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Testimony of the Department of Commerce and Consumer Affairs

Office of Consumer Protection

Before the
House Committee on Consumer Protection and Commerce
Thursday, March 21, 2024
2:05 PM
Via Videoconference

On the following measure:

H.C.R. 119, URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, IN COLLABORATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL, TO INVESTIGATE AND REGULATE THE SALE OF TICKETS TO LIVE ENTERTAINMENT EVENTS UNDER ITS AUTHORITY TO PROTECT CONSUMERS AGAINST UNFAIR OR DECEPTIVE ACTS OR PRACTICES IN THE CONDUCT OF ANY COMMERCE.

Chair Nakashima and Members of the Committee:

My name is Mana Moriarty, and I am the Executive Director of the Department of Commerce and Consumer Affairs (Department) Office of Consumer Protection (OCP). The Department appreciates the intent of this resolution and offers the following comments.

Of more than 1,452 consumer complaints received by OCP in FY2023, four complaints were filed by consumers related to live events. All four complainants reported that they could not attend live events due to cancellations. Of those four complaints, two were resolved when the respondent refunded consumers the purchase

price of the ticket for the canceled event, one was closed due to insufficient evidence, and one remains pending.

OCP has not received any complaints related to the Janet Jackson concert series, the most recent major act to perform in Honolulu in a concert series that ended the weekend of March 9, 2024. The promoter first offered tickets for sale in November 2023. The lack of complaints may be attributable to the promoter offering Hawaii residents early access to ticket purchases or using the event ticket seller's new all-in pricing format. This format showed the total cost of the tickets before consumers checked out, leaving no surprise hidden fees at the end of the buying process that would have inflated the price of the tickets. The last live event in Hawaii that generated a significant volume of consumer complaints was the Bruno Mars concert at Aloha Stadium in 2016.

OCP continues to investigate reported or suspected unfair and deceptive trade practices and violations of consumer protection laws. In appropriate cases, OCP may enforce such laws by bringing civil actions or proceedings. Members of the public are encouraged to contact OCP for assistance and with their complaints about live events.

OCP has been granted authority to bring civil enforcement actions to address violations of laws spread through more than thirty separate chapters of the Hawaii Revised Statutes. Some examples of consumer protection laws include the Mortgage Rescue Fraud Prevention Act, Uniform Deceptive Trade Practice Act, and laws governing door-to-door sales, tow truck operators, and lease-purchase agreements for personal property.

Thank you for the opportunity to testify on this resolution.