

## PSLU Committee

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**From:** Maui Vacation Rental Association <jenrusso@mauivacationrentalassociation.org>  
**Sent:** Tuesday, August 25, 2020 8:17 AM  
**To:** PSLU Committee  
**Subject:** testimony: (PSLU-59) Transient Vacation Rentals in the Apartment, Light Industrial, and Heavy Industrial Districts

August 24, 2020

**Committee Chair Tamara Paltin**

Planning and Sustainable Land Use Committee Council of the County of Maui  
200 South High Street, 8th Floor  
Wailuku, Hawaii 96793

**RE: (PSLU-59) Transient Vacation Rentals in the Apartment, Light Industrial, and Heavy Industrial Districts.**

Aloha Committee Chair Paltin, Committee Vice-Chair Sinenci, and Committee Members:

We want to see well written policy, legislation that takes into account all of the nuances of what is happening on the island, and still gets its goal accomplished.

We do not support the April 7, 2020 version of this bill. However we do agree that the June 26th version is more in line with the goals of the county, that is to preserve long term housing in the apartment district.

We support long term housing on Maui and want to see genuine efforts that can make a difference for the island. That is why we feel that there is a change needed in the language of this bill to make it more effective without inadvertently stripping any property rights from owners.

We hope this committee is willing to make a minor amendment to the language in order to preserve property rights and avoid future litigation. The section that we would like to see changed is section G item 2.

Please consider changing that to "Transient vacation rental use was conducted in any lawfully existing dwelling unit within the building or structure prior to January 1, 2021, as determined by real property tax class or payment of transient accommodations tax."

This will give any owners a chance that had been doing lawful use of short term rental paying the transient accommodation tax, to declare their short term rental classification. These changes will increase the short term

rental tax base, but will not increase the number of people actually operating short term rentals. This will continue to preserve long term rentals for the island of Maui, the object of the legislation.

Thank you for the opportunity to read and testify on this piece of legislation, and thank you for considering the recommendations we have for item G, 2. If this item can be changed we can support this bill, but we do oppose any policy that infringes on property rights.

Mahalo,

Jen Russo  
Executive Director  
Maui Vacation Rental Association

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Best,

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