

Disaster, Resilience, International Affairs, and Planning Committee (2023-2025) on 2023-03-08 1:30 PM

Meeting Time: 03-08-23 13:30

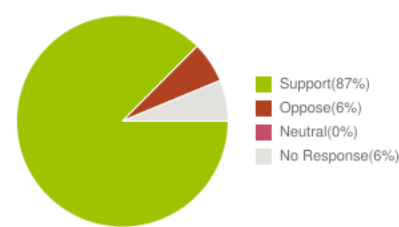
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Disaster, Resilience, International Affairs, and Planning Committee (2023-2025) on 2023-03-08 1:30 PM	03-08-23 13:30	2	16	14	1	0

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment

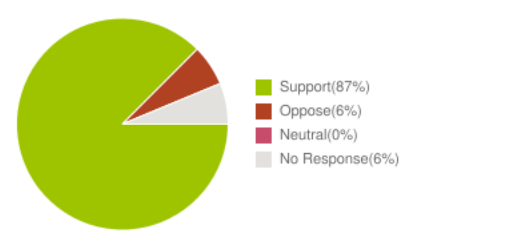


Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	8	7	1	0
DRIP-1 Bill 4 (2023) BILL 4 (2023), CONVERTING APARTMENT BUILDINGS FROM TRANSIENT VACATION RENTAL USE TO LONG-TERM RESIDENTIAL USE (DRIP-1)	8	7	0	0

Sentiments for All Agenda Items

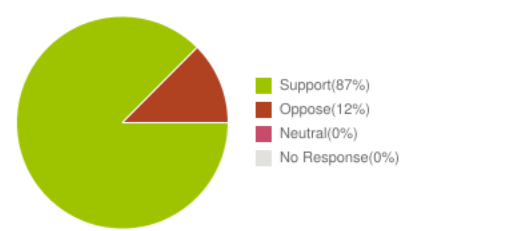
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Overall Sentiment



Agenda Item: eComments for A G E N D A

Overall Sentiment



Angela Leone

Location:
Submitted At: 5:45am 03-08-23

Attached is a letter of support from PRMA for the bill if the percentages are changed to 100%. We oppose the current bill with 67% approval from owners.

Guest User

Location:
Submitted At: 2:19pm 03-07-23

I am an AOA Board member at Mahinahina Beach.
We have owned our home on Maui since 2009 in anticipation of full retirement, now slowly becoming a reality.
We specifically bought at MB because there were no short-term rentals.

We were shocked to see our taxes doubled in 2021 due to the ordinance changes which re-classified us as STR. Our vigorous objections and written and video appeals were all denied.

We have been in alignment with County's expressed goal to reduce short-term rental, and, as desired by the county, we stated that in our bylaws. Our adherence to these bylaws is supported by the same level of fines levied by the county. Our fines for violating this are \$20,000 plus \$10,000 per day, consistent with county short-term rental violation fees.

Mahinahina Beach is a unique tight knit community of owners who either rent long-term to people who work in the community, are homeowners working or fully retired, or those of us who currently are transitioning into retirement and need our units usable and accessible to us year around for remote work from our Maui home, with ability to come and go with privacy and discretion unrestricted by the county. We have many professional people who work both from home, on road, and in this community in retail, hotel, and service jobs, writers, programmers, consultants, airline personnel, medical people, artists, etc. So, If we are all long-term owners, long-term renters or long-term owners who have to come and go for work, the county should not be punishing us because we still have to work, or are still transitioning into retirement, it should not matter where the owner physically is on any given day! If the owner needs and keeps their own household contents, personal clothes, Laundry, dishes in the dishwasher, linens in use, and food in the refrigerator, it is their occupancy whether they are physically present in their home or their personal needed possessions are, just like any other homeowner. We should have the right, as homeowners, to be in or out of our homes for work and travel, and mobility without discrimination by Maui County. These units are still only owner-used and occupied. If long-term residential use means an owner must be physically present for 6 months, that requirement would prevent an accurate property tax classification for those who cannot be and would continue to be an unjust practice to those of us workers who need flexible work mobility.

Fair treatment:

The county needs to treat us like the homeowners we are. We contribute plenty of money into the local community, food, transportation, automobile licenses, volunteer community support for restoration, local event volunteering, and environmental support as kamaaina, We are not part of the transient rental pool for tourists, not short-term rentals.

Please recognize our support of Maui County by reclassifying us into long-term homeowner tax status, the only equitable fairness as long-term occupants, still partially working, but on-island now some of every month of the year.

In summary, please consider the following changes:

- In alignment with 514-B32, if an Association's owners to seek to become classified as long-term housing, the County should only require 67% of the Association's owners to approve, and the final verbiage of Ordinance 5160 should reflect this.
- Require Associations that are seeking tax relief due to no short-term rentals, to include that their Declarations prohibit short-term rentals and allow leases of 180 days or more, and ensure those same Declarations establish fines for violations to be \$20,000 plus \$10,000 per day which are consistent with the County's short term rental violation fees.
- Modify the phrase "the Declaration must state the owners will use the property for long-term residential use only" to "the Declaration must state that the owners will not use the property for any rentals for less than 180 days.". This language would then be consistent on how TVR's are defined on the Mauicounty.gov website as "Any rental of a housing unit for less than 180 days."

Respectfully,
Sandy Mubarak
Lahaina, HI 96761

Guest User

Location:

Submitted At: 5:05pm 03-06-23

Testimony for the March 8, 2023 DRIP Committee Meeting

I support revising Ordinance 5160 to allow properties that do not allow short term rentals to have an accurate tax classification. I also support the amended language that was approved by the Maui Planning Commission and I request the County adopt the following language:

- allow communities to have 67% owner approval to permanently prohibit short term rentals, and
- modify the phrase “the declaration must state the owners will use the property for long-term residential use only” to “owners will not use the property for short-term rentals.”

Section 514B-32, states that a condominium declaration may be amended by at least 67% of the owners. I respectfully request the County uphold the same 67% for Ordinance 5160 as it is nearly impossible to get 100% of owners, or any group of people for that matter to approve anything including a declaration. I have been President of a different condominium complex for five years, and I have been a leader of large corporate organizations for 25 years. It is nearly impossible to get 100% of people to respond or attend a meeting, and even more difficult to get people to vote on relevant issues. If Ordinance 5160 is to be effective, please align with Section 514B-32 and change the language to reflect the same 67% requirement for approval of a declaration.

In our community, we do not allow short term rentals. It is one of the main reasons I, and other owners chose to live in this quiet haven. We do not want transient, vacation renters in our small, residential community. One owner violated our policy years ago. That owner was fined and subsequently sold their unit. No other owners rent their units short term. In fact, there are several owners who rent their units long term, thus supporting the need for long term housing. It has been frustrating for our small community of 32 units to be classified as short term rental because some of us are Hawaii residents, and those who are not Hawaii residents either do not rent their units at all or they rent for more than 180 days.

The Declaration for our property prohibits short-term rentals and allows leases of 180 days or more. Our fines for violating this are \$20,000 plus \$10,000 per day, consistent with county short term rental violation fees. In addition, TVR (short-term or vacation rental) is defined on the MauiCounty.gov website as “Any rental of a housing unit for less than 180 days.” This would be a more appropriate term to include in the declaration to voluntarily prohibit TVR and would eliminate the uncertainty of exactly what long-term residential use means.

Mahalo for your consideration of the language changes proposed for Ordinance 5160.

- Madeline Monaco

Guest User

Location:

Submitted At: 2:04pm 03-06-23

Testimony for the DRIP Committee Meeting on 3/8/2023

In supporting Maui County’s desire to limit short term rentals and provide long term housing availability, I support the County’s efforts to amend Ordinance 5160. Establishing the correct tax classifications will help homeowners who support long term housing availability.

In order to better enable and maintain the Ordinance however, I recommend the following language updates:

- In alignment with 514-B32, if an Association’s owners to seek to become classified as long term housing, the County should only require 67% of the Association’s owners to approve, and the final verbiage of Ordinance 5160 should reflect this.
- Require Associations that are seeking tax relief due to no short term rentals, include that their Declarations prohibit short-term rentals and allow leases of 180 days or more, and ensure those same Declarations establish fines for violations to be \$20,000 plus \$10,000 per day which are consistent with the County’s short term rental violation fees.
- Modify the phrase “the Declaration must state the owners will use the property for long-term residential use only” to “the Declaration must state that the owners will not use the property for any rentals for less than 180 days.”. This language would then be consistent on how TVR’s are defined on the MauiCounty.gov website as “Any rental

of a housing unit for less than 180 days.”

Mahalo for your consideration.

Kim Zimmermann

Guest User

Location:

Submitted At: 2:04pm 03-06-23

Testimony for the DRIP Committee Meeting on 3/8/2023

I support revising Ordinance 5160 to allow properties that do not allow STR/TVR to have an accurate tax classification. Proposed language was approved by the Maui Planning Commission which would enable this with 67% owner approval to permanently prohibit short term rentals and I request the County adopt that language. In 2021, the County converted many properties to a Short-Term Rental Tax Class, which resulted in property tax rates doubling for owners who were changed from non-owner occupied to short-term rental even though, like me, they have never rented their unit. Of the 32 units in our complex, one owner rented their unit years ago, was fined by our Association and then sold their unit. That one owner who no longer lives here caused our entire property to be reclassified, which is a terrible injustice as we take pride in our little community being a group of homes, not vacation rentals. Our property supports the County's effort to reduce short term rentals.

Our Declaration prohibits short-term rentals and allows leases of 180 days or more. Our fines for violating this are \$20,000 plus \$10,000 per day, consistent with county short term rental violation fees.

I, along with many other owners, appealed our 2021 property tax and was denied. Since that time, I have been working with county officials to remedy this.

The County should be aware of the impact on tax revenue but the decision should be made based on the proper classification of properties, not revenue. My property taxes doubled because of the STR classification and I have zero STR income. The non-owner occupied tax rate is still 3-5 times the full-time Hawaii resident rate and would be an accurate classification.

Since 2006, Section 514B-32, states that a condominium declaration may be amended by at least 67% of the owners. If 100% of owners are required to approve a declaration, any bill passed by the Council will be useless because getting 100% approval from all owners on anything is nearly impossible. The County should apply the same 67% requirement.

I would like the Council to modify the phrase “the declaration must state the owners will use the property for long-term residential use only” to “owners will not use the property for short-term rentals.”

TVR (short-term or vacation rental) is defined on the MauiCounty.gov website as “Any rental of a housing unit for less than 180 days.” This would be a more appropriate term to include in the declaration to voluntarily prohibit TVR and would eliminate the uncertainty of exactly what long-term residential use means. If long-term residential use means an owner must be physically present for 6 months, that requirement would prevent an accurate property tax classification for those who cannot be and would continue to be an unjust practice.

Mahalo for your consideration.

Bob Zimmermann

Guest User

Location:

Submitted At: 10:43am 03-06-23

Testimony for the DRIP Committee Meeting on 3/8/2023

I support revising Ordinance 5160 to allow properties that do not allow STR/TVR to have an accurate tax classification. Proposed language was approved by the Maui Planning Commission which would enable this with 67% owner approval to permanently prohibit short term rentals and I request the County adopt that language. In 2021, the County converted many properties to a Short-Term Rental Tax Class, which resulted in property tax rates doubling for owners who were changed from non-owner occupied to short-term rental even though, like me, they have never rented their unit. Our property supports the County's effort to reduce short term rentals.

Our Declaration prohibits short-term rentals and allows leases of 180 days or more. Our fines for violating this are \$20,000 plus \$10,000 per day, consistent with county short term rental violation fees.

The County should be aware of the impact on tax revenue but the decision should be made based on the proper

classification of properties, not revenue. Our property taxes doubled because of the STR classification and I have zero STR income. The non-owner occupied tax rate is still 3-5 times the full-time Hawaii resident rate and would be an accurate classification.

Since 2006, Section 514B-32, states that a condominium declaration may be amended by at least 67% of the owners. If 100% of owners are required to approve a declaration, any bill passed by the Council will be useless because getting 100% approval from all owners on anything is nearly impossible. The County should apply the same 67% requirement.

I would like the Council to modify the phrase "the declaration must state the owners will use the property for long-term residential use only" to "owners will not use the property for short-term rentals."

TVR (short-term or vacation rental) is defined on the MauiCounty.gov website as "Any rental of a housing unit for less than 180 days." This would be a more appropriate term to include in the declaration to voluntarily prohibit TVR and would eliminate the uncertainty of exactly what long-term residential use means. If long-term residential use means an owner must be physically present for 6 months, that requirement would prevent an accurate property tax classification for those who cannot be and would continue to be an unjust practice.

Mahalo for your consideration, Brian Maynard

Marq Bresnan

Location:

Submitted At: 10:27am 03-06-23

In supporting Maui County's desire to limit short term rentals and provide long term housing availability, I support the County's efforts to amend Ordinance 5160. Establishing the correct tax classifications will help homeowners who support long term housing availability.

In order to better enable and maintain the Ordinance however, I recommend the following language updates:

- In alignment with 514-B32, if an Association's owners to seek to become classified as long term housing, the County should only require 67% of the Association's owners to approve, and the final verbiage of Ordinance 5160 should reflect this.
- Require Associations that are seeking tax relief due to no short term rentals, include that their Declarations prohibit short-term rentals and allow leases of 180 days or more, and ensure those same Declarations establish fines for violations to be \$20,000 plus \$10,000 per day which are consistent with the County's short term rental violation fees.
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Mahalo for your consideration. Marq Bresnan

Diana Bresnan

Location:

Submitted At: 9:19am 03-06-23

I support revising Ordinance 5160 to allow properties that do not allow STR/TVR to have an accurate tax classification. Proposed language was approved by the Maui Planning Commission which would enable this with 67% owner approval to permanently prohibit short term rentals and I request the County adopt that language.

In 2021, the County converted many properties to a Short-Term Rental Tax Class, which resulted in property tax rates doubling for owners who were changed from non-owner occupied to short-term rental even though, like me, they have never rented their unit. Of the 32 units in our complex, one owner rented their unit years ago, was fined by our Association and then sold their unit. That one owner who no longer lives here caused our entire property to be reclassified, which is a terrible injustice as we take pride in our little community being a group of homes, not vacation rentals. Our property supports the County's effort to reduce short term rentals.

Our Declaration prohibits short-term rentals and allows leases of 180 days or more. Our fines for violating this are \$20,000 plus \$10,000 per day, consistent with county short term rental violation fees.

I, along with many other owners, appealed our 2021 property tax and was denied. Since that time, I have been working with county officials to remedy this.

The County should be aware of the impact on tax revenue but the decision should be made based on the proper classification of properties, not revenue. My property taxes doubled because of the STR classification and I have zero STR income. The non-owner occupied tax rate is still 3-5 times the full-time Hawaii resident rate and would be an accurate classification.

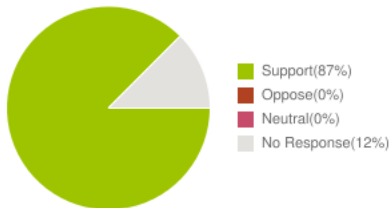
Since 2006, Section 514B-32, states that a condominium declaration may be amended by at least 67% of the owners. If 100% of owners are required to approve a declaration, any bill passed by the Council will be useless because getting 100% approval from all owners on anything is nearly impossible. The County should apply the same 67% requirement.

I would like the Council to modify the phrase “the declaration must state the owners will use the property for long-term residential use only” to “owners will not use the property for short-term rentals.” TVR (short-term or vacation rental) is defined on the Mauicounty.gov website as “Any rental of a housing unit for less than 180 days.” This would be a more appropriate term to include in the declaration to voluntarily prohibit TVR and would eliminate the uncertainty of exactly what long-term residential use means. If long-term residential use means an owner must be physically present for 6 months, that requirement would prevent an accurate property tax classification for those who cannot be and would continue to be an unjust practice.

Mahalo for your consideration. Diana Bresnan

Agenda Item: eComments for DRIP-1 Bill 4 (2023) BILL 4 (2023), CONVERTING APARTMENT BUILDINGS FROM TRANSIENT VACATION RENTAL USE TO LONG-TERM RESIDENTIAL USE (DRIP-1)

Overall Sentiment



Pamela Tumpap

Location:

Submitted At: 9:40am 03-08-23

Please see attached testimony from the Maui Chamber of Commerce.

Guest User

Location:

Submitted At: 3:50pm 03-07-23

I am I'm support of this Bill-4, thank you for the work to data mine the details and find the clarity needed. Mahalo to all those who fall into special categories of Maui residents that have provided testimony. Might the Chair and Committee feel proud of strong measures that meant to provide more housing for Maui residents. I appreciate the hard work.

Guest User

Location:

Submitted At: 2:15pm 03-07-23

I am an AOA Board member at Mahinahina Beach.

We have owned our home on Maui since 2009 in anticipation of full retirement, now slowly becoming a reality.

We specifically bought at MB because there were no short-term rentals.

We were shocked to see our taxes doubled in 2021 due to the ordinance changes which re-classified us as STR.

Our vigorous objections and written and video appeals were all denied.

We have been in alignment with County's expressed goal to reduce short-term rental, and, as desired by the county, we stated that in our bylaws. Our adherence to these bylaws is supported by the same level of fines levied by the county. Our fines for violating this are \$20,000 plus \$10,000 per day, consistent with county short-term rental violation fees.

Mahinahina Beach is a unique tight knit community of owners who either rent long-term to people who work in the community, are homeowners working or fully retired, or those of us who currently are transitioning into retirement and need our units usable and accessible to us year around for remote work from our Maui home, with ability to come and go with privacy and discretion unrestricted by the county. We have many professional people who work both from home, on road, and in this community in retail, hotel, and service jobs, writers, programmers, consultants, airline personnel, medical people, artists, etc. So, If we are all long-term owners, long-term renters or long-term owners who have to come and go for work, the county should not be punishing us because we still have to work, or are still transitioning into retirement, it should not matter where the owner physically is on any given day! If the owner needs and keeps their own household contents, personal clothes, Laundry, dishes in the dishwasher, linens in use, and food in the refrigerator, it is their occupancy whether they are physically present in their home or their personal needed possessions are, just like any other homeowner. We should have the right, as homeowners, to be in or out of our homes for work and travel, and mobility without discrimination by Maui County. These units are still only owner-used and occupied. If long-term residential use means an owner must be physically present for 6 months, that requirement would prevent an accurate property tax classification for those who cannot be and would continue to be an unjust practice to those of us workers who need flexible work mobility.

Fair treatment:

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In summary, please consider the following changes:

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Respectfully,
Sandy Mubarak
Lahaina, HI 96761

Guest User

Location:

Submitted At: 11:57am 03-07-23

We very much favor revising the Ordinance as proposed as this will remedy the atrocious tax increase resulting from the action taken by the County in 2021. The Email from the Board describes the proposed change as a "...more appropriate classification." suggesting the classification as Short Term Rental was merely inappropriate. Using the wrong salad fork is inappropriate. Classification of our property as Short Term Rental for tax purposes is insane!

We have owned at Mahinahina Beach for eight years and have never rented our condo. We have records of our presence on the property for the past five years (2018-2022) showing one of us has been here 54.5% of the time. Our time on island is expected to increase with no intention to ever rent.

The proposed Ordinance requiring the filing of a declaration to be executed by 100% of the property owners seems unobtainable as ownership is fluid with properties buying and selling on any given day. We acknowledge, and very much appreciate, the hard work that went into getting this result.

Ken and Judy Figge

Anita White

Location:

Submitted At: 11:07am 03-07-23

My husband and I are long-term tenants at a condominium property that the county reclassified as short-term rental even though none of the units short-term rent. I am concerned that our long-term housing is at risk because of this incorrect classification. If the owner decides to short term rent our unit instead, we would get displaced and have to find another place to live.

Please reconsider the tax classifications of properties that do not short-term rent and allow a more accurate tax classification that supports long-term housing availability.

Anita White

Guest User

Location:

Submitted At: 7:42pm 03-06-23

As a part-time resident who occupies my unit for part of the year, but does not rent it short term, I support revising Ordinance 5160 to allow properties that do not allow STR/TVR to have an accurate tax classification. Proposed language was approved by the Maui Planning Commission which would enable this with 67% owner approval to permanently prohibit short term rentals and I request the County adopt that language.

In 2021, the County converted many properties to a Short-Term Rental Tax Class, which resulted in property tax rates doubling for owners who were changed from non-owner occupied to short-term rental even though, like me, they have never rented their unit. Of the 32 units in our complex, one owner rented their unit years ago, was fined by our Association and then sold their unit. That one owner who no longer lives here caused our entire property to be reclassified, which is a terrible injustice as we take pride in our little community being a group of homes, not vacation rentals. Our property supports the County's effort to reduce short term rentals.

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The County should be aware of the impact on tax revenue but the decision should be made based on the proper classification of properties, not revenue. My property taxes doubled because of the STR classification and I have zero STR income. The non-owner occupied tax rate is still 3-5 times the full-time Hawaii resident rate and would be an accurate classification.

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I would like the Council to modify the phrase "the declaration must state the owners will use the property for long-term residential use only" to "owners will not use the property for short-term rentals."

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TVR and would eliminate the uncertainty of exactly what long-term residential use means. If long-term residential use means an owner must be physically present for 6 months, that requirement would prevent an accurate property tax classification for those who cannot be and would continue to be an unjust practice.

Mahalo for your consideration.

Bart Gill

Marq Bresnan

Location:

Submitted At: 2:19pm 03-06-23

In supporting Maui County's desire to limit short term rentals and provide long term housing availability, I support the County's efforts to amend Ordinance 5160. Establishing the correct tax classifications will help homeowners who support long term housing availability.

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Mahalo for your consideration.

Guest User

Location:

Submitted At: 2:02pm 03-06-23

Testimony for the DRIP Committee Meeting on 3/8/2023

I support revising Ordinance 5160 to allow properties that do not allow STR/TVR to have an accurate tax classification. Proposed language was approved by the Maui Planning Commission which would enable this with 67% owner approval to permanently prohibit short term rentals and I request the County adopt that language. In 2021, the County converted many properties to a Short-Term Rental Tax Class, which resulted in property tax rates doubling for owners who were changed from non-owner occupied to short-term rental even though, like me, they have never rented their unit. Of the 32 units in our complex, one owner rented their unit years ago, was fined by our Association and then sold their unit. That one owner who no longer lives here caused our entire property to be reclassified, which is a terrible injustice as we take pride in our little community being a group of homes, not vacation rentals. Our property supports the County's effort to reduce short term rentals.

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Mahalo for your consideration.

Bob Zimmermann