

HAWAII LEGISLATIVE  
ACTION COMMITTEE

  
**community**  
ASSOCIATIONS INSTITUTE

P.O. Box 976  
Honolulu, Hawaii 96808

The Honorable Senator Jarett Keohokalole, Chair  
The Honorable Senator Carol Fukunaga, Vice Chair  
Senate Committee on Commerce and Consumer Protection  
415 South Beretania Street  
Honolulu, Hawaii 96813

Re: **SB 2548 - OPPOSE**

Dear Chair Keohokalole, Vice Chair Fukunaga and Committee Members:

The Community Associations Institute (CAI) is a national and statewide organization of individuals involved in the operation of community and condominium associations, including homeowners, directors, managers and business partners of community and condominium associations. CAI opposes SB 2548.

As a preliminary matter, please keep in mind that security cameras installed by associations would be located in—and directed toward—common areas (e.g., the lobby, inside the elevators, and in stairwells). These cameras would not be located in—or directed toward—any individual unit.

While CAI supports the spirit of bills encouraging privacy, this proposed legislation overreaches by requiring that anyone who accesses security footage<sup>1</sup> obtain a license pursuant to HRS chapter 463. This is problematic for the following reasons:

(1) HRS chapter 463 provides for licensing for (a) private detectives and (b) security guards. However, this proposed bill does not specify which license would need to be obtained. One can speculate that it refers to a security guard's license, but that is not the wording of the bill.

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<sup>1</sup> The wording that the bill proposes to insert into HRS § 514B-133 uses the term "security cameras" (i.e., the physical cameras themselves), but section 1 of the bill refers to "footage" and "observation." CAI interprets the intent of the bill as relating to "footage" rather than the physical cameras themselves.

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(2) This bill is impracticable as it would require too many people to obtain a private detective's or security guard's license in the event of an incident requiring investigation. Speaking from experience, as an attorney, my services are often required when an incident occurs in a common area. The situations I deal with sometimes involve people starting fires, damaging property in common areas, fighting and threatening neighbors.

Under the wording of this bill, if such a serious incident were to occur, here is a list of people who would need to obtain a private detective's license or a security guard's license because they would be "accessing" the security footage:

- Me (even though I am not a security guard or a private detective).
- My elderly secretary.
- The property manager employed by the managing agent (this person is a real estate agent).
- The property manager's support staff.
- The on-site manager (if there is one).
- Possibly, the condominium's insurance carrier's personnel and adjuster.

Respectfully, I cannot think of one good reason why my elderly secretary (or any of the person's listed above) should be required to obtain a private detective's license or a security guard's license. The requirement that the attorneys, property managers, site managers and insurance adjusters all become licensed private detectives or licensed security guards is unduly burdensome and serves no purpose.

The practical effect of this bill is that no condominium association would ever be able to investigate incidents that occur in common areas by accessing security footage, due to the burdens that this legislation would impose. Moreover, if an association were named in a lawsuit in relation to such an incident, it would not be able to defend itself in court, even though it may have a clear defense, based on the security footage.

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Thank you for your attention to this matter. For the reasons  
above, CAI respectfully opposes SB 2548.

Very truly yours,

*/s/ Dallas H. Walker*

Dallas H. Walker, Esq.  
Community Associations  
Institute, Hawaii  
Chapter  
Legislative Action  
Committee

**SB-2548**

Submitted on: 2/3/2024 9:13:58 AM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mike Golojuch, Sr.	Testifying for Palehua Townhouse Association	Support	Written Testimony Only

Comments:

Our association strongly supports SB2548. Please pass this bill.

Mike Golojuch, Sr., President

**SB-2548**

Submitted on: 2/3/2024 3:26:46 PM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Richard Emery	Testifying for Hawaii First Realty LLC	Oppose	Written Testimony Only

Comments:

Security cameras are often used in condominium associations, mostly smaller ones. The association should be able to view camera footage to evaluate an incident. This Bill only increases costs and delays investigation of an incident.

**SB-2548**

Submitted on: 2/3/2024 10:39:37 PM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dale Head	Individual	Support	In Person

Comments:

Regarding SB2548 - Requires employees, applicants, and contracted vendors of condominium associations in employment positions that grant access to security cameras and footage to undergo a background check and be licensed consistent with the requirements in chapter 463, HRS.

***Aloha CPN Chair Jarrett Keohokalole and Vice Chair Carol Fukunaga:***

I fully SUPPORT this Bill and urge its passing. :-)

Sincerely, Dale Arthur Head

**SB-2548**

Submitted on: 2/3/2024 8:32:32 PM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lila Mower	Individual	Support	Written Testimony Only

Comments:

I support this measure.

**SB-2548**

Submitted on: 2/4/2024 3:32:47 AM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Greg Misakian	Individual	Support	Written Testimony Only

Comments:

I support SB2548.

Gregory Misakian

Kokua Council, 2nd Vice President

Waikiki Neighborhood Board, Sub-District 2 Vice Chair



**SB-2548**

Submitted on: 2/4/2024 1:56:26 PM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Richard S. Ekimoto	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2548. There does not appear to be any good reason for the law. No similar requirement is imposed on all the other instances of security cameras in Hawaii. Recently, the Star-Advertiser reported that the police might have volunteers review security camera footage. Clearly, a license is not needed to view security footage. Requiring a license would only increase the cost to community associations without any added benefit.

Not only is the bill unnecessary, it is unworkable because anyone who views security footage would need a license. Often the police or residents request security footage of criminal activity. Associations assisting with this activity should be encouraged rather than punished.

Furthermore, it is overbroad in that it requires a license for anyone

**SB-2548**

Submitted on: 2/4/2024 5:20:00 PM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

Support SB2548

Mahalo,

Tamara Paltin

**SB-2548**

Submitted on: 2/5/2024 8:28:29 AM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. I am an owner occupant of a high rise condo in downtown Honolulu. All our employees are required to undergo a background check. However, this is not required of vendors with access to security cameras and footage. It should be Please move this bill forward.

**LATE**

**LATE**

**SB-2548**

Submitted on: 2/5/2024 8:39:32 PM

Testimony for CPN on 2/6/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Miri Yi	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this bill and any intent to protect condominium owners.

In my condominium association, there has been at least one convicted felon who serves as an "advisory committee" member to the AOA board, and the advisory committee/AOAO have hired other convicted felons who also have unrestricted access to owners' sensitive, personal and protected information.

Unfortunately in our situation, the AOA board members, managing agent, site managers, advisory committees, et al, knowingly allow and/or promote such actions.

Thank you very much for the opportunity to submit testimony in support.