



Monday September 28, 2020

The Honorable David Y. Ige
Governor, State of Hawaii
Executive Chambers, State Capitol
Honolulu, Hawaii 96813

Re: The Problem of Delayed Test Results: A Request for Reasonable and Safe Quarantine Rules for Vacation Rental Guests

Dear Governor Ige and Team:

Thank you for your recent announcement opening Hawaii October 15th and allowing visitors and residents to avoid quarantine by providing negative test results. We support this, and know that you and your fine team are working diligently to develop safe and effective rules for us in the next few weeks.

To assist with the smooth recovery of our economy on Maui, **we formally request that your rules for tested trans-pacific and inter island travelers allow them to temporarily quarantine in their previously arranged vacation rental accommodations until their test results arrive.**

Since we started drafting this letter, there's been good news with both United and Hawaiian Airlines announcing quick response testing, but we remain concerned that many guests will arrive *before* their test results. We believe the **rule guidance suggestions** we provide later in this letter will allow our guests to quarantine temporarily in their vacation rental in a reasonable and safe manner.

We ask for your consideration as the organization representing the 11,826 short term vacation rentals on Maui, which happen to be 55% of our island's guest accommodations. Maui has a much higher proportion of vacation rentals than hotel rooms, and unlike Oahu we desperately need rules that reflect our island's economic reality - where only 34% of our visitor accommodations are hotel rooms, and the remainder are timeshares.

Why This is Needed

Two very challenging situations arise:

1. Under current rules arriving guests with reservations at vacation rentals (or even unapproved hotels) and whose test results are delayed will have to make sudden changes at the airport to find allowable quarantine facilities - just when they're most tired and want to get settled.
2. Vacation rental hosts and their agents will not be able to provide comforting and acceptable arrangements for guests inquiring about making reservations. Under current rules they will have to warn them they cannot stay in their reserved accommodations if their test results are merely delayed.

We hope you agree these scenarios are untenable for reopening the majority of the visitor accommodations on Maui, which currently has the highest unemployment rate in the state.

Current Risk Assessment

Community safety is our priority. We would not request these rules if we thought it would expose Mauians to unsafe conditions. We genuinely think this rule suggestion keeps us safe. To show you why, let's assess this risk statistically.



Please review the attached spreadsheet where we analyze, as of 9/20/2020, what the asymptomatic or unknown COVID-19 infection rate is of arriving passengers from the entire United States. That calculation comes to 2.9 infected visitors per thousand arrivals.

Suggested Risk Mitigation Rules

We believe that it would be safe, on a short term basis, for our arriving guests who were tested but are awaiting results to stay in our vacation rental accommodations, if you establish the attached suggested 10 guidelines, that include solutions for monitoring and reporting.

Vacation Rentals are Not the Enemy

As owners and operators, we are very cognizant of the bias against vacation rentals that exists, especially in Honolulu. Please do not let this affect your decision making. We see the long standing conflict between neighborhoods and tourists in that county, and due in large part to shared media it unfairly “boils over” onto Maui. In our county the number of legal vacation rentals is much higher, the units in local neighborhoods are strictly capped, and the industry is tightly regulated for the benefit of the community.

We are sharing a copy of this letter with our honorable Mayor, Mike Victorino, in the hopes that he also supports these rule suggestions. These will allow Maui to begin to open our island’s entire economy. Although we know and live Maui, this guidance may not be appropriate for all islands. You and your team may find it appropriate to let the decision to allow vacation rentals under these suggested guidelines be decided island by island by the local Mayors.

This is also important for Maui’s struggling small businesses. The vacation rental community is almost entirely run by local residents. Our small business people make their living on vacation rentals directly as hosts, real estate agents, cleaners and handymen, as well as indirectly through the restaurants, shops, and activity companies that rely on our vacation rental guests. We are the majority of our island’s accommodations, and again, we’re entirely legal here.

When you allow vacation rentals you’re giving Maui’s local businesses, that are truly suffering from this economy, a fighting chance to slowly recover.

Mahalo for your Consideration

We appreciate your time and genuine consideration of this suggested vacation rental quarantine rules guidance changes. We want to bring the spirit of aloha back to all our guests, and will make ourselves available to discuss or consult with you on this as you need.

With Warmest Aloha,

Jen Russo, Greg Mebel, Terry Tolman, Michael Baskin, Doug Levin, Pam Bello
Maui Vacation Rental Association, Executive Director & Board of Directors

Cc: Mayor Victorino
Lt. Gov. Josh Green
Maui Hotel & Lodging Association
Maui Chamber of Commerce
Realtors Association of Maui
Revere & Associates



Suggested Risk Mitigation Rules

We believe that it would be safe, on a short term basis, for our arriving guests who were tested but are awaiting results to stay in our vacation rental accommodations, under the following suggested guidelines:

1. Only tested guests may stay in vacation rentals. Untested guests must stay in an approved quarantine location.
2. Guests who wish to participate in the testing program and avoid 14 days of quarantine must agree to release their test information to state officials and accommodation providers.
3. Accommodation hosts and agents must not disclose the test result information shared with them other than with authorized state officials.
4. Guests with test results are informed at the airport that they must provide a copy of their test results to their hosts. Once testing is allowed, even approved quarantine hotels will also need to know which of their arriving guests must serve quarantine and which do not, in order to know which guests require monitoring or withholding of room keys.
5. Guests with delayed test results must go directly to their accommodations and inform the host and/or agent that they do not yet have results. Such guests must stay in those accommodations until they receive negative test results. We note that historically quarantine breaking visitors have been given the option of facing criminal charges or flying home, which seems appropriate in these cases as well.
6. Vacation Rental hosts or their agents must agree to monitor and have a means of monitoring guest compliance during these temporary quarantines:
 - a. Bed and Breakfast and other hosts that live on site in close proximity can easily monitor, but must provide separate, lockable rooms with private baths. Such guests may also not share kitchens or other facilities until they are released from temporary quarantine.
 - b. Short Term Vacation Rentals (STVR) without an onsite host or front desk agent must have a video front doorbell or other onsite cameras that records and retains outdoor activity for a minimum of 30 days, and they must review all recordings at least daily.
 - c. Short Term Vacation Rentals (typically condominiums but some STVR) with an onsite front desk must walk guests to their rooms and retain the keys.
7. Hosts and/or agents **MUST** report guests that broke temporary quarantine and did not stay in their accommodations. We respectfully request that hosts and agents should **NOT** be liable for quarantined guests that illegally leave accommodations, but should be liable for penalties for failure to report known unauthorized departures.
8. Once the host or their agent receives a copy of negative test results, the guest's temporary quarantine is over, and no further monitoring is necessary.
9. If a guest receives a positive test result, they must immediately inform their host or agent, and their entire party must change locations to an approved quarantine location within 24 hours. [IMPORTANT: as part of your safety plans you may be requiring specific actions for positive result arrivals, which of course could be inserted or replaced here. Our preference is that these few cases be moved to safer and more secure quarantine locations].
10. In the case of a positive test result, hosts and or their agents will take appropriate cleaning and other safety steps, including closing the availability of the infected unit for a minimum of 24 hours.



Current Risk Assessment

Safety is our priority. We would not request these rules if we thought it would expose Mauians to unsafe conditions. Our island has been blessed so far with a much lower per capita infection rate than Oahu, and we sincerely want to keep it that way. We genuinely think this rule suggestion keeps us safe. To show you why, let's assess this risk statistically.

Attached please find a spreadsheet where we estimate, as of 9/20/2020, what the asymptomatic or unknown COVID-19 infection rate is of arriving passengers from the entire United States. That calculation comes to 2.9 infected visitors per thousand arrivals.

What this means is that at present U.S. infection rates, in every group of 1000 arrivals, 997 will test negative, and 3 will test positive. This is also true of subgroups: so a subgroup made up of 1000 arriving guests who are staying in vacation rentals and have delayed test results will also have 3 positive cases that need to be identified and 997 that are safe.

Under the current rules, every one of that group of 1000 vacation rental guests with delayed results would have to make last minute hotel arrangements. Obviously for those with immediate test results this will not be an issue. However, the required NAAT tests are often delayed by 5-7 days, as reported from our inquiries with your testing partner CVS.

Our concern, which we hope you share, is to insure the safety of our community while reopening vacation rentals. We think this can be done by allowing our guests with delayed test results to temporarily quarantine in their vacation rentals. Ultimately, just a small number (currently three (3) out of a thousand) will test positive and require special arrangements. These suggested rules allow the other 997 who will test negative to avoid draconian accommodation changes required by the current rules.

However, if such guests are allowed to temporarily quarantine in their reserved vacation rental it solves a host of problems for our industry. With the limited positive infection rate, and by following the guidance in these suggested rules, we respectfully submit vacation rental quarantines can be managed safely.

Determination of Infection Percentage for Arriving Pacific Passengers

Based on Active Case Count per Day and Number of Days Infection Persists

Latest Data as of 9/21/2020

	All Hawaii	All USA
Population	1,431,603	328,200,000

Date	Active Daily Cases*		Days Back
8/12/2020	202	55,170	40
8/13/2020	354	51,335	39
8/14/2020	231	55,057	38
8/15/2020	282	55,348	37
8/16/2020	217	42,181	36
8/17/2020	173	37,240	35
8/18/2020	134	39,794	34
8/19/2020	260	43,798	33
8/20/2020	235	43,027	32
8/21/2020	228	49,743	31
8/22/2020	284	46,183	30
8/23/2020	244	36,422	29
8/24/2020	169	33,618	28
8/25/2020	215	36,047	27
8/26/2020	277	42,355	26
8/27/2020	306	43,814	25
8/28/2020	265	45,447	24
8/29/2020	309	44,269	23
8/30/2020	200	36,939	22
8/31/2020	133	31,658	21
9/1/2020	181	41,535	20
9/2/2020	338	37,630	19
9/3/2020	211	42,973	18
9/4/2020	271	50,183	17
9/5/2020	220	43,725	16
9/6/2020	162	33,174	15
9/7/2020	104	26,850	14
9/8/2020	66	22,292	13
9/9/2020	98	30,011	12
9/10/2020	169	36,080	11
9/11/2020	167	43,811	10
9/12/2020	131	41,534	9
9/13/2020	114	33,506	8
9/14/2020	80	33,352	7

Determination of Infection Percentage for Arriving Pacific Passengers

Based on Active Case Count per Day and Number of Days Infection Persists

Latest Data as of 9/21/2020

	All Hawaii	All USA
Population	1,431,603	328,200,000

Date	Active Daily Cases*	Days Back
9/15/2020	66	34,364
9/16/2020	102	39,095
9/17/2020	160	42,592
9/18/2020	114	47,136
9/19/2020	110	43,628
9/20/2020	77	34,586

Calculation of Total Infections

Known Active Cases	6524	Unknown
Number of Days Infection Persists	36	36
Estimate of Current Known Active Cases (Sum Prior 36 Days)	6,590	1,410,592
Test - Percentage Difference of Estimate from Actual	1.01%	n/a
Estimated Total Infections (60% Known plus 40% Unknown)*	10,983	2,350,987

Calculation of Unknown Infections Per Capita

Estimate of Unknown Population - 40% of 100% per CDC**	4,393	940,395
Estimated % of Total Population that have Asymptomatic Active Infections (Estimate of Unknown over Population)	0.31%	0.29%
Unknown Infected Persons per Thousand	3.1	2.9

Sources of Data:

*Hawaii: https://www.google.com/search?ei=NEItX8rtFObM0PEPsIO-2AQ&q=hawaii+covid+graph&oq=hawaii+covid+graph&gs_lcp=CgZwc3ktYWIQAzICCAAyBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjoECAAQRzoFCAAQkQI6AgguOgsILhCxAxDHARCjAjoICAAQsQMqgwE6BQgAELEDOgQIABBD0ggILhCxAxCDAToFCC4QsQM6BwgAELEDEENQpFdY93Fg-HNoAHACeACAAbIBiAHREpIBBDaUMTiYAQCgAQGgAQdnd3Mtd2I6yAEGwAEB&scient=psy-ab&ved=0ahUKEwjK14uSIYPsAhVmJjQIHbCBD0sQ4dUDCAw&uact=5

*All USA https://www.google.com/search?ei=NEItX8rtFObM0PEPsIO-2AQ&q=hawaii+covid+graph&oq=hawaii+covid+graph&gs_lcp=CgZwc3ktYWIQAzICCAAyBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjoECAAQRzoFCAAQkQI6AgguOgsILhCxAxDHARCjAjoICAAQsQMqgwE6BQgAELEDOgQIABBD0ggILhCxAxCDAToFCC4QsQM6BwgAELEDEENQpFdY93Fg-HNoAHACeACAAbIBiAHREpIBBDaUMTiYAQCgAQGgAQdnd3Mtd2I6yAEGwAEB&scient=psy-ab&ved=0ahUKEwjK14uSIYPsAhVmJjQIHbCBD0sQ4dUDCAw&uact=5

** <https://www.sciencealert.com/40-of-people-with-covid-19-don-t-have-symptoms-latest-cdc-estimate-says>