year 2023. This program incentivizes state and local governments to change their zoning and land use laws and regulations that too often unfairly limit the amount of housing that can be built where it’s needed.
- \$3.3 billion for the Community Development Block Grant formula program, which supports development for low income communities.
- \$1.3 billion for the HOME Investment Partnerships Program—The HOME program is the primary federal tool for state and local governments to produce affordable rental and owner-occupied housing. This funding level will lead to the construction of more than 7,000 new rental and homebuyer units.

So please tell me why you need my one-bedroom condo that I OWN and live in and choose to rent out to others when I'm traveling for work. And I am the majority of STR owners--we aren't big corporations, we're not making loads of income--we're basically covering our costs and providing affordable lodging for those who need it: traveling healthcare and construction workers, people moving to the island, small families on affordable vacations...

Stop this foolishness. Stop vilifying private short term rental owners and get busy doing work

that will provide real change and substance.

You are biting the hand that feeds you in terms of tax revenues. As yet I've heard of no plans that will offset the revenues lost with crazy schemes like the one you're proposing.

SB-2919-SD-2

Submitted on: 3/14/2024 3:07:24 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Inda	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Jennifer Inda

SB-2919-SD-2

Submitted on: 3/14/2024 3:24:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Twila Loudder	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to SB 2919 - Heavy Regulation of Short-Term Rentals

Dear Senators,

We are writing to express our strong opposition to SB 2919, which aims to heavily regulate vacation rentals in the state. As the owners of a short-term rental in Maui County, this bill deeply concerns us for several reasons.

While we are the owners of a STR, we have family members who work and reside in Maui County, relying on the opportunities provided by the short-term rental industry. However, the proposed bill raises serious concerns about the availability of temporary housing for local residents in need and the potential ramifications for our livelihoods. The government should focus on enabling and incentivizing projects to address housing needs rather than imposing laws that could harm the community and our ability to make a living.

The impact of short-term rentals (STRs) extends far beyond individual property owners and operators. Maui's STRs contribute significantly to the county's real property tax revenue, accounting for 40% of the total revenue. This revenue is a critical funding source for affordable housing initiatives on the island. Additionally, the STR property tax revenue represents 18% of the county's \$1.7 billion budget. If the STR industry is further decimated, there will be a significant gap in the county's budget and a potential loss of the top funding source for affordable housing on Maui. It is crucial to consider where alternative revenue sources will come from and how the shortfall will impact affordable housing initiatives.

Moreover, the function of mid and short-term rentals goes beyond tourism and contributes to addressing the housing needs of various segments of the community. They accommodate displaced residents, newly housed residents, individuals in transition, inter-island residents seeking medical treatment or family visits, traveling nurses, emergency contractors, temporary military personnel, and students, as well as friends and family members. In times of crises such as the Lahaina Fire, the STR industry plays a vital role in providing temporary, furnished housing for thousands of displaced residents. Any further decimation of the industry could lead to a significant void in the availability of temporary, furnished housing for residents in urgent need.

The proposed bill, SB 2919, creates a state-wide framework for heavily regulating vacation rentals, with implications that extend beyond the industry itself. It is imperative to take into account the broader impact on the county's budget, affordable housing funding, and the diverse segments of the community that rely on the accommodations provided by STRs.

In conclusion, we implore you to oppose SB 2919 and to consider the multitude of impacts, including the human impact and shared concerns expressed by individuals in the vacation rental industry. Consider too, the far-reaching implications on the county's revenue, affordable housing initiatives, and the diverse housing needs that the STR industry fulfills. Instead of imposing heavy regulations, efforts should be directed towards finding balanced solutions that support both the community's needs and the economic stability of families like ours.

Thank you for your attention to this crucial matter.

Sincerely, Jack and Twila Loudder

E-mail: tloudder@yahoo.com

Phone: 972-351-2679

My name is Michael F Rowley and I live on the mainland in Nevada.

I oppose SB-2919 due to its potential negative impact on Maui's economy and affordable housing. Here are my key concerns:

Threat to Local Businesses: SB-2919 jeopardizes locally-owned small businesses, including short-term rentals (STRs), which are vital contributors to our economy.

Economic Impact: STRs represent less than 1% of Maui households but contribute over 40% of the county's property tax revenue, funding essential services including affordable housing.

I urge you to reconsider SB-2919 and explore alternative solutions that address housing affordability without harming local businesses or affordable housing.

Sincerely,

Michael Rowley

rowleymaui@aol.com

SB-2919-SD-2

Submitted on: 3/14/2024 3:48:32 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sylvia Wilks	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

my name is Sylvia Wilks. I am a regular visitor to Maui and would not be able to afford to visit were it not for the inexpensive rental options provided by certain homeowners on island. Yhe kegislature needs to keep the laws as they stand to maintain these rental options and continue to have people like me visit and contribute to the economy in restaurants and stores and on local activities. My friend who rents her property would not be able to afford to keep her home of 20 plus years if she could not support her income with rental income. Please oppose this bill and maintain less expensive options for renting and enjoying Maui for all visitors.

thank you, Sylvia Wilks.

Samuel Bendenoun
Live Haleiwa LLC
66-485 Pikai St
Haleiwa HI 96712

February 1st, 2024

Dear Representative,

I am writing to express **opposition** of the Hawaii House **Bill SB 2919**.

When Bill 41 passed regarding illegal short-term rentals it allowed the county to levy fines against anyone renting out their home as a short-term rental in the effort to put a stop to a much-needed unregulated market. I understand your intent with this legislation as it helped restore balance to the residential neighborhoods and helped address concerns over a shortage of affordable housing. I believe this significantly helped and impacted the housing market in a positive manner. When the industry was unregulated, a lot of residences were renting out their homes irresponsibly and with out care of the impact to the local community. This has now been put to a stop and I am sure it has already helped restore the balance in the shortage of affordable housing.

Legally licensed vacation rentals with TVU licenses operate responsibly; they are regulated and heavily taxed. They are far and few, 71 on the north shore with 30 being a Turtle Bay alone. Since they are and have been licensed for a good amount of time and have always operated under the local laws, why change this now. These legal short-term rentals allow for unique experiences to locals and visitors alike. They create job security in their communities, they help support local businesses and most importantly its revenue which is most often kept here in Hawaii for it to benefit and stimulate the local economy, unlike many hotels and resorts.

Please vote against this legislation as I strongly believe that the Hawaii residents who have obtained these TVU permits did so in a legal and responsible manner. They should not have their permits taken away as they operate under a strict code of conduct and continue to operate as they were intended to by the courts.

Thank you for your time and consideration.

Sincerely,

Samuel Bendenoun

SB-2919-SD-2

Submitted on: 3/14/2024 4:07:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Adans	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I hope this email finds you well. I wanted to share my strong opposition to SB2919 SD2. This bill unfairly allows counties to phase out short-term rentals in condo hotel type building, like Maui Vista, which has been supplying short term accommodations for decades in an area where there are no other hotels except for one- Maui Coast Hotel in Kehei, Maui, and in my opinion, these places are best suited for temporary housing due to their space and appropriate facilities. As a lifelong enthusiast of Hawaii, I have personally witnessed the growth and the necessity of having tourists stay in these Legal STRV and how their stay affect the economy and jobs to the folks in the area. I personally witnessed the ghost town in Kehei and the sad stories of the people living and working in Kehei in the aftermath of the Fires that took place August 6 th. Those folks working in the area were devastated that they could not go to work and make a living for their families because of lack of tourists in the area, which they said was their bread and butter. It is concerning that this bill could further limit the availability. Additionally, the government's focus on passing laws that harm locals rather than addressing sustainable and area appropriate housing for residents in the area.

I believe that this bill punishes individuals who have diligently followed the rules, obtained necessary permits, and contributed to the community through short-term rentals. It creates uncertainty for property owners and significantly impacts those who rely on such rentals for income, including individuals like myself who have been fortunate to rent my condo and give me the ability to bring income to me in my older age.(I will turn 66 this year). This is my only income and the impact of the fires and from the COVID laws limiting short term tourism (understandable in Covid), this has made it quite difficult to make ends meet and has substantially lower my income and therefore I have paid less tax and this lowers the revenue of the state.

As someone who has been directly tied to Hawaii since 1972, I am deeply concerned about the potential consequences of HB1838 on the local community. It is essential for us to voice our opposition and make it clear that this bill does not align with the needs and values of Hawaii's residents that also rent out their places to support their families and support the local economy. How many more disasters do all the residents of Hawaii have to endure and with the fear of this proposal to shut down Legal STRV's which will drive all the dollars to corporations that do not even live in Hawaii. Instead of supporting the individual folks like us that pay our taxes without the corporate structure to take tons of tax deductions and other invasive ways to lower

their direct tax contribution to Hawaii, the state could lose out on tax self supporting income. Our STRV's bring substantial revenue to Hawaii with the GE tax, the TA tax and now Maui County tax.

We also pay substantially more in property tax. This tax alone has more than doubled on my 588 ft2 condo, which is not on the beach nor does it have an ocean view. When I bought it in 2017, I was paying about 2000 a year. I now pay over 7000 a year. This is revenue for Hawaii. The constant reappraisal of my property will eventually lead me to sell. You all are appraising my property to a value that low income people could never afford or could they afford the monthly rental price that would justifiably give me a 1% monthly return on my appraised value. I did not create this monthly rental price, the state appraiser did.

Many people like me will have to sell their places as there is no income to be had. I did not create this tax base, The free market allowed you to tax us more. When property values crash with his fear you are generating, will not help the island. Or the people that live here. I am concerned for an economy that needs to thrive as more and more people are born on this planet. This you cannot stop by your laws.

Let's make this the Ahola state again and welcome legal STRV and embrace the tourists and their income they bring here. They are helping to support our state with the taxes they pay to enjoy a trip to paradise.

Mahalo, Denise Adams

SB-2919-SD-2

Submitted on: 3/14/2024 4:19:58 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mali Hawes	Individual	Oppose	Written Testimony Only

Comments:

This bill will result in expensive legal challenge due to it's blatant unconstitutionality.

Please stop wasting taxpayer money trying to anull taxpayer's rights!

And stop trying to use Maui to hurt the rest of us. It's obscene.

SB-2919-SD-2

Submitted on: 3/14/2024 4:24:00 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Valerie Lewis	Individual	Oppose	Written Testimony Only

Comments:

I would like to voice my opposition to SB 2919. This bill gives too much power to the county to end STRs , which are a vital part of Maui's tax income. Furthermore, taking away what belongs to someone else creatwa potentially new problems for others. You don't know the stories behind each STR owner. Perhaps they use the income to pay for expensive healthcare. Perhaps they use it is as thw only way to pay for their mortgage. You don't know every STRenter's story. To assume all are greedy so we will just take from them is absurd. Maui has a housing issue and has for a long time. Changes need to be made, but slowly and thoughtfully. More affordable housing is needed. If you want to replace tourism as the main source of funding for the island, than something needs to be put in its place.

February 27, 2024

To whom it may concern:

We are writing this letter to express our OPPOSITION to HB1838. Our family has been long time visitors to the Hawaiian islands for over 20 years. We love the Hawaiian islands and people.

We own a condominium unit in South Kihei that we use for our family vacations. In addition, we rent the condominium for short term guests. Over the 15 years that we have owned the property, we developed many working and meaningful relationships with the locals. I think that the loss of our property would negatively impact the lives of our unit cleaners, property managers, handymen, and many more. In addition, we believe that the loss of short term rentals such as ours, will terribly impact the livelihood of MANY local businesses including but not limited to restaurants, tour operators, souvenir shops, and so forth. The loss of these jobs will have a negative impact on the Hawaiian economy and further aggravate the ability of Maui to rebuild from the recent devastating fire.

On a personal level, the loss of our rental unit would have a horrible affect on our ability to afford our second home. It has been our dream to move to Maui and live in our condominium permanently in the near future. Please help us keep our unit in the family.

Thank you for your consideration. Please vote NO on HB1838.

Sincerely,

Noel and Charito Santo-Domingo

To Whom It May Concern:

We are writing in opposition of HB1838. We are owners of a short-term leased single bed apartment in a condominium in Maui. We have owned this condo for about 20 years. While we do live on the mainland, our family and us enjoy use of this condo as much as possible throughout the year. Our frequent visits to Hawaii are significantly influenced by having this familiar place to stay and enjoy. With the understandable and well-justified tax structure on short-term rentals (which must generate significant revenue for Hawaii), it is only feasible for us to keep and maintain this condo through short-term renting. (Also noting here that the maintenance and the condo must also generate income as all housing markets do.)

There is a great difference between short term rentals and hotels, particularly with families, like ours. It would be disastrous to lose the ability for a family to have the benefits of a non-hotel place to stay in Hawaii.

I urge you to reject HB1838.

Thank you,
Mabel and Andrew Haley

Dear Committee Chair/Committee Members,

I appreciate the opportunity to present my testimony against SB2919 in writing. As a self-employed O'ahu taxpayer, not paid by a union or a governmental entity to attend the hearing, I must work today.

I strongly oppose SB2919 and its potential negative impact on my ability to continue providing a 30-day rental in Hawaii. My husband and I are senior citizens who rely on our self-managed 30-day rental to support ourselves and contribute positively to our community.

Our vacation rental home has provided comfort and support for families and individuals during sensitive and important times in their lives. For example, a family stayed in our home while lovingly spreading their Mother's ashes on Kailua Bay. Their Mother was born and raised in Kailua and loved spending time on Kailua Beach. The family felt Mom would be most at peace at the beach she loved.

Parents rented our home for 30 days while their son retired and transitioned out of a high-ranking naval post. During the Marco Polo fires, a family lived in our furnished home, free of charge, for months while their condo was repaired.

Our current 30-day renter was born and raised in Kailua. Her sister lives in Waimanalo. Anne, our renter, comes to Oahu every year. She loves staying near her family. If forced to stay in Honolulu, her visits with her sister would be shorter, and her contribution to the Windward economy would be less. These meaningful connections by respectful adults demonstrate our 30-day rental has a profound impact on families during difficult or significant times in their lives.

If SB2919 is passed, it will not only affect us personally but will also have repercussions for residents and visitors alike. The bill could disrupt the housing options for displaced residents, newly housed residents, individuals in transition, inter-island residents seeking medical treatment, traveling nurses, emergency contractors, temporary military personnel, and students.

The bill's proposed restrictions and regulations would negatively impact the livelihoods of local families who depend on the vacation rental industry. The woman who helps me clean is a prime example. She has asked me why you want her to lose her job! She formerly cleaned hotel rooms but finds the flexible hours of STR cleaning allow her to be available for her young children. **Cleaning for me and other owners pays much better than cleaning for hotels. This is**

especially important now that she is the sole family support since her husband is receiving chemotreatments for cancer.

We have a handyman who helps maintain our home and purchases supplies from HardwareHawaii here in Kailua—not at the big box store in Honolulu. Or Tom, who mows the grass, trims hedges, and cares for plantings. Tom was born and raised in Kailua. Our 30-day rental helps him afford to live in Hawaii.

Please consider the far-reaching implications of SB2919 and recognize the essential role that legal and compliant 30-day rentals play in supporting families, enriching the lives of residents and visitors, and contributing to the local economy.

As you work towards finding solutions that support the community's needs, address housing for Maui, and support local rental hosts, you will preserve the 30-day minimum rental period Statewide and oppose SB2919.

Thank you for considering my testimony in opposition to SB2919.

Respectfully,
Virginia Dudden

SB-2919-SD-2

Submitted on: 3/14/2024 4:50:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie R	Individual	Oppose	Written Testimony Only

Comments:

It is my understanding that many of the properties you speak of are on the Maui County Minatoya list, and they have been conducting their businesses in a lawful manner according to this list. The residents and owners of these properties have done nothing wrong in accordance to the laws of the State of Hawai'i (and the County of Maui. Yet it appears that you are speaking of taking away the rights and essentially the properties of lawfully and legally acquired homeowners.

The majority of the properties on the Minatoya list were built in the 70s and 80s (some in the 60s) and operating for 40-60 years. After that many years, how is it that this legislature can say this is the primary problem on our islands? You and all of your predecessors could have been addressing this "so called" problem for all of those years if it was really the reason for the issues you espouse.

You are essentially removing rights from these people, that which is rightfully theirs. Instead of addressing the problem that the State and County legislatures have allowed to fester for years and years and years, which is securing land and building affordable housing for the community. YOU have allowed that to happen, not the people that you are targeting.

If necessary, regulate new proposed structures for short term use going forward. But don't act like a dictatorship and begin removing the rights of those who have done nothing wrong.

This term of "phasing out" these properties is nonsense as well. You will crush your own economy by doing that through loss of tax dollars. You will ultimately do more harm to those you are espousing to help than anything.

Many of these rentals that you are targeting are also not appropriate for the families you seek to help. They are often 1 bedroom units with 1 parking spot, and very, very high HOA dues.

On another note, I've offered my property to the local authorities to house fire victims and they said they didn't want it. So why should someone like me be targeted who has tried to help with this situation all along.

I would urge you to develop other, better serving ideas for your community than removing the rights of some.

SB-2919-SD-2

Submitted on: 3/14/2024 4:57:25 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kimberlee J Rankin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

I oppose SB2919. This is the wrong approach to solving the housing issue. It will decimate the local small businesses like restaurants, coffee shops, stores, activities, cleaners, and many service contractors. It will eliminate the millions of tax dollars provided by STRs that are needed to provide the island and county with funding of their much needed programs. The unintended consequences would be far reaching. Their needs to be a strategic plan put in place and this one will only cause more drastic problems in the short and long run. Each STR has their own story too of how it helps their family to pay their bills, support their kids education or healthcare. Name calling and blameshifting will not solve this complex issue and only those solutions that are empathetic and with sound economic principles should be considered.

I humbly ask that you please do not move this bill forward.

Mahalo,

Kim Rankin

SB-2919-SD-2

Submitted on: 3/14/2024 4:59:50 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tim Herzog	Individual	Comments	Written Testimony Only

Comments:

Dear senators,

My wife and I have dreamed of retiring in Hawaii and in 2020 we made a plan based on the current zoning rules and restrictions to purchase an ocean front condo in Kauhale Makai. This unit is in a resort zone that could be rented when we are not using it to help us pay the expenses and build equity while we would continue to work for about 10 more years. We employed a Maui owned and operated management company to oversee the condo when we aren't there and have rented it short term for the last 4 years when we are working and unable to be present in Maui. We live in UT. We are both teachers and were just able to do this through a lot of planning and careful management of our resources. We are concerned about efforts to change zoning in Maui since it could mean that we would lose the ability to rent our condo part time and use it part time and pay our substantial mortgage on the property. We are just regular people who love Maui and want to protect it. We made a business decision to purchase this condo based on the county rules and we have followed those rules and paid our taxes carefully. We provide a safe and welcoming home for families who want to come to the island and live for a few days or weeks and experience the joy that we have felt. Should this be changed so that we can no longer rent the condo short term it would either mean that we would have to sell the unit or we would have to stop spending time there ourselves, both of which would be a tragedy to us. It would also result in the loss of jobs for our local management company and their staff. The only people who could come up with the money to buy our unit, which is now appraised at over a million dollars, would be very wealthy people who would pay cash and would probably not rent it to anybody so you would not create housing for local residents. We would never be able to purchase our condo if we were starting right now with the prices and interest rates and I think that is true for most middle class families. We were barely able to make this work for us in the low interest rate time of 2020 using all of our resources. I hope that you think carefully about the goal of this legislation and the real consequences it will have to families like ours. Our condo contains tons of information about how to shop locally in Maui, respect the ocean and land and its life, and spend money for locally owned businesses in Maui. I know that we are not residents of Hawaii yet, but we hope to be soon.

Thanks for your consideration.

Tim and Valerie Herzog

SB-2919-SD-2

Submitted on: 3/14/2024 5:01:25 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Cavitt	Individual	Oppose	Written Testimony Only

Comments:

We purchased our property in 2021 which has an STVR agreement with a property management company. We do not live in this home year round and doubt we would have purchased the property without it. Many of friends have opted for Arizona instead. I understand from the Hawaiian Tourism Authority that short term rentals contributed SIX BILLION to the economy and supported 46,000 jobs. Our home employs a local gardener, irrigation expert, pool service, Orkin pest control and well as specialized services for sea grape and cocoa palms. Since buying the property we have purchased, new living room furniture, linens, multiple and various art, a new subzero and an SUV. All of which was bought locally and on island. The STVR contributes substantially to the local residents and supports the economy.

SB-2919-SD-2

Submitted on: 3/14/2024 5:02:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Holly	Individual	Oppose	Written Testimony Only

Comments:

Honorable Committee Chair and Members,

We oppose Senate Bill 2919, SD2.

We have owned a Princeville, Kauai (Designated Visitor Area) short-term vacation rental since 1988, with the hopes of retiring to Kauai in the future. We love Kauai and we believe that short-term vacation rentals reflect the "aloha spirit" and represent a net positive for Kauai, Hawaii and, most importantly, the people of Hawaii.

The reasons for this belief are:

- 1) Until there is an alternative industry to tourism, the residents of Hawaii deserve ways of earning a living, whether directly or indirectly from short term rentals. (property managers, real estate agents, car rentals, airlines, activities providers, restaurants, grocery stores, etc.). The County and State should need the tax revenue, as well. With income people can have home ownership. The housing shortage is unrelated to short term rentals. Housing is another separate issue, that needs to be addressed appropriately.
- 2) Hawaii shouldn't be just for the rich. If short term rentals are eliminated, the hotel/resort industry will have a monopoly and prices will go up. Their efficiencies and volume bargaining will reduce Hawaiian residents' income and reduce employment. Hotel rates will increase and only the rich will be able to enjoy the beauty of Hawaii. Ultimately, as the middle class continues to disappear, tourism in Hawaii will decrease. Unless there is an alternative industry, Hawaii residents will suffer. Hawaii's population will continue to shrink.
- 3) Follow the money. This isn't really about any perceived short term rental abuses or housing issues. This is about how the hotel industry can choke off competition. This is happening in other states, as well. Soon, honeymooners, families and retirees will not be able to afford a vacation of a lifetime. Rules and laws already exist to control any real or perceived abuses that may occur, with short term rentals. It's not necessary to stamp out an entire industry, in order to deal with real or imaginary abuses. SB 2919 would shrink the Hawaiian economy and hurt the residents, while increasing the hotels' stranglehold.
- 4) This isn't a time to "throw out the baby with the bath water". This is a time to recognize that the short term rental market developed to fill a need. Residents needed a direct and indirect

source of income. Visitors needed a more economical alternative to expensive hotels. The result has been a substantial value to Hawaii. The greater good has been the increased tax revenue for Hawaii, not to mention the financial engine that allowed residents to have jobs and hope. Squashing this industry will have a growing ripple effect which will hurt the State of Hawaii financially and, sadly, its people.

5) Now is the time to pass legislation to bolster short term rentals, not to destroy them.

We would urge the committee to recognize the extremely positive influence of short term rentals, by opposing Senate Bill 2919, SD2.

Thank you.

Alan & Vicki Holly

SB-2919-SD-2

Submitted on: 3/14/2024 5:02:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Newman	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB 1838/SB2919. My husband and I are retirees, and he is disabled. We greatly depend upon the income we receive from our short term rental. Not only that, our lives have been deeply enriched through the many wonderful people from around the world who we have met and connected with because of our business. We consistently receive glowing feedback from guests who gain a true sense of the surrounding community by renting a home instead of staying in a hotel. They frequent local businesses and contribute to the well-being of the economy. This bill would cause unnecessary hardship not only for our family but to our community as well.

SB-2919-SD-2

Submitted on: 3/14/2024 5:09:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Ann Schober	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Regarding SB2919 – I strongly oppose!

My name is Mary Ann Schober. I am the owner / operator of a luxury legally permitted short term rental in West Maui. I am strongly opposed to SB2919.

Legally permitted SRT homes have a place in Maui. They provide tax revenue for the County, as well as being the top funding source for affordable housing on Maui. The STR property tax revenue represents 18% of the County’s 1.7-billion-dollar budget. If you phase out 18% of the budget, how will this vital revenue stream be replaced?

1. consider that legally permitted luxury homes are never going to be “affordable housing” or long term rental options.
1. is a niche tourist market that luxury STR homes serve in Maui. The guests that book luxury homes want the privacy and space only a home can provide. Guests often travel with multi generational family members. If luxury homes are not available in Hawaii, the guests will not travel to Hawaii and all those tourism dollars will go else where, possibly to Mexico, the Caribbean, or Florida.
1. employ and pay a good living wage to a booking agent, a house manager, a pool cleaner, a team of house cleaners, and a team of gardeners. Those jobs would be severely cut if short term renting was not an option. How would those jobs be replaced?

Please remember that Short Term Rental holders have applied for all the necessary permits, have paid the required taxes, and employ local residents. Why hasn’t the County gone after illegal short term rental homes that are not paying taxes?

Please know that everyone has a story of how they started a short term rental. I never thought I'd be a short term rental operator. My late husband and I bought our home in 2007, with the intention of raising our three young children in West Maui. Tragically, my husband passed in 2016 after a long illness. It was best for my children to be close to family on the mainland. Short term renting has allowed me, a widow, to keep the home with the goal of eventually move back. The house has been a respite for my family and many guests. We would not have traveled to Maui if we didn't have the privacy of a home as it has allowed us space and privacy to grieve and rest.

Please remember during the pandemic, STR were a wonderful option for tourist to travel to Maui and have the least exposure to the community. Luxury SRT have an important place in Maui – they serve a high end tourist community that spends a lot of money on the island. The high end tourist, employees private chefs, takes excursions, uses high end spas, shops at the high end stores, and so much more. Bottom line is the high end tourist spends money on Maui.

Before you cast your vote on phasing out short term rentals, please answer three simple questions.

1. How will losing 18% of Maui's tax revenue stream from Legal Short Term Rentals going to be replaced?
2. How will lost jobs provided by Short Term Rentals going to be replaced?
3. Why hasn't the government stopping illegal short term rentals?

Please vote NO on SB2919.

SB-2919-SD-2

Submitted on: 3/14/2024 5:11:20 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ray Tanco	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my family has owned a piece of paradise since 1999. It was intended for a vacation unit for our growing family (children and grandchildren), however, in the interim period while the condo is vacant we wanted other families have the joy and pleasure to "temporarily" own a piece of our paradise by their week or so limited visit to Maui without the spending an exorbitant hotel prices. We were once just vacation visitors prior to owning our Maui condo, visiting Maui, Oahu, Kauai; our hard earned funds provided us the pleasure to experience the beauty of the islands and indirectly giving employment opportunities for hundreds in the tourist industry. So we strongly oppose the potential changes to the current status quo. Tourism provides a strong Hawaiian economy and concurrently allows many families with limited funds to stay in short term units. Thank you. Ray Tanco

SB-2919-SD-2

Submitted on: 3/14/2024 5:15:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Loughead Jr	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to SB 2919 - Protect Short-Term Rentals

Dear Lawmakers,

I am writing to express my strong opposition to SB 2919, which could have devastating consequences for the short-term rental industry in Hawaii. As a property owner on Maui who relies on short-term rentals, I am deeply concerned about the potential impact of this bill.

SB 2919, if passed, will authorize the counties to phase out short-term rentals in any zoning, creating a state-wide framework for heavily regulating vacation rentals. This will not only have massive financial consequences but also lead to job loss, as these homes may sit empty for up to 50 weeks a year. As a member of the community, I have witnessed the positive impact of short-term rentals on our local economy, providing employment opportunities for cleaners, maintenance workers, and other working-class families. Authorizing the county to take away more private property rental rights makes no sense and could lead to dire consequences for our community.

I strongly urge you to consider the detrimental effects of SB 2919 on local residents and businesses, and to oppose this bill to protect the short-term rental industry in Hawaii.

Mahalo for your attention to this important matter.

Sincerely, Jim Loughead, Maui, Hawaii

SB-2919-SD-2

Submitted on: 3/14/2024 5:20:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vonda Smith	Individual	Oppose	Written Testimony Only

Comments:

With much respect for the people who lost their homes and are working to rebuild their future the choice to eliminate short term rental in Maui is not the solution. It only creates a larger obstacle for working residents to overcome. Local artists who depend on tourists to purchase their products, small business, rental car companies and the people that they employ, cleaning businesses for short term rental properties, tour companies and their employees will all be affected by the loss of these accommodations for travelers. The impact will be felt for the residents that live in the Lahaina area to a greater extent than ever! Guests will choose to go to other islands or other destinations besides Hawaii and the costs of accommodations will escalate and become unaffordable for average families. The state transient tax, GET tax and property taxes are already creating a decline in travel to Maui. Unfortunately, many properties with short term rental occupancy will have units go into foreclosure also creating a less than desirable environment for choosing Maui for hard earned vacation time. There needs to be a balance and long-term plan to allow the residents to return to a normal lifestyle. In talking with our friends - housekeeping, maintenance and grounds keepers, office staff, etc. - there is big concern of losing jobs if owners convert to Long Term (LTR). We have made the choice to honor and continue to rent SHORT TERM. Most of the short-term rentals are not designed or appropriate for long term family living. The solution is to provide affordable housing and assistance in rebuilding the properties that families lost. Ending short term rentals will only create more challenges for the devastated residents. Recovery efforts as in hurricane Katrina and other natural disasters need to be implemented with volunteers and assistance organizations that are trained in rebuilding homes and businesses need to be allowed to come on island and begin construction with respect for the devastation as soon as possible and the county could greatly assist in expediting this permitting and processing. Much effort need to be directed to tiny homes and infrastructure that will provide housing that is their own not temporary living that continues to leave them displaced and prevents them from establishing the beginning of their new future.

Mahalo for considering this side of the effect that this legislation will impose on the people.

SB-2919-SD-2

Submitted on: 3/14/2024 5:22:13 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gloria Squitiro	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

First, I want to thank you for your service. My husband held an elected position of mayor so I know how difficult it is to meet the demands of constituents.

I am writing to voice my heartfelt opposition to SB2919.

I've been a STVR host since 2013. I only lodge at vacation rentals, so I take my role as host very seriously. I don't like disturbances when I'm a guest, so I make sure to vet the hell out of my guests so I don't bring nuisance people into my neighborhood.

I'm both a SuperHost and a Guest Favorite with Airbnb, both are very difficult status's to achieve and maintain, but it does show my dedication as a host.

I am a 65 year old woman, and this is the **first** time in my life that I've made enough money to be able to do anything more than just exist. (My husband was not one of the typical wealthy mayors!)

If I had to stop STVRing, it would not only severely effect the quality of my life, but it would also financially harm the people I employ: housekeepers, handymen, gardeners, caretakers, etc. Not to mention the local grocery stores where my guests shop.

Please do not take away my dream of being able to do more than just exist by restricting STVR's. And please do not take away the income of the people that I employ locally to maintain my home whenever I am away.

Aloha, Gloria

SB-2919-SD-2

Submitted on: 3/14/2024 5:23:43 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosemary Rankin	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2919-SD-2

Submitted on: 3/14/2024 5:25:16 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Arlette Kiriyaama	Individual	Oppose	Written Testimony Only

Comments:

To introduce myself, I was born and raised on Maui, but now live on the mainland. We own a short term rental condo because my parents, who were also born and raised on Maui, bought it as an investment in the late 1970's. Upon my dad's passing, I inherited the condo, which we rent out, and also use when we go home to Maui.

I am strongly opposed to SB2919 because we would no longer be able to rent our condo out for short term use and would probably have to sell it, which would mean we would no longer visit Hawaii. Currently, we go to Hawaii twice a year to vacation, and visit family and friends and also to visit the cemeteries where family members are interred. Being able to go to Hawaii is very personal and important to me for these reasons.

I also understand that Maui's STR provides 40% of the real property tax for the county and is the top funding source for affordable housing for Maui. It also represents 18% of the 1.7 billion dollar buget for the county of Maui. How will this revenue be replaced?

Maui's STR also provide housing for people moving to Hawaii who need accommodations, people traveling interisland to visit friends and family, people on short term job assignments, tourists visiting the islands and people needing temporary housing for any number of reasons.

Please do not move this bill forward.

Sincerely,

Arlette Arakaki Kiriyaama

arlettekiriyaama@gmail.com

(801)372-6758

SB-2919-SD-2

Submitted on: 3/14/2024 5:28:07 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Noah Rankin	Individual	Oppose	Written Testimony Only

Comments:

We love Hawaii and this would keep us from visiting.

SB-2919-SD-2

Submitted on: 3/14/2024 5:31:36 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Connor Rankin	Individual	Oppose	Written Testimony Only

Comments:

I oppose the bill.

SB-2919-SD-2

Submitted on: 3/14/2024 5:35:23 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Pelluer	Individual	Oppose	Written Testimony Only

Comments:

I oppose the passing of this bill.

SB-2919-SD-2

Submitted on: 3/14/2024 5:38:23 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Marrack	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Julia Marrack, Waimea

SB-2919-SD-2

Submitted on: 3/14/2024 5:40:04 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Cline	Individual	Oppose	Written Testimony Only

Comments:

I oppose this measure

SB-2919-SD-2

Submitted on: 3/14/2024 5:46:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stuart Simmons	Individual	Support	In Person

Comments:

I strongly support SB2919 SD2 because I strongly support "home-rule". The Counties should be allowed to determine how many and where vacation rentals are located on their islands. Many of the counties are facing severe housing shortages and should be allowed to phase out vacation rentals in residential zoned neighborhoods to help reduce the shortage. State statutes already allow the phasing out of vacation rentals in other zoning classifications, so the statement that this bill is unconstitutional is unfounded.

SB-2919-SD-2

Submitted on: 3/14/2024 5:50:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Heidi Winslow	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill for the following reasons:

1. STR's provide good paying jobs. Our housekeeper supports her family of six cleaning STR's on Maui's west side. She lost her home in the fire. Now you want to take away her ability to support her family? Hotels pay housekeepers minimum wage. STR's employ thousands with good paying jobs.

2. STR's are Maui's highest property tax revenue and the largest contributor to the county's housing affordability program. Exponentially more than the hotels. Do you plan on collecting the loss of revenue from the residents of Maui? Where else will you make up the shortfall?

3. STR's are not suitable housing for locals. They were not built, approved or designed to be long term housing. They are expensive (our one bedroom costs us \$4,400/mo just to own). They lack parking, privacy, storage. They have small kitchens and don't allow pets or smoking. No storage on the lanai. Do you know anyone who would pay \$4400/mo to live this way? I sure don't. There are over 250 condos for sale in Lahaina right now. Less than 10% are in escrow. No one wants to live in condos full time! They want homes with yards, neighborhood communities. Build neighborhoods like Kahoma Village and stop trying to stuff families into hotel-like accommodations. They don't want them!

4. This bill is backed by the Hotel Lobbyists and reeks of corruption. This bill will destroy jobs, destroy livelihoods of families, force more families to move off the islands and divert all that money to off-island hotel corporations.

Stop this insanity and vote NO!

SB-2919-SD-2

Submitted on: 3/14/2024 6:00:11 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marla Engel	Individual	Oppose	Written Testimony Only

Comments:

I have owned a highend home in the west side of Maui for almost 25 years that is curently a STRP and that we used for our family gatherings since my son and his family live in Haiku . I also use it for 1 week rentals primarily attract small family gatherings. I employ many different local persons to maintain my high quality standards for excellance in maintenance for rental guests.

Because of the STRP status I now pay \$50,000 per year in property taxes as well as approximatemately a little over \$100,000 per year in rental taxes to the State. I believe my rental home benifits Maui.

Marla Engel

SB-2919-SD-2

Submitted on: 3/14/2024 6:03:06 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cedar Clews Kehoe	Individual	Oppose	Written Testimony Only

Comments:

Oppose SB 2919, SD2

I am a retired senior living on Oahu and renting my unit is the only way I can afford to continue to live on this island. All you seem to care about is low-income people who have not figured out a way to support themselves. Well, I figure out a way and now you plan to take that away from me. I will never rent long-term because that means my adult children who live on the mainland will never be able to visit me. So my unit stays empty because you have limited who can stay on my property. My tenants never were a problem to any of my neighbors. I have never had parties or rude guests. Truth, the islands need what I offer as many tourist will only stay in homeaway lodging locations now and they are going to other island locations to find the accommodation.

Allow me to rent my property as I wish, I own it; I manage it well; I live there; and I have ALOHA.

Cedar Kehoe

SB-2919-SD-2

Submitted on: 3/14/2024 6:09:54 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
JOSHUA GRAVIN	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislature. I'm writing in opposition to SB2919SD2. My extended family have owned in Kapalua for around 20 years. Over the years we have formed countless memories and have been able to bring hundreds of people to Maui to experience all of it's wonder. We have created friends on the islands over the years, and it is a home to many of us even though we travel back and forth from other places.

But unlike most people who can afford to own a home or condo in Maui, we can't just own it without having it generate income in the short term program to help offset the high costs. If you get rid of STVR's, all of these places will be bought up by wealthy people who will then just keep the properties for when they visit only. These properties will not get turned over and used for long term housing.

Housing is an issue all over the world right now, and the only solution is to create more housing. There is space on Maui that can be zoned and used to build new housing and bring temporary housing in. This should be the top priority right now, not going after STVR owners. We bring lots of tax dollars into the island, along with lots of love for the island. So many workers rely on tourism and we know so many Hawaiians who just want to keep working and not get laid off because of lack of visitors.

We have opened up our home and have a long term fire victim residing in our unit. Most of us owners want to help and have been by donating money, time, and housing to help people get back on their feet. But there's only so much one small group can do. It's too much to continuously ask one group of people to sacrifice. Everyone needs to play their part and help, not just STVR owners. Please keep the zoning as it is, and don't allow it to be changed. It's not fair to owners, and it's not fair to the people of Hawaii.

Thank you for your time,

josh gravin

Subject: Opposition to SB 2919 - Protect Short-Term Rentals

Dear Lawmaker,

I am writing to express my strong opposition to SB 2919, which could have devastating consequences for the short-term rental industry in Hawaii. As a visitor to Maui who relies on short-term rentals, I am deeply concerned about the potential impact of this bill. I contribute my vacation dollars to the benefit of local residents livelihood.

SB 2919, if passed, will authorize the counties to phase out short-term rentals in any zoning, creating a state-wide framework for heavily regulating vacation rentals. This will not only have massive financial consequences but also lead to job loss, as these homes may sit empty for up to 50 weeks a year. As a member of the community, I have witnessed the positive impact of short-term rentals on our local economy, providing employment opportunities for cleaners, maintenance workers, and other working-class families. Authorizing the county to take away more private property rental rights makes no sense and could lead to dire consequences for our community.

I strongly urge you to consider the detrimental effects of SB 2919 on local residents and businesses, and to oppose this bill to protect the short-term rental industry in Hawaii.

Mahalo for your attention to this important matter.

Sincerely, Ritz Castro Maui, Hawaii

SB-2919-SD-2

Submitted on: 3/14/2024 6:13:33 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan M. Whalen	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 2919 SD2 because it will be detrimental to my family's ability to maintain our Hawaiian home. After visiting Oahu annually for the last 10 years, we purchased and renovated a leasehold in the Waikiki Banyan, 201 Ohua Avenue, Honolulu, with the intention of using it as our winter home for the remainder of the 12.5 years left on the leasehold. With our 2023 purchase, we were able to infuse an initial \$90,000 directly into the local economy with the renovation costs by employing local contractors to do the renovations and purchasing supplies and items for the unit. Ongoing, we are supporting numerous local employees (cleaners, management company employees, maintenance, and skilled laborers) as well as numerous local businesses (ie., hardware stores, local stores, and restaurants) by being a short-term rental owner. We could only afford to do so by continuing to have LEGAL short-term rentals. Previously our visits only benefited the large hotel chains and were limited to a couple of weeks per year due to the high costs of hotels. Being an owner and becoming a member of the Hawaiian 'Ohana is so important to our family, eliminating legal short-term rentals will be financially detrimental to us, **but more importantly, it will drastically and negatively impact so many local lives who depend on the already limited available short-term units (approximately only 2000 units) for their livelihoods.** Finally, we are pleased to share our beautiful home with those who either visit Oahu as needed travel nurses, military families, educators, and finally vacationers; thereby spreading the magic of Hawai'i and its aloha spirit to our guests and continuing to be a positive impact to its economy. PLEASE VOTE "NO" on SB2919 SD2. Thank you!

The House Committee on Housing and Tourism

Hearing Scheduled: March 15, 9:30 am

Re: SB HB2919 SD2

Testimony in Strong Opposition

Aloha Members of the Committee,

Short term rentals provide over 13,000 living wage jobs that support property managers, cleaners, contractors and their families. These provide critical housing for residents and vacationers. Short-term rentals on O`ahu provided \$46 million in taxes and fees toward the state's budget in 2022 and contributed \$165 million toward the County budget.

SB2919 SD2 will allow counties to place a 90 or even 180 day minimum on all non-registered, non-hotel rentals. They will also be able to phase-out non-conforming use certificate properties as well as TVU's.

This bill would give each County the ability to eliminate existing property rights without compensation, which is unconstitutional.

Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more. Short-term rentals provide furnished, temporary housing to residents as well as visitors. It is likely that if you live on another island, you have stayed in a short-term rental on O`ahu. Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

Some who often stay in short or mid term rentals:

- Inter-island neighbors visiting for work, health procedures or family events
- Residents displaced from emergency events such as the Red Hill Crisis and the Marco Polo fires
- Residents needing temporary housing due to life's transitions
- Newly housed residents that cannot qualify for an annual lease
- Residents needing a vacation or place to gather for events
- Thousands of Traveling Nurses and other medical personnel
- Temporary military and emergency contractors
- Film and sporting event participants
- Family & friends visiting for various life events

These residents and important visitors cannot afford the average hotel rate of \$700/night.

By passing this Bill, each county can further eliminate mid and short-term rentals creating another housing problem for residents and important visitors.

Our industry provides living-wage jobs, flexible housing and vacation options, opportunities for residents to own, live, and rent, and keeps spending in the communities.

Please **do not** pass this Bill that would allow the further erosion of an essential right and component of housing for our residents and important visitors.

Thank you,
Karen Shimabukuro

SB-2919-SD-2

Submitted on: 3/14/2024 6:15:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Clapper	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill in a much needed change in short term rentals. The housing market is greatly affected by the over saturation of STR and changes the community in a negative way. There are plenty of hotels for visitors to use.

Please pass this bill and stop short term rental housing.

mahalo,

Elizabeth Clapper

SB-2919-SD-2

Submitted on: 3/14/2024 6:17:08 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcia R Geoffroy-Nisam	Individual	Oppose	Written Testimony Only

Comments:

I strongly reject the proposed SB2929 and HB1838. For four decades, I've frequented Maui and, since 2000, have been a part-time resident, having acquired a home in Paia. Our family's connection to Maui's essence runs deep, spending extensive periods on the island before returning to mainland work and school commitments. During our absence, our home has been consistently leased on a long-term basis. With retirement plans set for Maui, and maintaining a long-term rental on the north side (with the same tenant for over 12 years), a few years back, we acquired a short-term rental (STR) on the south side where we intend to retire and visit until retirement is possible. Financial considerations currently lead us to lease the latter as an STR, as we regularly visit the island to use our condo, making long-term rental impractical. We purchased our condo at an inflated price BECAUSE it was deemed legal to short term rent. Our property taxes have nearly doubled since we acquired our condo.

Over the past 24 years, we've actively contributed to Maui's infrastructure by fulfilling tax obligations, and this commitment persists. Through engagements with landscapers, gardeners, construction crews, and property managers, we've played a role in sustaining and bolstering the local economy. Now we are trying to make ends meet with our STR so that one day we will retire to Maui and hope we aren't forced to sell before that time. If this bill passes we will have to raise the rent on our long term rental to market value, forcing out our tenants of over 12 years out. We have otherwise kept our long term rental below market value to help support local workers.

SB-2919-SD-2

Submitted on: 3/14/2024 6:18:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill Oudil	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha e-committee,

Maui needs the income and revenue provided for the economy! This is crucial. You need to care about all the RESIDENTS that need the income to pay their rents and bills. Most employed in the tourist industry.

These rentals are a vital component of Maui's economy, contributing 40% of the county's real property tax revenue and serving as the primary funding source for affordable housing initiatives, and all things such as hospital care, roads and so much more. The revenue generated from these short-term rentals constitutes 18% of the county's \$1.7 billion budget. Maui needs this revenue! If the values and short term rentals were to discontinue there would no where to get the income from. If the short term rental owners can not pay their bills this would be a disaster and there is no more money to pay taxes etc.

Mid and short-term rentals play a crucial role in related jobs for the residents of Maui.

They as we have seen can also serve as a vital resource during emergencies, such as the Lahaina Fire, providing temporary furnished housing for affected residents. If the short-term rental industry suffers further setbacks, where will these individuals find the necessary temporary housing with our changing weather landscape?

At complexes such as Honua Kai and Papakea, are designed for short term rentals. The cost of HOA fees alone would be more than a resident could ever afford even if the properties dropped to an extremely low value. Honua Kai has maybe 100 full time employes not to mention trades, cleaners, and all sorts of staff who are residents on Maui. Tourism is so important to the well being of Maui

Short term rentals contribute and extend beyond the local community, as it generates revenue for the State of Hawaii and Maui County through property taxes, transient taxes, and general excise taxes. Instead of outright banning short-term rentals, a more constructive approach would be to allocate a portion of all revenue generated from these rentals towards the construction of new affordable housing exclusively for Maui residents. Without this revenue stream, the state may struggle to fund essential services, risking financial instability.

Papakea holds a such a special place in the hearts of many families, with multiple generations returning to create lasting memories. The potential loss of jobs and adverse impact on the local economy must be carefully considered before making any decisions regarding the future of short-term rentals. There will also be many unintended consequences but such a drastic move.

Papakea has a huge impact on the community such as employing local residents, small local businesses that rely on your short-term rental operation, payment of taxes that support the County's affordable housing fund and much more. So many of the guests we had donated and volunteered after the fire. In fact here in Canada the National Organization I work for I got to do a national campaign to raise money for the red cross for this disaster.

We own at Papakea. The long term family that owns our lease hold will loose everything if short term rentals were to change.

The Spirit of Aloha in itself is much of what needs to be both cherished and shared with the world. Sharing culture with others is an amazing gift and can be done through tourism.

The risk is so high to consider any kind of change to the potential of rules around sort term rentals would disadvantage the residents of Maui and not being able to sustain a healthy economy.

In light of these things, I strongly OPPOSE H.B. Bill SB2919, and respectfully urge the committee to defer/ reject its implementation. I believe an independent third-party analysis of the cost and benefits of short-term rentals to the state, is warranted and rental tax revenue towards affordable housing, would provide valuable insights into the issue at hand.

Sincerely,

Jill Oudil

604-808-1084

SB-2919-SD-2

Submitted on: 3/14/2024 6:19:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bennett Kalawaia	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Bennett Kalawaia

SB-2919-SD-2

Submitted on: 3/14/2024 6:20:48 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Molchanov	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my **strong opposition to phasing out short-term rentals.**

Having been in Lahaina during the fires, I witnessed firsthand the devastating impact, and my heart goes out to the residents who lost their homes.

While I understand the urgency of providing housing for those displaced by the fires, I am deeply troubled by the current political climate that seeks to sow division between locals and short-term rental owners. I believe we should address the housing crisis with a mindset of abundance and growth, rather than resorting to punitive actions against long-standing taxpayers and supporters of the community. In my case, my family has owned the condo since the mid-seventies, and we have dutifully paid our taxes and contributed to the community for generations.

A ban on short-term rentals in Lahaina would severely disrupt my life and fail to achieve the objective of providing housing for those displaced by the fires. Despite common assumptions, not all mainlanders are fabulously wealthy. My Maui condo is the single most valuable asset I own, and if I cannot operate it as a short-term rental, I will have to live in it as my primary residence. This change would force me to move from California to Lahaina, resulting in the loss of jobs supported by my rental and requiring me to enter the local job market and compete for work. Furthermore, I would feel personally attacked and deeply betrayed by local politicians. Finally, I will be sure to express my discontent by voting against anyone who supported this measure.

Thank you for considering my perspective.

SB-2919-SD-2

Submitted on: 3/14/2024 6:20:59 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Badrinath kulkarni	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose the bill as it will kill more than 74 billion coming in to Maui from travellers, it can cause huge unemployment to the local people workinmg in the industry. This bill seems like it is short term thinking.

More over, if they convert these STR to long term, there will be no occupants, travellers will decrease and Hotels will increse their price as they have no competetion.

SB-2919-SD-2

Submitted on: 3/14/2024 6:31:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda C. Mitchell	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2919, SD2. I am a long time owner of a legal vacation condo. I am sorry that there seems to be a constant resentment of our legal business. I pay taxes, hire locals, and help to bring in tourist dollars. Please do not add more government restrictions or threats.

Maui's STRs provide 40% of the real property tax revenue for the county. It is the top funding source for affordable housing on Maui. The STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. How can you replace this money if it is no longer provided from STR?

I have noticed lately that local workers are telling government that they need more tourists, so they themselves can have paying jobs. This applies to business owners and employees who work in the tourist industry. What other line of work can all of these people do?

Please oppose SB2919, SD2.

SB-2919-SD-2

Submitted on: 3/14/2024 6:35:55 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
kelly bernadette tyler	Individual	Support	Written Testimony Only

Comments:

I strongly support phasing out short term rentals. They are a burden on our community. We do not allow new short term rentals and it is time to phase out the old ones.

SB-2919-SD-2

Submitted on: 3/14/2024 6:41:49 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
merrill nisam	Individual	Oppose	Remotely Via Zoom

Comments:

I have been a long-standing member of the Maui community since 1980, part-time resident, and soon-to-retire living on island, owning two properties on Maui, I have grave concerns for the adverse implications of this proposed legislation.

My wife and I have paid property taxes on Maui since Jan.2000, plus various sales taxes for over 40 years. Together with landscapers, gardeners, construction crews, property managers, my contribution to Maui economy over the past 44 years would tally hundreds of thousands of \$. My near-future retirement residence there, and active interest in politics, will build on that influence.

In aftermath of Lahaina disaster, I have given relief, and maintained lease for workers living in my Paia home, below fair-market value, in spirit of Aloha.

This proposed SB2929, and HB1838, would be unfair burden to myself and similar individuals who have invested heavily, in \$ and spirit, to Maui. Having a 2nd owning, in Wailea, which was purchased explicitly with established history of short-term rental allowance, is the only way I could afford such a property, with combined personal use, but shared with tenants, who are chosen with the commitment to respect the Maui economy, and culture.

Offering our short-term condo rental affords island visitors a place to stay, spend vacation funds on local economy, at a price less than 1/2 of local luxury hotels. We know those hotels have plenty of clientele, with a strong lobby supporting their cause. However, those of us with the few short-term condominium rentals offer a different option, yet plenty of avid interest and voice in this proposal.

Abolition of this short-term rental allowance would force me to evict the long-standing renters in our alternate home there, to allow our ongoing Maui visitation and yet keep the Wailea condominium at an affordable balance of trade.

Therefore, I urge modification, or blockage, of these proposed bills.

Mahalo,

Merrill Nisam MD, FCCP

SB-2919-SD-2

Submitted on: 3/14/2024 6:44:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hannah Fuqua	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Hannah F.

SB-2919-SD-2

Submitted on: 3/14/2024 6:45:21 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Melohn	Individual	Oppose	Written Testimony Only

Comments:

The long term impact of passing this bill will only raise taxes which will cause someone like me to simply not rent my condo and then your tourism goes down which is bad for Maui. Maybe try another short term solution like using the mountain side of Maui above Lahina and Kannapali and build short term tents (camping houses) and then do build bathrooms and showers for the short term. The same has been done before for our soldiers in military situations abroad until the housing situation is resolved. Buses to and from this tent city to Lahina will allow them transportation to allow those displaced to easily find work and or help rebuild Lahina. Your not building long term housing but short term housing. The intent would be to have them move back to their prior homesite quickly.

Tax increases don't always work the way you plan and your island's economic base is tourism. The Hawaiiin Island's are a very special part of the world, but it's not the only place to vacation ! We have many wonderful places to visit all over the world and if the price of the vacation is too expensive in Maui then your tourist base just looks elsewhere because the overall cost (taxes) is too high. Your tourism base might not come back as easily when they realize nice other vacation spots that are just as good and cheaper. You need to think of other options not the typical one.

SB-2919-SD-2

Submitted on: 3/14/2024 6:47:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Felili Mendoza	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed. We pray our good Lord fill you all with wisdom, guidance, and patience to lead and guide our people the right way.

Thank you for your attention to this critical issue.

Sincerely,

Felili Pousima Mendoza

SB-2919-SD-2

Submitted on: 3/14/2024 6:55:32 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sandra Lundborg	Individual	Support	Written Testimony Only

Comments:

Please allow this bill to move forward and pass! Short Term Rentals have got to stop. Stopping STR's will eliminate our housing crisis. There is adequate hotel space for tourists. STR's change the fabric of neighborhoods. Parking, too many people occupying, partying, and who knows what else is going on. Noise is an issue. Overcrowding. Rowdy behavior. No rules.

Keep our neighborhoods local. Tourist belong at the hotels. The hotels provide good paying jobs with benefits. Hotels pay a huge amount of taxes which benefit the State and local governments. Do the STR's? STR's are unregulated, pay employees substandard wages under the table and skirt paying taxes.

Hawaii is unique. Keep it unique. This is a solution to help our local working people.

Let the counties make their own decisions for their communities. Help solve our housing crisis.

Respectfully.

Aloha Chair, Vice Chair and Committee:

My name is Janice Davis and I own a condo on the island of Maui.

I am writing in opposition of bill SB2919 because short-term rentals are important. This bill will threaten the income and ability of the residents I support who make their living providing services to private condo owners. Just for my one (mid-price) condo I personally contribute:

- over \$7,200 a year for local housekeepers, electricians, carpet cleaners, maintenance workers and repair/handyman services,
- \$15,000+ a year at local small businesses like grocery stores, restaurants, car rental, hardware, flooring, furniture, appliance, furnishings, crafts and artists,
- over \$12,000 to support the residents working directly for the property on administration, management, maintenance, landscaping and many other local contractors too numerous to list.

In addition, over \$18,000 goes directly to the islands in property, TAT and GET taxes.

My condo is rented approximately 75% of the time each year. The figures above do not include all the money my guests spend on tours and many of the things I have listed. I wish I had a way to calculate that figure.

Another important consideration is, many guests choose STRs because they are here in support of COVID, natural disaster support or other assistance for the island. A hotel room is not affordable nor livable to many that have families, need to prepare their own meals or need more space than one room.

This bill would adversely affect me, but more importantly it will hurt too many residents that rely on the small business income, work flexibility and close-proximity to their work that short-term rentals provide. It could also affect the ability of important visitors like Dr/nurses, first responders and other emergency relief personnel that rely on temporary, furnished, affordable housing to do their jobs, in support of the people.

I believe privately owned STRs also provide a check & balance for room rates. Without the competition hotels & resorts can and will charge more than the over-inflated rates they already charge. Guests staying there pay more money to the out-of-state corporations leaving them less money to spend on local businesses. As a premier host, I always provide my guests with a long list of suggested local businesses for food, activities and souvenirs. In addition, many request information on volunteer opportunities that I am more than happy to provide.

Please let the counties enforce the laws they already have. I ask that you please do not more this bill forward.

Thank you for your time.

Janice Davis
Maui Condo Owner

SB-2919-SD-2

Submitted on: 3/14/2024 6:58:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Janelle Brown	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan and Honorable Members of the Committees,

I am writing to express my strong support of SB 29,19,SD2 which clarifies that our county has the right to phase out short term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short term rentals has played clear in our housing crisis. In addressing this issue it is essential to ensure that SB 2919 includes apartment zoned properties as well.

Many communities across the state including Lahaina have been adversely affected by the proliferation of short-term rentals in apartment zoned areas exacerbating our housing shortage and driving up rental prices.

Therefore I urge you to include language in SB 2919,SD2 that explicitly applies to apartment zoned properties, ensuring that all areas affected by the negative impact of short term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Janelle Brown

SB-2919-SD-2

Submitted on: 3/14/2024 6:58:50 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karina Ball	Individual	Oppose	Written Testimony Only

Comments:

Dear Representatives and Members of the Committee:

I oppose Bill SB2919 for some of the following reasons:

1) We own a short term rental condo in Maui and it supports many local individuals. Most of these

individuals would lose their jobs if this wasn't a short term rental property.

- The resort employs many local resident employees.
- As owners we also support a local management company, housekeepers and contractors.
- Guests support many local small businesses and their employees on Maui including restaurants, tour operators, shops and local businesses.
- Guests also support employees at the airport, car rental companies, national parks, and state parks.

2) Our development was never an owner occupied complex. It has always been a vacation rental property. It isn't a desirable property for permanent residents, our unit and many of the other units are only one bedroom.

3) The complexes short term renters support the State of Hawaii and County of Maui through payment

of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise

Tax, and Maui Transient Accommodations Tax. Short term rentals provide 40% of the real property tax

revenue for the county, tax revenue for the state and county would significantly decline if there wasn't a

short term rental market.

4) We are currently working with FEMA and they are currently housing a local couple in our unit who are

displaced by the horrible Lahaina Fire. These local individuals would likely be unable to find temporary,

furnished housing if the short term rental market was eliminated.

Dear Members of the Committee:

I oppose Bill SB2919 for the following reasons:

1) We own a condo at Papakea in Maui and it supports many local individuals. Most of these individuals would lose their jobs if this wasn't a short term rental property.

- Papakea employs approximately 35 local resident employees.
- As owners we also support a local management company, housekeepers and contractors.
- Papakea guests support many local small businesses and their employees on Maui including restaurants, tour operators and shops.
- Guests also support employees at the airport, car rental companies, national parks, and state parks.

2) Papakea was never an owner occupied complex. It has been a vacation rental property for almost 50 years. It isn't a desirable property for permanent residents, our unit and many of the other units are very small and only one bedroom.

3) Papakea supports the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Tax revenue for the state and county would decline if Papakea wasn't a short term rental property.

4) We are presently under contract with FEMA and they are currently housing a local couple in our unit who are displaced by the horrible Lahaina Fire. These local individuals would likely be unable to find temporary, furnished housing if the short term rental market was eliminated.

SB-2919-SD-2

Submitted on: 3/14/2024 7:00:45 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Liz Lees	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill! My husband and I are full time Hawaii residents and live on the Big Island. My husband works in Maui and we own a small condo that is zoned for and allows vacation rentals. We purchased it so he would have a place to stay while working and then could rent it out on the weekends when he was back in Kona. The income we receive is part of our retirement plan. All perfectly legal and allowed. This bill gives the state way too much power to change previously legal uses and collapse real estate values. Phase out over time???? How much time?? Have you considered the unintended consequences of this complex and property rights removing bill??

SB-2919-SD-2

Submitted on: 3/14/2024 7:03:53 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Aulani Dusenberry	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Aulani Dusenberry

SB-2919-SD-2

Submitted on: 3/14/2024 7:04:01 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Huong Duong	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill.

What is the main reason people support this bill? To create more affordable housing to the locals. Short term rental in Oahu is already limited with only 2,750 units, and most of them are studios or 1 Bed-room condo with less than 300sqf, concentrated in Waikiki, a tourist area. Neither the location or the condo size is feasible for families or individuals seeking long-term accommodation.

That said, I don't see how phasing out ST rentals in Oahu can solve the housing emergency.

On the other hand, this bill, if passed, would 1) take away the main income for many local families who rely on Short term rental to survive (the owners, the cleaners, the handymen, the property managers, the construction workers, the landscapers, the restaurants, various retailers, etc), 2) wipe out the annual millions in tax revenue from STR, 3) force the tourists to find another destination instead of Hawaii ... who could afford \$700 nightly hotel rate?

Please consider the following actions instead: 1) build more affordable housing in the residential area, 2) enforce against illegal rentals, 3) strengthen the law to evict non-compliant tenants to encourage owners to rent long-term. They are all the right things to do to solve the housing problem, yet not being done for many years.

Thank you.

SB-2919-SD-2

Submitted on: 3/14/2024 7:04:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Webb	Individual	Oppose	Written Testimony Only

Comments:

I **OPPOSE** SB2919, SD2.

I would first like to thank the committee for the opportunity to testify about SB2919.

My wife and I purchased a single condominium at Papakea Resorts 11 years ago. It is a small 597 sqft one bedroom unit. This short term rental condominium is part of a larger complex named Papakea that is an ocean-front property, completed in 1978 and consisting of 364 individual condominiums.

The reason we purchased the unit was primarily because of the welcoming feeling from all the people we met on Maui. The "Aloha Spirit" was everywhere we went, and we felt that everyone was truly happy that we were there.

We normally spend one to two months on the island in our condo.

We engage with a local on island management company to obtain rental income when we are not there. This on island company takes 30% of the rental income. I would also like to say that the remaining amount of rental income is essentially spent on the local AOA fees and Maui county property taxes. This condo is NOT a major source of income, most years we actually have a loss on the operation of the unit.

Virtually all the rental income that is collected is distributed back to the local economy on the island of Maui. AOA fees are used to pay for the maintenance of the property and the hard working associates on site at Papakea.

Over the last 11 years we have also contributed to the local economy in the form of money spent at restaurants, food trucks, grocery, pharmacies, car rentals, equipment rentals, boat excursions as well as the sales tax associated with all the above items.

It can be assumed that all the individuals that used our unit during the other 10 months of the year did the same and provided the same economic benefit to the island of Maui.

It is important to note that Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rentals.

Papakea also housed and is housing a large number of local displaced residents.

In conclusion, our operation is really about sharing the Aloha Spirit with our family and other families who come to Maui and could never afford the major chain hotel rates. They come to Maui and learn about the culture and hopefully take it back to the mainland.

For the reasons stated herein I OPPOSE SB2919, SD1 and urge the committee to vote no on this matter.

Respectfully submitted,

Peter and Vickie Webb

SB-2919-SD-2

Submitted on: 3/14/2024 7:05:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gary Burkhardt	Individual	Oppose	Written Testimony Only

Comments:

I own a property in a heavy tourist area in Kihei. We are filled most of the year, bringing in tourists that provide hundreds of thousands of dollars to the local economy. We hire and help to keep local residents employed and their businesses to thrive; day per day locals understandably would not spend that much in the community. We pay higher property taxes than local residents and provide a high tax amount to the state for transient accommodations. If you remove all that income from the state, I'm not sure how that is going to help the local economy and the residents who live there. We have donated \$5000 to the various Lahaina charities since the fire, we are renting a portion of our condo for at least one year to a person who lost their entire home in the Lahaina fire - why are you trying to kick people like us out of your state? And why do you choose to accept the hotel industries money with open arms but not the individuals who are trying to make some additional money for their retirement? We are doing all that we can to support Maui in this time of crisis - where is the recognition for what we are doing to help?

SB-2919-SD-2

Submitted on: 3/14/2024 7:09:53 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maurice Schreiber	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Mo Schreiber and I live on the island of Oahu.

I am writing in opposition of SB2919 as current, legally permitted short-term rentals (per Ord 22-7) are important for tourism on the island of Oahu as they provide family and visitors with variety and choice as compared to a hotel room. A hotel room is not affordable nor livable to many that have families, need to prepare meals, or need more space than one room.

This bill will hurt me, other residents and important visitors that rely on current, legally permitted short-term rentals as temporary, furnished, and affordable housing. In addition, it will also threaten my ability to make a living along with the other cleaners, electricians, plumbers, painters, maintenance workers, and small businesses like me, who live and work in my community and put at risk my ability to pay for my own housing and bills.

In addition, this bill will hurt the county and state due to the loss of revenue created by GE, TA, and OTAT taxes that current, legally permitted short-term rentals generate and pay to the county and state of Hawaii.

Please let the counties enforce laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

Mo Schreiber (Resident of the Island)

SB-2919-SD-2

Submitted on: 3/14/2024 7:09:59 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
heidi kreul	Individual	Support	Written Testimony Only

Comments:

Aloha,

Thank you for the opportunity to submit testimony in support of SB2919..

I have watched the fabric of my residential community crumble as investors buy up homes and turn them into short term vacation rentals. I have seen many life long friend and family members not be able to afford housing and have to relocate to the continental United States.

Please put the residents first.

mahalo

Heidi

Honorable Senators Donovan M. Dela Cruz, Sharon Y. Moriwaki, Karl Rhoads & Mike Gabbard,

Committee on Ways & Means
Committee on Judiciary

My wife and I first visited Maui in 1997 and instantly fell in love with the island. We've visited many times since with our family. My dream was to someday own a home in Maui. After spending 27 years as a firefighter and surviving throat cancer, I was finally able to fulfill my dream of owning a vacation home on Maui in 2018. I hope to eventually make it my retirement home. This was all made possible because I was able to share my home as a short term vacation rental.

As an STR owner, I've been able to make some lifelong connections with some amazing people on the island. Our cleaner is a hard working mother of 3 and relies on the income generated from our reservations to help support her family. Our handyman is a local scuba instructor and tour guide and uses the income from repairs and maintenance to help support his business ventures. We use local companies for any contractor work needed in our condo. We frequently recommend local restaurants as well as activities in the Kihei area to all of our guests and do whatever we can to support the kama'aina and the local businesses.

After the Lahaina fires, we housed a displaced family for a month at no charge. We visited the island as well and donated clothing and household items to Hope Chapel in Kihei to help those affected. Our family volunteered in preparing meals and handing out food. Even though we're not permanent residents yet, we feel very much a part of the community and ohana of Maui.

I respectfully ask that you do not pass SB2919 or any other proposed bills to limit or eliminate short term rentals as I truly believe that it will do more harm than good to the local economy and morale of the island. Many people on Maui rely on short term rentals for income and eliminating them would be devastating to all that are connected. I believe that the best way forward is to expedite the building of more housing to address the issue. Short term rental owners shouldn't be made to bear the brunt of the housing crisis due to the lack of fire protection and prevention in the structures and infrastructure in and around the Lahaina area.

Thank you for your time and consideration.

Warmest regards,

Jason Wong

SB-2919-SD-2

Submitted on: 3/14/2024 7:21:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Debra Piro	Individual	Oppose	Written Testimony Only

Comments:

I firmly oppose SB2919 SB2

I have been a property manager of vacation rentals for 20 years. I have already felt the impact of fewer rentals as many of my owners sold their properties.

So many of the visitors that I have worked with over the years, are no longer coming to Hawaii because they cannot stay in a Vacation rental home with their families. It will also affect traveling health care workers, displaced disaster residents, and returning family members, that cannot afford the high cost of hotels.

Banning vacation rentals will affect numerous jobs....cleaning, gardening, maintenance workers, etc, the strict changes already has.....licensed and unlicensed!

Tourism is really all we have in Hawaii to boost our economy! Visitors do not want to be limited to hotels!! They will stop coming to Hawaii.

SB-2919-SD-2

Submitted on: 3/14/2024 7:23:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dave Zimmer	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Dave Zimmer. I am writing in opposition of this bill because short-term rentals are an important component in Maui County's thriving and tourist driven economy.

Short-term rental properties boost the local economy and thus the well-being of the Maui County residents. Rental properties are reliant on locally owned, small, often family run, businesses such as cleaning services, electricians, plumbers, carpet/upholstery cleaners, grounds keepers, and property management companies. These locally owned businesses would suffer greatly with the loss of the revenue generated by these short-term rentals, many of which would likely go out of business. Hotels and resorts do not hire local businesses and entrepreneurs for their electrical, plumbing, cleaning, grounds keeping needs etc. Limitation of entrepreneurship would be a detriment to the Maui County residents in reducing opportunities for their financial and personal growth.

Short-term rental also generate tax money that goes directly to supporting the local economy and residents of Maui County. If short-term rentals are eliminated, that tax revenue will also be eliminated.

Visitors of Maui County enjoy the option of staying in a short-term rental instead of only the option of staying in a hotel like some other destinations require, which increases the appeal of visiting Maui County and thus boosts the economy through tourism. The people of Maui County are reliant on tourism to support the local economy, we need to do all that we can to preserve that.

Short-term rentals are not conducive to month-to-month or year-to-year family living due to their small size. They are deemed short-term rentals because they are often 1-2 bedrooms with relatively low square footage and are not places that families with 4 or more people would feel comfortable living in long-term. The short-term rentals were never designed with the intention of long-term living, and they are best utilized as short-term rentals as they have been for decades.

I am requesting that you do not move this bill forward.

Thank you for your time.

SB-2919-SD-2

Submitted on: 3/14/2024 7:24:11 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karri Ayasanonda	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. The issue with short term rentals existed far before the Lahaina fire and the problem has only worsened the situation. Short term rentals not only affect our housing but also our quality of life. It is critical that Maui finds balance so to better serve the residents that make Hawaii so special.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Karri Ayasanonda

SB-2919-SD-2

Submitted on: 3/14/2024 7:24:26 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashley Cho	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,
I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.
Thank you for your attention to this critical issue.
Sincerely,
Ashley KV Cho

SB-2919-SD-2

Submitted on: 3/14/2024 7:24:48 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Johnson	Individual	Oppose	Written Testimony Only

Comments:

While this bill may be intended to solve housing problems, it probably won't do that. It will, however, have several negative consequences:

- Financially harm small business owners by taking away their means of making money without compensation
- Harm the county budget by reducing tax revenues
- Reduce freedom

Mahalo for your consideration.

SB-2919-SD-2

Submitted on: 3/14/2024 7:27:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anthony S. Ravnik	Individual	Oppose	Written Testimony Only

Comments:

I have been a property owner and taxpayer in Maui since 1999. I am currently retired and rely on the income from my property rental for my daily expenses. If this bill passes, I will lose my source of income and be forced to sell the property. This will also be a great personal loss as I have cherished spending time with my family in Maui, and also supporting the local economy since 1972. If I sell my property, I will no longer be able to visit. This will also cause financial harm to the wonderful local service providers who I have employed for many years, to assist in managing the renting and upkeep of my property. I hope that you will consider the financial consequences of this bill for everyone involved. Thank you for your time and consideration in this matter. Sincerely, Anthony Ravnik

SB-2919-SD-2

Submitted on: 3/14/2024 7:29:57 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
DJ Blommer	Individual	Oppose	Written Testimony Only

Comments:

This bill will not only destroy Maui's economy, it will destroy the livelihoods of all the people who purchased legal short-term properties with the legal right to short-term vacation rent. These legal STRs were far more expensive than other non-legal vacation properties. I would like to know how these owners will be compensated if this bill passes, as well as how the shortfall in STR tax income will be made up, let's not forget about all the people who rely on income from the STR vacation industry. This bill is not good for Maui. There are better ways to allow for affordable housing. These STR vacation properties are far from affordable.

Sherry P. Broder
Honolulu, HI 96822

Aloha House Committees on Housing and Tourism Chairpersons and Committee Members.

I am submitting this testimony in strong opposition to SB 2919, SD 2. This bill is great for the lucrative hotel industry of and bad for local people who have the opportunity to access a very small portion of the tourism dollars through short term rentals.

I am very fortunate and grateful to have been a local Oahu resident for decades and my children and grandchildren were all born and live in Hawaii.

The major and real problems of housing affordability in Hawaii are NOT short term rentals. Below are just some of the problems that contribute to housing affordability.

1. The counties keep approving more hotel rooms, more tourists keep coming to Hawaii, and then many tourists want to have a home in Hawaii. Approvals have been made for more hotels in Ko Olina. The County Planning Directors are recommending approvals for more hotel rooms, more expensive housing for non-locals and more golf courses at Coco Palms, Koloa/Poipu, Punaluu on the Big Island, In 2018, the Maui Planning Commission has approved the construction of a new hotel in Wailea, the 200-room Piilani Suites. There's a wave of new hotel development on Oahu, where more than a dozen properties are in the planning or the construction pipeline with delivery goals between 2023 and 2027. Two large hotel projects are planned, including the 36-story, 515-room AMB Tower at the Hilton Hawaiian Village, Residence Inn, 162-room extended-stay hotel Residence Inn planned for the old Pacific Business News Building near the Hawai'i Convention Center, and many others too numerous to list.
2. The super wealthy and international corporation receive the tourism dollars in Hawaii. Private equity companies own almost 30% of Hawai'i's hotel rooms. It has been reported that Hawai'i continues to be attractive for private equity buyers because it's one of the highest performing hotel markets in the country, says Tim Powell, principal of Powell & Aucello. Local people do not share in the real tourism dollars because of the high barrier to entry.
3. Land ownership is concentrated in a very few landowners in Hawaii which drives up the price of land.
4. The cost of materials is very high because of the shipping costs and the competition for materials.
5. Hawaii is like the national trend of the rise in economic inequality making it harder for lower-income households to buy secure housing. The PEW Foundation reports that the rise in economic inequality in the U.S. is tied to several factors. These include in no particular order, technological change, globalization, the decline of unions and the eroding value of the minimum wage. Whatever the causes, there has been an uninterrupted increase in inequality in wealth since 1980. a greater share of the nation's aggregate income is now going to upper-income households and the share going to middle- and lower-income households is falling. See <https://www.pewresearch.org/social-trends/2020/01/09/trends-in-income-and-wealth->

[inequality/](#) (last accessed 02/27/24). This bill perpetuates this economic inequality by prohibiting ordinary local people from participating in the lucrative tourism market.

6. *More hotels popping up outside of touristy Waikiki*
It's a trend experts said will likely continue due to the demand for convenient and affordable options. [KITV4](#). (last accessed 02/29/24).
7. *Agency disputes affordable housing loss projection*
A risk assessment of potential Hawai'i affordable housing losses presented Tuesday at the Legislature is overblown, according to a state agency that helps finance such housing. [Star-Advertiser](#). (last accessed 02/29/24).
8. *A tech billionaire is quietly buying up land in Hawai'i. No one knows why*
He's bought 29 parcels, more than 580 acres, in Waimea, and nine others, about 25 acres, at beach resorts. In the majority of instances, he's paid more than current market value, according to public records. [National Public Radio](#). (last accessed 02/29/24).

Moreover, short term rentals bring positive economic benefits to local people and to county governments:

9. All local people bear the burden of tourism. It is unfair that only hotels can make money from tourism. Today the hotels are mostly owned by hedge funds and multinational corporations. For the most part, local people earn low wages at the hotels.
10. Many STR are owned by local people who do not have access to the capital needed to build a hotel and local people should be supported in their efforts to engage in making money from the tourists. The STR market provides new income channels for State and county governments. Prohibiting STRs will contribute to the continuing decline of economic opportunities for local people.
11. Many local people seek to stay at STR as most often they are a more affordable option.
12. Short term rentals bring tax dollars to the state and local governments.

Mahalo nui loa for your consideration of my testimony.

SB-2919-SD-2

Submitted on: 3/14/2024 7:35:13 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Crozer	Individual	Oppose	Written Testimony Only

Comments:

I don't mind you preventing short term rentals when nobody is there monitoring them, but to take these lucrative rentals away from residents who rent a room or a legal structure on their property is mean and wrong. Please look into allowing residents who live on the property to rent a legally built structure on the same TMK for any amount of time they'd like. The use is the same, it's sleeping accommodations, not a car business, a yoga studio, or whatever. Put a limit on the amount of people staying, not the length. Isn't it 5 unrelated people right now? Or say 2 people per bedroom..

If the DPP were doing it's job all along, we wouldn't be having these conversations. It needs an overhaul.

SB-2919-SD-2

Submitted on: 3/14/2024 7:35:48 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vijak Ayasanonda	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. It has become nearly impossible to for residents to continue to reside on Maui as well as for businesses to find employees, including in healthcare, teaching, and government positions.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Dr. Vijak Ayasanonda

SB-2919-SD-2

Submitted on: 3/14/2024 7:36:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen McCarthy	Individual	Support	Written Testimony Only

Comments:

I am writing to expres my strong support for SB2919, sd2, which clarifies that our counties have clear right to phase out short-term rentals over a reasonable amount of time.

Thank you for your consideration of this very important bill.

Karen McCarthy

SB-2919-SD-2

Submitted on: 3/14/2024 7:38:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dennis Curtin	Individual	Oppose	Written Testimony Only

Comments:

We purchased our small one bedroom cottage in 1986. It was built in the 50's and was in a very rundown condition. We spent a lot of hours over the years, restoring it to an attractive vintage Ohana, which reflects the charm and character of the Puako community. It has provided affordable lodging for not only family and friends, but also for visitors from the mainland and for contractors etc. doing projects on the big island. In all the years this has been a short term rental we have never had a complaint from neighbors. We love our neighborhood community and are very considerate and respectful towards them. The majority of our guest are repeat customers. These guests patronize the local merchants and restaurants and participate in activities, all adding to the local economy. I truly feel the majority of our guests would not return to the big island if it were not for affordable places like ours to stay. We employ numerous local vendors that maintain our property. We try to keep our cottage affordable, even though paying over \$12,000 a year in property taxes, plus approximately 20% tax on revenue from our guest rental income. Hawaii is a very expensive place. If the STVR is revoked, owning this place that we put so much energy and effort into, for a lot of years, will probably no longer be viable for us.
Respectfully, Dennis Curtin

SB-2919-SD-2

Submitted on: 3/14/2024 7:40:38 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachelle Yongvanich	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair and Committee,

My name is Rachelle Yongvanich. I stay in a short term rental because it helps the local economy and is much more comfortable than a hotel. I have been coming to Maui for years and have made friends with all the lovely people who clean, manage and maintain the short-term rentals I stay in. They are like my Maui Ohana. I frequently visit the island and I love Maui. I know how important tourism is to the livelihood of my Maui Ohana.

Short-term rentals bring in a lot of money to the state through tax dollars and jobs for the local economy and it will be foolish for this Chair, Vice Chair and Committee to penalize short term rental owners. The county has the means to create new housing that would be more conducive to the needs of the Maui people than to take away from other Maui people - the owners of short-term rentals. You'll be hurting the mom and pop business that help support and grow the local economy.

This act of trying to get rid of short-term rentals infringes on Maui home owners' rights as well. This is not Cuba... This is not China... This is America.. We have rights. Do not oppress lawful home owners. The county needs to stop targeting short-term rental owners who are a very necessary part and contributor to the Maui economy. This mentality is detrimental to the community and not a solution to this housing problem.

There are many more constructive solutions to this housing problem:

1. Hire more planning department employees to expediate the building of new homes. Bring them in from other islands or the mainland until this problem is solved.
2. Contact Boxabl to create temporary and or permanent housing using high quality, prebuilt homes. They are offering TWO HUNDRED FIFTY (250) HOUSES that are FREE to help Maui.
3. Use the Lahaina Shores hotel on Front street to house the unhoused.

Why haven't the Chair, Vice Chair or Committee responded to Boxabl?

These Boxabl homes are much better than the makeshift tents that have been set up by the airport.

Are you catering to hotel lobbyists? Did you forget to call them back? Please call them and utilize this resource.

Why are you not exhausting every resource available to the Maui community?

There are a lot of questions that need to be answered and our public servants need to be held accountable for their decisions, actions and lack of action.

I am writing in opposition of this bill because short-term rentals are essential to the Maui economy. Maui residents rely on short-term rentals for income and also for tax dollars that help fund a high percentage of the budget.

I encourage the Chair, Vice Chair and Committee to vote no on this bill. This bill is a mistake for Maui. It will penalize Maui workers and take away Maui property owner's rights while deterring tourism - the bread and butter of the Maui economy. This will be lose-lose for everyone involved. If short-term rentals are gone, the jobs that belong to my Maui Ohana will be gone too.

Please have compassion and help them keep their jobs. Save their jobs. They have families and are working hard to support them and survive too. This bill will negatively effect a lot of good, hard working Maui residents.

Let the counties enforce the laws that they already have. Do your part and create more housing by building new structures, repurposing unused buildings and land but do not infringe on property owners rights.

Vote NO. Vote NO. Vote NO.

Thank you for your time.

Hawaii Bill SB2919

My wife and I have been vacation rental owners on Maui since May of 2022. Our 1st trip to Hawaii was 40 years ago for our honeymoon. The reason we purchased our vacation rental was so we can visit Maui on a regular basis so we could determine if we would be able to retire on Maui. The vacation rental option for the unit has enabled us to do that. If this option was not available, then we would not be able to realize our dream of retiring on Maui. Therefore, we are against SB2019.

We feel this bill would be a detriment to the economy of Maui. Vacation rentals give visitors the opportunity to visit without paying the super high prices for a hotel room. Visitors are the life blood of the businesses of the island and keep them thriving. Additionally, there are thousands of people that earn a living through direct or indirect contact with STRs: cleaners, managers, on-island contacts, etc. Also, without vacation rentals how is the county going to make up for the income it receives from taxes (property, GET and sales) associated with vacation rentals? Without a substantive plan, this Bill could have unexpected consequences.

Are we in a housing crisis? Yes, of course. But this Bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires, the devastation of the fires cannot be under expressed. But in our haste to believe what would be a benefit to our community, may ultimately be a hindrance. The housing crisis needs to be addressed, but this Bill will do the opposite for the people, the county and the state. The thousands of jobs lost will be significant. Let's continue to brainstorm ways to help those that are in a housing crisis without decimating the livelihood of others. STRs do have positive contributions to our community, yet they are being treated as if they are the main underlying cause of the crisis. This is not true. Why isn't the Legislation looking for ways to incentivize developer to build more affordable long-term housing for the citizens for Hawaii?

I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community. Thank you for the opportunity to testify my opposition to Bill SB 2919.

Thank you,

Aaron and Jayne Mednick

Owners of a Vacation Rental

Kihei, HI

SB-2919-SD-2

Submitted on: 3/14/2024 7:45:41 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
robert Petty	Individual	Support	Written Testimony Only

Comments:

No to short term rentals on Maui's west side

SB-2919-SD-2

Submitted on: 3/14/2024 7:48:12 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

I am in **SUPPORT** of SB2919 SD 2 which expands the zoning powers of counties. Expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

SB-2919-SD-2

Submitted on: 3/14/2024 7:48:25 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julian Ritchey	Individual	Oppose	Written Testimony Only

Comments:

Dear Senate Members,

I am writing to urge you to vote against SB2919. I appreciate the work you have done to address this issue and understand that this type of regulation can be very challenging. My wife and I agree with those who say that allowing unrestricted short-term rentals has a negative impact on the housing market for residents as investors buy up properties that would otherwise be available for long-term rentals or purchases by residents. We support banning or severely restricting that type of activity. However, you also have Hawaii residents who would like to have the opportunity to rent their homes short-term occasionally to provide extra income. Therefore, I would like to propose the following alternative:

ALLOW HAWAII RESIDENTS TO RENT THEIR PRIMARY RESIDENCE UP TO 120 DAYS PER YEAR ON A SHORT-TERM BASIS.

A restriction like that should sufficiently dampen the demand for investment properties that are purchased purely for short-term rentals, but still allow Hawaii residents to earn additional income from their home should they decide to do so. **This will benefit the homeowner through the rental revenues; the State through additional taxes paid on those revenues; and the general State economy through the money that TVU renters spend while visiting Oahu.**

Hawaii has some of the highest costs of living in the U.S. and the additional income is critical to some homeowners. Even for those who could make ends meet without this income, the additional revenue gives them more spending power benefiting the local.

These types of accommodations have become an important part of the tourism industry over the last several years and should be seen as a crucial part of maintaining Hawaii's standing as a leading tourist destination.

In our case, we moved to Honolulu in 2009 due to my job and bought our house with the intention of retiring here. We are both in the renewable energy industry. Since that time, I have moved a couple of times for work while my husband remains at our home in Honolulu. When he travels to visit me, his income is diminished and our house is left empty. We've had someone attempt a break-in during one of his trips and also had a fire alarm trigger which fortunately turned out to be a false alarm, but because no one was there to check it, both the fire department and the police department had to needlessly respond. If we could rent our property during his trips, it would help offset his lost income and also give us some greater piece of mind that all was well at our home.

Additionally, my husband has to be off-island periodically to help relieve his sister who takes care of his elderly mother and an invalid sister. Being able to rent our home during those absences would also be tremendously helpful to us.

The times we have rented our home in the past (which we have done legally and paid the appropriate taxes), some of our retired neighbors have benefited as well. They have been very supportive and have stepped in to act as hosts if guests arrive when my husband is off-island. They also provide assistance if needed to the guests while they are there and, in turn, my husband takes them to dinner or buys them gifts to thank them for their help. It is a win-win situation not only for us and our neighbors, but also for our guests. And, it has brought us together more than if we were not doing this by providing an additional sense of community. It also benefits businesses our neighborhood as our tenants frequent them when they stay in our house.

We both strongly oppose SB2919. It goes too far and severely limits a homeowner's rights. If you determine that it is appropriate to more severely restrict and/or ban short-term rentals in investment properties, we could support that.

There are many instances like ours, in which the properties would not be on the long-term rental or housing allowing residents to occasionally rent their primary residence does not affect the availability of or pricing for the long-term rental or housing market. I think that it would be a good solution to let individuals rent their primary residence (if they own it) for up to 120 days out of the year. This should be allowed even in residential areas. Perhaps there could be a number to call to lodge a complaint if neighbors are disturbed by renters with a penalty if a certain threshold of complaints are made.

Thank you again for your attention to this issue. I understand that it can be a contentious one and believe that with fair and thoughtful regulation, all parties' concerns can be heard and appropriately addressed in a manner that will allow this segment of the tourism industry to continue and be properly regulated.

SB-2919-SD-2

Submitted on: 3/14/2024 7:50:51 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam Engel	Individual	Oppose	Written Testimony Only

Comments:

Honorable Representative Evslin, Chair, Honorable Representative Aiu, Vice Chair, Honorable Representative Quinlan, Chair, Honorable Representative Hussey-Burdick, Vice Chair and Members of the Committee:

I am Sam Engel, owner of a condominium at 3543 Lower Honoapiiliani Road in Lahaina. My wife and I have been frequent visitors to Maui for the past 45 years and now are appreciative owners of a vacation home. We appreciate your committee soliciting our feedback on SB2919, and your time considering the issues at hand.

We oppose SB2919 and hope that you will as well, in particular as it relates to our property. We recognize that the state faces a shortage of available housing, and is looking for any means available to provide that housing, but SB2919 is not good law. We would encourage you to vote no on this bill, and instead put forward measures which would encourage the development of new workforce housing in lieu of building more resort housing including high-end residential and hotel rooms.

Our complex, Papakea, was originally developed, permitted and built as short-term rental housing, as part of the strategy to provide a range of quality guest housing experiences to the Hawaii visitor. This was in line with the Hawaii Visitor Bureau strategy in place at the time. Over the years, Papakea has operated under this model, providing frequent Hawaii visitors with an alternative to hotel accommodations in a residential setting. This has been done with the full approval of Maui county officials. Our property was never converted from residential apartments. It was built and has continuously operated as a vacation rental condominium. For the county to renege on nearly 50 years of direct approvals seems to be bad faith indeed, when other options, including new construction have long been available and the County has not acted.

Our property is set back away from nearby residential communities, and does not impact their residential character. In fact, it is a contributor to character of Honokowai, by its design, landscaping and low density layout.

Papakea employs 35 local workers in positions ranging from management to maintenance. Additionally, each of the units employ local businesses for maintenance, repairs, housekeeping, skilled trades and other services. Guest in these units patronize local business which in turn employ hundreds of other local residents. In short, our complex provides an

economic anchor for our neighborhood. Other organizations have provided you with the specific impact on this spending.

Our owners are also invested in the local community. Many volunteer in local service agencies and others, ourselves included, support Maui community agencies financially.

It is our hope that you see us as your constituents and as valuable contributors to the Maui community. Please help us out by voting no on SB2919. Please put your efforts towards incentivizing Maui County to build more housing. Do not take it from others.

Sam and Kathryn Engel

SB-2919-SD-2

Submitted on: 3/14/2024 7:55:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Venus Gonsalves Henriques	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

My personal experience is that in the one mile stretch, of the village of Kukuihaele, we have 25 STVRs. The noise, rescues, trespassing are just a few of the problems we have. This was a quaint little community, where at one point, everyone knew everyone, not now. Hawai'i County has no list or way of knowing who is legal and who is not. We need our communities back, to being family oriented, for our keiki and theirs. Tourists belong in areas, zoned for resorts, not in residential neighborhoods. Neighborhoods are for neighbors, not for transient strangers!

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely, Venus Gonsalves Henriques

SB-2919-SD-2

Submitted on: 3/14/2024 7:56:04 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristine Kent	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I am writing you to please oppose this bill.

Our family has owned our home in Puamana since the 1980's. We loved it and the people of Lahaina and Maui with all our heart. We shared it with friends, family and loved ones.

We have done many improvements and maintenance to our home. It keeps the local people employed. The community of Puamana is so special and we trust and have grown to love the Hawaiians that live and care for our home. We employ them with the maintenance from the people that come and share staying there. We have had displaced, nurses and military stay there.

Please consider opposing this bill and allow us to share our home with ones that want and need to stay.

Mahalo,

Kristine Kent

SB-2919-SD-2

Submitted on: 3/14/2024 7:59:12 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth ray	Individual	Support	Remotely Via Zoom

Comments:

I support phasing out all STR immediately

80 percent of housing inventory STR

MOST STRs intact...no need extra building or imprints on our Aina to convert these to long term

These owners will still make profit and others will have longterm homes and help sustain hawaii being stewards to this beautiful land

If land owners don't want to help steward this land and house the people who know how and have built Lahaina...they are not of value to hawaii and maui and should kindly go do an STR at a more favorable location...sell local and let Maui spit you out before its people do!!

SB-2919-SD-2

Submitted on: 3/14/2024 8:01:10 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gordon Hanson	Individual	Oppose	Written Testimony Only

Comments:

1. We OPPOSE this Bill. It will not create as many long-term rental units as you think. Like many others, we live in a small 1 bedroom cottage with a small Ohana, which because we need it for our family and friends, we cannot rent long term. We legally rent it when available to pay our high property taxes.
2. This will shut down North Shore surfing competitions, as there are no hotels there (other than Turtle Bay which they cannot afford).
3. We have elderly neighbors who rent their Ohana to pay their property taxes – so they don't have to sell and be replaced by a McMansion.
4. We have rented to residents in transition and inter-island residents for family visits. This bill would shut down Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

SB-2919-SD-2

Submitted on: 3/14/2024 8:03:32 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sydney Smith	Individual	Oppose	Written Testimony Only

Comments:

Oppose!

About ten years ago HRS 205 was amended to include AgTourism. Something all other states and most countries had already done years before.

It included Farm Stays!

The Hawaii State Department of Agriculture offered workshops on every island encouraging farmers and ranchers to participate.

Diversifying income helps farmers and ranchers survive continuous drought, rising labor, input and insurance costs and offers our visitors an opportunity to experience our culture.

Many farms and ranches followed the advice promoted by the State of Hawaii and the County of Maui and invested time and money to participate in the visitor industry.

Read HRS 205-4.5. It is an allowable use in the law!

How can we trust our government ever again?

How?

No elected official that supports this bill is ever getting my vote again!

Sydney Smith

Maliko Estate Coffee

Ag Working Group, chair

808-268-3646

SB-2919-SD-2

Submitted on: 3/14/2024 8:03:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ROBERT Y CHUNG	Individual	Oppose	Written Testimony Only

Comments:

Perhaps we can start by ENFORCING the EXISTING laws and making it better or incentivizing landlords to rent long-term instead of creating more unreasonable bans that only benefit the hotel industry. Everyone knows this is mainly a hotel industry agenda and does very little to actually help bring down rents or make living in Hawaii more affordable.

SB-2919-SD-2

Submitted on: 3/14/2024 8:05:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Toni Spence	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2919. I hope that you will too.

I have lived in Maui for over 40 years, my kids were born here and raised in Maui. As part of our retirement plan we purchased short term vacation rentals. I am now 70, widowed and count on the income from my short term rentals to afford to live here. I want to be able to stay and watch my grandchildren grow up here in Maui.

Please vote against this bill.

Mahalo,

Toni Spence

SB-2919-SD-2

Submitted on: 3/14/2024 8:05:37 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
matthew silvey	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I vehemently oppose this bill. This is not thought through at all and the consequences will be devastating to my west side community of Lahaina (which is already struggling) as well as the State. The economic situation in Hawaii is dire already and to cut the tax revenue and the countless jobs associated with the legal vacation rental business is insane. To cater to the hotel lobby only, is ridiculous. Again, this type of short sided thinking in Hawaii, helps the few not the many. Try focusing on cutting red tape for work force housing and development instead of devastating a tax revenue stream for the State. If this passes it doesn't take long to realize the State will further try to tax it's way out of this mess driving more locals off the Islands. Please vote NO on this horrible bill.

Mahalo,
Matthew Silvey

SB-2919-SD-2

Submitted on: 3/14/2024 8:09:47 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Miriam Keo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear rate to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Miriam-Ashley Keo

SB-2919-SD-2

Submitted on: 3/14/2024 8:11:08 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vlasta Hanson	Individual	Oppose	Written Testimony Only

Comments:

1. I OPPOSE this Bill. This will shut down North Shore surfing competitions, as there are no hotels there (other than Turtle Bay which they cannot afford).

2. It will not create as many long-term rental units as you think. Like many others, we live in a small 1 bedroom cottage with a small Ohana, which because we need it for our family and friends, we cannot rent long term. We legally rent it when available to pay our high property taxes.

3. We have elderly neighbors who rent their Ohana to pay their property taxes – so they don't have to sell and be replaced by a McMansion.

4. We have rented to residents in transition and inter-island residents for family visits. This bill would shut down Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

SB-2919-SD-2

Submitted on: 3/14/2024 8:14:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Jacob Steimel	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to SB2919. As drafted, this legislation allows far too much latitude, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns.

Written testimony **in opposition** to SB2919 by Michael J. O'Neill, an individual citizen.

- This Bill SB2919 will personally impact my husband and I along with all the hard-working cleaners, property managers and service contractors that support our condominium. It will directly impact us because we were planning to retire in Maui and convert it to our long term residence. If this measure passes we could not afford to do that as it is too expensive to own without renting short term.
- We have owned for 5 years a small condominium at the Luana Kai Resort on Maui which has been a **LEGAL** short term rental on Maui since 1979. We have always **EMBRACED AND RESPECTED** the Hawaiian people and their rich culture. We have always followed all the rules regarding operating a short term rental and we have always communicated to our guests to respect and honor the Hawaiian people as they visit their beautiful home island.
- We don't understand how Maui could put at risk **40% of the real property tax revenue for the county**, as well as the top funding source for affordable housing for Maui. This STR property tax revenue represents **18% of the county's 1.7 billion dollar budget**. Where will that revenue come from?
- Mid and Short-term Rentals accommodate and **support a very large Hawaiian worker population** of cleaners, local businesses, tour operators, property managers and contractors in every trade. Eliminating STR's will have grave economic impact on them. **STR's support displaced residents**, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. We have had many guests that fall into this category.
- STR's Tragic events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Aloha Senator Dela Cruz, Chair, Senator Moriwaki, Vice Chair, Senator Rhoads, Chair, Senator Gabbard, Vice Chair and Members of the Committees:

I am writing to express my strong opposition to SB 2919

I am a decades-long visitor to Hawaii, and travel to Maui several times a year. I stay at Papakea, a condo-tel resort in West Maui. During my trips, I shop local, dine at small local spots, volunteer, and seek experiences that expand my understanding of Hawaiian culture and its people. I call many local residents my friends. I work hard to avoid the big, generic, hive-like experience of the big resorts like Hyatt and Marriott, and honestly detest the vibe of places like the Grand Wailea, Sheraton, or Westin properties that feel like they could be anywhere - Texas, California, or New York.

For me, it's not about the money. It's about spirit.

I for sure will be forced to abandon my long association with Hawaii and look elsewhere for travel if my only Maui option is a "big box" hotel owned by a multi-national corporation like Marriott. All I have to do is walk the grounds of the Grand Wailea - which has not one shred of the mana I so treasure on Maui - to reconfirm my feelings.

But for others, it may be a matter of cost. Or space. Or circumstance. Short term rentals offer visitors with families more space than a traditional hotel room, often at an equal cost but with greater comfort. They offer a vital alternative to visitors who have a desire to avoid the "resort bubble" cookie-cutter experience that is totally disconnected from the unique spirit of Hawaii. They offer traveling essential workers living space while they offer their services in Hawaii. They have provided vital housing for local residents displaced by disasters like the West Maui fire in 2018, and the 2023 Kula & Lahaina fires.

In other words - short term vacation rentals offer an essential alternative to hotels.

Your recent committee reports incorrectly states: *"short-term rentals disrupt the State's traditional and economically indispensable lodging industries."*

THIS IS FLAWED LOGIC.

It assumes that visitors will come stay in the giant hotels owned by foreign investors if short term rentals in small, aloha-filled condominium complexes are banned. You couldn't be more wrong. Families who need more space than a single hotel room, or who want that more zenful experience a resort like Papakea offers, will simply look to another destination rather than be shoe-horned into a Marriott hotel room on a miles-long corridor of hotel room doors and a view of the dumpster.

As to hotels being economically indispensable. I did a little research before I sat down to write this to you. Short-term rentals on Maui produce FOUR TIMES the property tax revenues of hotels. And make FOUR TIMES the contribution to Maui's affordable housing fund. And generate substantially more TAT than hotels. And visitors who stay in STR are more likely to travel out into the community and spend their dollars in small locally owned businesses and restaurants than are the hotel guests, who often choose to stay in their bubble and spend their dollars on the resort amenities on property and not out in the community.

Please do not pass this bill.

Mahalo nui for your kokua.

Respectfully submitted -

Carol Thompson-Shearer, long-time Hawaii visitor

Written testimony in opposition to SB2919 by Tami N. O'Neill, an individual citizen.

- This Bill SB2919 will personally impact my husband and I along with all the hard-working cleaners, property managers and service contractors that support our condominium. It will directly impact us because we were planning to retire in Maui and convert it to our long term residence. If this measure passes we could not afford to do that as it is too expensive to own without renting short term.
- We have owned for 5 years a small condominium at the Luana Kai Resort on Maui which has been a **LEGAL** short term rental on Maui since 1979. We have always **EMBRACED AND RESPECTED** the Hawaiian people and their rich culture. We have always followed all the rules regarding operating a short term rental and we have always communicated to our guests to respect and honor the Hawaiian people as they visit their beautiful home island.
- We don't understand how Maui could put at risk **40% of the real property tax revenue for the county**, as well as the top funding source for affordable housing for Maui. This STR property tax revenue represents **18% of the county's 1.7 billion dollar budget**. Where will that revenue come from?
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- STR's Tragic events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB-2919-SD-2

Submitted on: 3/14/2024 8:20:37 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas Mitchell	Individual	Oppose	Written Testimony Only

Comments:

I am opppsed to SB2919, SD2. I have owned a STR since 1992 and have paid taxes all these years, including income tax, GE, TA and now Maui County taxes. My property taxes have been at a much higher rate than rates for locals. Without these taxes I fail to see how the economy can succeed. Where will locals find work when the tourists are gone? How will the infrastructure be supported? How will government be supported. It would seem to me that life will not be better for anyone if this legislation is passed. Vote no on SB2919.

Doug Mitchell

SB-2919-SD-2

Submitted on: 3/14/2024 8:20:38 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
john roberts and cindy johnson	Individual	Oppose	Written Testimony Only

Comments:

We are writing to share our opposition to SB2919

By way of background, we have owned property on Maui for over 40 years. Our parents first purchased in South Maui in the early 70"s. We subsequently purchased on Kaanapali Beach 25 years ago. Our investments were afforded us through hard work and saving for our retirement. We purposely purchased property zoned "Hotel/Resort" as we knew we could not afford our Hawaiian dream was through renting our units while we were not in residence.

We are now in our 70"s and to autocratically remove our ability to subsidize our retirement would be completely unfair. It is devistating to contemplate.

Our ownership of these properties have contributed tens of thousands of dollars to the county of Maui:

Prroperty taxes at the increased rate due to rental (2023 \$15,000 0

TAT/GET taxes paid (2023 \$11,000) This is low due to 2023 fire

Payments to housekeepers,property staff, contractors,(both units have been completely remodeled several times since the original purchases)

Support to local shops, restaurants, car rentals, taxi services, dive shops, various tour companies, etc...

If we were able to account for our complete contribution to the maui economy over the many years of ownership, the number would be in the hundred of thousands.

These numbers are just the monies spent. Just think of all the wages and lifestyles we have supported as a result of these spendings. Again hundreds of Maui resinents have been directly affected through wages and indirectly affected through our Maui taxes paid.

Purely from a financial perspective it seems this bill will not only be devistating to us, but through loss of income , the entire county loses!

In addition to these direct financial effects, we have and continue to support the citizens on Maui by accomodating displaced residents, newly house residents, residents in transition, inter Island residents coming in for medical reasons or famiy visit, traveling nurses, emergency contractors, temporary military and students and our families and friends. In the time of crisis, such as the Lahaina fire, short term retals such as ours serve as temporary essential temporary housing for displaced residents.

Where will these people find temporary housing if we have a future disaster and you have eliminated these units from the market.

In the end, we believe this bill would create more financial hardship through less taxes and local expenditures than help. the county does not need this !

The bill certainly would cripple us. After all the years of financial support to our beloved county, this seems patently unfair!

Please do not support Bill SB2919,

Respectfully,

John Roberts and Cindy Johnson

SB-2919-SD-2

Submitted on: 3/14/2024 8:21:55 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eveann Spartveit	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As an owner of a condominium in Maui County, I am deeply concerned about the potential impact of SB2919 on the vacation rental industry. This bill, if passed, would heavily regulate vacation rentals across the state, imposing pre-approval requirements for all listings, implementing substantial fines for non-compliance, and granting counties the power to phase out non-conforming use certificates. Additionally, the bill does not align with the constitution of the State of Hawai'i and could lead to significant financial hardship for many families who depend on the vacation rental industry for their livelihood.

Furthermore, the proposed regulations are unnecessary given the existing heavy regulations on most islands. It is important to consider the adverse effects this bill could have on displaced residents, traveling professionals, and inter-island visitors seeking temporary housing. The bill could further decimate an industry that plays a vital role in accommodating residents and visitors in various transitional circumstances, including emergency situations like the Lahaina Fires.

I urge you to oppose SB2919 and consider the substantial impact it would have on the local economy, housing options, and families who rely on the vacation rental industry for their livelihoods.

I would also like to add that I'm a retired farmer who invested on Maui as a source of retirement income. If I lose this income I've lost the majority of my retirement. I know I'm not the only person in this situation.

Mahalo, Eveann Spartveit

SB-2919-SD-2

Submitted on: 3/14/2024 8:24:05 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Farah Rajap	Individual	Oppose	Written Testimony Only

Comments:

3-14-2024

To Honored Members of the State House

Subject: Opposing Bill SB2919

I have close friends and family members that all own and work with vacation rentals here on Maui. While the State may change the law to give the Counties the right to change zoning that would allow them the ability to phase out of vacation rentals, will the State of Hawaii be willing to make up the loss of tax revenue caused from the outcome if the County of Maui does phase out these legal businesses?

The thought of the law suits that would tie up the County of Maui financially should be considered by the State of Hawaii if the County Council decides to phase out these legal businesses.

The Maui County permitting department has permitted less than 500 units per year since 2008! The problem lies within the permitting department as to why we have a horrible shortage of housing. Only 8500 units in 17 Years!!

Vote no to SB2919

Farah Rapjap

Wailuku, HI

SB-2919-SD-2

Submitted on: 3/14/2024 8:27:10 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Haylin chock	Individual	Support	Written Testimony Only

Comments:

I'm in support of bill sb 2919 because hawaii families need housing now and stable places to live, at this point giving a rip about some non resident home owner who pays Pennie's on property taxes should not even be considered in discussion. Short term rentals are a direct cause of housing shortage in Hawaii and need to be capped or turned into long term affordable rental housing

Members of the legislature: please consider my personal testimony with regard to the proposed legislation known as SB 2919.

My name is John Eckle. My wife and I own a small condo in West Maui. Our primary home is in Reno, NV, but we love Maui and consider it our second home. We purchased our condo in Maui after selling a small cabin we owned near Lake Tahoe. We loved our cute little cabin in Lake Tahoe, but knew we couldn't afford to own both and needed the equity from that property to afford our dream home in Maui. It has been a long term dream of ours to own a second home in Hawaii. We are not wealthy, and we've dreamed of a place we could visit as often as possible, but also rent to others when we're not there in order to help cover the monthly cost of our expenses. We currently visit at least 4 – 5 times a year, while I'm still working for the next few years, but hope to visit even more, and stay longer after I retire in a few years. We simply could not afford to continue owning our place if we didn't rent it out when we weren't there. So, we took the time and did the hard work researching, talking to real estate agents, local property management companies and others to determine if we could afford to purchase our beautiful little place in Maui.

While investigating our Maui option, we learned a great deal about local zoning and STR permits, as well as our GET, TAT and MCTAT tax obligations on rental income, in addition to the amounts we would pay in local property taxes. We've been diligent to maintain our property, including joining our local HOA to become a more responsible member of our community. We've made many friends in Maui and attend church at a local church every time we're there, which isn't ever enough! We truly feel like we've become a more involved part of the community in our few short years of being property owners there, and we truly consider Maui to be our second home, and look forward to enjoying in the amazing culture and growing more of the community as soon. We understood our obligations and have kept up our end as property owners, including all our commitments to Maui county and the State of Hawaii.

This proposed legislation threatens our future as Maui County property owners, specifically in the language contained which allows for the erosion of Short Term Rental rights. Rights we were granted when we first applied for permits with Maui County, based on the residential zoning previously established for the condominium complex in which we own a single unit. This legislation threatens our future because it allows the county to erode those specific rights we relied on when we first purchased our condo in 2022. Specific rights we relied on to confirm we could afford to purchase our property in the first place. If those rights were removed, we would certainly suffer economic harm and would not be able to continue to enjoy the beautiful place we are honored to call our second home in Maui. We simply could no longer afford to own it, and will inevitably and most certainly realize a financial loss if the county phases out or simply cancels our ability to operate it as a short term rental.

The U.S. Supreme Court has upheld the rights of individual property owners in various decisions throughout the years, and most prominently has **consistently treated property as a fundamental right**, for nearly a century, forbidding the government from imposing arbitrary or irrational restrictions on its use. Village of Euclid v. Ambler Realty Co. (1926)

Although I do understand that those who answer to the voters must consider legislation from time to time which would limit the further expansion of short term rental zoning or permits, I also believe removing those rights after property owners have relied on those rights could harm

the full-time residents of Maui, and non-resident property owners in Maui, as well as part-time residents of Maui like us. Please protect the short term rental rights previously afforded existing property owners in this proposed legislation or any similar legislation considered, by specifically grandfathering those rights within the legislation.

Thank you for the opportunity to share my thoughts and opinions on this critical legislation.

John Eckle

SB-2919-SD-2

Submitted on: 3/14/2024 8:28:51 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sierra Dew	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Sierra Dew

SB-2919-SD-2

Submitted on: 3/14/2024 8:30:43 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Spencer	Individual	Oppose	Written Testimony Only

Comments:

Jennifer Spencer

I-110 - 2777 S Kihei Rd

Kihei, Hawaii 96753

808-333-3069

Aloha Honorable Members, Chair, Vice Chair and Committee,

My name is Jennifer Spencer and I am a short-term vacation rental owner on Maui. I am writing to you today to express my strong opposition to SB 2919 and to provide you with some crucial insights into how this bill will directly impact our business, as well as many others in our community.

Firstly, I want to highlight the significant repercussions this bill could have on the legal short-term rental (STR) market on Maui. According to recent estimates, HBSB 2919 could potentially lead to the phasing out of 13,744 legal short-term rentals on our island which will have a devastating impact on tourism, local service providers as well as negatively impact our small business.

It's essential to recognize the vital role that Maui's STRs play in our local economy. Not only do they contribute 40% of the real property tax revenue for the county, but they also serve as the top funding source for affordable housing initiatives on Maui. The STR property tax revenue represents a significant portion of the county's budget, comprising 18% of the total 1.7 billion dollars. If this revenue stream is cut off, it begs the question: where will the necessary funding for vital community programs and services come from?

Additionally, I want to emphasize the crucial role that mid and short-term rentals play in accommodating various individuals and families in need. From displaced residents seeking temporary housing after events like the Lahaina Fire to traveling professionals such as nurses, contractors, and students, our vacation rentals serve as a lifeline for many in the community.

Short term rentals provide a comfortable and convenient option for those in transition or visiting the island for family visits, or other personal reasons.

In addition to these concerns, I want to emphasize the impact that SB 2919 will have on our local service providers. Many of these individuals own or work for small businesses that service short-term vacation rentals, such as cleaners, handymen, electricians, maintenance workers, and other related businesses. These service providers rely on the steady income generated by the vacation rental industry to make a living. They are paid good wages, create their own schedules, and work very near to where they live.

If SB 2919 were to pass, it would decimate the industry, leaving many residents without access to temporary, furnished housing and threaten the livelihoods of service providers who rely on the short term rental industry for their livelihoods. As someone deeply invested in the well-being of our community, I urge you to consider the far-reaching consequences of this bill and to oppose it in the strongest possible terms. Thank you for taking the time to listen to my concerns.

Thank you for taking the time to listen to my concerns. I hope that you will stand with small business owners like myself and work towards finding more equitable solutions that support both the local economy and the needs of the community.

Sincerely,

Jennifer Spencer

SB-2919-SD-2

Submitted on: 3/14/2024 8:31:08 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Aja Toscano	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

We are talking about homes for our community, those that have suffered from a disaster. So many of us, both in Lahaina and living away from home, are adapting to the changes and working towards a new future for our home. Those that are refusing to adapt where needed and unwilling to pivot for our hometown, really shows the reason why these short-term rentals never did support Hawai'i in the way they claim.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Aja Toscano

SB-2919-SD-2

Submitted on: 3/14/2024 8:32:20 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Taylor Okata	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Aloha,

Taylor Okata

SB-2919-SD-2

Submitted on: 3/14/2024 8:32:20 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Taylor Okata	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

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The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Aloha,

Taylor Okata

SB-2919-SD-2

Submitted on: 3/14/2024 8:33:11 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Tjarks	Individual	Oppose	Written Testimony Only

Comments:

Aloha Members of the Hawaiian House Committee on Judiciary & Hawaiian Affairs,

I am writing to express my strong opposition to House Bill HB1838. As a local resident of Lahaina, Hawaii, and a Realtor, I am deeply concerned about the potential impact of this bill on our short-term rental industry and tax revenues.

HB1838 specifically allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time. It revises Hawaii Revised Statutes 46-4a to allow counties to amortize or phase out "nonconforming single-family transient vacation rental units over a reasonable period of time" in any zone. Additionally, it removes "nonconforming transient vacation rentals units" from the 'residential use' exclusion of the statute, ultimately allowing counties to do as they like in their zoning with respect to vacation rentals. This bill unfairly selects only single-family residential properties to allow counties to phase out short-term use, potentially decimating an industry that pays \$740M in taxes and generates \$4.8B in visitor spending each year [14†source] .

As a Realtor, I can attest to the fact that short-term rentals are not conducive to long-term living due to uncovered parking, lack of storage space, and other factors. The impact of HB1838 on our industry would be profound, as it would eliminate 40% of our short-term rental tax revenue, leading to an immediate and detrimental impact on our tax revenues. Furthermore, this bill creates a precedent for taking away property rights from homeowners, revoking non-conforming uses, and creating uncertainty in investors and builders at a time when our community needs new construction.

In light of these concerns, I urge you to reconsider this bill and its potential ramifications. I strongly encourage you to protect the short-term rental industry and the tax revenues it generates, which are crucial for our local economy.

Mahalo for your attention to this critical matter.

Sincerely, Denise Tjarks Lahaina, Hawaii

SB-2919-SD-2

Submitted on: 3/14/2024 8:33:11 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Tjarks	Individual	Oppose	Written Testimony Only

Comments:

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In light of these concerns, I urge you to reconsider this bill and its potential ramifications. I strongly encourage you to protect the short-term rental industry and the tax revenues it generates, which are crucial for our local economy.

Mahalo for your attention to this critical matter.

Sincerely, Denise Tjarks Lahaina, Hawaii

Aloha e Committee. My name is Teresa Ross Simon and I am the owner of a condo at Papakea on the west side of Maui. Thank you for the opportunity to testify to you about this bill. I want to explain why I strongly oppose SB2919.

Papakea is an ocean front property that was built, marketed, and sold as a vacation rental property. It has never been workforce housing and is not an example of a property that was converted from workforce housing to transient vacation rental use.

Papakea is a smaller resort, with units mostly under 600 square feet with limited parking. It is located directly next to a long stretch of hotel-zoned properties. Papakea has been operating legal vacation rentals for almost 50 years.

Papakea provides employment for about 35 local residents, some of whom have worked at the property for over 15 years. In addition to that, as an individual owner, I employ local trade professionals, including pest control, HVAC, plumbers and electricians, maintenance workers, housekeepers, local travel agents and many more contractors. These service providers set their own rates and work hours, select their own clients, work conditions and operating procedures. Shutting down short-term rentals at Papakea means putting these local folks out of business.

Please remember that in 2023, the HTA Economic Impact Model found that total direct visitor expenditures from short-term rentals as \$4.8 billion, the total sales generated was \$8.9 billion, the house income generated was \$2.4 billion and the number of direct and indirect jobs supported was 48,639. Also, please remember that short-term rentals like Papakea support the State of Hawaii and County of Maui through property taxes (at the short-term rental rate), Transient Accommodations Tax, General Excise Tax and the Maui Transient Accommodations Tax.

Guests at Papakea support so many small businesses on the island – restaurants, food trucks, tour operators and shops all over the island. In fact, there is a high number of returning guests that have been visiting and returning to Papakea for years and have deep connections with the local community.

Guests at Papakea prefer to stay away from hotels, since a short-term rental offers attractive and practical options that are not common at hotels. For example, they prefer to have their own kitchen and not go to a restaurant for every meal, they want to be able to do their own laundry. A short-term rental is an economically attractive option for tourists who have children. They cannot afford the average hotel rate of \$700/night. They choose short-term rentals for affordability and also the livability versus a hotel room. These people also shop at the local markets for their food and supplies, stimulating the local economy. These guests seek out more local authentic culture and are the educated guests Maui wants. Eliminating short-term rentals would discourage these people from coming to Hawaii and have a negative impact on the local residents and economy.

I know you have seen the fact and data-based testimony from the Maui Vacation Rental Association that makes abundantly clear what the positive impact of short-term rentals has on Maui's local economy. I direct your attention to the contribution short-term rentals have generated for the affordable housing fund, far more than the other accommodation sectors (including hotels) combined. As an individual short-term rental owner, I readily offered my property for many months following the Lahaina fire to families in immediate need without concern for any loss of income. I think short-term rental owners have a stronger immediate connection to Maui than larger corporations that run hotels.

Please let me continue to support and participate in the local Maui economy, to continue my relationship with the local residents who live near and work at Papakea. It is my honor that my short-term rental contributes to the livelihood of both the local residents as well as the good health of the State and County.

SB-2919-SD-2

Submitted on: 3/14/2024 8:36:40 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sylvia Dahlby	Individual	Oppose	Written Testimony Only

Comments:

Testimony in opposition to Senate Bill SB2919 SD2

Please vote NO on SB 2919 SD2. I urge the House Committees on Housing and Tourism to reconsider the unintended consequences of these Bills.

- **Many small business owner-occupied AirBnB hosts like myself will have their livelihood threatened or be forced out of business.**

I'm a retiree, on a fixed income, and rely on the additional income from renting a room in my home.

My place is not suitable for long-term rental, mainly because it has no cooking facilities. I cater mostly to inter-island kama'aina business travelers who visit Hilo primarily from Oahu and also the Kona side. I have several "regular" guests from Oahu who cannot afford a hotel room when they come to visit family or for a short business trip. Some of my guests are students and academic professionals, and others are health care practitioners - I'm located near the University and Medical Center. I get a few tourists, especially this time of year for Merrie Monarch; it's well known that there are not enough hotel rooms in Hilo for them.

In addition, I have stepped up to provide shelter for displaced people during emergencies like lava flows and hurricanes when folks were temporarily without power or lost their homes in a disaster. I shut down my online listing during these times and make the place available exclusively for people in need via the "coconut wireless" and local community networking with aid organizations.

- **Unfair and punitive taxation on small, locally-owned businesses.**

I earn less than \$10,000 annually from my AirBnB room rental, and pay about a month's income to cover the GET/TAT/HCTAT. Between my business expenses and income tax, that eats up another month's rental income. I've already considered shutting down because of increased property taxes that will further cut into my net revenue; the proposed Bills guarantee I will be forced to close my AirBnB rental by June.

- **The “war on STVRs” and all the recent Bills are loaded with excessive and intrusive regulations that treat local family-owned businesses like big hotels owned by mainland or foreign corporations.**

Any additional cost of doing business for me results in increasing my rates. The proposed fees and fines are particularly onerous, this will surely price more folks out of paradise. With the cost of buying a home out of reach for so many locals, there would likely be more purchases from wealthy mainland investors and foreign buyers.

“It’s already so hard for anyone to afford to live here. Why make it harder?”

...and how about improving enforcement of existing rules and going after all the illegal STVRs?

- **The proposed Bill does not address the underlying pressure on the local housing market.**

I am acquainted with other AirBnB owner-occupied hosts on Hawaii Island. This includes a few that have shut down at the end of 2023 because of the property taxes. They have canceled their GET/TAT/HCTAT licenses, and like me, their rooms are not suitable for long-term rental accommodations.

STVRs did NOT cause the housing shortage, and shutting them down will not solve the problem. Any real efforts to create more affordable housing should start by making it less time-consuming and costly to build new housing and reform of the Hawaii Land Use Commission to encourage more housing.

VOTE NO.

Mahalo, Sylvia Dahlby

16 Malanai Street, Hilo, HI 97621 * (808) 212-4182 * SylvieDahl73@gmail.com

SB-2919-SD-2

Submitted on: 3/14/2024 8:39:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Riley Bond	Individual	Support	Remotely Via Zoom

Comments:

Honorable Chair and Distinguished Members of the Committee,

I write to express my support for S.B. NO. 2919, S.D. 2, which empowers counties to phase out short-term rentals. As a resident deeply connected to the fabric of our community, I witness firsthand the impacts of unbridled short-term rental proliferation on our neighborhoods and families.

The recent legal ruling highlighted the constraints faced by local authorities in managing the influx of transient accommodations. However, this bill reaffirms our commitment to local governance and the autonomy of counties in shaping their destinies. It grants counties the necessary tools to regulate land use effectively and safeguard the integrity of our residential and agricultural zones.

Moreover, this legislation signifies a paradigm shift towards prioritizing the well-being of our residents over profit-driven ventures. It acknowledges the inherent imbalance created by the unchecked expansion of short-term rentals, which disproportionately benefits absentee property owners at the expense of our local populace.

Let us not forget the devastating fires that ravaged our communities, leaving many families without homes or livelihoods. In the face of such adversity, it is incumbent upon us to ensure equitable opportunities for all residents. We cannot allow a system that perpetuates inequity to persist, where some wield multiple properties while others struggle to rebuild their lives from scratch.

The ethos of our islands is rooted in mutual aid and reciprocity, where we rally together to uplift those in need. It is time to reaffirm these values by phasing out short-term rentals, thereby preserving the essence of our communities for future generations. Our children deserve a future where they can thrive and sustainably call this island home.

In conclusion, I urge you to support S.B. NO. 2919, S.D. 2, and take action to prioritize the interests of our local residents. Let us not consign our people to second-class citizenship in their own land. Together, we can forge a path towards a more equitable and resilient future for all.

Mahalo for your attention to this pressing matter.

Warmest regards,

Riley Bond

SB-2919-SD-2

Submitted on: 3/14/2024 8:40:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Stewart	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing in strong opposition to SB 2919. While I understand the need for housing this would be a great financial burden for me and my family. We chose to buy Kihei Maui because of our love for the area, the people that live there and wanted to enjoy as much as possible. We have been there 7 times since June of 2022 and 3 times since the fire,.. spending money, tipping heavily and volunteering. Unfortunately we are not in a position to make the payment of principal, interest and HOA without it being an STR. If this goes through and we were zoned out we would be forced to sell at most likely a loss. We had taken money out of our retirement in hopes it would help us down the road. We had to start saving for retirement later in life because of an illness in my family that required us not being able to work full time so this would be extremely devastating. I think that it would not only be devastating for us but put thousands of people out of work..property managers, house cleaners, maintenance workers, business owners would all suffer. You put that on top of the revenue lost to the general fund from tourism and property taxes it seems there would be a real economic collapse. Wouldn't it be a better plan if the dollars generated from STR's being used to help with housing, jobs etc..?

Thank you for your consideration,

James R Stewart

SB-2919-SD-2

Submitted on: 3/14/2024 8:40:09 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Marie Lopez	Individual	Oppose	Written Testimony Only

Comments:

I am opposing SB 2919 because this could affect properties on the Minatoya list. There are plenty of illegal short term rentals to continue shutting down which will reduce tourism. Also in true residential areas but again most of these are illegal STRs already.

SB-2919-SD-2

Submitted on: 3/14/2024 8:40:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Paele Kiakona	Individual	Support	Remotely Via Zoom

Comments:

Testimony in Support of SB2919 SD2

Honorable Members,

I am writing to express my strong support for SB2919 SD2, a crucial piece of legislation that seeks to amend zoning and transient accommodations tax laws in our beloved state of Hawaii. As a Lahaina resident, I have witnessed firsthand the profound impact that unregulated transient vacation rentals have had on our local housing market and, more importantly, on the lives of native Hawaiian people.

The proliferation of transient vacation rentals has undeniably exacerbated housing affordability issues in Hawaii, driving up prices to levels that are unattainable for the vast majority of our local population. This phenomenon has not only distorted the housing market but has also eroded the fabric of our communities, displacing native Hawaiian families and making it increasingly difficult for them to afford to live in their ancestral lands. The essence of what makes Hawaii unique - its people and their connection to the land - is under threat.

SB2919 SD2 represents a pivotal opportunity for us to address these challenges head-on. By strengthening county zoning authority and expanding the definition of transient accommodations, this bill lays the groundwork for more effective regulation and control of transient vacation rentals. It acknowledges the critical need to prioritize residential and agricultural uses in our zoning laws, thereby protecting the interests and well-being of local residents over short-term rental profits.

The proposed amortization or phasing out of transient accommodations in residential and agricultural zoned areas is a particularly commendable aspect of this bill. It signifies a commitment to restoring balance to our housing market and

ensuring that the development and use of land in Hawaii are aligned with the long-term well-being of its people.

Now is the time for bold action. Failing to pass SB2919 SD2 would not only perpetuate the current injustices faced by native Hawaiian people but would also signal a concerning disregard for their rights and dignity. It is incumbent upon those in positions of power to enact measures that protect and uplift the most vulnerable among us. To do otherwise would be to relegate Hawaiian people to second-class citizenship in their own homeland.

I urge you to support SB2919 SD2 and take a decisive step toward safeguarding the future of Hawaii and its people. Together, we can make a meaningful difference and ensure that Hawaii remains a place where its native inhabitants can thrive for generations to come.

Thank you for considering my testimony.

Sincerely,

Paele Kiakona
President to Save Honolulu Coalition
Organizer with Lahaina Strong
Lahaina Resident

SB-2919-SD-2

Submitted on: 3/14/2024 8:40:37 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dane Ramos	Individual	Oppose	Written Testimony Only

Comments:

March 14, 2024

To Honored Members of the State House

Subject: Opposing Bill SB2919

I completely oppose this bill that would allow the phase out of legal businesses being 100% run by residents of Hawaii!!!!

Will the State of Hawaii step in to save our economy if poor decisions are made by our County Council?

Vote No on SB29191

Dane Ramos

Pukalani, Hawaii

SB-2919-SD-2

Submitted on: 3/14/2024 8:41:07 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Conner Wagner	Individual	Oppose	Written Testimony Only

Comments:

Aloha my name is Conner Wagner and I oppose bill B2919 SD2. I was born and raised on the North Shore of Oahu and a current full-time resident. My family has owned and operated LEGAL vacation rentals for over 30 years here on the North Shore. A business that we plan on keeping in the family for generations to come. I gave up other career paths and moved home after living abroad to be a part of this family business. This is not my supplemental income you would be taking away, but my entire income as well as my mothers. Soon I plan on starting a family of my own and if you were to pass this bill it puts the financial stability of my family at risk.

SB-2919-SD-2

Submitted on: 3/14/2024 8:41:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Patton	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Sara Patton

SB-2919-SD-2

Submitted on: 3/14/2024 8:41:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which aims to clarify the rights of counties to phase out short-term rentals over a reasonable period. The recent devastating fires in Lahaina have brought to light the significant role that short-term rentals play in exacerbating our housing crisis. It is imperative that we take decisive action to address this issue and ensure the sustainability of our communities.

The proliferation of short-term rentals in apartment-zoned areas has had detrimental effects on numerous communities across our state, Lahaina being just one example. These rentals not only exacerbate our housing shortage but also drive up rental prices, making it increasingly difficult for residents to afford housing. SB2919, SD2, presents a crucial opportunity to address these challenges comprehensively and effectively.

While I commend the efforts to regulate short-term rentals, I urge you to consider including explicit language in SB2919, SD2, that applies to apartment-zoned properties. By doing so, we can ensure that all areas affected by the negative impacts of short-term rentals are adequately addressed. This inclusive approach is essential to safeguarding the well-being of our communities and promoting equitable access to housing for all residents.

In conclusion, I strongly urge you to support SB2919, SD2, with provisions that explicitly apply to apartment-zoned properties. By taking decisive action on this issue, we can work towards creating more sustainable, affordable, and resilient communities for generations to come.

me ke aloha ‘āina,

Nanea Lo, Mō‘ili‘ili, O‘ahu

SB-2919-SD-2

Submitted on: 3/14/2024 8:43:55 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dianne Douglas	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to SB2919.

Having witnessed firsthand the devastating impact of the recent fires in Lahaina, my heart goes out to the residents who lost their homes and family members. However, I am deeply concerned about the approach being proposed by local officials, which would financially penalize legal short-term vacation rental (STR) owners to provide housing for displaced residents.

I have owned a legal STR property in Lahaina for over a decade. I have been a diligent taxpayer and it's my understanding that legal STRs provide 40% of the county's property tax revenue. Additionally, I have made significant contributions to the local economy. I have spent a substantial portion of rental revenue with local businesses, including property management, handymen, cleaning services, construction companies, furniture and housewares providers, and many others. Furthermore, my guests have supported various tourism-related services that are the backbone of the local economy. I have also given back to the community through donations and other forms of assistance. In other words, I have contributed to the prosperity of this island for many years.

Moreover, during the challenging times of the COVID-19 pandemic, my legal STR rental property generated zero income. Despite this, I continued to fulfill my tax obligations without complaint, and I'm still recovering from the financial impact of that period.

I understand the urgency of providing housing for those displaced by the fires. I do not believe that strong-arming long-standing supporters of this island, such as legal STR owners, who in my case are retirees depending on rental revenue to live, is the right way to do it.

If this bill is passed, it will cause significant disruption in my life and fail to achieve the intended goals. It will simply force me to rent out my mainland residence and move to my property in Lahaina to participate more directly in the democratic process as a voter.

I kindly request that you reconsider advancing this bill and instead explore alternative solutions.

Thank you

SB-2919-SD-2

Submitted on: 3/14/2024 8:44:21 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
robin knox	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Robin S. Knox
Kihei, Maui

SB-2919-SD-2

Submitted on: 3/14/2024 8:44:39 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Annie Franzenburg	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Memembers of the Committees,

Thank you for your time and listening to community feedback regarding this important issue of housing regulation. As a member of our community in West Maui since 1997, I strongly support SB2919 SD2 which will save the culture and slowly phase out short term rentals and return the economy to profit local businesses.

The Short Term Rental market consists mostly of second homes belonging to out of state or even international owners, who are not reinvesting in our community. Over the past two decades, I have witnessed the destruction of the home rental market since AirBnB came to undercut the hotels; this has created overinflated rental prices which have driven many of my families and friends to live back on the mainland. Now, with the aftermath of the Lahaina fire, it is clear that the most efficient housing solution for displaced families are the STRs since we simply have no other inventory available.

We need regulation of outside investors, which is why SB2919 should have specific terminology to include all apartment zoned properties as well. This is a critical issue facing our state, with Lahaina as the example of what happens if we do nothing: we will have thousands of families homeless and the ultra rich will capitalize off of this as outside investors.

Thank you for recognizing this vital legislation as we continue to preserve our cultural resources and provide a stable living environment for the children of future generations.

Sincerely,

Ann Franzenburg



KOSTRO

Kama'aina Occupied Short-Term Rentals O'ahu
Defending short-term rental rights of kama'aina whose rental property is their primary residence.

Aloha Chairs Evslin, Quinlan and Vice Chairs Micah, Hussey-Burdick,
And members of the House Committees on Housing and Tourism

We support the idea and intent of the original [SB2919 Section 1](#) as it is groundbreaking as to recognizing the long-standing value of Kama'aina renting. The original language proposes a registration system for a few thousand owner-occupied short-term rental properties. We ask that language that was deleted after legislative review be restored in a way that would be compatible with the DCCA mission.

KOSTRO strongly opposes SB2919 SD2 as it targets owner-occupied properties.

The human suffering caused by the Maui wildfires is an unimaginable loss! This legislation will work against the recovery effort. It will likely provoke further litigation resulting in additional injunctions that will delay the Maui recovery efforts. If you pass SB2919 SD2 as is, counties will be able to totally ban short-term and medium term rentals. These rentals are not just for vacationers. Banning short-term rentals will mean that teachers, medical personnel, construction workers, military in transition and others will not be able to afford lodging in the location that their skills are needed. Implementing barriers to affordable hosted renting will separate those who have the skills from their work locations.

Our rental contracts are strictly governed by the HRS § 521, the Residential Landlord Tenant Code:

*HRS § 521-22 Term of rental agreement. The landlord and tenant may agree in writing to **any period** as the term of the rental agreement.*

WARD AMENDMENT

Chair Evslin, mahalo for taking the time to debate on the Ward Amendment

The Ward Amendment version of the definition for 'Owner-occupied' is:

"Owner-occupied" means property which is used as the owner's primary residence and which property, or portion thereof, is operated as a transient vacation rental unit."

[The House of Representatives floor debate on HB1838 HD2 final passage is here.](#)

We recommend the same 'Mom & Pop' exception for owner-occupied in [SB2919 SD2](#). The following will address your concerns you raised in debate:

provided that transient accommodations uses may be amortized or phased out in residential or agricultural zoned areas; provided further that residential uses do not include transient accommodations uses

Add except for owner-occupied

"Owner-occupied" means property which is used as the owner's primary residence. The owner of the hosted property resides in the primary residence and located in the same county during rental periods of less than 30 days."

"Hosted property" means any of the rented portion of the primary residence, one other entire single-family dwelling, the half of a duplex opposite the primary residence."

Respectfully submitted for KOSTRO:

Sue Alden
Lois Crozer
Margaret Aurand
Tonic Bille
Victoria Johnson
Edward Jones

SB-2919-SD-2

Submitted on: 3/14/2024 8:46:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eileen McKee	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of SB2919, SD2. We need to help our houseless community, and this is a way to get it done.

Mahalo for considering my testimony.

Eileen McKee, Kihei

SB-2919-SD-2

Submitted on: 3/14/2024 8:46:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anuheha Higa	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Anuheha Higa (22) and I am amongst the few Hawaiian generations that are lucky enough to remain home in Hawai'i. It's no secret that Hawai'i faces a housing crisis. To propose short term rentals to continue just aids to this crisis. I am opposed to this proposal. To even suggest or consider this idea of aiding short term rentals is a huge disrespect and inconsideration to the already struggling community of Lahaina. This proposal is focused around greed and lacks common sense. It would only benefit one party (a foreign party) and would again add to the housing crisis creating deeper detrimental effects on local residents. Please DO NOT approve this proposal. Listen to reason not greed. Do the Pono thing!

Mahalo,

Anu

SB-2919-SD-2

Submitted on: 3/14/2024 8:47:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
MICHAEL RAMOS	Individual	Oppose	Written Testimony Only

Comments:

3.14.2024

To Honored Members of the State House

Subject: Opposing Bill SB2919

I'm in complete opposition of this bill moving forward. If allowed, the County of Maui County Council will seek to phase out nearly 14,000 short term vacation rentals that generate the largest amount of tax revenue for both property tax and State GET, TAT, and the newer County MTAT tax.

These small businesses, STRs, are all maintained by residents that own businesses that live on Maui or in each of the respective island districts in the State of Hawaii. While the argument is the properties are owned by mainland folks, these businesses employ at the minimum 18,000 folks on Maui alone. What will these folks do to make the \$40.00 an hour or more they make if these business/workers are phased out?

Has the State and House considered the ramifications for this?

Please vote NO for Bill SB2919 or any phase out bill that would demolish our local economy!

Mahalo,

Mike Ramos

Makawao, Hawaii

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**Chief Executive Officer
Suzanne Young**



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Testimony by Suzanne Young, CEO
Honolulu Board of REALTORS®

In Opposition to SB 2919, SD2
Relating to Property

COMMITTEE ON HOUSING

Rep. Luke A. Evslin, Chair
Rep. Micah P.K. Aiu, Vice Chair

COMMITTEE ON TOURISM

Rep. Sean Quinlan, Chair
Rep. Natalia Hussey-Burdick, Vice Chair

Friday, March 15, 2024 @ 9:30 AM
Conference Room 312, Via Videoconference
Hawaii State Capitol; 415 South Beretania Street

Aloha Chairs Evslin and Quinlan, Vice Chairs Aiu and Hussey-Burdick, and members of the committees:

Thank you for the opportunity to testify in opposition to SB 2919, SD2 which allows, in part, the counties to enact a zoning ordinance to amortize transient vacation rental units.

The Honolulu Board of REALTORS® (HBR) on behalf of our over 6,700 members and its City Affairs Committee would like to offer context to our opposition to SB 2919, SD2. Transient vacation rentals (TVR) are lodging that provide guest accommodation for less than 30 consecutive days. To preserve housing for long-term residents, TVRs are only permitted in resort-zoned areas and those that have been issued a non-conforming use certificate (NUCs). These “grandfathered” TVRs have been in operation since prior to October 22, 1986, and no new NUCs are being issued.

Forced amortization is not necessary as we have witnessed natural attrition of NUCs. As such, this measure will not garner a significant conversion to long-term use and will instead risk legal challenges for these “grandfathered” properties on the basis that preexisting lawful uses of property are generally considered to be vested rights that zoning ordinances may not revoke.

Counties already have enforcement powers to create reasonable regulations within existing authority and we continue to strongly support enforcement efforts that address the illegal short-term rentals that exist today negatively impacting our residential communities.

Thank you for allowing the opportunity to testify on this measure.

SB-2919-SD-2

Submitted on: 3/14/2024 8:49:36 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Gleason	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kim Gleason and I have lived on Maui for 33 years.

I am writing this letter in Opposition to Bill SB2919 because it will threaten my ability, and many others in my situation, to make a living here on Maui.

I am 71 years old and living on Social Security. I am a Small Business company, cleaning short term vacation rentals. This pays me a good salary, I create my own schedule, and am able to stay close to my home which reduces transportation costs. Without this income, I would have to move away!

This Bill will put my ability to remain in my home, here on Maui and pay the bills and taxes for my property in jeopardy!

The County has existing laws that could be enforced. Many of the questionable properties aren't even permitted. Those that are permitted are an asset to the people they employ And, the experience of our Very Important Visitors.

I ask that this Bill (SB2919) NOT be moved forward.

Thank You for your time,

Kim Gleason
152 Halona St.
Kihei, HI 96753
mauikim@hawaii.rr.com

SB-2919-SD-2

Submitted on: 3/14/2024 8:49:50 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lana Hoogenboom	Individual	Oppose	Written Testimony Only

Comments:

The omission of legal vacation rentals will hurt the overall economy of the Big Island. There are a # of visitors that would like to come to Hawaii at different times & often they cannot find availability at the hotels. They also find the hotels to be very expensive especially since Covid. Vacation rentals allow more visitors to the island therefore giving more support to the retail & restaurant outlets along with tour operators. Vacation rentals also provide income/jobs for people maintaining the homes. In addition the rentals add to the tax collected by the state by having more units than just hotels collecting & submitting all the taxes associated with visitor stays (VAT, TAT, Excise,etc) Thank you for considering my testimony.

SB-2919-SD-2

Submitted on: 3/14/2024 8:50:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor Anderson	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to SB2919.

Having witnessed firsthand the devastating impact of the recent fires in Lahaina, my heart goes out to the residents who lost their homes and family members. However, I am deeply concerned about the approach being proposed by local officials, which would financially penalize legal short-term vacation rental (STR) owners to provide housing for displaced residents.

I have owned a legal STR property in Lahaina for over a decade. I have been a diligent taxpayer and it's my understanding that legal STRs provide 40% of the county's property tax revenue. Additionally, I have made significant contributions to the local economy. I have spent a substantial portion of rental revenue with local businesses, including property management, handymen, cleaning services, construction companies, furniture and housewares providers, and many others. Furthermore, my guests have supported various tourism-related services that are the backbone of the local economy. I have also given back to the community through donations and other forms of assistance. In other words, I have contributed to the prosperity of this island for many years.

Moreover, during the challenging times of the COVID-19 pandemic, my legal STR rental property generated zero income. Despite this, I continued to fulfill my tax obligations without complaint, and I'm still recovering from the financial impact of that period.

I understand the urgency of providing housing for those displaced by the fires. I do not believe that strong-arming long-standing supporters of this island, such as legal STR owners, who in my case are retirees depending on rental revenue to live, is the right way to do it.

If this bill is passed, it will cause significant disruption in my life and fail to achieve the intended goals. It will simply force me to rent out my mainland residence and move to my property in Lahaina to participate more directly in the democratic process as a voter.

I kindly request that you reconsider advancing this bill and instead explore alternative solutions.

Thank you.

SB-2919-SD-2

Submitted on: 3/14/2024 8:51:25 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Martynas Grazulis	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I thought of using ChatGPT to make this more presentable but instead decided to write an honest from the heart testimony in my own words.

We are new STR owners in Maui since March 2023. The unit just started generating income (not profit) a month before the Lahaina fire. Because of the fire we are making less than the expenses. Financially it is already very hard on us but now this government is trying to pull a rug from underneath it all and take away the legal business that we acquired. I grew up in Lithuania during Soviet Union. My grandparents told me stories of their chocolate factory being taken away from them by the communist government. They showed me crates full of money that had 0 value because of the communist government. I moved to USA because I wanted to be as far away from communism as possible and be able to better future for may family. My wife and I work hard, we both have full time jobs and two little kids. We put most of our hard earned savings into this unit/business because we love Maui and wanted to be part of it and eventually retire there. By preventing STRs you would be stealing our business and giving it to the community(communism!) as well as most of the equity on our property (property values would drop) and force us to short sell. I already told our bank if that happens, we won't be able to pay for the loan that the communist government stole equity from us. BOH is our lender and I'm sure a lot of other STRs as well.

Hotels have more resources. If you want communism, start with them. Have them turn 10-20% of their units into apartments permanently.

This must be anti-constitutional.

STRs that are close to Lahaina will be needed by personnel that come to work on Lahaina rebuild. STRs bring different type of tourists (higher quality IMO). STRs bring tax money. STRs employ local people and businesses to clean and maintain/fix.

Your tenant protection laws make it a high risk to rent to long term renters. There are no protections for us if the unit is damaged or if they decide to squat for free. Instead of renting long term we will move to Maui and that will contribute to the housing problem, not help and you will loose out on taxes that STR is currently bringing in.

STOP dividing STR property owners and renters and focus on the actual problem: Increase housing. Short term: bring RVs from main land. Mid term: Give 0% FHA loans on equity of burned property victims, as long as they build property in Maui. That way to don't push out locals from Lahaina Long term: Help rebuild Lahaina fast. Implement proper procedures to deal with disasters. Have an option to pump salt water into fire hydrants if fresh water is not working.

STR owners are not the enemy. We did not cause Lahaina fire. Maui Government made multiple obvious mistakes in fire prevention. It's not fair to paint the picture as if STR owners are the ones to blame.

Government should act as a leader and unite people, find compromises, be the glue to the citizens.

SB-2919-SD-2

Submitted on: 3/14/2024 8:52:02 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jamie Green	Individual	Support	Written Testimony Only

Comments:

Please stop the nonsense in private vacation rentals make to stay at the hotels and their zoned area

SB-2919-SD-2

Submitted on: 3/14/2024 8:56:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Chung	Individual	Oppose	Written Testimony Only

Comments:

My husband and I rely solely on the income that our ohana rental. We hire my nextdoor neighbor to help with the cleaning. We rent not only to tourists who to rent thanbut also to work crews in construction and other industries. These are people who cannot afford to stay in hotels. When family and friends are in town, we welcome them to stay at our ohana. If SB2919 passes, not only will the tourism, construction and other industries be impacted, my husband and I will lose our sole source of income, my nextdoor neighbor loses a source of income, we lose the freedom to rent as we choose and our friends and family will lose the opportunity come to the Island and stay when they otherwise cannot afford it. Please vote "no" on SB2919.

Respectfully, Patricia Chung

SB-2919-SD-2

Submitted on: 3/14/2024 8:57:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Fehren Jones	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Fehren Jones and I am in full support of Bill SB2919 in regards to property.

Let's do as much as we can to keep property Hawaiian owned and far away from outside entities and foriegn investors.

Mahalo for allowing me to testify and hearing my voice.

Maika'i lā

SB-2919-SD-2

Submitted on: 3/14/2024 8:57:57 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Edwards	Individual	Oppose	Written Testimony Only

Comments:

Aloha I believe by eliminating short term rental units that are legal and are in good standing would have a negative affect on the economy, and those that work in the industry and depend on it for supporting their familes. From the cleaners, to the handymen, groundkeepers, management etc. Losing revenue from the taxes on short term rentals, along with road tax would be a huge loss to the economy of Maui County. This would have a negative affect for those such as traveling nurses, families wanting to visit and find reasonable housing would not be able to afford the high prices of Hotels. Mahalo, for your time and consideration.

SB-2919-SD-2

Submitted on: 3/14/2024 9:00:09 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
debby hooks dejong	Individual	Oppose	Written Testimony Only

Comments:

I am a 20 year resident of North Shore Oahu and I am pleading with you to please vote no on bill 2919. We have owned our home since 2004 and our thirty day rentals assist us in paying our mortgage. We advertize on AirBNB and VRBo thirty day rentals and pay our GE and transite tax on income that is received from our rentals. We rent to parents visiting children that are in military and college, individuals working from lap tops and individuals that have been sent here on contract work. These guest can not afford the high prices of corporate hotels. The guest we rent to put monty into the economy. Also our local residence that have cleaning business's yard workers and many other local workers depend on the income that is received from short term rentals. We do not want to long term our guest area because we have many family members that we close out our rental so that they may have a place to stay when they visit us and can spend their money on other things other than supporting the large hotels.

PLEASE think of residents of Oahu and not large corporations and VOTE NO for 2919. Thank you for reading my testimony.

SB-2919-SD-2

Submitted on: 3/14/2024 9:00:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Esther Lehmann	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Thank you for taking the time to read my concerns regarding SB2919, SD2. I am writing in opposition to this bill because it will have a direct negative impact on us as your constituents.

While I understand the need to regulate short-term rentals and future zoning by the state and county, I am concerned with the state and county's ability to take away income-generating options for primary residence homes and hosted accommodations. I am also concerned with the language "The powers granted herein shall be liberally construed in fact of the county exercising them", which gives the county undo power over the individual landowner. As a tax-paying land owner, it is disconcerting that the county can change my zoning and control how I can utilize MY land.

Our family has 2 adjacent acres on the Big Island. We live on one of the acres, and when family is not in town, we host a private bedroom on our acre and the house on my family's property. We have never had any complaints, paid all of our taxes, and are doing our best to keep our family's land in Hawaii. This bill gives power to the government to decide what we can do with our land while taking away our ability to earn money to stay on the land. This is in direct opposition to the proposed purpose of the bill to keep affordable housing and families in their homes. The bill would put the power on the side of the government and the county, making it virtually impossible to have an appeal process that is fair and equitable.

As I have read through the proposed bill, I am overwhelmed. There is so much paperwork with the potential to take away the income that allows us to stay in Hawaii, raise our children in Hawaii, and provide a place for parents and family to come visit from the mainland. I cannot turn those accommodations into long-term rentals or my family cannot visit for periods throughout the year. I would also point out that between TAT, GET, HCTAT, and personal income tax, we are generating a massive amount of revenue for the state.

It is concerning to me that we don't have enough long-term housing and it is concerning for me that we don't have affordable housing. It is also concerning to me that families living in the islands can't use their properties to make an income so WE CAN STAY.

As you consider SB2919, please remember that your constituents and local owners are creatively doing our best to keep our land and our family here. Please consider focusing on un-hosted or foreign-owned vacation rentals instead of general zoning changes that penalize primary residence and hosted properties. These properties are occupied by Hawaiian residents, hosted by Hawaiian residents, and benefit Hawaiian residents!

Mahalo,

Mrs. Esther Lehmann

OPOSE BILL SB2929

We The People do not consent to striping away of PROPERTY RIGHTS. Your oaths of office you took were to protect the people and our rights. For the following reasons, I urge you to not allow these bills to advance forward:

1. Owners of legal TA rentals serve a purpose as “affordable, temporary housing” for residents in transition or outer island residents relocating or having medical procedures on Oahu, traveling professionals like nurses, emergency contractors, military transitioning to and from Hawaii, students and visitors who can not afford to pay hotel rates.
2. The pool of short-term properties have already been reduced 70-80% collectively since the prior bills 89 & 41 have unfairly limited who “qualifies” outside the resort zoned areas to obtain a permit. If this GOVERNMENT WANTED TO HELP THE PEOPLE, it would REMOVE THE RESTRICTIONS and allow more temporary housing, not remove property owner’s rights and force owners to do what the government wants.
3. Hotels can not support the locals and the locals can not pay the outrageous hotel rates (\$500-\$1000 per night). Time-shares DO NOT SUPPORT residents either. It is not right for large hotel chains (most foreign owed) to monopolize Hawaii’s hospitality sector. We need balance and many options to serve both visitor and residents in need of temporary housing.
4. Economic impact has been steadily declining with businesses failing and closing since the COVID government shutdown in 2020 resulting in a loss of jobs. Recently with the minimum wage increase of January 2024, we’ve seen more layoffs and fewer opportunities. To shutdown the short-term rental industry, would only cause more job loses not to mention causing harm to our local investors who pay the higher taxes in addition to the city and state collecting fewer taxes. Tourism is Hawaii’s only viable industry unless this government succeeds in destroying that too. We do not want a WELFARE state; we do not consent to further harming Hawaii’s economy.
5. Government is over-stepping in the name of “helping” with regards to the Maui Fire victims but is already causing HARM to the other Maui residents now being displaced so that the property owner can make more money by renting to a Maui Fire Victim which is now causing more residents to lose housing. The local government over-stepping is the problem.
6. The Lahaina fire was not a natural disaster. It was a pre-planned attack of the worst kind against the people, the property owners who refused to sell the land, using the storm as the coverup by the very same people within THIS GOVERNMENT. The government is NOT HELPING THE PEOPLE; they are covering up the crime and causing more displacement under the gees of assistance. The government wants the people out of the way to allow them to build the SMART CITY without the government’s own red tape. The Lahaina disaster is a land grab BY THE GOVERNMENT who is compromised following the CCP / NWO agendas. These actions against the people are war crimes. We demand real investigations and those guilty, be held accountable.
7. The striping away of one property right is an attack on ALL PROPERTY RIGHTS. Hawaii’s local government has failed to stop the corrupt systems which allows them to continue to misappropriate funds and continue with the corruption as usual business. This government can not be trusted to do right by the people because their actions have caused great harm to the people and their livelihood.

Your votes will show which side the COURPT fence you sit on. STOP ATTACKING PROPERTY RIGHTS!

SB-2919-SD-2

Submitted on: 3/14/2024 9:07:24 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kawena	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Kawena and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

SB-2919-SD-2

Submitted on: 3/14/2024 9:11:09 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
kai nishiki	Individual	Support	Written Testimony Only

Comments:

Support

SB-2919-SD-2

Submitted on: 3/14/2024 9:12:49 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maile Kohn	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Maile Kohn and I live on the island of Maui.

I am writing in opposition of this bill because it will threaten my ability to make a living along with the other cleaners, electricians, maintenance workers, and small businesses like me, who live and work in my community.

I own/work for a small business that services short-term vacation rentals on my island. I am paid good wages, create my own schedule and work very near where I live, reducing my commute time.

This bill will hurt me and put at risk my ability to pay for my own housing and bills.

Let the counties enforce the laws that they already have.

I ask that you please do not move this bill forward.

Thank you for your time.

*Marlene & Richard Rainen
50 Puu Anoano St. # 4206
Lahaina, HI 96761*

Senate Committee on Judiciary Sen. Karl Rhoads, Chair and Mike Gabbard,
Vice-Chair

Senate Committee on Ways and Means Sen. Donovan Dela Cruz, Chair and
Sharon Moriwaki, Vice-Chair

Re: Testimony in Opposition to SB 2919

Aloha Chairs Rhoads and Dela Cruz, Vice-Chairs Moriwaki and Gabbard,
and Committee Members:

We are full time residents in Lahaina. We ask that you consider the full
ramifications and negative effects SB 2919 has on Maui residents and our
Ohana.

We own Papakea A301 and employ local residents, small local businesses
that rely on our short-term rental operation. To eliminate short term
rentals entirely will harm the income of a multitude of local residents and
small businesses. Those same businesses and individuals that are
desperately trying to recover from the tragic events on August 8, 2023
wildfires.

Our payment of taxes supports the County's affordable housing fund and
other greatly needed revenues for the county.

Please choose wisely.

Mahalo,

Marlene & Richard Rainen

SB-2919-SD-2

Submitted on: 3/14/2024 9:14:12 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheena Lopes	Individual	Support	Written Testimony Only

Comments:

The irony of those who are opposed to this bill and using the Hawaiian language to justify their greed is beyond me. The "aloha culture" does not align with greedy values that place individuals who come here out of state to reside only a few times a year and it certainly does not place their greed over the permanent housing issues for our Lahaina fire victims. You want true aloha you need to first understand that sacrifice is needed in order to fulfill a pono way of living and only in that state of pono can one truly show their aloha. It is a slap in the face for second home owners to come here and cry about their monetary channels while offering empty sympathy to those who have no permanent homes right now. The housing crisis is an effect of these short term rentals and part time visitors, i say visitors because in no way do they contribute to their communities. If they really cared they wouldn't be so foolish to think that their multiple home ownership is something benefiting Hawaii, because it is not, and it will never benefit the communities who truly live and interact with other. All I've seen so far with testimonies are outsiders and I don't think they are qualified to give their sympathy when they will only turn around and oppose these bills that are drafted to help the permanent residents here. Hawaii is not a vacation nor a paradise for permanent residents, it is our ohana and our homes, and that mindset is priceless. I support this bill and believe that in good faith it will help our housing issue. Listen to the people who live her 24/7 365, because these are the ones that truly make Hawaii a beautiful place. Community > individuality

SB-2919-SD-2

Submitted on: 3/14/2024 9:14:23 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hawane Rios	Individual	Support	Written Testimony Only

Comments:

Aloha,

'O wau 'o Hawane Rios, 'o Mauna a Wakea ku'u mauna, 'o Kohakohau ku'u kahawai, 'o Pu'ukapu Waimea ku'u 'aina kulaiwi. My name is Hawane Rios. My mountain is Mauna a Wakea. My river is Kohakohau. The land that raised me is Pu'ukapu Waimea on the island of Hawai'i. I am kanaka 'oiwi, I am indigenous to Hawai'i. I am a native daughter of Hawai'i. My genealogy connects and roots me to this land. Hawai'i and our people matter more than tourism and matter more than the foreign people who come here to buy up properties to provide short term housing for tourists. Specifically in Maui, where so many families are houseless after the tragedy of the fires. I support this bill and every and any effort to support Hawai'i and her people. To support Lahaina in the healing of an entire community after devastation. It is so painful to watch heartless people care more about themselves and their retirement plans than the wellbeing and safety of the people who are of the lands. I can't believe we, the people, have to work so hard to get the illegally occupying settler governing systems to do what is correct for Hawai'i, our resources, our communities, our people.

Do right by Hawai'i. Do right by Lahaina. Stop selling out. We are a generation raised by aloha 'aina aloha and we will not tolerate continued harm and disrespect. Make decisions that reflect that you actually care. If you don't, you shouldn't be in a position to decide anything for us.

E mau ke ea o ka 'aina i ka pono,

na Hawane Rios Pa'a Makekau

La 14 o Malaki 2024

'Ainaloa Pahoā, Hawai'i Kuāuli

SB-2919-SD-2

Submitted on: 3/14/2024 9:14:51 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kealii Pooloa	Individual	Support	Written Testimony Only

Comments:

Aloha mai 'oukou,

I am submitting testimony in SUPPORT for SB2919 because the State of Hawaii must do something to address the housing crisis in Maui and it must address the need to keep Lahaina people in Lahaina or the closest proximity neighborhoods. The Lahaina fires devastated the local people of Lahaina, the hardworking, multi generational families, the very ones who could not afford to have everything taken away. We must stand up for them, for those who have lost everything due to the fires. We DO NOT need to stand for outsiders who have plenty, and are afraid of their "second" home not creating passive income for them, or the lost of investment money they make with these short term rentals. The magnitude of greed and disaster capitalism coming from these outsiders, who I'm sure are not paying taxes in Hawaii, who have full time residency in other states, so they DO NOT have the best interest of Hawaii and Hawaii's people, they only seek to take care of their own. PLEASE stand for the local people of Lahaina and SUPPORT SB2919.

Mahalo,

Keali'i

SB-2919-SD-2

Submitted on: 3/14/2024 9:15:01 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cameron Eder	Individual	Oppose	Written Testimony Only

Comments:

Subject: Testimony in Opposition to House Bill 1838

Aloha,

My name is Cameron Eder, and I am a local resident of Hawaii. I am writing to express my strong opposition to SB2919. As someone who relies on tourist business for my income, I am deeply concerned about the potential impacts of this bill on my ability to rent out my property and earn a living.

House Bill 1838 specifically allows counties to phase out non-conforming single-family transient vacation rentals in any zone over time. This has the potential to unfairly select only single-family residential properties for phase-out, which could have devastating consequences for individuals like me who rely on this type of accommodation for income.

Additionally, this bill creates a precedent for taking away property rights from homeowners, retroactively changing the rules, and revoking non-conforming uses. It has the potential to decimate an industry that contributes significantly to our local economy, including generating billions of dollars in visitor spending each year.

I urge you to consider the impact that this bill would have on local residents who depend on vacation rentals for their livelihoods. I respectfully request that you oppose House Bill 1838 to protect the rights and livelihoods of individuals like myself.

Mahalo for your attention to this important matter.

Sincerely, Cameron Eder [Contact Information]

SB-2919-SD-2

Submitted on: 3/14/2024 9:15:26 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
DIANA L BERINOBIS	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

A concerned mom and grandparent looking to keep Hawaii a place our keiki and mo'opuna can continue to call home.

Thank you for your attention to this critical issue.

Sincerely,

Diana L Berinobis

SB-2919-SD-2

Submitted on: 3/14/2024 9:15:40 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sean ODonnell	Individual	Oppose	Written Testimony Only

Comments:

Aloha everyone,

I am Sean ODonnell, August 1st, 2023 I spent my life savings as a down payment on a short term rentals company, Aloha Vacation Rentals that manages properties on the west side of Maui. We employ numerous locals that run their own business, and so can make much more than working for a corporation. Our owners of the properties stay at their properties multiple times a year and are an integral part of our community. This business gave a chance to me and my wife and our two new identicle baby boys born September 29 2023, to be able to build up a life and possible own our own home here eventually.

This industry is a lifeline for locals to be able to own their own businesses and flourish on this island instead of becoming replaceable minions of the hotel industry. It also helps with locals in between living situations or when emergencies happen like burst pipes at home. Hotels are becoming inacedsable for visiting family members or those moving here- our short term rentals are the only place that can accommodate these visitors.

Please think about how many locals will become homeless from losing their incomes because of this- we already have a tough time with the lowered visitors this year, and its effect trickling through our ecosystem. Destroying our means to supposed our families is not the answer on an island that already had extremely limited any unwanted properties. The ones that exist legally now are a backbone of our economy and hope for a better life living here.

Please let us remain and stay a part of this beautiful community.

Mahalo for your time and consideration

Sean ODonnell

SB-2919-SD-2

Submitted on: 3/14/2024 9:15:48 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Annette Niles	Individual	Oppose	Written Testimony Only

Comments:

I'm opposing this bill do you know not only there will be no money from this taxes coming into the state but you are going to hurt a lot of local people that work for this people that own vacation rentals also restaurants that are really struggling to stay afloat when you all want to Pass this I hope you can sleep at night cause they will not only lose their jobs. They will also lose their houses.

SB-2919-SD-2

Submitted on: 3/14/2024 9:16:24 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger Li	Individual	Oppose	Written Testimony Only

Comments:

Hawaii's income relies on tourism and all the transient expenses & taxes. Phasing out transient usage is killing the hens that lay eggs, needless to say is short-sighted.

We need to keep both the transient income AND get more affordable housing built.

How to do it? Instead of shrinking the pie for everyone, what needs to be done and the only thing needs to be done, is to enlarge & increase the pie. That comes from building more affordable housing by taking advantage of the tourism income & transient income.

This is the only sustainable, reasonable and smart way of growing into future; otherwise we are just going in circles.

SB-2919-SD-2

Submitted on: 3/14/2024 9:18:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Martin Outlaw	Individual	Oppose	Written Testimony Only

Comments:

We purchased our condo in 2014 for our family. We travel to Maui as much as possible to enjoy your beautiful island. We have a wonderful management company we use when we aren't there and many people use our place and with that income we are able to keep our place. Because we rent our condo we use a variety of individual contractors -cleaners, maintenance and purchases for the condo-furniture, appliances, etc. I see a negative effect if this bill passes from loss of work to taxes paid. Please take everything into consideration. Thank you

SB-2919-SD-2

Submitted on: 3/14/2024 9:18:31 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William Copland	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong opposition to HB 1838. As drafted, this legislation allows far too much latitude for counties, and could result in the elimination of nearly 14,000 legal short term rental properties on Maui alone. If passed, the bill will (1) vastly decrease tax revenue (both property tax and GET/TAT), (2) cripple tourism on Maui and create hardships for the significant number of Hawaiians who depend on the industry for work, (3) crush property values AND lead to a spike in foreclosures among owners who can no longer afford their properties without STR income, (4) decrease the inventory of furnished housing available to locals as lowered property value will allow more mainlanders to purchase retirement and/or second homes on the island, and (5) lead to years of costly litigation for the state and counties.

These outcomes are not mere speculation – this exact scenario is currently playing out in South Lake Tahoe, Palm Springs, and other areas that have outlawed STR in recent years. The common denominator is a crippled economy with no increase in affordable housing for locals. Please don't lead Hawai'i down this same path.

Mahalo for your attention to my concerns

SB-2919-SD-2

Submitted on: 3/14/2024 9:18:42 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Vera	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Pamela Vera

SB-2919-SD-2

Submitted on: 3/14/2024 9:20:21 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Makena Carbajal	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Keohokalole, DeCoite, Wakai, and Committee Members,

I'm writing to you all in support of SB2919.

As a lifelong Lahaina resident, I have experienced first hand the effects that illegal STR's have had on our community. Yes, we live in a place that relies heavily on tourism to survive but we have many hotels for visitors to stay in. Many STR owners are not even Hawai'i residents. For many, their STR is one out of many and a means to make more money. Many Hawai'i residents can't even afford to pay rent for a simple studio apartment with a good job. Many families can't afford to buy a home to raise their families in. These are multi-generational Hawai'i residents and families being affected. The housing market has been ravaged by illegal STR. I don't believe that non-residents or those with multiple properties should be valued over those that call Hawai'i home, those of us that have lived here our entire lives, and especially native Hawaiians. Greediness is not a Hawaiian value. Aloha is. Kokua is. Malama is. Please choose to kokua and malama us Hawai'i residents. It's your kuleana to do what's pono.

Mahalo,

Makena Carbajal

SB-2919-SD-2

Submitted on: 3/14/2024 9:20:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Wahinehookae	Individual	Support	Written Testimony Only

Comments:

Subject: Support for SB2919, SD2 - Protecting Hawaii's Housing Future

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which aims to address the pressing housing crisis in Hawaii. As a concerned resident, I believe it is crucial that we take decisive action to protect and expand our local housing stock, ensuring affordable housing for all of us.

Foreign investors and the unchecked proliferation of short-term rentals have significantly contributed to the housing crisis we are facing today. These outside forces have exploited our housing market, driving up rental prices and preventing many local residents from finding suitable homes. It is time that we reclaim control over our housing future.

I commend the efforts made in SB2919, SD2 to phase out short-term rentals over a reasonable amount of time. The recent Lahaina fires have highlighted the detrimental impact of short-term rentals on our communities. It is imperative that this legislation not only applies to residential areas but also includes apartment-zoned properties. Many neighborhoods, including Lahaina, have experienced the adverse effects of short-term rentals in apartment-zoned areas, exacerbating the housing shortage and further burdening local residents.

Therefore, I respectfully urge you to incorporate language in SB2919, SD2 that explicitly includes apartment-zoned properties. By doing so, we can ensure that all areas affected by the negative impacts of short-term rentals are adequately addressed. This step is essential to safeguard the availability of long-term rental options and provide relief to our struggling housing market.

I appreciate your attention to this critical issue and the opportunity to voice my support for SB2919, SD2. Together, let us rise up and fight for a future where affordable housing in Hawaii becomes a reality for all its residents. Our homes should not be seen as mere investments but as the foundation of our communities.

Thank you for your dedication to serving the best interests of Hawaii's residents.

Sincerely,

Eric Wahinehookae

Born on Maui

Raised in Lahaina.

Graduate of Lahaina Luna c/o 87.

SB-2919-SD-2

Submitted on: 3/14/2024 9:21:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia S Boettcher	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Honorable Senators,

I am writing to oppose the implementation of SB2919.

My husband (Jim), our children and grandchildren, and I all love Hawaii and are very fond of the various people we have met there over the years. Jim and I and some friends first rented a condo in Lahaina in 1976, the spring of our last year in graduate school. We were originally from the midwest and became immediate fans! We have continued to visit the islands, renting condos at different locations, at least once per year since then, bringing our children and often my parents. Now, we bring our grandchildren. In 2000, we took the plunge and bought our condo (G-304) at Makena Surf on Maui. As our oldest grandson says, "My Maui home is my favorite." We need to have it on the short term rental market to assist with the cost of buying it, keeping it in good repair, replacing all sorts of appliances as they have failed, and paying AOA fees as well as the very large real property taxes. (These taxes jumped from around \$30,000 to around \$50,000 this past year!)

We find the thought of phasing out short term rentals in Hawaii very concerning since the guests in these short term rentals bring so much to the economy of Hawaii. Since they are on vacation, these guests eat at restaurants, shop non-stop, go on kayaking, snorkeling, boating, and scuba adventures, ride bikes down Haleakala, eat fish caught by local fishermen, and so on. These tourists are the backbone of most of the small businesses on the islands. Certainly, we all learned during the pandemic what happens when tourism goes away. Literally, thousands of Hawaiian citizens had less or no work.

This SB2919, as well as HB1838, in our opinion will not only harm the Hawaiian citizens but also the visitors who rely on short term rentals for a more affordable vacation as well as the owners of these rentals who need the rental income to keep and maintain their property. Please oppose this bill.

Mahalo for considering our views,

Jim and Patty Boettcher

SB-2919-SD-2

Submitted on: 3/14/2024 9:22:36 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Stauss	Individual	Oppose	Written Testimony Only

Comments:

Dear Hawai'i Legislature:

My name is Eric Stauss and I am a property tax paying citizen of the state of Hawai'i. My family has owned residential property in the state for many years and it has served our family and community well for 4 generations.

When our elderly neighbor lost her rental home due to a sale, we permitted her to move into our home, at cost, so she could continue to live independently near her family. She lived many years there, we lost use of the home and a lot of potential short-term rental income during that time, but It was the right thing to do.

Senate Bill 2919 will directly impact our rights under Article 1 Section 8 of the Hawai'i State Constitution.

Senate Bill 2919 will destroy opportunities for Aloha, neighbor to help neighbor, as availability of transient homes disappear.

Clearly, the consequence of decisions like this may unwittingly create an underground or black market of short term rentals which would generate zero tax revenue for the state.

We are heartbroken for the many lives lost, and also very sympathetic to those who lost their homes in the Lahaina fire. We lost our home too.

Moving forward, how citizens intend to occupy their private property, should remain their private decision.

Mahalo,

Eric Stauss

SB-2919-SD-2

Submitted on: 3/14/2024 9:22:56 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Josh Cameron	Individual	Oppose	Written Testimony Only

Comments:

Chairman, members of the committee,

I am writing to express my strong opposition to SB2919, SD2, the proposed vacation rental law. As a landowner on Big Island, I believe this legislation will have detrimental effects on our community and infringe upon property rights.

Firstly, SB2919, SD2, imposes excessive regulations on vacation rental properties, stifling the economic opportunities they provide for homeowners. Many families rely on income from renting out their properties to supplement their livelihoods. This law would impose burdensome requirements, making it financially unfeasible for many to continue operating vacation rentals.

Furthermore, the proposed law undermines the rights of property owners by imposing arbitrary restrictions on how they can utilize their homes. Property rights are fundamental to our society, and this legislation sets a dangerous precedent by allowing government overreach into private property matters.

Additionally, SB2919, SD2, fails to address the root causes of any issues associated with vacation rentals. Instead of implementing heavy-handed regulations, policymakers should focus on promoting responsible hosting practices through education and community engagement.

In conclusion, I urge the committee to reject SB2919, SD2 in its current form. Let's work together to find solutions that balance the interests of homeowners, renters, and the community at large without infringing upon property rights. Thank you for considering my testimony.

Mahalo,

Josh Cameron

SB-2919-SD-2

Submitted on: 3/14/2024 9:28:10 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Sahara'	Individual	Oppose	Written Testimony Only

Comments:

I totally oppose this bill. This is not in the best interest of owners and guest that frequent our great islands. By limiting or eliminating STR we do a huge disservice to people who want to visit and live in Hawaii. There is enough business to go around. The Hotel industry should not be about to monopolize this industry. I would thing you would not want to eliminate the revenue and taxes you collect from STR rentals. This continual attack on STR is getting very old and is a waste of time that could be devoted to more productive ventures. Stop the attack on STR.

SB-2919-SD-2

Submitted on: 3/14/2024 9:28:11 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
D. Keali'i MacKenzie	Individual	Support	Written Testimony Only

Comments:

Aloha mai e -

Rep. Luke A. Evslin, Chair

Rep. Sean Quinlan, Chair

I am writing in strong support of SB2919 SD2. This is a critical moment for Hawaii, and SB2919 SD2 could be a major turning point in making a meaningful impact on the housing crisis in Hawai'i. Short and mid-term rentals have prioritized money and tourism over the residents of this state.

Please support this bill so we can prioritize housing for our residents, not individuals whose second / vacation homes drive up costs and limit access to long-term housing.

Mahalo,

D. Keali'i MacKenzie

SB-2919-SD-2

Submitted on: 3/14/2024 9:28:23 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hokulani Delatori	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my **STRONG SUPPORT** for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well.

The people in opposition to this bill keep saying "locals benefit from having STR's"... That argument is **CRAZY** to me. No generational, born and raised local ever benefited from it. If anything we are suffering from having them.

STR owners are complaining about how it's "so sad" they can't afford their second home. **SECOND** home. **LOCALS DON'T EVEN HAVE A HOME**. We lost our homes in a fire. Even those who lost their homes because they can't afford to pay due to the rising cost of housing. Statewide there is an increase of homelessness **AND** people moving away.

It's tiring having to keep defending why this bill should be supported. It's plain and simple, local housing should be put before STR's.

Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Hokulani Delatori

SB-2919-SD-2

Submitted on: 3/14/2024 9:28:58 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Johan Holmquist	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I vehemently oppose this legislation as it is punitive and overbearing. State and County government has been collecting TAT and GET and Property and Income Taxes from short-term rental units for years and now that the government hasn't used that money and time wisely to provide affordable housing for the residents of Maui and Hawai'i (who pay far lower taxes on their property than the Short-Term Rental owners) you want to kill this industry. Shame on you for not being forward looking and thinking about how to provide for your constituents with all the tax income you've collected over the last 20 years. Think also about the scores of residents who provide property management, cleaning, agent, handyman and other services that will be out of work due to this legislation. Therefore, you will be losing tax revenue from tourism, ST Rental tax revenue and income from all those that will be out of work. Lastly, if this legislation comes to pass, we will take our condo off the market and use it for ourselves only as this is somewhere we return every year to spend our available time on our island home.

Respectfully,

Johan Holmquist

SB-2919-SD-2

Submitted on: 3/14/2024 9:29:48 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sonya Seng	Individual	Oppose	Written Testimony Only

Comments:

Thank you for the opportunity to testify AGAINST SB2919. I host a midterm rental unit in Kaneohe. I REGULARLY host people who are moving to Hawaii and need housing while finding permanent residence. I have hosted an elderly couple who were renovating their home nearby and needed an affordable option for 6 weeks. Right now, I have an elderly lady who is visiting her daughter who lives in Kaneohe but her daughter and family cannot house her in their 1 BR apartment. The mid term rental I provide is critical for our local economy and kamaaina. Everyone has a HARD time locating affordable solutions and is relieved to find me. Where can regular people like these stay otherwise? Hotel is too expensive. We need these options!

SB-2919-SD-2

Submitted on: 3/14/2024 9:31:32 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Noelle Hall	Individual	Support	Written Testimony Only

Comments:

Aloha my name it Julia Noelle Hall.

I SUPPORT SB2919. This is a critical point in turing our massive housing crisis around.

Hilo, HI 96720

SB-2919-SD-2

Submitted on: 3/14/2024 9:33:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret L H Aurand	Individual	Oppose	Written Testimony Only

Comments:

TESTIMONY – SB 2919 SD2 HOU/TOU – March 13, 2024

Esteemed Chairs Quinlan and Evslin and committee members:

SB2919, the “Bi-polar bill” as originally drafted, provided a way, in section 1, to keep mom & pop short-term rentals in business. But section 2 turned a state law protection of single-family homes from phaseout of current uses inside out and allowed counties to ban short-term rentals in single-family homes outright.

Short-term rentals benefit not only vacationers, but displaced families in crisis (think Maui), military families in transition, traveling medical personnel, construction workers, teachers and religious missionaries. For many of these groups, a short-term rental is the only viable option.

Hosted short term rentals **do not affect housing supply** because the **host lives on the property and it is not on the market**. Current non-hosted short-term rentals will be grandfathered in, but no new non-hosted short-term rentals will be able to be registered.

Limiting hosted short-term rentals to **one property per host** curbs investors from coming in and buying up large numbers of dwellings to use as short-term rentals instead of housing for local families.

Section 2 eliminates state statute protection against phasing out uses for residential zoned single-family homes and duplexes. If SB2919 passes without this protection, short-term renting

in Hawaii is doomed (until the Hotel Industry is ready to extend its short-term renting business to Hawaii).

Section 2 gives what has always been state power to the counties. If section 2 is passed, this will result in **different county ordinances creating confusion** for customers in the Hawaii rental market.

Lawmakers are drawing up bills based on **overblown numbers** and **disputable facts** about short-term rentals that often come from high-priced lobbyists that hotels can afford and short-term rental hosts cannot.

Don't believe what you hear about short-term rentals causing parking, noise and other problems. Parking is easily regulated during the permitting process. Noise is well-controlled with the host on the property. (And no, we don't ruin neighborhoods nor cause cancer!)

I am retired. I had long planned on making my property into a short-term rental to have enough income for a modest retirement.

The money I pay my helpers (cleaners, pest control, pool maintenance, yard man, handyman, plumber, electrician, etc., etc.) STAYS IN O'AHU'S ECONOMY. Compare the living wage I pay them with the starvation wages hotels pay to their help.

The money I make STAYS IN O'AHU'S ECONOMY. It doesn't go out of state and into the coffers of big hotel chains.

I'm 81 years old. Past the age to be hired as a teacher and too old to get a job digging ditches.

Hosted local short-term rentals are a wholesome, grassroots, O'AHU COTTAGE INDUSTRY that can never be replicated by hotels.

Short-Term rentals do not compete with hotels for clientele.

1. Who wants grandma on the 15th floor, uncle on the 12th floor, the kids on the 3rd floor and the parents on the 4th floor?
2. In a short-term rental, you can watch the big game without sitting on someone else's bed.
3. Old Uncle Oscar can sit around in his bathrobe if he wants to. (Try that in the lobby of the Halekulani!)
4. Want to have a family Bar-B-Que? Not at a hotel!
5. Have beginning swimmers? Keep a close eye on them in a private pool.
6. Paying \$75 a night to park your car? Not at a short-term-rental!
7. Paying big \$\$ for drinks? Room Service? Buy the stuff at Costco and mix or cook your own!
8. Something wrong? The host is right there, 24/7, to make it right.

If hotels and their fancy, high-priced lobbyists succeed in putting enough pressure on counties to eliminate short-term renting in Hawaii, I will be priced out of paradise—forced to sell my beloved home and move to the mainland.

Hotels are now implementing **THEIR OWN SHORT-TERM RENTALS** on the mainland! They are quietly buying up houses to use as their own short-term rentals. They are waiting for the Hawai'i State Legislature and the counties to do their bidding and eliminate private short-term renting before they begin buying up the homes sold by mom and pop hosts whom they have ruined in Hawai'i.

O'ahu short-term rentals are only 0.5% (a half of a percent) of the housing supply on this island. That figure will be even less when hosted rentals are the only ones getting permits.

Surveying guests who stay in short-term rentals, we find that if these guests could not find a short-term rental in Hawai'i, they would **NOT** go to a hotel. **THEY WOULD GO SOMEWHERE ELSE TO VACATION!** This is beginning to happen, because not too many folks can rent for 30 days or more.

With section 1 present (with amendments), and section 2 discarded, this could be a landmark bill that reflects well on our legislature.

My asks are twofold: (1) that you eliminate section 2 entirely and restore section 1 (with amendments we will provide to lessen the impact of carrying out section 1 on the DCCA); and (2) that you obey your own transparency laws and debate your decision on this bill in front of the people who trusted you and put you in your current position of power.

PS: And the elephant in the room—HRS 521-22—our STATE landlord-tenant code—begins with, “Term of Rental Agreement. THE LANDLORD AND TENANT MAY AGREE IN WRITING TO **ANY PERIOD** AS THE TERM OF THE RENTAL AGREEMENT.” **PERIOD!**

SB-2919-SD-2

Submitted on: 3/14/2024 9:34:19 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kayo Malik	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support SB2919 because thousands of our people in Maui are still without permanent housing in Maui since the fire. Restrictions need to be imposed on short term rentals and more of them need to be converted into long term rentals. Our people must come first!

thank you for your consideration,

Kayo Malik

SB-2919-SD-2

Submitted on: 3/14/2024 9:36:25 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Quan Tu Nguyen	Individual	Support	Written Testimony Only

Comments:

Given the current crisis we face in securing housing for residents, it is irresponsible for the state government and counties to continue to allow uncontrolled short-term rentals. The number of hotels and lodging available for travelers and visitors is more than adequate. The number of number of rentals and properties available to those needing long-term housing is not only inadequate, but available at unecessarily high cost, driven partly by demand of non-residents to own and profit from properties that they themselves do not live in. There are no valid arguments concerning Hawaii residents about why this bill shouldn't be passed.

SB-2919-SD-2

Submitted on: 3/14/2024 9:37:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Kim	Individual	Oppose	Written Testimony Only

Comments:

As I have planned for my retirement for the past 40 years, one item was to have some rental income. Since we live in an island resort and thus pay higher prices for everything consumed, it only made sense to buy a short term rental property. The one purchased is a "lodging" unit per the developer's report in the 1960's, and that category cannot be changed. Consequently, even if it were deemed illegal to use as a short term rental, it wouldn't be legal to use it for long term rental. This purchase was carefully considered and is necessary for my financial stability going forward. The property has always been part of a building doing short term rentals; it has always had front desk. It is blatantly unreasonable for any laws to be passed to make this an illegal short term rental. Sincerely, Carol Taylor

SB-2919-SD-2

Submitted on: 3/14/2024 9:40:40 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ken Sim	Individual	Oppose	Written Testimony Only

Comments:

For over a decade now every legislative season there are Bills introduced to harm, take away and criminalize short term rentals. These are just individuals renting their properties.

Please let people live in peace.

Please defer this Bill.

SB-2919-SD-2

Submitted on: 3/14/2024 9:41:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sandra Snedikor	Individual	Comments	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Sandra M. Snedikor

SB-2919-SD-2

Submitted on: 3/14/2024 9:47:14 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Malia Taylor-Wolfe	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

My name is Malia Taylor-Wolfe and I am a law student at William S. Richardson School of Law. I am writing to express my **strong support** for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Mahalo,

Malia Taylor-Wolfe

SB-2919-SD-2

Submitted on: 3/14/2024 9:49:10 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nani	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Nani Be

SB-2919-SD-2

Submitted on: 3/14/2024 9:54:21 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
sharon Diercks	Individual	Oppose	Written Testimony Only

Comments:

Chair Luke Evslin, Vice Chair Micah Aiu and other respected committee members. My name is Sharon Diercks and my husband and I are residents of Kihei. I am testifying in opposition to HB1838 currently for a variety of reasons. First of all how will the lost tax income be replaced? Maui's short term rentals provide 40% of the real property tax revenue for the county. Without a substantive plan, this bill could have unexpected consequence. Additional there are thousand of people that earn a living direct or indirect contact with STRs: cleaners, managers and on-island contacts. We personally hire local contractors, window cleaner, and purchase new furniture and appliances from local companies. This is another unforeseen or undervalued negative consequence if this bill is allowed to progress. There should be more research and alternatives to be investigated. Are we in a housing crisis? Yea, of course. But this bill is not the answer. We on Maui continue to support those misplaced by the Lahaina fires, the devastation of the fires cannot be under express. The housing crisis needs to be addressed, but this bill will do the opposite for the people, the county and state. The many of jobs loss will be significant.

Let's continue to brainstorm way to help those that are in a housing crisis without decimating the livelihood of others. STRs do have a positive contribution to our community, yet they are being treated as if they are the main underlying cause of the crisis. That is not true..I have had a STR since 1999, my guests stay with me because they cannot afford the astronomical prices of hotel rooms for their family. I strongly urge you to continue working on this issue without disrupting the lives of so many people living in our community.

Thanks you for the opportunity to testify my opposition to Bill SB 2919

Mahalo

Fred and Sharon Diercks

SB-2919-SD-2

Submitted on: 3/14/2024 9:54:44 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaulu Luuwai	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am in **strong support** of this SB2919. If you truly care about the people of Lahaina and Hawai'i who are currently in a housing crisis, please pass this bill. Consider who opposes this bill and what they have to gain versus the fire victims and multi-generational residents of Hawai'i that are struggling to keep a roof over their heads. Are you even elected by the people in opposition to this bill? Your first obligation is to the people of your district and then to the people of Hawai'i. Please listen to their overwhelming support for this bill to localize the regulation of illegal STRs.

Mahalo.

SB-2919-SD-2

Submitted on: 3/14/2024 9:55:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barb Bryson	Individual	Oppose	Written Testimony Only

Comments:

Illegal STR activity should be eliminated.

Legal STR's support Hawaii's infrastructure and support and help small and large businesses thrive.

To date, tourism with STR's keeps the island's economies strong.

Higher income work opportunities for locals need to be developed and nourished before considering limiting STR's.

SB-2919-SD-2

Submitted on: 3/14/2024 10:01:33 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Wyse	Individual	Support	Written Testimony Only

Comments:

As a small business owner, I support this legislation to allow the county to regulate short term rentals and phase them out in certain districts. Short-term rental owners have been reaching out to small businesses such as mine asking us to write against this bill, I disagree with their stance that this will harm my business. The lack of housing hurts us more because we cannot find staff for open positions, which is worse since the fire. In addition, I have many friends who are in dire need of housing, and I regret that this bill takes effect too far into the future. This needs to happen now.

The majority of these short term rental owners do not live on the island, nor do they understand the negative impact these units have on our dire housing situation. We have far too many short term rental units on Maui. The fire magnified this problem exponentially, it's time to correct for mistakes for the past. It's a travesty that we cannot simply get rid of short term housing such as what was done in New York City.

We are losing residents at an alarm rate because there is a lack of housing and it is too expensive. This hurts us more than any business these STRs generate, which for my business, is very little. Even if that were not the case, I would support this legislation. It's inconceivable that we have thousands and thousands of available housing units, yet 3,500 people still living in hotels due to zoning mistakes from the past. Fix this now!

SB-2919-SD-2

Submitted on: 3/14/2024 10:04:14 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa deAquino	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Lisa deAquino

SB-2919-SD-2

Submitted on: 3/14/2024 10:09:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
George Fulton	Individual	Oppose	Written Testimony Only

Comments:

My wife, Linda, and I have been owners of a short term rental since 2002. We have paid Hawaii income, property, dmv, GET and TAT taxes, which I calculate to be in the neighborhood of \$250,000 since the above date. We use our property from 4-5 months a year. If this bill passes, we will no longer be able to rent it, forcing us to sell our retirement home. How will you supplement the incoming taxes that STRs supply?

something to be considered.

George and Linda Fulton

2777 S Kihei Rd J120

Kihei, Hawaii

SB-2919-SD-2

Submitted on: 3/14/2024 10:17:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lori Apo	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue. Sincerely,
Lori Apo

SB-2919-SD-2

Submitted on: 3/14/2024 10:24:30 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Sanford	Individual	Oppose	Written Testimony Only

Comments:

I strongly appose this bill. How will Maui meet any budget requirements and fulfill it's obligations? Vacation Rentals already account for a huge percentage of revenue from GE and TAT taxes and realestate taxes. Additionally ,property values are already falling on Maui from threat of passage of this bill, threats of higher property taxes, unavailability of fire insurance and now even escalating rates or cancellations of current liability and property policies . And maintenance costs skyrocketing-without income from tourists, many properties cannot be maintained and slowly will deteriorate with time -Maui will definitely lose its luster and attraction for any investment or visitors.

I do not believe the long term ramifications of this bill have been thoughtfully considered

Thank you .

SB-2919-SD-2

Submitted on: 3/14/2024 10:26:53 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christian B Worley	Individual	Oppose	Written Testimony Only

Comments:

Quite simply: this constitutes a taking. If you're going to effect someones revinue and proprty values, they should be fairly compensated.

You have other options for increasing the long term rental pool, but may not appeal to your "sticking it to haole" politically popular whims, but woud be easy and fair...

For exsmple, raise taxes on all to create low income housing.

Another example: allow houses to be broken-up into multiple long-term rentals, especially the elderly where the kids have left and there's lots of space that could be used for rental income, but zoning prohibits.

SB-2919-SD-2

Submitted on: 3/14/2024 10:28:02 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lei'ohu Turley	Individual	Support	Written Testimony Only

Comments:

Aloha e Hawai'i State Legislature,

My name is Lei'ohu Turley and I am a senior in high school. I am writing to you all to express my support for SB2919. As a Maui resident, my family has witnessed much of the housing struggles. This bill would allow for neighborhoods to remain neighborhoods and not empty homes filled with tourists. Allowing this bill would support the survival of locals in Hawai'i as short term vacation rentals will be filled with actual locals. This would also allow for the government to regulate where these short term vacation rentals will be placed as they should not be allowed to clog up neighborhoods.

Lastly, I believe that the tax expansion on beach parking and showers that tourists use free of charge would allow these resources to be allocated to support our communities.

I hope that this testimony is able to be acknowledged and that the State of Hawai'i will continue to support Hawai'i.

Mahalo,

Lei'ohu Turley

SB-2919-SD-2

Submitted on: 3/14/2024 10:30:33 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Shaw	Individual	Oppose	Written Testimony Only

Comments:

My name is David Shaw, and I have owned a home in Pahoia for 25 years. As a resident of rural lower Puna, where there are no big hotels nor many options for short term rentals, I am writing to remind you that 700+ homes were destroyed by the recent lava flow in the Kapoho area. Many of these were vacation rentals. So, please keep in mind that people need short term vacation rental places to stay in lower Puna, which is an area renowned for its rugged beauty. Tourism dollars are very important to this rapidly growing, largely residential area with Pahoia town being a place that needs jobs and tourist income. Thank you for your consideration.

SB-2919-SD-2

Submitted on: 3/14/2024 10:33:36 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

strong support

SB-2919-SD-2

Submitted on: 3/14/2024 10:37:27 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kyrie Puaoi	Individual	Support	Remotely Via Zoom

Comments:

I STRONGLY support SB 2919 to end short term rentals. I am at a loss for words, in part because the emotions run high. In part because there are endless reasons as to why short term rentals should be shut down. In part because what can I say that hasn't been said already??

YOU, the leaders, the ones in power who have been chosen because it was trusted and believed that YOU would make decisions that best serve HAWAII and it's people, you have heard the arguments and the cries and the history. There is nothing new here. It's more of the same, outsiders taking advantage of a people and a place. We are overdue for change, but not too late. It is time you speak up for US, the kanaka of this place.

shut down short term rentals immediately.

SB-2919-SD-2

Submitted on: 3/14/2024 10:53:54 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hope Bailey	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It doesn't make sense to target legal property owners when illegal properties will continue to operate under the radar.

SB-2919-SD-2

Submitted on: 3/14/2024 10:59:23 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Allen Blackford	Individual	Oppose	Written Testimony Only

Comments:

My name is Allen Blackford, I am a local resident who owns two Short-Term Rental (STR) properties. I want to state for the record I am against any attempt to limit and or reduce the current number of STR units or facilities. There are many people that depend on these accommodations for a variety of different reasons. Hotels in Hawaii typically cost much more and consist of a single room without meal preparation spaces. Many of the STR's provide free parking to the guests, a cost passed onto the hotel guest at rates like \$30-\$40 a night.

Whether it's for a short term stay from another island for a medical procedure or the family member to be there for someone having a procedure. Folks come over to celebrate a loved one's graduation from a school or academy and need a place to stay for several days. Sporting events are common in the islands and my STR's provide a place to stay for family members participating in the event as well as those here to cheer the participant on. My STR's have hosted many destination wedding participants over the years. Family vacations from the other islands as well as those from the mainland and beyond have been hosted in my STR accommodations. There are folks that go to other islands for work on a short-term basis, hotel costs can be prohibitive for many of these workers. There are the military folks arriving for their first time in the islands and are looking for temporary housing while they do their permanent housing searches. STR's have temporarily hosted folks going through separation procedures with a spouse and can't afford the hotel costs and want cooking facilities.

My Short-Term Rental provides employment to cleaners, bookkeepers and maintenance folks allowing them to live in Hawaii. I pay my General Excise (GET), Transient Accommodation (TAT) and Oahu Transient Accommodation (OTAT) taxes as well as property taxes on time. I pay my monthly utilities, HOA and any Special Assessments fully and on time. I take seriously my commitment to provide a clean, safe and enjoyable place for my guests to stay for whatever the reason they're here on Oahu.

Let the counties enforce the laws that they already have.

I ask that you please do not move bill SB2919 SD2 forward.

Mahalo for your time,

Allen Blackford

SB-2919-SD-2

Submitted on: 3/14/2024 11:34:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
maui tropical house	Individual	Oppose	Written Testimony Only

Comments:

oppose SB2919

SB-2919-SD-2

Submitted on: 3/14/2024 11:34:46 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
maui tropical house	Individual	Oppose	Written Testimony Only

Comments:

oppose SB2919

SB-2919-SD-2

Submitted on: 3/14/2024 11:35:57 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brent James Pelkey	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Brent Pelkey and I live on the island of Maui. I oppose SB-2919 due to its potential negative impact on Maui's economy and affordable housing. Here are my key concerns: Threat to Local Businesses: SB-2919 jeopardizes locally-owned small businesses, including short-term rentals (STRs), which are vital contributors to our economy. Economic Impact: STRs represent less than 1% of Maui households but contribute over 40% of the county's property tax revenue, funding essential services including affordable housing. I urge you to reconsider SB-2919 and explore alternative solutions that address housing affordability without harming local businesses or affordable housing. Sincerely,

Brent James Pelkey

SB-2919-SD-2

Submitted on: 3/14/2024 11:41:14 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rabbia	Individual	Support	Written Testimony Only

Comments:

Dear whoever,

Why does absolutely everything need to be spelled out for you people? I thought holding a public, political position meant you need to have a working brain but here we are again.

The way they exist currently, short term rentals are creating a housing crisis because parasitic landlords buy multiple properties and prioritize them for tourists instead of Hawaiians and locals who need a goddamn roof over their heads.

There are people in Lahaina: families, elders, and children without a home because of how much this government prioritizes tourism. The Lahaina fire was a direct result of decisions made by a government to support tourism instead of communities and our environment. Now you have a responsibility to deal with the consequences of that greedy, short-sighted decision making.

Lahaina residents deserve somewhere stable and secure to stay while Lahaina is being re-built. So many families have had to do the impossible and leave their homes, leave the islands so they can survive because of the fires and because the government hasn't acted fast enough in offering those people support and a path to return to their homes. The most unfortunate ones don't have the luxury of choice and are homeless; living on a beach while the government drags its feet because it panders to wealthy foreigners instead of locals. Why do demons' second and third income properties matter more than a human's first home? And it's not even a home, it's a waiting place while their actual home is rebuilt.

Consider the long-term environmental impacts of short-term rentals and a tourism-forward economy; we are looking at Lahaina level disasters every year. Even though historically the government has made terrible, self-serving choices, you have a chance to be different. Let go of your greed and pass SB2919, SD2.

Those in favor of this bill, what do they have in common? They care about this island and its people more than their own profit. Literally don't listen to these invasive leeches, listen to the people and pass this bill.

In anger,

Rabbia

SB-2919-SD-2

Submitted on: 3/14/2024 11:42:49 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christian Klotter	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am writing to strongly oppose this bill as it affects my livelihood and its how I make a living. The community also relies heavily on the tourism, this will only further damage our beloved Maui. I oppose this bill.

Sincerely,

Christian

SB-2919-SD-2

Submitted on: 3/14/2024 11:44:02 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to SB2919, SD2, which clarifies that counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in Maui's housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Please include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

SB-2919-SD-2

Submitted on: 3/14/2024 11:51:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Les Moy	Individual	Oppose	Written Testimony Only

Comments:

Dear Sir/Madame:

My family and I strongly oppose this Bill SB2919 SD2. This Bill is not to stop illegally operating short-term rentals. This Bill goes after operators who are in full compliance of the law for possibly decades like my family who depend on this revenue. We have operated legally within our particular location with a legally nonconforming certificate as well as a unit without a NUC and were never informed we were in the wrong otherwise as the city and state collected their taxes and fees from us. Again, this Bill is not a regulatory act to eliminate an illegal use, instead the focus is to eventually eliminate all short-term rentals even with NUC's who have been in compliance for many many years. It will boost the bottom line for hotels and motels while eliminating their short term rental competition. Why can't legal short term rentals continue to coexist with hotels and motels? Eliminate the illegal operating short term rentals.

This Bill is not necessary. Many short term rentals(STR's) have operated legally in Hawaii for decades. STR's are a big part of the economy and a big option choice for tourists and short term employees such as visiting doctors, nurses, construction and educators. The STR's are an integral part of the Hawaiian economy from cleaners, transportation, realtors, suppliers and restaurants, to the grocery stores. When visitors come and stay in a STR, they usually have a kitchen and cook for themselves spending money all over in the economy but saving at the same time from not staying in expensive hotels. If people did not have this STR choice, they might have never come to experience Hawaii or spend their money thus destroying the economy.

If you want to free up rental options for more permanent residents, eliminate the illegal short rentals. Don't attack the compliant short term rentals. The inflation in our country and state has been significant and compounding that with additional loss of income that people depend on from STR's will be a real hardship on every island. In addition, the economy will suffer if homes, condos and all STR's lose the option to operate as legal STR's, the units will be devalued and not sell quickly or at all.

Please eliminate this Bill immediately and protect the legal STR's now and in the future.

Aloha,

Leslie Moy

SB-2919-SD-2

Submitted on: 3/14/2024 11:51:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Les Moy	Individual	Oppose	Written Testimony Only

Comments:

Dear Sir/Madame:

My family and I strongly oppose this Bill SB2919 SD2. This Bill is not to stop illegally operating short-term rentals. This Bill goes after operators who are in full compliance of the law for possibly decades like my family who depend on this revenue. We have operated legally within our particular location with a legally nonconforming certificate as well as a unit without a NUC and were never informed we were in the wrong otherwise as the city and state collected their taxes and fees from us. Again, this Bill is not a regulatory act to eliminate an illegal use, instead the focus is to eventually eliminate all short-term rentals even with NUC's who have been in compliance for many many years. It will boost the bottom line for hotels and motels while eliminating their short term rental competition. Why can't legal short term rentals continue to coexist with hotels and motels? Eliminate the illegal operating short term rentals.

This Bill is not necessary. Many short term rentals(STR's) have operated legally in Hawaii for decades. STR's are a big part of the economy and a big option choice for tourists and short term employees such as visiting doctors, nurses, construction and educators. The STR's are an integral part of the Hawaiian economy from cleaners, transportation, realtors, suppliers and restaurants, to the grocery stores. When visitors come and stay in a STR, they usually have a kitchen and cook for themselves spending money all over in the economy but saving at the same time from not staying in expensive hotels. If people did not have this STR choice, they might have never come to experience Hawaii or spend their money thus destroying the economy.

If you want to free up rental options for more permanent residents, eliminate the illegal short rentals. Don't attack the compliant short term rentals. The inflation in our country and state has been significant and compounding that with additional loss of income that people depend on from STR's will be a real hardship on every island. In addition, the economy will suffer if homes, condos and all STR's lose the option to operate as legal STR's, the units will be devalued and not sell quickly or at all.

Please eliminate this Bill immediately and protect the legal STR's now and in the future.

Aloha,

Leslie Moy

SB-2919-SD-2

Submitted on: 3/14/2024 12:00:29 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jack Young	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 2919 and urge you to defer this bill. This will jeopardize our 6 year vacation rental that would cause a direct TAT/GE tax loss to the county and state of over \$20,000 annually. In addition, it would cost citizens their jobs and further hurt many other local businesses and reduce tax revenue further from all the other local businesses our guests, our staff and our vacation rental support.

The assumption that greater regulation or a phase-out of short-term rentals is a desirable goal is not supported by an impartial analysis of the visitor industry and the actual participants in the STR economy. A 2020 study commissioned by the Hawaii Tourism Authority found that STRs added \$6 billion to the state’s economy and sustained 46,000 jobs. The survey also found that “30% respondents reported that if there was not a home and vacation rental option during their recent stay in Hawaii, they would not have made the trip.”

The removal of STRs from the vacation unit inventory would be a slippery slope, causing damage to other tourist-focused businesses, such as car rental agencies, restaurants and tour operators, as well grocery and other retail outlets and workers employed in cleaning, repairing and maintaining the STR units.

I urge you defer SB2919

SB-2919-SD-2

Submitted on: 3/14/2024 12:02:57 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Markley	Individual	Oppose	Written Testimony Only

Comments:

My husband and I are retired and purchased our unit in Kihei over a decade ago. We are a LEGAL STR. Also, we live here 6 months out of every year. We are just 1 family out of so very many who have a strong connection with Maui. There are so many issues for you to consider:

Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from? Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

Respectfully submitted, Barbara Markley

SB-2919-SD-2

Submitted on: 3/14/2024 12:03:28 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mitch Maxwell	Individual	Oppose	Written Testimony Only

Comments:

When will the legislature realize how much tax revenue comes from legal vacation rentals? NUC-holders also pay extra fees yearly, submit required paperwork, and have been perfectly legal since the 1980s! Why are property rights being pushed aside, and why is the state aiming to bite the hand that feeds them?

SB-2919-SD-2

Submitted on: 3/14/2024 12:08:52 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nalei Pokipala	Individual	Support	Written Testimony Only

Comments:

Aloha,
I'm writing in support of SB2919, SD2

Ive recently seen testimonies for those that want to keep STRs. It's disturbing. When there's a housing crisis for our own residents, the affordability of a hotel stay for visiting people is absolutely LAST to our residents. The 5% that has STRs for retirement, 2nd generation SECOND STR home owners, visitors needing the "Aloha" culture on a budget can go away like every other business that has had to shutter. It was a good run. It's needed. It's been done across several cities. Pau this.

Making tourism first in front of residents is disrespectful, poor leadership and management. How do you expect our people across the state to cater to visitors when this industry doesn't provide for basic housing needs. Working 2-3 jobs and can't even afford a place, time for families or well being is detrimental to our communities.

Please bolster the resort areas and make it THEE destination. These areas already have prime real estate.

Please support SB2919 SD2 to phase out short term rentals and include language that explicitly applies to apartment zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed so that we can prioritize keeping our residents home.

Mahalo for your attention to this matter.

Sincerely,

Nalei Pokipala

SB-2919-SD-2

Submitted on: 3/14/2024 12:10:24 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
STEVEN HUIE	Individual	Oppose	Written Testimony Only

Comments:

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends, and simply boosts the economy, keeps all businesses thriving. Hotels are over priced and the average citizen will not be able to afford. It is not fair to the people remove more short term and mid term rentals, due to greedy hotels. Short term rentals and mid term also boosts the already struggling economy, providing affordable rentals for those who want to visit family or simply to come spend money on the island, keeping the small/ large businesses thriving. Removing mid term and short term rentals will impact the economy negatively as there are not enough quality hotels with affordable prices. Without str and mid term rentals hotels rates will also increase further, due to supply and demand. This will be a terrible situation for everyone(except the hotels), whether your're a travelling nurse, or visiting family or emergency contractors, temporary military & students. Short term rental already operate in a small special zone, theres absolutely no need to further remove them. Doing so only impacts the economy negatively, allowing greedy hotels to increase their rates, and forcing out those who need affordable temporary housing.

To whom it may concern,

We are writing to share our opposition to SB2919 sd2.

By way of background, we have owned vacation property on Molokai for over 30 years. Our parents first purchased in Molokai in the early 90's.

We purchased at Kepuhi Beach Resort on Molokai 35 years ago, and continue to own properties on Molokai.

Our investments were afforded to us through hard work and saving for our retirement. We purposely purchased property zoned "Hotel/Resort", as we knew the only way we could afford our Hawaiian retirement dream was through renting our units while we were not in residence.

We are now in our 90's and to autocratically remove our ability to subsidize our retirement would be completely unfair. It is devastating to contemplate!

Our ownership of these two properties have contributed tens of thousands of dollars to the county of Maui:

Property taxes at the increased rate due to rental (2023 \$15,000.)

TAT/ GET taxes paid religiously as a rental (2023 \$11,000.)

Payments to house keepers, Property staff, contractors (both units have been complete remodeled since original purchase multiple times.

Support to local shops, restaurants , car rentals, taxi services, dive shops, boat tours, etc..

If we were able to account for our complete contribution to the Maui economy over the many years of ownership, the number would be in the hundred of thousands.

These numbers are just the monies we have spent. Just think of all the wages and lifestyles we have supported as a result of these spendings. Again hundreds of Maui and Molokai residents have been directly affected through wages and indirectly affected through our Maui taxes paid.

Purely from a financial perspective it seems this bill will not only be devastating to us, but through loss of income the entire county loses!

In addition to these direct financial effects, we have and continue to support the citizens of Molokai and Maui by accommodating, displaced residents, newly housed residents, residents in transition, inter Island residents coming in for medical reasons or family visits, Traveling nurses, emergency contractors, temporary military and students, and our family and friends.

In the time of crisis, such as the Lahaina fire, short term rentals such as ours serve as essential temporary, furnished housing for displaced residents. Where will these people find temporary housing if we have a future disaster and you have eliminated these units from the market.

In the end this bill we believe would create more financial hardship through less taxes and local expenditures than it would help. The county does not need this !

The bill certainly would cripple us. After all the years of financial and emotional support to our beloved county, this seems patently unfair!

Please do not support Bill SB2919 sd2,

Respectfully,

Charles and Carol Webb

SB-2919-SD-2

Submitted on: 3/14/2024 12:14:05 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicole Gross	Individual	Oppose	Written Testimony Only

Comments:

My brokerage has always focused on legally zoned properties, so we have not had major issues with previous STR-focused bills, and have worked to stay compliant through all of the changes this micro-industry has endured. I understand regulations and taxation, but what I do not understand is the continued focus on dismantling a legally operating business and sector of the hospitality industry that has already been extensively regulated. Why are my elected officials so focused on this industry of less than 2,000 rentals, which we know factually know makes up a laughable portion of the housing supply? Why are my elected officials so intent on over-taxing legally operating businesses, cleaners, and owners, which are already paying a total tax rate of 17.75%? Why are my elected officials determined to strip property owners of the rights and zoning of their property ownership? Why are my elected officials so focused on making alternative housing illegal or unaffordable for local families with ohana visiting from the mainland? Why are my local officials so insistent on removing temporary housing, which provides the only affordable housing option to those who cannot qualify for a lease in one of the highest rent areas in the nation? Why are my elected officials working to actively remove housing options for the displaced, while simultaneously pledging to fight homelessness and the housing crisis? Why are my elected officials not satisfied with a 17.75% state and county tax, increased property tax, \$1,000 permit application and \$500 renewal fee STR owners are currently paying? Why are my elected officials so determined to remove competition from the multi-billion dollar, multi-national corporation-led hotel industry? Why are my local officials not in support of family-owned, legally-operating small businesses, vendors, cleaners, and property owners?

As a tax paying resident of the State of Hawaii, these questions are deeply concerning. As the mother of a young child fighting to stay on this island in spite of unavailable and unaffordable childcare, rampant houselessness, an alarming increase in violent crime, staggering income inequality, abominable public school ratings, insanely expensive private school tuitions, and ever-rising costs for basic necessities, I continually wonder why 2,000 STRs in resort areas continue to be a priority. To my elected officials, please take care of the people of Hawaii. I sincerely hope that pivot towards serving the people will eventually take place.

SB-2919-SD-2

Submitted on: 3/14/2024 12:16:59 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brenda O McCallum	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Oriana McCallum

SB-2919-SD-2

Submitted on: 3/14/2024 12:22:59 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Casey Hearl	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Casey Hearl

SB-2919-SD-2

Submitted on: 3/14/2024 12:25:42 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry George Gross	Individual	Oppose	Written Testimony Only

Comments:

I am employed by a licensed real estate agency that manages legally approved mid-term and short-term rentals on Oahu. Our focus on compliant properties has shielded us from issues related to previous bills targeting short-term rentals. Yet, I question the relentless pursuit to dismantle a law-abiding sector of the hospitality industry that is already heavily regulated. Why the fixation on an industry comprising fewer than 2,000 rentals, a negligible part of the housing market? Why burden compliant businesses, cleaners, and owners who already bear a tax rate of 17.75%? Why strip property owners of their rights and zoning? Why make alternative housing unfeasible for local families hosting mainland guests? Why eliminate temporary housing, vital for those unable to secure leases in high-rent areas? Why reduce housing options for the displaced while vowing to combat homelessness? Why not be content with the existing taxes, fees, and regulations STR owners adhere to? Why eliminate competition for corporate-led hotels, favoring local small businesses?

SB-2919-SD-2

Submitted on: 3/14/2024 12:29:02 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ira Ono	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Ira Ono. I am a long time business owner in Volcano. I feel the way the Hawai'i SB2919 is written will severely affect my business and all the businesses here in Volcano Village. Please note there are only 2 small hotels in this area: Volcano House with 33 rooms and Kilauea Lodge with 12 rooms. This means visitors to Hawai'i Volcanoes National Park – the #1 tourist attraction in the state - will only do day trips and not stayover for all the dining and other activities such as bike tours, guided hikes, restaurants, and art galleries that take place here in the Village.

The STVRs here in Volcano are world-class with rave reviews from publications here in America and Europe. Our industry is owned and run by local residents who use many of the local services our community provides such as maintenance, landscaping, catering, and housekeeping. Many of these rural service businesses would have to travel to Hilo or Kona if this passes. The idea of providing local businesses on this side of the island is vital for our local economy. Perhaps the Volcano area should be designated as a “resort node” whereby many of the unnecessary restrictions in this bill could be waved to keep this crucial economy afloat.

Mahalo,

Ira Ono

Aloha,

My name is Charles D. Graham. My wife Joyce and I moved to Maui in 1978. We plan to retire here so we purchased our Kamaole Sands Condo in 2004 in South Kihei. Our daughter lived there before she moved to the mainland, and our families come here to vacation and use the condo for pleasure. When available, the condo is rented to tourists or workers from outer islands or visiting local families. We also donated the condo rent-free to Lahaina fire victims for the month following the fire.

We will rely on the rental for our supplemental retirement income. The taxes we pay for the rental help “keep the light on” for our Maui County yearly budget, contributing 18% of the 1.7 billion dollar main budget.

The short-term rental provides a “financial bridge” for the average tourist and visitor who cannot afford the high-end hotel nightly charges. A great number of supplemental local businesses thrive supporting the short-term rental industry and thus provide income stream into the economic engine on Maui. Maui County cannot afford to lose this vital industry.

This “status quo” symbiotic relationship with the 13,744 legal short-term rentals begs to be nurtured and maintained, not subject to any special interest or lobbies at the local County level.

We ask that you please do not move this bill forward, for the betterment of the residents of Maui and its future generations.

Thank you for your time.

Charles and Joyce Graham

To whom it may concern,

We are writing to share our opposition to SB2919 sd2.

By way of background, we have owned vacation property on Molokai for over 30 years. Our parents first purchased in Molokai in the early 90's.

We purchased at Kepuhi Beach Resort on Molokai 35 years ago, and continue to own properties on Molokai.

Our investments were afforded to us through hard work and saving for our retirement. We purposely purchased property zoned "Hotel/Resort", as we knew the only way we could afford our Hawaiian retirement dream was through renting our units while we were not in residence.

We are now in our 90's and to autocratically remove our ability to subsidize our retirement would be completely unfair. It is devastating to contemplate!

Our ownership of these two properties have contributed tens of thousands of dollars to the county of Maui:

Property taxes at the increased rate due to rental (2023 \$15,000.)

TAT/ GET taxes paid religiously as a rental (2023 \$11,000.)

Payments to house keepers, Property staff, contractors (both units have been complete remodeled since original purchase multiple times.

Support to local shops, restaurants , car rentals, taxi services, dive shops, boat tours, etc..

If we were able to account for our complete contribution to the Maui economy over the many years of ownership, the number would be in the hundred of thousands.

These numbers are just the monies we have spent. Just think of all the wages and lifestyles we have supported as a result of these spendings. Again hundreds of Maui and Molokai residents have been directly affected through wages and indirectly affected through our Maui taxes paid.

Purely from a financial perspective it seems this bill will not only be devastating to us, but through loss of income the entire county loses!

In addition to these direct financial effects, we have and continue to support the citizens of Molokai and Maui by accommodating, displaced residents, newly housed residents, residents in transition, inter Island residents coming in for medical reasons or family visits, Traveling nurses, emergency contractors, temporary military and students, and our family and friends.

In the time of crisis, such as the Lahaina fire, short term rentals such as ours serve as essential temporary, furnished housing for displaced residents. Where will these people find temporary housing if we have a future disaster and you have eliminated these units from the market.

In the end this bill we believe would create more financial hardship through less taxes and local expenditures than it would help. The county does not need this !

The bill certainly would cripple us. After all the years of financial and emotional support to our beloved county, this seems patently unfair!

Please do not support Bill SB2919 sd2,

Respectfully,

Gordon and Julia Webb



March 15, 2024

TO: Chair Luke A. Evslin
Vice Chair Micah P.K. Aiu
Members of the Committee on Housing

Chair Sean Quinlan
Vice Chair Natalia Hussey-Burdick
Members of the Committee on Tourism

FR: Alex April
Airbnb Public Policy, Hawai'i

RE: SB2919 SD2 Relating to Property - COMMENTS

Mahalo for the opportunity to comment on SB2919 SD2, related to property. We've worked closely with the State of Hawaii and local governments in Honolulu, Kauai, Big Island and Maui to develop short-term rental policies that allow home sharing to continue to support the state's tourism industry and provide accommodations for visitors, including transient workers, students, and residents displaced by natural disasters.

Given the historical role short-term rentals have played in supporting the state's visitor economy, we write to express our concerns with SB2919 SD2, including:

1. Impact on State Revenue: According to the Hawaii Tourism Authority, the short-term rental industry generated \$132.6 million in TAT revenue alone in 2018. In 2022, Airbnb hosts generated approximately \$77M in GET and TAT to the State of Hawai'i. Total GET and TAT revenue is substantially higher when factoring tax revenue from other platforms and independent hosts. If passed, SB2919 SD2 would significantly reduce the state's ability to make ends meet under the current budget.
2. Airbnb is a willing partner to counties: Airbnb has MOUs with Honolulu, Maui, and Kauai to support their enforcement of short-term rental rules. For example, pursuant to our MOU, Kauai has consistently worked with Airbnb to issue takedown requests. On Maui, Airbnb removed more than 1,300 listings that did not comply with the terms of the MOU in February 2022. SB2919 SD2 does not reflect the progress of short-term rental policy on the local level. The bill does not take into account the hard work and collaboration of notice-and-takedown tools, the important work of the MOUs, and the multi-year discussion on short-term rental policy.

Additionally, in the days after the wildfires in Maui fire last August, Airbnb and Airbnb.org worked closely with the Governor's office and the Department of Human Services (DHS) to help provide



temporary housing for displaced residents. In total, we connected over 2,200 displaced residents to emergency temporary housing immediately following the fire.

Since then, we have continued to work with DHS to encourage Hosts on Airbnb to offer their home to displaced residents on a longer-term basis, many for stays of up to a year. We remain committed to working with you on fair and reasonable solutions that protect the rights of Hosts and preserve the significant benefits that short-term rentals provide to Hawai'i communities.

Mahalo for the consideration of our comments.

SB-2919-SD-2

Submitted on: 3/14/2024 12:40:13 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorna Holmes	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. Please include language making it apply to apartment-zoned properties as well.

The Lahaina fires made it clear how short-term rentals are contributing to our housing crisis. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, to insure that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Mahalo for your attention to this critical issue.

SB-2919-SD-2

Submitted on: 3/14/2024 12:41:16 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Berg	Individual	Oppose	Written Testimony Only

Comments:

Aloha Kakou,

As a resident I am also anxious to get more STVR into the residential supply. Its been an ongoing problem but it seems like all the arrows are aimed at this group of people who unwittingly became part of the problem.

My STVR is at Lahaina Shores Beach Resort which is a condotel. It looks and operates like a hotel. It is described as a Condotel. When we purchased it we thought the purpose was for STVR and knew that the exception were a handful of people who lived there.

For 20 years we bought visitors here to spend their money, we pay the same taxes as a hotel , employe people to work with us and support and have contributed to the community like a hotel. I don't think most people would want to live at our place.

We didn't malicioiusly come in and buy a place to displace a resident. No realtor, government agency or any entity told us there was a housing shortage and we should leave it for a resident or we wouldn't have purchsed it. It seems to me that the government planning was lacking and there should be some accountaility on their part.

We invested our savings and this is our only source of income and our retirement plan. We now have no income,have an asset sitting there valued at zero for the next ten years, lost our car in the fire, our son lost everything and is living in a hotel, and our friends are in simliar situations. Yet we get vilanized for having this type of business. If we had a restaurant or barber shop we would be supported, not be vilanized. We are part of the community and are hurting too.

There are many locals with rentals here and the way this has all come about has divided our community. We are not all a bunch of greedy mainland investors iknowingly taking away housing from the locals. To me the bill and the presentation needs to be rethought with all the stakeholders in mind. My investment is different than yours. What would it be like if I came after your hard earned money?

We are not just a bunch of nameless people with no soul. We love and support our community. This is our home we are suffering. I support some form of this.

Lisa

. We have brought many visitors here, paid our taxes (just like a hotel) and employed folks to work

SB-2919-SD-2

Submitted on: 3/14/2024 12:44:28 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anita Schwalbe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee,

We have owned and LEGALLY operated short term rental condominiums in Maui for over a decade. When we purchased those properties, we did so with the knowledge (and the County’s blessing) that we could operate these properties as short term rentals. SB2919 sd2 allows the county to restrict and/or phase out short term rentals, depriving us of our income source (which is personally, our largest source of income) WITHOUT DUE PROCESS RIGHTS.

In addition, retrospectively rezoning entire swaths of housing/residences to disallow short term rentals will DEVALUE these properties, thus further significantly ERODING the real property TAX base of the state. (Our 3 separate condominium units in Maui, provide \$34,000 in Maui County property taxes for local government, which would be substantially decreased if short term rentals were disallowed.)

In addition, our short term rental business contributed \$29,354 in tax revenue (TAT and GET) to the state of Hawai’i and an additional \$8,483.67 in TAT to Maui County in the year 2023. (And this does not include the additional 0.5% GET surcharge implemented for Maui County in 2024.) In addition, we employ 3 separate agencies for cleaning services amounting to \$16,388 of yearly income to our local businesses. (This does not even include additional money we spend for repairs, maintenance, etc.) In summary, we are just one small operator of Short Term Rentals (out of 13744 LEGAL Short Term Rentals on maui) and yet contribute almost \$72,000 in direct taxes to Hawai’i/Maui and over \$16000 to local employment. Short term rentals provide 40% of the real property tax revenue for the county and represent 18% of the county’s \$1.7Billion budget. Eliminating short term rentals would be severely detrimental to Hawai’i’s tax base as well as our livelihood and the local economy.

Speaking of local employment afforded by Short Term Rentals: Our cleaners live exclusively on income generated from cleaning Short Term Rentals. They are paid good wages, they create their own schedules, and

they work near where they live, reducing commute time. Passage of SB2919 has the potential to bankrupt their businesses and devastate their livelihoods.

Mid and Short-term Rentals also accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends. Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if the industry is further decimated?

Let the counties enforce the laws that they already have.

I implore you to VOTE NO on SB2919

Anita Schwalbe and Jim Schumacher

SB-2919-SD-2

Submitted on: 3/14/2024 12:51:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffery Averill	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1838. I am a resident of Lahaina, Maui County as stated on my HI state Drivers License. The only way I can afford to live in Lahaina is to rent out my personal Residence as a short term rental a week out of every month. During that week I stay with my step son. Without that income I will lose my home and be another displaced Lahaina citizen.

- This Bill could result in the phasing out of 13,744 **LEGAL** short term rentals on Maui.
- Maui's STRs provide 40% of the real property tax revenue for the county, as well as being the top funding source for affordable housing for Maui. This STR property tax revenue represents 18% of the county's 1.7 billion dollar budget. Where will that revenue come from?
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Lahaina Fire displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?

SB-2919-SD-2

Submitted on: 3/14/2024 12:51:31 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Fred Kilby	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my opposition to SB2919

Our vacation rental provides us supplemental income in our retirement years. The loss of such income would have a significant impact to us. It also allows us the ability to enjoy time on island throughout the year, something we would not be able to do if forced to rent out long term.

Events like the Lahaina Fire displaced thousands of residents. It is the short-term vacation rental owners who are stepping up to provide furnished housing. If short-term housing is further decimated where will residents find temporary housing in the next crisis?

This Bill could result in the phasing out of tens of thousands of **LEGAL** short term rentals on Maui.

According to Hawaiian Life, "...vacation rental properties are vital ... They provide many jobs for local people, are the single largest property tax contributor to Maui County, help to fund our affordable housing fund, and are a leader in sustainable tourism."

Short term rentals pay one of the highest property tax rates which provides a significant percentage of the real property tax revenue. This makes it the top funding source for affordable housing. And let's not forget that this property tax revenue represents significant portion of each county's multi-billion dollar budgets. Where will that revenue come from?

Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.

As such, I ask for the following changes to the bill:

- Remove Section 1.(2) –“Amortize or phase out transient accommodations uses in residential or agricultural zoned areas.”
- Remove page 6, line 16 through line 19 ending in “accommodation uses.”

Or include language to the effect:

- Nothing in this section shall affect or impair the property rights of owners to provide short term, transient accommodations, for those properties falling under the Maui Mintatoya opinion of 2001.

I ask that you modify, or oppose, SB2919 and protect existing short-term rentals, including those falling under Mintatoya.

Thank you,

Fred Kilby

SB-2919-SD-2

Submitted on: 3/14/2024 12:59:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tammie ??	Individual	Support	Remotely Via Zoom

Comments:

I support this bill. As a native to the islands I have seen the detrimental effect of Air B &B site and others similar in nature. Residential neighborhoods need to stay residential. Many who own STR properties aren't even residents to Hawaii and although they may pay property taxes they should also have to be a resident residing in Hawaii and be on island or onsite to address any problems and also have to pay income taxes for said property and income driven from STR.

Mahalo

Tammie Evangelista

SB-2919-SD-2

Submitted on: 3/14/2024 1:04:42 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Waite	Individual	Oppose	Written Testimony Only

Comments:

I have owned my condo for 23 years and use a local Property Management Company. I have rented my unit for the past 23 years and have supported many local businesses throughout the years. I have supported the State of Hawaii and County of Maui through payment of property taxes, TAT, GE and MTAT. I oppose SB2919. SD1 and urge the committee vote no on this matter.

SB-2919-SD-2

Submitted on: 3/14/2024 1:10:06 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Koller	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to Senate Bill 2919 and its potential impact on the individuals and families involved in the short-term vacation rental industry in Lahaina.

This bill has the potential to adversely affect the livelihoods of residents who rely on short-term rentals to provide for their families. Before the fire, our short-term rental business provided essential employment opportunities to cleaners, landscapers, maintenance personnel, and other service providers, benefiting numerous families in our community. Additionally, our guests frequently patronized local shops and restaurants, contributing to the vibrancy of our local economy. These vital connections between the short-term rental industry and various sectors of our community underscore its multifaceted importance.

The short-term rental housing community has the potential to provide crucial housing for fire victims and construction personnel during the rebuilding process, serving as a vital resource for Lahaina's recovery and rebuilding efforts.

The short-term rental industry plays a significant role in contributing to the property tax revenue in Maui County by providing 40% of the property tax revenue. This revenue directly contributes towards affordable housing initiatives and other essential social services.

SB2919 has the potential to create unintended economic and community-wide consequences. I respectfully urge you to consider the implications of this bill on the local residents, small businesses, property tax revenue, employment, and the broader community. We should work together to find solutions that balance the needs of the community while preserving opportunities for citizens to participate in Hawaii's tourism industry, ensuring economic stability for families in Lahaina.

SB-2919-SD-2

Submitted on: 3/14/2024 1:10:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Latai Soakai	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Latai Soakai

SB-2919-SD-2

Submitted on: 3/14/2024 1:17:37 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steve Robertson	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill. Many jobs and kupuna incomes depend on short term rentals.

passing this will mainly benefit the hotel industry

SB-2919-SD-2

Submitted on: 3/14/2024 1:17:59 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Carter	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Paul Carter

Opposing SB-2919 Thursday March 14th 2002

March 14,2024.

Aloha,

It seems that no one has done any kind of a feasibility study to ascertain whether taking vacation rentals away to provide affordable housing that meets the needs of Maui' residents is viable. Contrarily I don't believe any study has been done to see if this measure would be effective in providing this community with the much-needed housing that has been desperately need for years, not just since the Lahaina fire. Maui needs AFFORDABLE housing, and lots of it, perhaps three thousand Lo-w to medium income permanent housing that local residents can purchase and call home, not some upscale ocean front condo with one allocated parking space. It seems absurd to think that taking some of the planets most expensive fee simple oceanfront condominiums that were by design built for visitors or as second residence and expecting owners to rent them to residents for less than the cost of owning these condos. I heard many say "Great, maybe they will have to sell them deeply discounted". I can assure you that this would have a devastating affect on all Maui's property owners... Condominiums offer no sense of "Community", they provide no place for our Keiki to thrive, they were simply not built as "Homes".

In 2027, there were some 76 Vacation rentals on West Maui. On August 07, 2023, that number had dwindled down to just 49. By August 09, 2024, there were just 25 remaining Vacation homes remaining on West Maui, 24 Lahaina homes were destroyed in the fire. Are any of these homes suited for local families as a viable rental? Has anyone done their homework? I think not. The average price of those homes that burnt in the fire \$4,597,000. The average price of those homes that are still standing is \$3,653,000 (Source; Zillow, averaging low & high estimates). If I illustrated a full analysis of the cost(s) to operate these homes and pay mortgages or in some cases, expect a certain return on the dollars the owner has spent, you would quickly see that these homes are Far outside the reach of most of us. My Ohana cannot afford to live in our own home. When our Keiki left and Papa passed, we were faced with selling or perhaps renting. At the time, I could not rent it to local families with the thought of breaking even, let alone providing some income. Renting our home as a vacation rental has allowed us to keep our home for our Ohana and provides for us in retirement. Our Keiki will never be able to afford a home on Maui, our home is our legacy to our Ohana. It would be very sad to sell our home to a Mainlander with no ties to Hawaii, but this is what is likely to happen if we lose our Vacation license. Our monthly cost to operate our home without a Mortgage is approximately \$7,000 per month. It would be about \$1500 lessor month if not for the Transient use which makes our monthly tax approximately \$2,000 per month. Our Electric bill has averaged \$2,249 over the past four months, and we have 57 Solar Panels. OVER 50% of our electric bill is now an "Energy Recovery" charge and that began shortly after COVID. Why is our "Public Utility" being allowed to rape this community? The mortgage on our home would be at least \$19,500 per month. Will a \$20,000 rental be part of the solution for our housing crisis? What would be the economic implications of the County of Maui without STRH homes providing 40% of the Real Property tax revenue? What would be the impact if Vacation home owners were forced to fire sell? Certainly, our law makers have thought about the far-reaching

consequences of our entire real estate market taking a very possible plunge that would have significant effects on our community and also for the tax office/revenues

I do not have time to finish, I see that it is already past the deadline to submit, I am hoping that my testimony will be accepted.

Steven G Gatchell
Owner 431 Homolamkani Pl.

SB-2919-SD-2

Submitted on: 3/14/2024 1:32:10 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Scott Perry	Individual	Oppose	In Person

Comments:

My name is Scott Perry I live on the island of Maui. I oppose SB-2919 due to its potential negative impact on Maui's economy and affordable housing. Here are my key concerns: Threat to Local Businesses: SB-2919 jeopardizes locally-owned small businesses, including short-term rentals (STRs), which are vital contributors to our economy. Economic Impact: STRs represent less than 1% of Maui households but contribute over 40% of the county's property tax revenue, funding essential services including affordable housing. I urge you to reconsider SB-2919 and explore alternative solutions that address housing affordability without harming local businesses or affordable housing.

Sincerely,

Scott Perry

SB-2919-SD-2

Submitted on: 3/14/2024 1:37:29 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Isikeli Tafea	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Isikeli Tafea

SB-2919-SD-2

Submitted on: 3/14/2024 1:46:56 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Jaqua Dein	Individual	Oppose	Written Testimony Only

Comments:

As a kamaaina deeply rooted in the local community, I am writing to express my strong opposition to HB1838. This legislation threatens the vital role of short-term rentals in providing essential temporary housing for local residents, particularly in times of emergency. The proposed restrictions will severely limit the availability of short-term rentals, leaving many residents, including nurses and working families, with few affordable options for accommodations. Additionally, it is important to recognize that the short-term rental industry contributes a significant amount of tax revenue, supporting our local economy and essential public services. We must address the real issue of government red tape and bureaucratic processes that hinder the availability of housing, rather than imposing harmful laws that negatively impact the local community and our economy.

Mahalo for your attention to this critical matter.

Sincerely, Nancy Dein

SB-2919-SD-2

Submitted on: 3/14/2024 1:49:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cathy Medina	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am concerned about the consequences of SB2919 that is being proposed. Many of the STR's that would be affected by this bill are not appropriate for affordable housing. Some are in HOA's that are not set up for families, ie, limited parking, no pets, studios, some are very expensive with high homeowner dues and property taxes, etc. These properties have been LEGALLY renting to guests that spend money in local mom and pop retail establishments. Guests in hotels typically spend their dollars at their resort property and that does not support the local economy.

Local families are leaving the island due to loss of their homes and jobs and SB2919 would only add to the exodus. The rebuild process is becoming cumbersome and local families whose livelihood was tied to tourism will eventually give up if they see their customer base being eroded.

On a personal note, we are still waiting for our refund from the county on our standing home that is in the disaster zone. If the County is struggling with making these payments, how can a bill such as SB2919 be considered fiscally responsible. The revenue provided by LEGAL STR's to the local community, and to the County by way of taxes, is significant and would be lost if these properties lose the ability to rent short term. The Westside needs to have accommodations for guests as well as local families. SB2919 is not the answer!

Please vote NO on this bill.

Mahalo for your consideration,

Cathy Medina

SB-2919-SD-2

Submitted on: 3/14/2024 2:07:34 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill M Clark	Individual	Oppose	Written Testimony Only

Comments:

Subject: Urgent Appeal: Please Consider the Real Impact of Short-Term Rental Bills on Maui Residents

Aloha,

I hope this message finds you well. I am reaching out to you with a sincere plea for reconsideration regarding the proposed bills related to short-term rentals on Maui. As a long-time resident of West Maui for over 33 years, and a dedicated member of the community, I feel compelled to share my perspective on how these bills would profoundly affect not just my livelihood, but the livelihoods of many others in our community.

I have devoted my life to supporting my family and contributing to our beautiful island. While my background is in design, it became clear that it wasn't enough to sustain us financially. That's why I ventured into the short-term rental industry, managing 20 units with passion, care, and a deep sense of pride. These rentals not only provide a dream vacation experience for visitors but also contribute significantly to Maui's tourism industry, which is the lifeblood of our economy.

However, recent developments have left me feeling like an adversary rather than a valued member of our community. If these bills pass, my livelihood will be at stake, along with the jobs of my cleaners, maintenance staff, and others who depend on this industry. Moreover, as a victim of the recent fires that ravaged our region, my business is already struggling to stay afloat. The prospect of losing everything I've worked for is terrifying and unjust.

I implore you to consider the human impact of these bills. If I am unable to support my family and maintain my home, I will be faced with homelessness, along with many others in similar situations. Is this the outcome we want to see for our fellow residents? Furthermore, by restricting short-term rentals, we risk exacerbating the challenges faced by those already affected by the fires, compounding their hardships.

It's worth noting that many of us in the short-term rental industry have stepped up to assist our community during times of crisis, offering our properties to programs like the Red Cross and FEMA to aid those in need. Why, then, would we be punished for our contributions?

In addition to the personal toll, these bills would have far-reaching consequences for Maui as a whole. Forced to sell our homes and properties, many of us would be compelled to leave the island, disrupting the fabric of our community and causing further distress.

I urge you to reconsider your support for these bills and seek alternative solutions that address concerns without disproportionately harming residents like myself. Let's work together to find a path forward that preserves our way of life while addressing legitimate concerns.

Mahalo for your attention to this matter. The future of Maui and its residents hangs in the balance.

Warm regards, Jill Clark HulaHideaway

SB-2919-SD-2

Submitted on: 3/14/2024 2:13:08 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jasmine Belkosky	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Jasmine Belkosky

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

My name is Mariola Katryniok and I own small short-term vacation rental one bedroom condo on beloved island of Maui.

I made sure prior to buying my place that is on Minatoya list, so it's allowed by law to be used for Short-Term Occupancy. I did nothing wrong.

I love Maui and people of Maui.

I am writing in opposition of this bill because it will threaten my ability to keep my place. I spent my life savings on this condo. I am working class person, working 40-70 hours a week.

I hire all local cleaners, electricians, maintenance workers, and property management company, who live and work on the island. This bill will hurt them and put at risk their ability to pay for their own housing and bills. What about workers employed by businesses, such as car rental agencies, restaurants, retail and grocery stores. This bill will threaten their ability to make a living as well.

Bill SB2919 would negatively affect both the housing and the economy.

Let the counties enforce the laws that they already have please!

I ask that you please do not move this bill forward.

Thank you for your time.

TO: COMMITTEE ON HOUSING
Rep. Luke A. Evslin, Chair
Rep. Micah P.K. Aiu, Vice Chair

COMMITTEE ON TOURISM
Rep. Sean Quinlan, Chair
Rep. Natalia Hussey-Burdick, Vice Chair

FROM: Ho'oleia Ka'eo

RE: SB2919, SD2 - RELATING TO PROPERTY

Hearing on Mar 15, 2024

STRONG SUPPORT of SB2919, SD2

Aloha e Chair **Evslin**, Chair **Quinlan**, Vice Chair **Aiu**, & Vice Chair **Hussey-Burdick**. Aloha pū eke 'Aha Kenekoa - **Kōmike Housing & Kōmike Ho'okipa Malihini (Tourism)**.

Mahalo for the opportunity to address this committee on this important issue.

'O Ho'oleia Ka'eo ko'u inoa. No Waiohuli, Maui mai au. I am testifying in STRONG SUPPORT of SB2919, SD2 - RELATING TO PROPERTY. First, I support that counties should absolutely have the right to implement and regulate zoning ordinances. Second, I don't intend to minimize the complexity of situations regarding short-term rentals, but it is clear and definitive that short-term rental owners are profiting while kama'āina and families continue to be displaced. Hawai'i's perpetual housing crisis has touched the lives of each and every local family. Make no mistake – Their profits, rental homes, second home, and investments are at the expense of kama'āina.

Maui's housing crisis has skyrocketed to new levels. Lahaina survivors continue to suffer and more and more will be displaced. This impacts them directly, but the effects reverberate to the broader community. It is not an exaggeration to say that in my experience on Maui, if you lose housing and family members don't have enough room in their homes (mostly multigenerational) to take you in, you have no choice but to move away.

Despite the tragedies of August 8th – we saw firsthand how short-term rental owners were unwilling to step in and lease their units to suffering families for the long-term. The rampant short term rental industry is adding to the mayhem of the housing crisis and we, kama'āina, pay the price. I urge you to please PASS SB2919, SD2.

Me ka ha'aha'a,

Ho'oleia Ka'eo
Waiohuli, Maui

SB-2919-SD-2

Submitted on: 3/14/2024 2:27:52 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Shimizu	Individual	Support	Written Testimony Only

Comments:

Dear Honorables Representative Evslin (Chair), Representative Aiu (Vice Chair), and Members of the Housing committee (HSG); Representative Quinlan (Chair), Representative Hussey-Burdick (Vice Chair), and Members of the Tourism committee (TOU):

I am aware I am sending my testimony late, but wanted to wholeheartedly support this SB 2919 SD2 bill. If you actually listened and learned from homeless or houseless folks, they say having even these temporary dwellings all help them. Citizens of Lahaina already have their own properties, so please help them help themselves. By passing this bill, it will benefit your respective committees as well in Housing and Tourism.

Thank you and sincerely,

Sherry Shimizu

SB-2919-SD-2

Submitted on: 3/14/2024 2:33:50 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hazel Gerwe	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members,

As a lifelong resident of Hawaii, I am writing to express my strong opposition to SB2919. This bill threatens to inflict severe damage on our community, particularly by posing a serious risk to the local residents who rely on the short-term rental industry. If this bill is passed, it will have a detrimental impact on individuals and families who depend on short-term rentals for their livelihoods and on those who rely on these accommodations for temporary and transitional housing solutions.

Here are a few key points regarding the detrimental effects of SB2919:

1. **Personal Impact:** As a local homeowner, this bill will directly impact my ability to supplement my income and support my family through legal short-term rentals.
2. **Community Support:** The short-term rental industry plays a vital role in providing housing for displaced residents, traveling professionals, and visitors seeking temporary accommodations. These rentals also support local workers, including housekeepers, maintenance staff, and small business owners.
3. **Economic Hardship:** The proposed regulations, including pre-approval for all listings, excessive fines, and retroactive phase-outs, will impose significant financial hardship on many local families who rely on short-term rentals for their income.
4. **Unnecessary Overregulation:** Current regulations in place on most islands are already substantial, making this bill unnecessary and burdensome for responsible property owners.
5. **Unconstitutional Taking:** SB2919 represents an unconstitutional taking of property rights, with unreasonable fines and excessive governmental authority.

I am urging you to consider the far-reaching and adverse effects that SB2919 will have on the livelihoods of local residents and to strongly oppose this bill. I trust that you will take into account the voices of the community and make a decision that supports the well-being of all residents of Hawaii.

Respectfully, Hazel Gerwe

SB-2919-SD-2

Submitted on: 3/14/2024 2:47:39 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Leitheiser	Individual	Oppose	Written Testimony Only

Comments:

- Mid-Term rentals or min. 30 days is important for our island to have as it is always best to have options between hotels and long-term rentals.
- Oahu is down to 2,000 legal short-term rentals excluding hotel units. We cannot afford to lose more.
- Mid and Short-term Rentals accommodate displaced residents, newly housed residents, residents in transition, inter-island residents coming for medical treatment or family visits, traveling nurses, emergency contractors, temporary military & students, our family & friends.
- Events like the Red Hill Crisis and Marco Polo fires displaced thousands of residents. Where will residents find temporary, furnished housing if our industry is further decimated?
- Where will you stay when you come to Oahu to work, visit family or seek healthcare? A \$700/night hotel?

SB-2919-SD-2

Submitted on: 3/14/2024 2:59:32 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mathilda Stauss	Individual	Oppose	Written Testimony Only

Comments:

My family has owned our home in Puamana since the 80s. Throughout our lives we regularly visited to see the people we grew up with, many whom have felt like family to us. Our favorite memories of spending summers and long winters in Lahaina include riding our bikes to our local restaurants and shops in town. When we could not be there, we had friends and friends of friends rent our family home who visited those same spots. We continuously encourage our community to shop, buy, and spend local. This is an integral part to our lives to support those small businesses around us. With so many cruise ships coming and going within a day, going to the chain restaurants only to use their coupon they got from the captain. Our mission in having folks stay at our home is to only support the local community. We want to continue to support the Lahaina community and support those small business owners we have known for over 40 years.

SB-2919-SD-2

Submitted on: 3/14/2024 3:08:24 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cedar Wilson	Individual	Support	Written Testimony Only

Comments:

Aloha kakou,

My name is Cedar Wilson and I'm a kanaka maoli from Laiewai. I'm writing today to vocalize my support for SB2919, SD2 in regards to prioritizing housing for Hawaiians in Hawai'i and fighting back against outsiders trying to make a profit off of our land and people. Hawai'i doesn't need these thousands of short term rentals, we need affordable and accessible housing for the Lahui. Kanaka are being priced out every day and its getting worse every year. Residents at the very least should take priority over these people trying to make a buck from renting out their second/third homes in Hawai'i. These haoles who buy out these homes that could've otherwise been used for kanaka or locals always talk about how tourism helps our economy and how we cant survive without said tourism and so keeping their short term rentals without consequence/regulation would be beneficial to us. I along with so many others who you've already heard from time and time again are here to remind you that that's just not true. In fact it's insulting for this to even be an argument we have to make while thousands of victims of the very preventable Lahaina fire are out here houseless. Please act in the best interests of Lahaina and the rest of Hawai'i and support/pass SB2919 SD2. We are so tired of being exploited and pushed aside for colonizer greed.

Mahalo for your consideration,

Cedar

Dear Representatives and Members of the Committee:

I, Darrell Ball, oppose Bill SB2919 for some of the following reasons:

1) We own a short term rental condo in Maui and it supports many local individuals. Most of these individuals would lose their jobs if this wasn't a short term rental property.

- The resort employs many local resident employees.
- As owners we also support a local management company, housekeepers and contractors.
- Guests support many local small businesses and their employees on Maui including restaurants, tour operators, shops and local businesses.
- Guests also support employees at the airport, car rental companies, national parks, and state parks.

2) Our development was never an owner occupied complex. It has always been a vacation rental property. It isn't a desirable property for permanent residents, our unit and many of the other units are only one bedroom.

3) The complexes short term renters support the State of Hawaii and County of Maui through payment of property taxes (many at the short term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui Transient Accommodations Tax. Short term rentals provide 40% of the real property tax revenue for the county, tax revenue for the state and county would significantly decline if there wasn't a short term rental market.

4) We are currently working with FEMA and they have housed a local couple in our unit who are displaced by the horrible Lahaina fire. These local individuals would likely be unable to find temporary, furnished housing if the short term rental market was eliminated.

SB-2919-SD-2

Submitted on: 3/14/2024 3:12:49 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ed Lum	Individual	Oppose	Written Testimony Only

Comments:

Opposed to government over reaching into property ownerships.

We require the extra income to survive high cost of living.

SB-2919-SD-2

Submitted on: 3/14/2024 3:14:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mykie Ozoa-Aglugub	Individual	Support	Written Testimony Only

Comments:

Chairs Evslin and Quinlan, Vice Chairs Aiu and Hussey-Burdick, and Members of the Committees,

Thank you for the opportunity to testify on this important bill.

I believe you would be hard pressed to find a Hawai‘i resident *not* struggling with housing security and affordability in 2024. While the continued aftermath of the Lāhainā fires has exposed the dire housing situation in Hawai‘i, it is demonstrable that lack of affordable housing is an issue extending far beyond the shores of Maui and long preceding the devastating August 2023 fires.

Short-term rental owners will tell you that they are helping our economy by providing jobs or present sob stories about how they cannot afford their second (or third or fourth) homes without these investment properties, but what good are jobs if the workers cannot afford to live here? What do their investment properties matter when the people of Hawai‘i - specifically Native Hawaiians - are being priced out of Hawai‘i in droves year after year?

While phasing out short-term rentals may not be a magical fix to all of our housing problems, it would certainly empower counties to address one aspect of the market severely exacerbating the issue. **Please pass SB2919 SD2.**

Thank you for your time and consideration.

Mykie E. Menor Ozoa-Aglugub, J.D.

SB-2919-SD-2

Submitted on: 3/14/2024 3:27:54 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Hanna	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this proposed Bill for the following reasons:

- loss of local / community jobs
- loss of income for local individuals
- loss of revenue for Counties and State
- creates further public distrust re: local government and Hotel Visitor's Assn, etc/Visitor's bureau
- seems truly unconstitutional

SB-2919-SD-2

Submitted on: 3/14/2024 3:54:55 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ray Agaran	Individual	Oppose	Written Testimony Only

Comments:

As an owner of an Str on Maui, but also a local who is born and raised in Maui. I oppose to this bill because removing the str industry wont fix the housing crisis in Hawaii. I believe that instead of making more commercial properties that aren't being used and that cost to much to purchase. That the state or county should use those properties to create more housing. That's just one of the many issues we face with the housing market. Many other factors such as out of state buyers, and big corporations are the only ones who can afford to buy properties in the state. The state NEEDS to create a bill to address those situations, so more residents and the local people who have roots here in Hawaii can continue to plant their roots and stay in the islands.

SB-2919-SD-2

Submitted on: 3/14/2024 4:37:00 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kiana Espinosa	Individual	Support	Written Testimony Only

Comments:

I support SB2919, our homes in Hawaii should be for those who LIVE in Hawaii, not for those who just want to own a rental, rent it out for THEM to make money and then eventually become residents. What about our local people that deserve to live in their home state?!

SB-2919-SD-2

Submitted on: 3/14/2024 4:38:38 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Nancy Harter

SB-2919-SD-2

Submitted on: 3/14/2024 4:45:35 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anna Barbeau	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Evslin, Chair Quinland and all Committee Members. This is an urgent Bill which need be implemented asap. Recent history of the damage done by ever allowing Short Term Rental/Vacation Rentals within neighborhoods screams for attention. Any type of business within residential communities, especially the gradual cancer of STR/VR should never have been allowed. Never enforced, possibly codded into existance, it encouraged the smallest home/property owner to create illegal bnbs, leveraging their current ownership towards more ownerships which resulted in loss of rentals for the average resident. Greed created the loss of community, a value prized in Hawai'i. Residents being squeezed out of West Maui where they are NEEDED to support the Hospitality Industry is ruining the Aloha Spirit for which Hawai'i is known worldwide. VRs had even infiltrated Affordable Housing Complexes such as Front Street Apts which was known but not addressed. Overwhelming greed was allowed to grow as VR/STR/bnbs were allowed, legally and illegally. It must cease. That's what Resorts are for, NOT within neighborhoods. This devastation of Lahaina is a chance to regain Aloha and began anew WITHOUT EVER allowing STR/bnbs/VR to exist within residential Lahaina again. They are cancerous. Let your legacy be heroic in takng this stand vs STR/bnbs/RV and for the Lahaina community at large as we return to normalcy and Aloha once again. Mahalo

To: The Committee

RE: STVR as in SB2919

Please consider that STVRs provide a substantial income to our Islands and fill a unique and valuable niche. Leaving them to be locally managed would NOT promote a sensible or consistent long term development for the people of Hawaii. Presently, housing consistent with the income of general population has NOT been cultivated locally in any coherent manner despite years of promises – this created the problem. Allowing local suspension of STVRs has been seen as a route to a quick fix in certain areas. This is incorrect and will be immediately detrimental by shifting more properties to “off-island” ownership by such organizations as the large real estate purchasing groups currently ravaging the mainland. Local governments will not be able to manage or understand this. The results will be exorbitant rents or permanently locking out locals from ownership.

A strong central plan looking forward, understanding STVRs and their positive role and balancing the growth and investments. This can not be accomplished locally -the results will be horrendous. A longer, greater vision is needed.

It is important to add that the perceived reluctance of the STVRs in Maui to aid in housing those displaced by the Lahaina fire is due to several things pertinent to the situation of this bill.

A lack of trust exists because of long-term threatening language against STVR owners; the very high (the highest) tax rates; the consistent over assessment of those property values (by 15%); and a lack of communication.

To get more STVRs to house people:

1. Involve and reward NOT just the owners but the mandated property managers who are really taking a hit in this.
2. Reassure them both that they can continue. If they feel they are being forced out, they will have little reason to participate as they will expect to suffer in the future.
3. Get clear about the number needed. Through the property managers set goals for the percentages of their managed housing that is needed and reward them for meeting it (too).

To aid in ownership by Islanders:

Many things can be done, such as waving the HARPA for sales to people who are long term Hawaiian residents. Effectively this would give them >~100k\$ toward their purchase - it would make them more than competitive in purchasing power.

Yours in Aloha,

Harry Prest

SB-2919-SD-2

Submitted on: 3/14/2024 5:03:07 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Francis Jakubowski	Individual	Oppose	Written Testimony Only

Comments:

Aloha:

My name is John Jakubowski and I am writing in opposition of SB2919. The bill is misguided, terribly unfair, possibly the product of an undercurrent of bigotry, and probably illegal.

I will attempt to briefly address each of these shortcomings in the bill though, in my view, this legislative initiative is being inappropriately accelerated without detailed study and analysis of its impacts –and in particular its impact on the very people many of the legislators suggest it will help.

I have reviewed many of the significant number of comments in the following link: https://www.capitol.hawaii.gov/sessions/session2024/Testimony/SB2919_TESTMONY_CPN-EET-PSM_02-02-24_.PDF. However, respectfully request an opportunity to conduct a more thorough and detailed review. The impact of this legislation on the people of the State of Hawaii demands prudence and forethought. I believe the people of the State would welcome such as well.

By way of background, this past year (2023) I purchased a condominium in Ko Olina-Fairways. I have been saving to purchase such a unit for over thirty years. At great expense (relative to me) I remodeled the unit employing many local contractors and laborers; many of whom I consider friends.

It has long been my dream to provide a vacation haven to my extended family and friends. As a young Captain attending a legal conference on Oahu on/about 1985 for Judge Advocates, I committed to saving money to purchase such a place. I hope to eventually live in my retirement there. For now, I hope to offer my extended family a remarkable place to visit; a place much different than Flint, MI where I was born and raised and where many of my family still reside.

They are unable to fly to Hawaii and stay in less expensive hotels much less the resorts. In order to make such a dream happen I need to ensure some of the expenses are handled through short-term rental. I worked my whole life to accomplish providing something special for family-members and friends. The bill will destroy my dream and essentially take what I worked my whole life to accomplish.

Many proponents of the bill assert that short term rental units deprive the community of affordable housing. The need for such housing was exacerbated by the fires in Maui. Many legislators and proponents of the bill maintain that it is in “the greater public good” to, thus, take from middle class individuals, --like me.

The vast majority of those involved in short term rentals are middle class people trying to make ends meet. Yet, many of the representatives and proponents of the bill are seeking to have the middle class designated as the reason/cause of housing problems, and essentially are tagging them (the middle class) with mismanagement of resources, and short-sightedness in planning. Reasonable people understand the fundamental untruth of such. The present issues are directly caused BY Government officials and politicians.

I am not the boogeyman or bad guy because I make my home available at a reasonable cost as compared to the major resorts. I pay my taxes, licensing fees, condominium charges. Etc. In other words, I pay my “fair share.” This legislation is misguided in that it unfairly targets middle class people like me. The law ‘s disparate impact on the middle-class community trying to pay bills and make a living, will eventually lead to a situation where the politicians –in the short term, can proudly proclaim that the crumbs they provided to those less fortunate (impacted by the fires) were meaningful and responsive. They are not meaningful and responsive. Indeed, the law is harmful.

In reality politicians through this law hood-wink the collective community. They propose to take from the middle class. By doing so, the result is a continuation of the destruction of the middle-class and the ruin of small entrepreneurs while the rich to get richer (e.g., The Four Seasons, the Disney Resorts, and The Marriot). The proposed bill is thus, seemingly, misguided and ill-advised.

What the people of the State should demand from the short-sighted politician/representative/legislators trying to take what in my case, took a lifetime to achieve is, accountability and responsibility. What happened in Maui was foreseeable and it has caused the immediate housing crisis. The way lands were managed and regulated (by politicians/regulators –i.e., local and State officials) quite literally resulted in a powder-keg. They (–possibly the proponents of this bill), bear responsibility for environmental and agricultural regulations that –again, were short-sighted. That is what caused the instant housing crisis. Yet, now instead of finding solutions that are fair and equitable, they seek to take –if not rob, middle class folks of their livelihoods. It is not right and it is not fair.

So, the question seems to be why would proponents of the bill seek to take from the short-term rental community? Why focus on gutting middle-class; short-term renters –who in fact provide significant benefits in terms of tax revenues and tourism dollars direct to the local communities, vice people/visitors/tourists providing revenues direct to the billionaire resorts?

It seems to me that the proponents of this bill deem it much easier to absolve themselves of their failures in planning and regulating. The regulators and politicians knew or should have known that, eventually, their policies on Maui were going to result in disaster. And, representatives – and/or planners, regulators and other Government personnel on the other islands knew or should

have known that fires, draught caused by agricultural regulations, and/or other disasters were likely to occur, and, as such should have planned accordingly. State and local officials could have purchased properties for housing. Why didn't they plan for housing shortages caused by disasters which they –at the very least; facilitated?

Yet, as evidenced by this legislation/approach; the answer is to throw short-term housing scraps/solutions (i.e., overregulate and essentially destroy short term rental market) at the poor and unfortunate ---and secure their vote. Politicians supporting this bill absolve themselves of accountability for Maui failures. Their solution to a crisis they caused is short-term. No one is accountable for the legislative/regulatory failures, and short-term rentals; very useful and necessary enterpris are virtually wiped out.

The long-term result is that the poor and unfortunate continue to be poor and unfortunate. Long term housing solutions –which should have been planned for are, consequently, delayed, and the middle class/short term renters disappear and/or struggle themselves to keep up. These policies and approaches to, seemingly, trying to help people in a disaster actually suggest a covert form of bigotry. The poor and unfortunate communities grow as the middle class shrinks creating more dependency. It should be deemed unacceptable.

In assessing how to address current housing shortages, and to accommodate displaced people tragically affected by mismanagement of Maui lands, unpreparedness, and regulatory ineptitude; thought should be directed toward the responsibility of those who profit mightily from their operations on the island. If a TAKING (without due-process) is deemed necessary for “the greater public good”, then state/local officials should take, on a short-term basis, the first floors of The Four Seasons, The Marriot, and The Disney Resorts among others in Waikiki, and on the other islands.

While I try to make ends meet with my short-term rental, the resorts take in billions of dollars. I am told that the NFL leased the entire Four Seasons resort for players and their families. In a more personal instance, I wandered into the Four Seasons to take in the view and sip on an eight-dollar cup of coffee. There I met a family on a year-long world holiday. Their children were being “home-schooled” and after two weeks in Hawaii they were off on a private jet to another Four Seasons resort somewhere in the far-east. It was a year-long Four Season's “see-the world” package.

People evaluating this bill should assess whether the power and influence of the resort conglomerates should be forced to pony-up a bit more –as legally appropriate. The TAKING being proposed by politicians/supporters of this bill may be necessary and legal to help those desperate/suffering. But one should ask why the politicians proposing this law are not pursuing those with “deep pockets” who are making billions of dollars. It would be interesting to know how many supporters of the bill receive contributions from resort connected groups. How many politicians dine regularly in first class resort facilities and willingly allow themselves to be guided by corporate suits. I, for one, would like to know and I suspect many around the State would deem it prudent to take a step back and reassess options, impacts, and the interests of all involved in pushing this law.

This bill will hurt me and put at risk my ability to make ends meet. The law is misguided and seemingly being rammed through without appropriate thought and study. The law is an unfair, if not an illegal taking and seems ultimately designed not to fix housing shortages, but rather to allow shortages to continue by delaying construction of long term, overdue, necessary and appropriate housing projects.

The bill will facilitate the rich getting richer, it will decimate middle class workers, and ultimately the ranks of the poor will expand. It's wrong,

The short-term solution to the immediate crisis caused by Maui wildfires is to seek (or demand through separate legislation) an accommodation and contribution from the corporate resorts and billionaire conglomerates --pending long term housing planning and development.

Further, instead of deliberate efforts to diminish and/or eliminate short-term rentals through regulation and Government oversight --which presumably comes at significant cost; why not try to work with short term renters (and/or Airbb and similar enterprises) to accommodate those in need? I, for one, would be willing to work out an accommodation for those in need (it is the ALOHA way) --while State /local officials seek a more permanent solution to housing issues -- which would seemingly include purchasing properties coupled with deliberate housing developments efforts; something which should have been accomplished long ago by the legislators proposing this bill.

Please do not allow this bill to go forward.

Very respectfully, John F. Jakubowski

I may be contacted by any concerned citizen or Government official at jjake1159@gmail.com

SB-2919-SD-2

Submitted on: 3/14/2024 5:18:25 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Berglioth (Brie) Mathews	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Berglioth Mathews, a 30-year veteran firefighter who owns two short-term rentals in Kihei, Maui. It took me over 20 years to save for a property on Maui that I use to visit and provide revenue for the island. I am deeply concerned about the proposed SB1939 and its potential impact on my ability to continue this source of livelihood and service to the community. After spending over 30 years putting my life on the line for others, I want to enjoy what my hard earned money purchased which are two very small condos. Not a compound. Not an estate. Just two small condominium that bring happiness to me and all those that rent from me and are able to enjoy a small budget dwelling for a vacation in beautiful maui that they probably wouldn't afford to enjoy otherwise.

Furthermore, SB1939 represents an unconstitutional taking of property, stripping owners' of their economic rights and is likely to face legal challenges due to its infringement.

It's important to note that vacation rentals are already heavily regulated on most islands, making this bill unnecessary.

I respectfully urge you to consider the adverse effects of SB2919 on individuals like myself who depend on short-term rentals for income and on the local community as a whole. Thank you for your attention to this matter.

Mahalo, Berglioth Mathews

SB-2919-SD-2

Submitted on: 3/14/2024 6:03:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sofia Markh	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Sofia Markh and I live on the island of Maui. I oppose SB-2919 due to its potential negative impact on Maui's economy and affordable housing. Here are my key concerns: Threat to Local Businesses: SB-2919 jeopardizes locally-owned small businesses, including short-term rentals (STRs), which are vital contributors to our economy. Economic Impact: STRs represent less than 1% of Maui households but contribute over 40% of the county's property tax revenue, funding essential services including affordable housing. I urge you to reconsider SB-2919 and explore alternative solutions that address housing affordability without harming local businesses or affordable housing.

Sincerely,

sofia markh

SB-2919-SD-2

Submitted on: 3/14/2024 6:07:19 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Klei	Individual	Oppose	Written Testimony Only

Comments:

My name is C. L. Smith, a 4th generation Hawaiian, and a voting tax payer in the top income tax bracket for this State.

I oppose SB2919, the bill which does nothing to address home affordability, but does allow one of your largest campaign financing sources - the Hotel Industry - to become a monopoly on Hawaii. The hotels cannot build more hotels in Hawaii, so in the absence of that, the only way they can grow is to raise ADR, and the only way they can do that is to eliminate their competition, and the only way to do that is to use their legislative influence on YOU (via campaign contributions, events, gifts, and kickbacks) to issue 'laws' prohibiting the competition from operating.

Is it expensive to buy a home in Hawaii? Yes. It always has been, even since 1921 when my great grandfather bought the home I live in. But the home affordability problem lies directly at the feet of YOU. No one else. Its been well documented over and over again that you are the cause of the home affordably issue on these islands and you know it.

Rather than waiting for this corrupt and incompetents' government to remove and streamline red-tape and bureaucracy, I, and thousands of others on Oahu have solved the 'home affordability crisis' by renting out part of our homes to tourists. I have to rent to tourists in order to make ends meet and stay on the most expensive State in the US to live in. Again, thanks to your incompetence.

There has been a decrease of STR inventory since your militant tactics during COVID and Bill89, yet home prices have not gone down, they have gone UP. Last year, three STR homes in my street in Lanikai were sold, at an average price of \$4.9m and the purchase of those 3 homes were ALL Mainland US investors - not a local.

Prices continue to go up, and purchasers continue to be Mainland and foreign buyers.

Your regulations result in an additional 2 years and an extra \$250,000 to build a home on Oahu. Its pretty clear from your actions toward private home owners in Maui and on Oahu during Covid and during the Lahaina Disaster, that you don't want more housing, you want OUR houses. You have no authority to take our private property and use it for the public good. If low income housing in your goal, you should build them.

The Governor was quoted on KITV recently saying "most of the STR's are owned by Mainlanders and it pisses me off". That's funny. I would like to remind the mayor that 100% of the HOTELS are Mainland/Foreign owned. It seems the ownership category only matters to the Mayor so long as he gets campaign funding and kickbacks from that segment.

This bill and all like it should be shelved. You are using STR's as a scape-goat for your failures and incompetence and we all see right through it.

Get on with building low-income block apartments and stop shifting blame and being corrupt.

C.L.Smith
Lanikai

SB-2919-SD-2

Submitted on: 3/14/2024 6:38:36 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Support	Written Testimony Only

Comments:

Aloha

I am writing in strong support of SB2919 Relating to Property.

This bill is a step in the right direction. For too long, people who dream of living in Hawai'i have been buying up all the real estate and paying their second mortgage while living elsewhere, while local people are barely able to afford to live here. Currently, there are 90,000 STRs state-wide, 19,000 Hawai'i Island, 25,000 on O'ahu, 14,000 on Kaua'i and a staggering 32,000 on Maui, where catastrophic fires just displaced thousands of local people, many who have lived there for generations. We need to address this housing crisis everywhere in Hawai'i so that people from here can stay here, and get rid of these short-term rentals, and hopefully lower the inflated mortgage costs due to foreign investments....

For the first time in my life I am on the side of the tourism industry: lets guests stay in hotels. Houses are for residents.

Mahalo nui for the opportunity to testify.

me ka ha'aha'a,

Kaleiheana Stormcrow

SB-2919-SD-2

Submitted on: 3/14/2024 7:04:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
nikoya	Individual	Support	Written Testimony Only

Comments:

Aloha mai kākou,

My name is Koy Collier, and I am in support of this bill.

I worked in the visitor industry for 13 years, and watched how the short term/mid term accommodations have impacted our islands from the very beginning. The hotel segment knew the STRs would be a problem, yet no one listened to us. They were not taxed like hotels. They were impeding on local communities. They congest our roadways and streets in ways that became unsafe. And they priced locals out of our home.

STRs have caused our housing market to spike to a point that local people can no longer afford to live here or buy homes here. It is unfortunate that the Maui Fires ripped this blindfold off, but UHERO has tracked it and proven the correlation. 39,000 STR owners in the state? We saw the impact during the pandemic, and we continue to watch it post Maui fires.

It is time that STRs are regulated, taxed like hotels and if sold, sold to local families at affordable prices.

Mahalo,

Koy Collier

SB-2919-SD-2

Submitted on: 3/14/2024 7:40:14 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
leslie farnel	Individual	Support	Written Testimony Only

Comments:

Thank you for considering limiting short term rentals with this bill. I support limiting or omitting short term rentals. Maui has become a slave to tourism. Short term rentals support this unhealthy practice. We see how this affected the community and economy after the fire. We saw how it affected the island during the pandemic. In order to be a sustainable economy this island needs to break away from its unhealthy relationship with tourism and become self supporting. It has spiraled into chaos adding population both permanent and transitory to an already over developed limited space. It has to be curtailed. Eliminating short term rentals is a good step in giving the county back to the residents. People who have generations of history here are being pushed out by outsiders. Please help return the aina to the people.

SB-2919-SD-2

Submitted on: 3/14/2024 7:51:21 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Andrews	Individual	Oppose	Written Testimony Only

Comments:

I oppose this legislation. It is short sighted and will not alleviate the housing strain the state currently suffers from.

I have owned my home for almost 12 years, and while I do spend a substantial amount of time on Kauai, the time I'm away, I short term rent my house. I employ cleaners, landscapers, repairmen, construction workers, various maintenance people and property managers. My renters eat at the various restaurants, buy from the markets, buy from the clothing and souvenir shops, they pay for excursions on the island: fishing, sailboats, helicopters, snorkeling, kayaking, tubing, ATV and horseback riding. These businesses all employ local residents. I pay thousands in TAT, GET and the special Kauai 3% tax that goes directly to the state. And studies show that completely eliminating short term rentals will increase available housing by only 5%. If you eliminate short term housing it will severely impact the local community and cause severe job losses and encourage more local residents to move away from Hawaii. The failure of government to facilitate development is at fault, not the homeowners who have an opportunity to earn real money from their investments, while contributing millions of dollars directly to the state economy through TA taxes, property taxes, and the employment of 1000's of island residents. Sterling Higa, executive director of Housing Hawai'i's Future says Hawai'i's four counties have the most burdensome housing regulations in the country, limiting new supply. That's just insane. Start at the state level and mandate construction reform. There are developers who are willing, the state needs to make sure they are able. Do not be short sited and pass this knee jerk response to appease special interest groups like the hotel lobby. Eliminating short term housing will have a huge detrimental effect of the economy of Hawaii.

SB-2919-SD-2

Submitted on: 3/14/2024 8:04:57 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eliza Yoshida	Individual	Support	Written Testimony Only

Comments:

Please prioritize our PEOPLE over profit. the NATIVE & LOCAL people need your kokua, they need you to fight for them and their access to affordable housing. LOOK at the people testifying. they are not the people of this land. they are lining their pockets and setting themselves up for retirement with their second/third/fourth homes and properties meanwhile our people are being displaced and having to leave the islands. the devastation of Lahaina should have taught us so much about what matters, and it is our PEOPLE. there is no Hawai'i without Hawaiians (and the true generational locals of this land).

SB-2919-SD-2

Submitted on: 3/14/2024 9:05:05 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Quincy Dein	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

I am writing to you as a concerned resident and local resident family owner of a bed and breakfast in Hawaii on the island of Maui. I wish to express my strong opposition to the SB2919 bill and its potential impacts on legal vacation rentals in our state. This ban poses a significant threat to the livelihoods of many local families, including mine, who rely on the income generated from short-term rentals to make a living and pay our bills.

Vacation rentals are not just a source of income; they are a vital part of our community's economy. They allow local families to build equity in a real business and tap into the vast flow of money coming into our state from tourism, without having to work for major corporations or hotels. This form of income is especially crucial in areas where job opportunities may be limited.

Furthermore, vacation rentals offer tourists a unique and personalized experience, often leading to repeat visits and positive word-of-mouth, which benefits our state's tourism industry as a whole. Banning vacation rentals would not only harm local families financially but could also negatively impact the overall tourist experience in Hawaii and reduce optoins. They also provide an opprotunity for locals to share our culture and Ohana traditions without working for Mariot, Weston or similar large hotel chains.

I understand the concerns that may have led to the proposal of this ban, such as noise complaints and neighborhood disruptions. However, I believe that these issues can be addressed through stricter regulations and enforcement, rather than an outright ban. Many vacation rental owners, like myself, are committed to being good neighbors and ensuring that our guests respect the local community.

I urge you to consider the detrimental impact this ban would have on local families and the economy, and to explore alternative solutions that address concerns without stripping away our ability to make a living. Please stand with us, the local family owners of bed and breakfasts, and oppose the vacation rental ban. Help us locals build equity from tourism instead of being pawns to large hotels and coporations who benefit the most from tourism to our beautiful island home.

Thank you for your time and consideration.

Aloha

Quincy Dein

SB-2919-SD-2

Submitted on: 3/14/2024 9:09:27 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Holden Takahashi	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue

SB-2919-SD-2

Submitted on: 3/14/2024 9:33:24 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoelani Steward	Individual	Support	Written Testimony Only

Comments:

Aloha nui Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing in strong support of SB2919 SD2. Born and raised in Lahaina, our ohana is one of thousands that have been displaced from the Lahaina fire. Throughout this time, we have learned more about our housing crisis and how short term rentals has adversely affected Lahaina as well as our entire pae aina, further displacing our ohana from our home and from the place we have been for generations. This bill will enable our counties to focus on their people, our local community, instead of people that live outside of Hawaii that contribute to the extractive tourism industry. Additionally, it is imperative that specific language is included in this bill so that it also applies to apartment-zoned properties as well. Please prioritize our people over profits and pass SB2919 SD2.

Mahalo nui,

Kanoelani Steward

SB-2919-SD-2

Submitted on: 3/14/2024 9:41:01 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gretchen Losano	Individual	Support	Written Testimony Only

Comments:

Aloha Honorable Committee Members,

Please support SB2919 SD2. North of Ka'anapali, in what is meant to be residential areas, 85% of the housing is taken up by the short term rental market for tourists. These numbers are staggering when we can clearly see many of the homeowners do not even live on Maui. These homes are "investments" for them, and these people are so disconnected from our communities, they have not been willing to convert to long term housing in the wake of our devastating wildfire. The prices that the government is willing to pay for these to be converted is far above what anyone would ever pay for a monthly rental, and still these people are too selfish to even take those deals. Its disgusting, and people like that have no business even being able to own homes on Maui. Please do what is in your power to protect our community from falling apart because of selfish out-of-state homeowners, and force the conversion of these short term rentals to long term for our community.

Mahalo for your support,

Gretchen Losano

Lahaina, Maui

SB-2919-SD-2

Submitted on: 3/14/2024 9:41:17 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nalani	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our

counties have the clear right to phase out short-term rentals over a reasonable amount

of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in

our housing crisis. As we work towards addressing this issue, it is essential to ensure

that SB2919 applies to apartment-zoned properties as well. Many communities across

the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and

driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to

apartment-zoned properties, ensuring that all areas affected by the negative impacts of

short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Nalani Abellanida

SB-2919-SD-2

Submitted on: 3/14/2024 9:58:59 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Jacobs	Individual	Oppose	Written Testimony Only

Comments:

Honorable Chair Sean Quinlan

Honorable Vice Chair Natalia Hussein-Burdick

House Committee on Housing and Tourism

Dr. Becky Jacobs DAc., DACM

PO Box 44372, Kamuela, Hawaii 96743

Hearing Date: March 15, 2024 at 9:30 AM

Position on SB 2919: Oppose

Dear Honorable Chair Sean Quinlan, Vice Chair Natalia Hussey-Burdick and House Committee on Housing and Tourism members,

I OPPOSE SB 2919. This bill will negatively impact my family and the many guests that stay with us including medical workers and others traveling for work.

I oppose SB2919.

Thank you for allowing me to testify,

Dr. Becky Jacobs, DAc., DACM

SB-2919-SD-2

Submitted on: 3/14/2024 10:21:24 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly Swanson	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

While I understand how much of a crisis the people of our island are in at this time, taking away short term rentals will further devastate the economy. Not only will we lose valuable jobs, but a major portion of our tax revenue as well. Who will make up the difference? The jobless people of the island? Furthermore the majority of these units were not designed for long term housing and are not suitable for long term housing. Who pays the necessary maintenance fees for these complexes? Due to age, many buildings have major capital improvement projects that must be completed not only to ensure the longevity of the structures, but in order to insure the buildings. If you add the rate of homeowner insurance for the units plus the maintenance fees, in most cases you've already got a number which disqualifies them from affordable housing. This is not taking into account the price of the units themselves nor the utilities costs. The catastrophic effects of taking away these units will not be something realized many many years in the future, these are problems we'll face in the near future. Sewage failures, spalling failures, and skyrocketing insurance rates are not something the people of Maui can afford in addition to a 40% tax revenue loss to be made up by people who lack job opportunities. These costs are paid for by visitors for a reason. Hotels do not pay these costs. The majority of hotel revenue leaves the island & gives us very little benefit. Please do not create a new catastrophe for our island. We cannot afford it.

SB-2919-SD-2

Submitted on: 3/14/2024 10:31:58 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
pahnelopi mckenzie	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,
Pahnelopi McKenzie

SB-2919-SD-2

Submitted on: 3/14/2024 10:41:16 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kiley Adolpho	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees, I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely, Kiley Adolpho

SB-2919-SD-2

Submitted on: 3/14/2024 10:47:18 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Soleil Hawthorne	Individual	Oppose	Written Testimony Only

Comments:

Chairman, members of the committee,

I am writing to express my strong opposition to SB2919, SD2, the proposed vacation rental law. As a landowner on Big Island, I believe this legislation will have detrimental effects on our community and infringe upon property rights.

Firstly, SB2919, SD2, imposes excessive regulations on vacation rental properties, stifling the economic opportunities they provide for homeowners. Many families rely on income from renting out their properties to supplement their livelihoods. This law would impose burdensome requirements, making it financially unfeasible for many to continue operating vacation rentals.

Furthermore, the proposed law undermines the rights of property owners by imposing arbitrary restrictions on how they can utilize their homes. Property rights are fundamental to our society, and this legislation sets a dangerous precedent by allowing government overreach into private property matters.

Additionally, SB2919, SD2, fails to address the root causes of any issues associated with vacation rentals. Instead of implementing heavy-handed regulations, policymakers should focus on promoting responsible hosting practices through education and community engagement.

In conclusion, I urge the committee to reject SB2919, SD2 in its current form. Let's work together to find solutions that balance the interests of homeowners, renters, and the community at large without infringing upon property rights. Thank you for considering my testimony.

Mahalo,

Soleil Hawthorne

SB-2919-SD-2

Submitted on: 3/14/2024 10:54:26 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dennis King	Individual	Support	Written Testimony Only

Comments:

Aloha, I'm writing in strong support of SB 2919. STR's have been exacerbating the housing crisis for years. The fires have brought this situation into even sharper focus. We have to act now to give the power to regulate these properties back to the people who are aversely affected. Families are being forced to leave the island every day. This is the perfect time to take a stand and seek alternate solutions. Thank you for your consideration.

Dennis King

SB-2919-SD-2

Submitted on: 3/14/2024 10:55:44 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Angelique Pokipala-Kahula	Individual	Support	Written Testimony Only

Comments:

I am in support of SB 2919 to phase out short term rentals. As a native of Lahaina & still a renter myself at 49 years old, I still have yet to own my own home. Due to the high cost of living & housing prices, I just can't afford it. My children can't afford it. To have to see these visitors staying in homes that should be for our people who are born & raised here, is heartbreaking. Our people work so hard to put a roof over our families heads & food on the table, at a job that caters to these short term renters who think they have a say? I say, No More! Put a stop to this now, and put the people of this land first, for the first time.

Thank you

SB-2919-SD-2

Submitted on: 3/14/2024 11:11:50 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Olivia Kotter	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,
I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time. The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.
Thank you for your attention to this critical issue. Sincerely,
[Olivia Kotter

SB-2919-SD-2

Submitted on: 3/14/2024 11:13:05 PM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
alice Tobin	Individual	Oppose	Written Testimony Only

Comments:

I own and live year round at my property in Kealakekua Bay. It is a house zoned residential. I rent a part of my house as short term vacation rental. The rent has been extremely helpful to meet the rapidly rising property taxes, insurance and cost of living and the rent has allowed me to make improvement to my house and garden.

I oppose this bill for the following reasons:

- 1) I am very sure that many of the visitors to the Big Island would not come to Hawaii if they had to pay the much higher cost of a hotel room. In addition, the closest hotel is in Keauhou which is 20 minutes drive to the beaches within walking distance to my house.
- 2) All the short term vacation rentals on the Big Island generated millions of GE & TAT for the County and State. Again, without us, the State will have less income. short term vacation rentals add up to one-third of Hawaii's vacation rental units.
- 3) We, short term vacation rentals, do not cause a rental housing shortage. Hawaii's zoning law does. If Big Island make all "R" zone into multi-family. I am confident that more than half of the current residential zoned owners will add a rental unit on their property, thereby possibly double the rentable housing units in a very short time. The additional rent for the property owners will mean more spendable dollar on the Island, leading to more GE tax income.
- 4) HTA should allow one or several of us, short term vacation rental owners on their board. They are benefiting from the GE and TAT that we generated. We are not taking away their business. We are bringing in more visitors. HTA need to understand that the number of visitors is not a fixed or finite number. It can easily be increased with a positive attitude.
- 5) Only those who do not reside here but short term vacation rental all year round, those who had been issued an "exempt certificate", should be disallowed to "short term rent".

I sincerely ask all of you who took office to serve us, Hawaii's residents, be on the look out for our benefits and not the benefits of a small group made up of big businesses. SB2919 should have been tossed out when it was proposed. I pray to God that you start working for the majority which are the home owners. Mahalo nui.

Alice Tobin

82-6012 Puuhonua Road

SB-2919-SD-2

Submitted on: 3/15/2024 12:25:20 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Support	Written Testimony Only

Comments:

I support SB2919.Let the counties have the right to phase out the short term rentals.Not the Gov.Green making the calls again as if he owns the land.

SB-2919-SD-2

Submitted on: 3/15/2024 12:46:22 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susie Taylor	Individual	Oppose	Written Testimony Only

Comments:

Chairman, members of the committee,

I am writing to express my strong opposition to SB2919, SD2, the proposed vacation rental law. As a landowner on Big Island, I believe this legislation will have detrimental effects on our community and infringe upon property rights.

Firstly, SB2919, SD2, imposes excessive regulations on vacation rental properties, stifling the economic opportunities they provide for homeowners. Many families rely on income from renting out their properties to supplement their livelihoods. This law would impose burdensome requirements, making it financially unfeasible for many to continue operating vacation rentals.

Furthermore, the proposed law undermines the rights of property owners by imposing arbitrary restrictions on how they can utilize their homes. Property rights are fundamental to our society, and this legislation sets a dangerous precedent by allowing government overreach into private property matters.

Additionally, SB2919, SD2, fails to address the root causes of any issues associated with vacation rentals. Instead of implementing heavy-handed regulations, policymakers should focus on promoting responsible hosting practices through education and community engagement.

In conclusion, I urge the committee to reject SB2919, SD2 in its current form. Let's work together to find solutions that balance the interests of homeowners, renters, and the community at large without infringing upon property rights. Thank you for considering my testimony.

Mahalo,

Susan

SB-2919-SD-2

Submitted on: 3/15/2024 1:54:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Louis Kocsis, Jr.	Individual	Oppose	Written Testimony Only

Comments:

To Whom It May Concern,

My family and I oppose SB2919 due to the expected detrimental effects on the tourism economy, property values, and employment opportunities. Lower property values will reduce the wealth of local property owners and lower the real estate tax revenues. Fewer tourists will result in a smaller economy and fewer employment opportunities for the people of Hawaii.

Please consider the unintended consequences of this legislation.

SB-2919-SD-2

Submitted on: 3/15/2024 4:47:51 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie Zeigler Warmus	Individual	Oppose	Written Testimony Only

Comments:

I am asking you to oppose this bill, as it will have far more unintended harm to the state than any perceived benefit. The economy will be destroyed, as those who work in the industry will struggle to have sufficient work. Those who make a living with an Ohana unit on their property will be put out of business. Those who travel for employment but can not afford resort hotel prices will not come to Hawaii for work, such as traveling medical professionals, contractors, etc.

The property tax base will be reduced, due to loss in value. The GE and TA tax loss will be diminished. How does the state and counties plan to overcome those deficits.

if the goal is to house those impacted by the fires, why are there so many STRs that have signed up for the FEMA program still sitting empty?

if this is to improve affordable housing, why haven't you enforced the licensing and permitting requirements of STRs, you already have?

Do not make this a mongoose. It will not eliminate the cane toad. It will just become a bigger problem.

Thank you

SB-2919-SD-2

Submitted on: 3/15/2024 4:51:53 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rob Mapes	Individual	Oppose	Written Testimony Only

Comments:

My name is Rob Mapes, I am a homeowner at Papakea in Maui. I oppose SB2919.

Many local businesses rely on the business from units like mine. I pay a local property manager, housekeepers, handymen and contractors regularly to keep the unit in top shape. These people would be adversely affected if these rental units were eliminated.

Many of my guests have been returning to Maui for decades. They support local businesses when visiting and have a deep connection. For example, I recently had some returning guests that spent some of their island time volunteering for local causes since they wanted to help efforts after the devastating fires.

We also contribute a great deal with property taxes and TAT/GET/MCTAT taxes.

I strongly oppose SB2919. Short term rental units like mine provide great benefit for Maui and should not be eliminated. Please vote no.

SB-2919-SD-2

Submitted on: 3/15/2024 5:35:28 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Albert Morgan	Individual	Oppose	Written Testimony Only

Comments:

Aloha.

I oppose bill SB 2919.

I am retired.

I am a Native Hawaiian.

I own ancestral land passed down from my grandmother.

It's been in the family since 1934.

I operate a legal vacation rental on this land.

This bill could strip my rights to continue my operation.

I would not have the revenue to pay the enormous property tax increases in the area.

I would have to sell the property.

It would be a HUGE loss for our family.

Mahalo,

Albert Morgan

SB-2919-SD-2

Submitted on: 3/15/2024 6:39:42 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andre Gueziec	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Maui County Council,

My name is Andre Gueziec, and I am a part time resident of Maui. I am writing to express my strong support for vacation rentals in our community and against HB1838. As someone who has experienced the benefits firsthand, I believe that vacation rentals play a vital role in our local economy and provide numerous advantages to both visitors and residents alike.

First and foremost, vacation rentals contribute significantly to Maui's economy by generating additional revenue and creating jobs. These rentals provide employment opportunities for locals, from property managers to housekeeping staff, which helps to support families and sustain our island's economy.

Moreover, vacation rentals offer visitors a unique and authentic experience of Maui, allowing them to immerse themselves in our culture and lifestyle. Many tourists prefer the flexibility and comfort that vacation rentals provide, enabling them to explore the island at their own pace while enjoying the comforts of home.

Additionally, vacation rentals help alleviate the strain on traditional accommodations during peak tourist seasons. By offering alternative lodging options, vacation rentals help distribute visitors across the island, reducing overcrowding in popular tourist areas and easing traffic congestion.

Furthermore, vacation rentals promote sustainable tourism practices by encouraging responsible travel behavior, and patronizing small business. Many vacation rental owners are small businesses which even implement eco-friendly initiatives, such as recycling programs and energy-efficient appliances, contributing to Maui's efforts to preserve its natural beauty and resources.

In conclusion, vacation rentals are a valuable asset to Maui's tourism industry and local community. They stimulate economic growth, provide authentic experiences for visitors, and support sustainable tourism practices. I urge the Maui County Council to continue supporting vacation rentals and to enact policies that ensure their responsible operation for the benefit of our island and its residents.

Thank you for your attention to this important matter.

Sincerely,

Andre Guezic

SB-2919-SD-2

Submitted on: 3/15/2024 6:44:03 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Zarubin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Luke Evslin, Vice Chair Micah Aiu and other respected comittee members. I oppose the passage of this bill because of the detrimental financial impacts it will have to our residents. Short term rentals brings in many forms of revenue, besides taxes, STR's keep small buisnesses alive such as cleaning people, and subcontractors as STR's require a lot of maintenance due to the turnover. Personally, I spend 2 months of the year travelling to Maui to re-furbish our condo. Just in 2023, we spent \$8963 in repairs. We have an upcoming tile project that will exceed \$10,000, all of this expenditure goes right into the pockets of hard working Maui citizens. With long term rentals, we would not be constantly re-furbishing our unit because the income generated would not justify the expense. So I please ask you to reconsider this bill and vote no.

Mahalo,

Paul Zarubin

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis on Maui and across Hawaii in general. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices. We need to manage this better and have a closer eye on what is happening as it has slipped through the cracks for too long.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue. Please keep the local people in mind who live here day in and day out. Without our people in Lahaina, there will be no Lahaina.

Sincerely,

Rose Crichton

SB-2919-SD-2

Submitted on: 3/15/2024 7:00:29 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
U'ilani Tevaga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

Our family of 7 lost our home and all that our children have known, relatives scattered across the island, neighbors, childhood friends forced to move off island with no idea whether they can return. The loss was swift and deep. Each day as we now live 2.5 hours away we deal with the affects of housing crisis. We had wished to stay close to what was familiar for the sake of healing and some sort of normalcy. But because of shortage on West maui specifically, we have our 5 children now attending schools in 5 different areas of the island. 14 hour days! Horror story after horror story of our people STILL being moved from place to place. The displaced, having to displace those not even affected.

All while these many bills are being made WITHOUT the People of LAHAINA. There is adequate room in hotels. The #1 problem I see with STRs across Hawaii is OVER CONSUMPTION. Of resources, of space, of culture, we as locals even prior to the fire since STRS were at its peak, began being pushed out of our grocery stores, local eating places, local beaches and while this may seem we are against tourism, we are not. But the IMBALANCE is the problem, largely impart to our local communities being swallowed up. Our neighborhoods being taken over and in this time of crisis, when asked to turn LONG TERM, which doesnt mean NO profit, just less, we have seen where The hearts and minds of these many owners are, their bottom line.

Our lived experience and our bottom line is Pain and Struggle. This must change. For long term. Our community deserves to be able to rent at the very least to have a place to LIVE not have to struggle and stress so Vistiors can save a little here and there (which most STRS are way comparable to hotels anyway at this point) and Have their beach time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your consideration,

Janice Tevaga

SB-2919-SD-2

Submitted on: 3/15/2024 7:12:50 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Ho	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslin, Chair Quinlan, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Richard Ho

SB-2919-SD-2

Submitted on: 3/15/2024 7:16:35 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marvin Tevaga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Evslyn, Chair Quinland, and Honorable Members of the Committees,

I am writing to express my strong support for SB2919, SD2, which clarifies that our counties have the clear right to phase out short-term rentals over a reasonable amount of time.

I am Born and Raised In Lahaina, father of 5 A Police Officer with the Maui County Police Dept, and run an entertainment business so we can continue having Lahaina be our home. I am deeply saddened and concerned with the lack of support from our officials to help turn STRS in Long term options. It was our hope that after losing our home, we would be able to continue living in West Maui so our kids could be among those familiar to help with the grieving process, but have come up short with options and now we live 2.5 hours away and worry daily if we will all have to leave Maui so VISITORS can save a little money and STR owners can manage their 2nd or 3rd property.

The Lahaina fires shed a clear light on the contribution that short-term rentals play in our housing crisis. As we work towards addressing this issue, it is essential to ensure that SB2919 applies to apartment-zoned properties as well. Many communities across the state, including Lahaina, have been adversely affected by the proliferation of short-term rentals in apartment-zoned areas, exacerbating our housing shortage and driving up rental prices.

Therefore, I urge you to include language in SB2919, SD2, that explicitly applies to apartment-zoned properties, ensuring that all areas affected by the negative impacts of short-term rentals are adequately addressed.

Thank you for your attention to this critical issue.

Sincerely,

Marvin Tevaga

SB-2919-SD-2

Submitted on: 3/15/2024 7:34:52 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Volker Joehnk	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee,

My name is Volker Joehnk and I live on the island of Maui. I oppose SB-2919 due to its potential negative impact on Maui's economy and affordable housing. Here are my key concerns:
Threat to Local Businesses: SB-2919 jeopardizes locally-owned small businesses like me, including short-term rentals (STRs), which are vital contributors to our economy. **Economic Impact:** STRs represent less than 1% of Maui households but contribute over 40% of the county's property tax revenue, funding essential services including affordable housing. I urge you to reconsider SB-2919 and explore alternative solutions that address housing affordability without harming local businesses or affordable housing.

Sincerely,

Volker Joehnk

SB-2919-SD-2

Submitted on: 3/15/2024 7:48:14 AM

Testimony for HSG on 3/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry	Individual	Comments	Written Testimony Only

Comments:

State of Hawaii,

We own our own property, how dare you tell us how we can use it.

We pay taxes. That should be the end.

So now you want to prevent me from renting my property to vacation people since you think Maui does not have enough housing. Don't tell me what to do.

I pay taxes and I pay some people to manage and clean my property. I give jobs to these people. They may live in their car, I don't know and I don't care. A job is more important than a place to live.

Sure the fire destroyed lots of homes and killed people, but there are plenty of people around the world that want to visit Maui, so just let me come over every now and then so I can say I am part of the community, then let pretty much anyone that is willing to pay, come over and they do not even need to be respectful. I need my money to pay YOUR taxes.

As a mainland investor I was promised I could do whatever I want. Now you want to let the county tell me that because of a housing situation I had nothing to do with, I cannot rent out my investment property?

I bought my property, maybe if everyone decided to stay on island they could buy too. Instead everyone keeps leaving. Not my fault.

Here in Canada it is very difficult for Americans to buy a home. Lucky for me, I can buy anything I want in America, anywhere. Including Maui.

We are hoping prices go down so we can buy some more property on Maui to be able to rent out to random people. Do not take away our freedoms just so residents have a place to live. You are taking the gold out of my children's bank account.

Will there be lawsuits? Of course. Expensive ones.

Stop telling me what to do with my property. I do not want locals living with me, near me or around me. There are too many and my resort property is too nice for them.

I am as close to a local as you can be, except I was born, raised and live in Canada. So I know more than most. ALL taxpayers should be represented and as a property owner, my opinion counts more than any local that cannot find a home.

Thanks,

Signed, pretty much everyone that opposes this measure.