



SCR15
APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1373 HAUNAUKOI STREET,
WAIMANALO, HAWAII

Senate Committee on Water and Land

February 21, 2018

2:45 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SCR15, which approves the sale of the leased fee interest in a single-family home in the Waimānalo Village Self-Help Project. While the lands identified for sale in SCR15 are “ceded” lands, the proposed sale falls within an exception to OHA’s general opposition to the sale or alienation of “ceded” lands. Accordingly, **OHA does not oppose this resolution.**

SCR15 has been offered for consideration by the Legislature in accordance with Act 176, Session Laws of Hawai‘i 2009, as amended. Among other things, Act 176 requires a two-thirds approval by both houses of the Legislature before any specific lands controlled by the State can be sold (including, but not limited to, “ceded” lands).

In general, sales of “ceded” lands raise significant concerns for OHA and its beneficiaries, because the Native Hawaiian people’s unrelinquished claims to “ceded” lands have yet to be resolved. In response to Act 176 (2009) and Act 169 (2011), the BOT adopted a “Ceded Lands” policy which states:

OHA reaffirms its policy to protect the ceded lands corpus until the unrelinquished claims of Native Hawaiians are resolved, and OHA shall oppose the alienation of any ceded lands by the State of Hawai‘i, except in the following limited situations ... (1) OHA shall not oppose a resolution submitted to the Hawai‘i State Legislature pursuant to Act 176 (2009) and Act 169 (2011) for the sale of fee simple interest of apartments, townhouses, and houses for home ownership, where... [3] sales of the fee simple interest were approved by the responsible state housing agency prior to the filing of the lawsuit *OHA v. Hawaii Finance and Development Corporation*, Civil No. 94-4207-11, First Circuit Court, State of Hawai‘i, November 4, 1994. (emphasis added).

While SCR15 proposes the sale of “ceded” lands, consistent with the policy exceptions cited above, OHA does not oppose the proposed sale of the leased fee interest at 41-1373 Haunaukoi Street, for the following reason:

- The Housing Finance and Development Corporation (predecessor of the current Hawai‘i Housing Finance and Development Corporation), as “the responsible state housing agency,” approved the sale of the fee interest in the Waimānalo Village Self-Help Project prior to the filing of the *OHA v. HFDC* lawsuit on November 4, 1994.

Accordingly, OHA does not oppose the proposed sale in SCR15. Mahalo for the opportunity to testify on this measure.



STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:

Statement of
Craig K. Hirai
Hawaii Housing Finance and Development Corporation
Before the

SENATE COMMITTEE ON WATER AND LAND

February 21, 2018 at 2:45 p.m.
State Capitol, Room 224

In consideration of
**S.C.R. 15 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1373
HAUNAUKOI STREET, WAIMANALO, HAWAII.**

The HHFDC supports S.C.R. 15. HHFDC is seeking legislative approval to sell the leased fee interest in this single family home to its leasehold owner. This unit was built in 1994 as part of the Waimanalo Village Annex, an affordable self-help housing development. Only 28 units out of the 40 total units in the development remain in leasehold. The fair market value of the leased fee interest in 41-1373 Haunauko Street, as of May 9, 2017 was \$398,200. The long-term leases for Waimanalo Village Annex gave lessees the right to purchase the leased fee interest in the land.

A title search conducted by Title Guaranty of Hawaii on July 20, 2017, showed that this parcel was classified as Government land previous to August 15, 1895. HHFDC conducted a public meeting on the proposed sale on August 9, 2017, at Waimanalo Public & School Library Conference Room, Waimanalo, Hawaii, following publication of notice in the Honolulu Star-Advertiser newspaper on August 1 and 3, 2017. There was no objection to the proposed sale raised at that time.

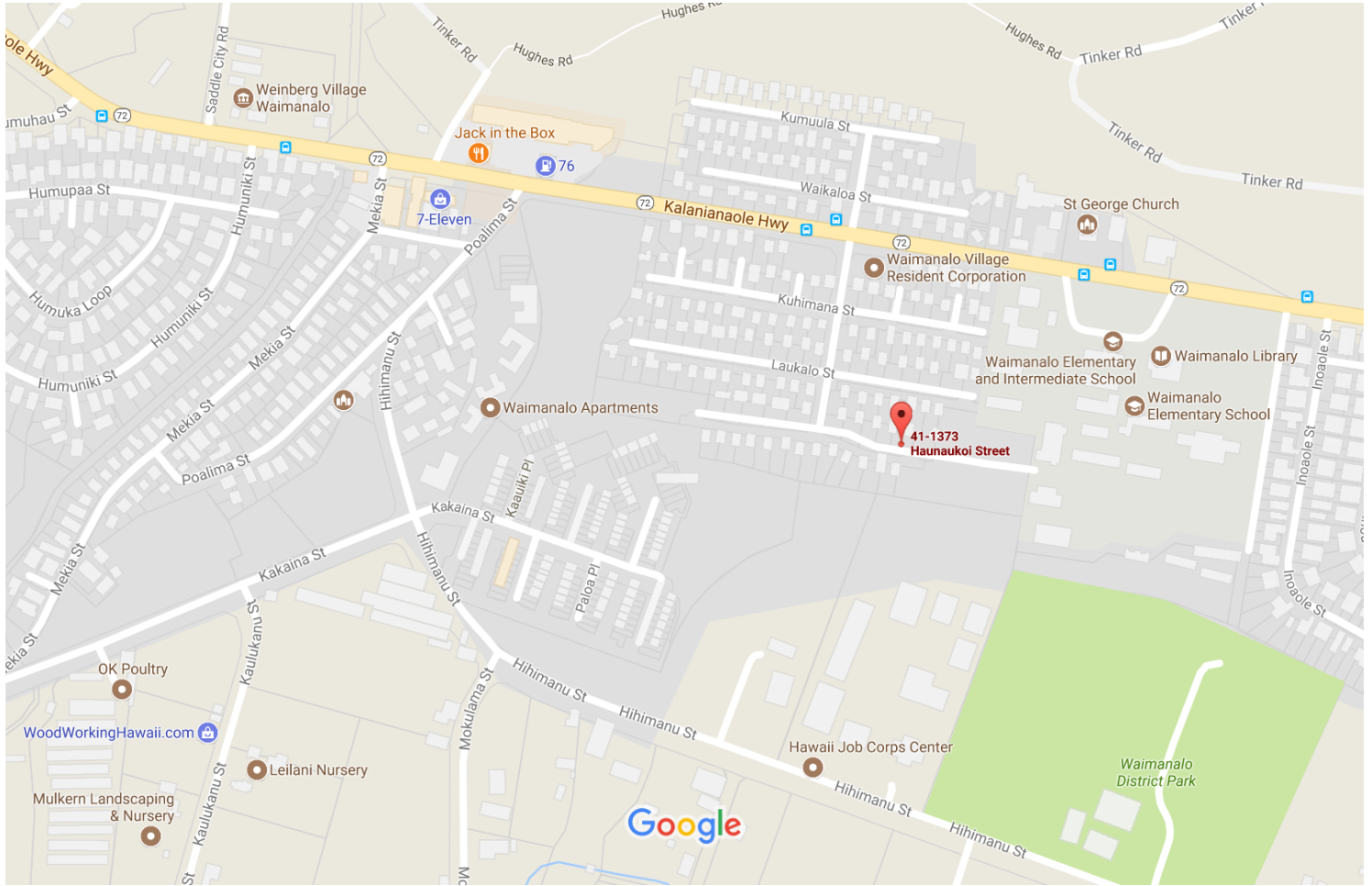
HHFDC has also worked with the Office of Hawaiian Affairs during the interim to keep them informed of these findings and intent to sell the leased fee interest in this parcel. A copy of the draft resolution was provided to OHA on September 29, 2017.

The attached documents provide more information on this property:

1. A map showing the general location of Waimanalo Village Annex;
2. A photo of the property; and
3. A copy of the title report for the parcel.

Thank you for the opportunity to testify.

Google Maps 41-1373 Haunaukoi St



Map data ©2017 Google United States 200 ft



41-1373 Haunaukoi St
Waimanalo, HI 96795





TITLE GUARANTY OF HAWAII, INC.

Established in 1896

July 20, 2017

ELAINE GOMA
STATE OF HAWAII – HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
REAL ESTATE SERVICES SECTION
677 QUEEN STREET, SUITE 300
HONOLULU, HAWAII 96813

Re: TG Order No. 201734940
Project: WAIMANALO VILLAGE SELF HELP
Unit/Lot No: 40
Property Address: 41-1373 Haunaukoi Street, Waimanalo, Hawaii 96795
TMK: (1) 4-1-034-117
Lessee: Raydean Leialoha Satoi Hopu, single, and
Derek Kaikealohakapuaokalani Castillo, single,
as Joint Tenants (Lease – Document 94-019808)

Dear Ms. Goma,

In accordance with your request of July 18, 2017, I confirm that as of **August 15, 1895**, title to the subject land was held in **the Republic of Hawaii** in and to **the Government (Crown) Land of Waimanalo**.

By Land Patent Grant Number S-15,415 dated March 15, 1978, the STATE OF HAWAII, by its Board of Land and Natural Resources, conveyed the subject land, besides other lands to the HAWAII HOUSING AUTHORITY, a Hawaii corporation and body public..

The corporate name of HAWAII HOUSING AUTHORITY was changed to HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII as set forth in Land Court Order No. 131893 filed June 25, 1998.

The corporate name of HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII was changed to HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION as set forth in Land Court Order No. 166725 filed June 30, 2006 and Land Court Order No. 171023 filed February 6, 2007.

Elaine Goma
July 20, 2017
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Please be informed that liability for any actual loss incurred by reason of any incorrectness herein is limited to the lesser of \$3,500.00 or two times the amount paid for this product.

Should you have any follow-up questions or comments, please contact me; I can be reached directly by phone at (808) 533-5834, by fax at (808) 533-5870 or by email at cuahinui@tghawaii.com.

Yours truly,



Colleen H. Uahinui
Lead Senior Title Abstractor
Historic Title Services



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
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Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development and Tourism
before the
SENATE COMMITTEE ON WATER AND LAND
Wednesday, February 21, 2018
2:45 p.m.
State Capitol, Conference Room 224

in consideration of
**SCR 14 APPROVING THE SALE OF THE LEASED FEE INTEREST IN
2949 ALA ILIMA STREET, NO. 204, HONOLULU HAWAII;**
and
**SCR 15 APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1373
HAUNAUKOI STREET, WAIMANALO, HAWAII.**

Chair Rhoads, Vice Chair Gabbard and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SCR 14 and SCR 15, part of the Administration's legislative package. HHFDC is seeking legislative approval to sell the leased fee interest in two homes to their respective leasehold owners.

HHFDC has met all statutory prerequisites to request approval of the sale of these homes. Accordingly, DBEDT respectfully requests that the Committee pass these concurrent resolutions.

Thank you for the opportunity to offer support on these Concurrent Resolutions.

SCR-15

Submitted on: 2/19/2018 8:16:31 PM

Testimony for WTL on 2/21/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raydean L S Hopu	Individual	Support	No

Comments:

I am interested in purchasing the lease of my property located on 41-1373 Haunaukoi St. Waimanalo, HI. I currently live on the land. Would like to purchase the property before it become financially unobtainable. I would like to have a place for my children to have a forever home, since housing in Hawaii is becoming more expensive to purchase.

Thank you for you time and consideration.

Raydean Hopu