

## **HB850 HD1 - Condominium Associations; Electronic Meetings; Electronic Voting; Mail Voting; Cumulative Voting**

Testimony in Support of Mandating Electronic Voting for Condominiums with High Absentee Ownership

My name is Jessica Herzog, and I am a concerned resident and board member at Makaha Surfside, where we face a common challenge in our condominium association governance due to the high percentage of absentee ownership in Hawai'i.

At Makaha Surfside, almost 85% of our owners do not reside on the property. This significant absentee rate complicates our voting processes, as these owners are often disengaged from day-to-day issues and more likely to default to proxy voting. Proxy voting, while a common practice, does not align with the principles of transparency and active participation advocated by Robert's Rules of Order, which governs most condominium associations including ours.

The reliance on proxy voting can lead to a stagnation of leadership and potential governance issues, as it allows for the accumulation of voting power in the hands of a few, often leading to decisions that do not necessarily reflect the will of the majority of the owners.

To address these challenges effectively and ensure that all owners have the ability to participate in the governance of their property, regardless of their physical presence, I propose a legislative amendment to mandate electronic voting for all condominium associations where less than 50% of owners reside on the property unless the association votes against it with a 67% majority. This change would not only increase participation rates but also enhance the integrity and transparency of our elections, aligning them with modern democratic practices and reducing the reliance on proxy voting which is widely regarded as problematic under Robert's Rules and by resident condo owners.

Electronic voting offers a secure and efficient method to involve all owners in the decision-making process, ensuring that everyone has a voice in the management of their investment, irrespective of their geographic location. This method supports fair representation and can help prevent the potential abuses associated with proxy voting.

I urge the committee to consider this amendment seriously, as it represents a crucial step towards modernizing our condominium governance structures and promoting fairness and accountability in associations with significant absentee ownership rates.

Thank you for your time and for considering this essential enhancement to our condominium law.

Mahalo nui loa,

Jessica Herzog - Condo Owner Oahu  
mssc403@gmail.com  
707.340.5786

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