



Hawaii Council of Community Associations ~1050 Bishop St. #366~ Honolulu, Hawaii 96813~ www.hawaiicouncil.com

February 2, 2017

Rep. Angus McKelvey, Chair
Rep. Linda Ichiyama, Vice-Chair
House Committee on Consumer Protection & Commerce

Re: Testimony in Support of
HB832 RELATING TO CONDOMIMUMS
Hearing: Tues., February 7, 2017, 2 p.m., Conf. Rm. #329

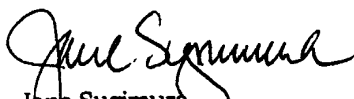
Chair Baker, Vice-Chair Nishihara and Members of the Committee:

I am Jane Sugimura, President of the Hawaii Council of Associations of Apartment Owners (HCAAO dba HCCA). This organization represents the interests of condominium and community association members.

HCAAO supports the intent and purpose of this bill which clarifies a unit owner's right to participate in his or her association's board meetings. We believe that unit owner can and do provide valuable and useful information and input to the issues being considered by the Board and should be allowed to participate in those discussion, and not be limited to speaking only at the discretion of the Board or in the owners forum section of the Board meeting. Concerns that an owner or an owners group may monopolize the meeting agenda should not be given great weight because the Board president still retains the authority and the obligation to control the meeting so the president needs to establish reasonable rules, e.g., each speaker can speak for 2-3 minutes; a speaker cannot speak a second time on the same issue until everyone has had an opportunity to speak, set a time limit to complete discussion/debate so that the meeting agenda can be completed in a timely manner.

The bill needs to clarify the nature and process of an owner's participation in executive session. We understand that the reason for this provision is to allow owners to discuss with the Board private matters that they might be embarrassed to discuss in the public portion of the Board meeting. Examples would be (i) an owner wishing to negotiate a payment plan to cure delinquent maintenance fees, or (ii) an owner seeking a reasonable accommodation for a non-obvious disability (chemical sensitivity). The owner could discuss his or her issue with the Board and answer questions and then leave so that the Board can discuss and consider its response.

We believe that this bill benefits associations by encouraging communications between owners and their Boards. Accordingly, HCCA respectfully requests that you pass this bill out. If you have any questions, please feel free to contact me. Thank you for the opportunity to testify on this matter.


Jane Sugimura
President