

# We believe there's a better solution for TVR situation

## THE CHAMBER VIEW

by Pamela Tumpap



From ongoing discussions with our Maui Chamber of Commerce members and internal surveying, we've found that far

more support transient vacation rentals (TVRs) than don't. We continue to believe that there are better solutions that can be employed to mitigate apprehension and allow TVRs to operate within the law without the drastic and unjust "compliance" or "enforcement" efforts of shutting TVRs down, hurting small businesses and negatively impacting the economy; and without the highly restrictive legislation that the Planning Department currently proposes.

We view legislation regarding transient vacation rentals and home-based businesses as separate legislation, and are working on independent initiatives to concentrate on home-based business legislation. In that context, a noteworthy 69 percent of the 110 chamber members who responded to our home-based business survey (a 12 percent response rate) indicated that TVRs are an acceptable home-based business.

Therefore, we were not at all surprised to learn the results of the recent SMS study, commissioned by the Realtors Association of Maui. The survey found that more than 57 percent agreed that vacation rentals are good for Maui County, with only 14 percent disagreeing with that statement. Regarding the proposed Planning Department

legislation that would restrict vacation rentals, 53 percent of the respondents indicated they were against it, with 26 percent indicating they were for it and 21 percent saying they didn't know. Of the approximately one-third who said they know there are short-term rentals in their neighborhood, 69 percent said there had been "no problems," with 17.9 percent saying they personally had experienced a "major problem" and 13.1 percent noting that they had experienced "minor problems." On the topic of regulation, the question was asked, "If vacation rentals were allowed but rules strictly enforced, would that solve the problems?" Sixty percent said "yes," 26 percent said "no," and 14 percent said they "don't know." In its findings, SMS stated, "It appears that it's a very vocal minority who are for this proposed ordinance that will restrict vacation rentals. The majority of Maui County residents are against the ordinance." We find that statement to be true.

It is our understanding that the recent opinion poll closely mirrors the County of Maui in 2002, when the results indicated even then that far more people supported transient vacation rentals than didn't. So, why aren't we spending more time and effort on how to make TVRs work versus shutting down or overly restricting this cottage industry, essentially to ensure that it can't work?

The recent poll clearly shows that residents don't want to see TVRs banned or overly restricted. What they want is fair, enforceable rules, which we propose as well.

From our perspective, TVRs are an important component to Maui County's visitor industry. The issue

is not whether TVRs should be allowed outside of resort- and hotel-zoned areas, but instead what measures are required to attend to community concerns and allow transient rentals to operate throughout Maui County.

This is an important small-business issue. We constantly hear how businesses are affected by the ongoing enforcement efforts. The closing of TVRs most painfully has hurt TVR business operators, as well as many other businesses that have benefited directly and indirectly from them. Closing doesn't make sense when there are many options for resolving neighborhood anxieties. The economic impact is sizable and, at a time when we are experiencing economic slowing, it's another terrible blow to small businesses.

Therefore, we are continuing to champion this issue and help develop legislative recommendations for reasonable regulation. The latter would protect neighborhoods, provide safe environments for visitors, and still allow home-based visitor accommodations where operators are in compliance with the law.

It is time we stop viewing transient vacation rentals with a problem-centered focus and instead tackle this issue from a solutions-centered focus. With the latter mind-set, we will convene a group soon to review the five ordinances drafted by the Planning Department. And, we intend to present options to the County Council, the administration and the Planning Department for fair legislation that backs this industry, which is supported by a majority of the community.

■ Pamela Tumpap is president of the Maui Chamber of Commerce.