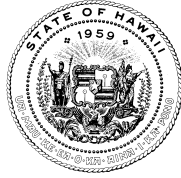


JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia 'āina o ka Moku 'āina 'o
Hawaii 'i*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia 'āina o ka Moku 'āina
'o Hawaii 'i*



IKAIKA ANDERSON
CHAIRMAN DESIGNATE, HHC
Ka Luna Ho 'okele

KATIE L. DUCATT
DEPUTY DESIGNATE TO THE
CHAIRMAN
Ka Hope Luna Ho 'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho 'opulapula Hawaii 'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

**TESTIMONY OF IKAIKA ANDERSON, CHAIRMAN-DESIGNATE
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
HEARING ON MARCH 14, 2023 AT 2:00PM IN CR 325**

SB 261, SD 2, RELATING TO THE HAWAIIAN HOMES COMMISSION ACT

March 14, 2023

Aloha Chair Tarnas, Vice Chair Takayama, and members of the Committee:

The Department of Hawaiian Home Lands (DHHL) opposes this measure that requires DHHL to provide to beneficiaries of the Hawaiian Homes Commission Act, 1920, monthly accountability reports that contain certain information on leases and fiscal matters.

DHHL already prepares extensive reports on a monthly basis covering homestead lease transactions for the Hawaiian Homes Commission that can be accessed through DHHL's website. Specifically known as the Consent Agenda (section D), an example from January 2023 is attached and can be viewed at the bookmarked section "D Items" on pages 16-57: <https://dhhl.hawaii.gov/wp-content/uploads/2023/01/January-17-18-2023-HHC-Packet-.pdf>.

These reports include but are not limited to the following:

- Homestead Lease & Application Totals and Monthly Activity Reports
- Delinquency Report Statewide and Delinquency Ration Report by Island
- Consents to Mortgages for FHA, VA, USDA RD, HUD184A, and conventional loans
- Ratification of Loan Approvals
- Homestead Application Transfers/Cancellations
- Certification of Applications of Qualified Applicants
- Approval of Designation of Successors
- Approval of Assignment of Leasehold Interest

- Approval of Amendment of Leasehold Interest
- Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees

DHHL also prepares annual reports and an independent financial and compliance audit of DHHL is completed annually and can be accessed here: <https://dhh.hawaii.gov/newsroom/annual-reports/>. Additionally, DHHL submits reports on non-general fund information for the funds and accounts identified in section 213 of the HHCA annually titled HHL Non-General Fund Report F37-47, DHHL Fund Structure, and HHL Non-General Fund Cost Elements F27-49 that can be accessed here: <https://dhh.hawaii.gov/reports/>. For these reasons DHHL opposes this measure.

Thank you for your consideration of our testimony.

**HAWAIIAN HOMES COMMISSION
JANUARY 17 & 18, 2023
FACE-TO-FACE &
INTERACTIVE CONFERENCE
TECHNOLOGY**

D – ITEMS

HOMESTEAD SERVICES DIVISION

HOMESTEAD SERVICES DIVISION
AGENDA

January 17, 2023

DIV.	ITEM NO.	SUBJECT
	D-1	HSD Status Reports Exhibits: A - Homestead Lease & Application Totals and Monthly Activity Reports B - Delinquency Report C - DHHL Guarantees for FHA Construction Loans
ODO/APPL. LOANS		
LOANS	D-2	Approval of Consent to Mortgage (see exhibit)
	D-3	Ratification of Loan Approvals (see exhibit)
APPL	D-4	Approval of Homestead Application Transfers / Cancellations (see exhibit)
	D-5	Approval to Certify Applications of Qualified Applicants for the Month of December 2022 (see exhibit)
DO	D-6	Approval of Assignment of Leasehold Interest (see exhibit)
	D-7	Approval of Amendment of Leasehold Interest (see exhibit)
	D-8	Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees (see exhibit)
	D-9	Commission Designation of Successor - DANNY K. PALIMOO , Residential Lease No. 2231, Lot No. 161, Kewalo, Oahu
	D-10	Request for Additional Time Extension in the Matter of Commission Designation of Successor, POHAIKEALOHA DYMOND , Residential Lease No. 11042, Lot No. UNDV041, Anahola, Kauai
	D-11	Approval of Subdivision and Transfer of a Portion of Residential Lease No. 2907, Lot No. 30, Nanakuli, Oahu - JACOB JOHN KU, JR.

Sample Footer 12pt. Times New Roman
(Without Exhibit)

ITEM NO. D-1

(With Exhibit)


ITEM NO. D-1
EXHIBIT A

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

From: Juan Garcia, HSD Administrator 

SUBJECT: **Homestead Services Division Status Reports**

RECOMMENDED MOTION/ACTION

NONE

DISCUSSION

The following reports are for information only:

Exhibit A: Homestead Lease & Application Totals and Monthly Activity Reports

Exhibit B: Delinquency Report

Exhibit C: DHHL Guarantees for FHA Construction Loans

January 17, 2023

SUBJECT: Homestead Lease and Application Totals and Monthly Activity Reports

LEASE ACTIVITY REPORT

Month through December 31, 2022

	As of 11/30/22	Add	Cancel	As of 12/31/22
Residential	8,476	0	2	8,474
Agricultural	1,091	0	0	1,091
Pastoral	413	0	0	413
Total	9,980	0	2	9,978

The cumulative number of Converted Undivided Interest Lessees represents an increase of 540 families moving into homes. Their Undivided Interest lease was converted to a regular homestead lease.

	As of 11/30/22	Converted	Rescinded/ Surrendered/ Cancelled	As of 12/31/22
Undivided	773	0	0	773

Balance as of 12/31/2022

Awarded	1,434
Relocated to UNDV	7
Rescinded	118
Surrendered	6
Cancelled	4
Converted	<u>540</u>
Balance to Convert	773

Lease Report For the Month Ending December 31, 2022

	RESIDENCE			AGRICULTURE			PASTURE			TOTAL LEASES		
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL
OAHU												
Kakaina	31	0	0	31	0	0	0	0	0	0	0	31
Kalawahine	90	0	0	90	0	0	0	0	0	0	0	90
Kanehili	399	0	0	399	0	0	0	0	0	0	0	399
Kapolei	176	0	0	176	0	0	0	0	0	0	0	176
Kauuokahai	147	0	0	147	0	0	0	0	0	0	0	147
Kaupea	325	0	1	324	0	0	0	0	0	0	0	324
Kaupuni	19	0	0	19	0	0	0	0	0	0	0	19
Kewalo	248	0	0	248	0	0	0	0	0	0	0	248
Kumuahu	51	0	0	51	0	0	0	0	0	0	0	51
Lualualei	147	0	0	147	30	0	0	30	0	0	0	177
Malu'ohai	225	0	0	225	0	0	0	0	0	0	0	225
Nanakuli	1,045	0	1	1,044	0	0	0	0	0	0	0	1,044
Papakolea	64	0	0	64	0	0	0	0	0	0	0	64
Princess Kahanu Estates	270	0	0	270	0	0	0	0	0	0	0	270
Waiabole	0	0	0	0	17	0	0	17	0	0	0	17
Waianae	421	0	0	421	12	0	0	12	0	0	0	433
Waimanalo	714	0	0	714	2	0	0	2	0	0	0	716
TOTAL	4,372	0	2	4,370	61	0	0	61	0	0	0	4,431
MAUI												
Hikina	31	0	0	31	0	0	0	0	0	0	0	31
Kahiknui	0	0	0	0	0	0	0	0	75	0	0	75
Keokea	0	0	0	0	64	0	0	64	0	0	0	64
Leialii	102	0	0	102	0	0	0	0	0	0	0	102
Paukukalo	178	0	0	178	0	0	0	0	0	0	0	178
Waielu 1	39	0	0	39	0	0	0	0	0	0	0	39
Waielu 2	109	0	0	109	0	0	0	0	0	0	0	109
Waielu 3	113	0	0	113	0	0	0	0	0	0	0	113
Waielu 4	97	0	0	97	0	0	0	0	0	0	0	97
Waiotuli	591	0	0	591	0	0	0	0	0	0	0	591
TOTAL	1,260	0	0	1,260	64	0	0	64	75	0	0	1,399
EAST HAWAII												
Discovery Harbour	2	0	0	2	0	0	0	0	0	0	0	2
Kamaoa	0	0	0	0	0	0	0	0	25	0	0	25
Kaumana	43	0	0	43	0	0	0	0	0	0	0	43
Keaukaha	471	0	0	471	0	0	0	0	0	0	0	471
Kurtistown	3	0	0	3	0	0	0	0	0	0	0	3
Makuu	0	0	0	0	120	0	0	120	0	0	0	120
Panaewa	13	0	0	13	260	0	0	260	0	0	0	273
Piihonua	17	0	0	17	0	0	0	0	0	0	0	17
Puuco	0	0	0	0	12	0	0	12	0	0	0	12
University Heights	4	0	0	4	0	0	0	0	0	0	0	4
Waiakea	285	0	0	285	0	0	0	0	0	0	0	285
TOTAL	838	0	0	838	392	0	0	392	25	0	0	1,255
WEST HAWAII												
Honokaia	0	0	0	0	0	0	0	0	24	0	0	24
Humuula	0	0	0	0	0	0	0	0	5	0	0	5
Kamoku	0	0	0	0	0	0	0	0	16	0	0	16
Kaniohale	223	0	0	223	0	0	0	0	0	0	0	223
Kawaihae	192	0	0	192	0	0	0	0	1	0	0	193
Laiopua	277	0	0	277	0	0	0	0	0	0	0	277
Lalamilo	30	0	0	30	0	0	0	0	0	0	0	30
Nienie	0	0	0	0	0	0	0	0	21	0	0	21
Puukapu/Waimea/Kuhio VII	117	0	0	117	110	0	0	110	218	0	0	445
Puupu'uehu	33	0	0	33	0	0	0	0	0	0	0	33
TOTAL	872	0	0	872	110	0	0	110	285	0	0	1,267
KAUAI												
Anahola	532	0	0	532	46	0	0	46	0	0	0	578
Hanapepe	47	0	0	47	0	0	0	0	0	0	0	47
Kekaha	117	0	0	117	0	0	0	0	0	0	0	117
Puu Opae	0	0	0	0	0	0	0	0	1	0	0	1
TOTAL	696	0	0	696	46	0	0	46	1	0	0	743
MOLOKAI												
Hoo'ehua	153	0	0	153	345	0	0	345	21	0	0	519
Kalamaula	167	0	0	167	70	0	0	70	3	0	0	240
Kapaakea	47	0	0	47	0	0	0	0	3	0	0	50
Moomomi	0	0	0	0	3	0	0	3	0	0	0	3
One Aii	27	0	0	27	0	0	0	0	0	0	0	27
TOTAL	394	0	0	394	418	0	0	418	27	0	0	839
LANAI												
Lanai	44	0	0	44	0	0	0	0	0	0	0	44
TOTAL	44	0	0	44	0	0	0	0	0	0	0	44
STATEWIDE TOTAL	8,476	0	2	8,474	1,091	0	0	1,091	413	0	0	9,978

**HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING
December 31, 2022**

AREA WAITING LIST

DISTRICT AREA	RESIDENCE				AGRICULTURE				PASTURE				TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	
Oahu District	936	0	0	936	0	0	0	0	0	0	0	0	936
Maui District	50	0	0	50	4	0	0	4	5	0	0	5	59
Hawaii District	127	0	0	127	28	0	0	28	46	0	0	46	201
Kauai District	50	0	0	50	3	0	0	3	27	0	0	27	80
Molokai District	19	0	0	19	17	0	0	17	1	0	0	1	37
TOTAL	1,182	0	0	1,182	52	0	0	52	79	0	0	79	1,313

ISLANDWIDE WAITING LIST

ISLAND	RESIDENCE				AGRICULTURE				PASTURE				TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	
Oahu	10,215	15	3	10,227	3,969	2	1	3,970	0	0	0	0	14,197
Maui	3,879	3	3	3,879	4,722	2	1	4,723	626	1	1	626	9,228
Hawaii	5,882	3	1	5,884	7,313	5	1	7,317	1,916	0	0	1,916	15,117
Kauai	1,669	2	1	1,670	2,272	2	1	2,273	308	0	0	308	4,251
Molokai	808	2	1	809	1088	1	0	1089	203	0	0	203	2,101
Lanai	74	0	0	74	0	0	0	0	0	0	0	0	74
TOTAL	22,527	25	9	22,543	19,364	12	4	19,372	3,053	1	1	3,053	44,968

AREA AND ISLANDWIDE LISTS

	RES	AG	PAS	TOTAL	ADDITIONS		CANCELLATIONS	
	OAHU	11,163	3,970	0	15,133	New Applications	31	New Lease Awards
MAUI	3,929	4,727	631	9,287	Application Transfers	7	Application Transfers	7
HAWAII	6,011	7,345	1,962	15,318	Lease Rescissions	0	Succ'd and Cancel Own	5
KAUAI	1,720	2,276	335	4,331	App Reinstatements	0	Public Notice Cancel	0
MOLOKAI	828	1,106	204	2,138	HHC Adjustments	0	Voluntary Cancellations	0
LANAI	74	0	0	74	TOTAL	38	Lease Successorships	0
TOTAL	23,725	19,424	3,132	46,281			HHC Adjustments	0
							Dec'd No Successor	0
							Additional Acreage	0
							NHQ Unqualified	0
							TOTAL	14

ITEM NO. D-1
EXHIBIT A

HOMESTEAD AREA AND ISLANDWIDE APPLICATIONS WAITING LIST MONTHLY REPORT FOR THE MONTH ENDING

December 31, 2022

	RESIDENCE				AGRICULTURE				PASTURE				TOTAL
	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	Last Month	Add	Cancel	TOTAL	
OAHU DISTRICT													
Nanakuli	159	0	0	159	0	0	0	0	0	0	0	0	159
Waianae	138	0	0	138	0	0	0	0	0	0	0	0	138
Luualaei	0	0	0	0	0	0	0	0	0	0	0	0	0
Papakolea/Kewalo	66	0	0	66	0	0	0	0	0	0	0	0	66
Waimanalo	548	0	0	548	0	0	0	0	0	0	0	0	548
Subtotal Area	936	0	0	936	0	0	0	0	0	0	0	0	936
Islandwide	10,215	15	3	10,227	3,969	2	1	3,970	0	0	0	0	14,197
TOTAL OAHU APPS	11,151	15	3	11,163	3,969	2	1	3,970	0	0	0	0	15,133
MAUI DISTRICT													
Paukukalo	50	0	0	50	0	0	0	0	0	0	0	0	50
Kula	0	0	0	0	4	0	0	4	5	0	0	5	9
Subtotal Area	50	0	0	50	4	0	0	4	5	0	0	5	59
Islandwide	3,879	3	3	3,879	4,722	2	1	4,723	626	1	1	626	9,228
TOTAL MAUI APPS	3,929	3	3	3,929	4,726	2	1	4,727	631	1	1	631	9,287
HAWAII DISTRICT													
Keaukaha/Waiakea	67	0	0	67	0	0	0	0	0	0	0	0	67
Panaewa	0	0	0	0	16	0	0	16	0	0	0	0	16
Humuula	0	0	0	0	0	0	0	0	0	0	0	0	0
Kawaihae	16	0	0	16	0	0	0	0	0	0	0	0	16
Waimea	44	0	0	44	12	0	0	12	46	0	0	46	102
Subtotal Area	127	0	0	127	28	0	0	28	46	0	0	46	201
Islandwide	5,882	3	1	5,884	7,313	5	1	7,317	1,916	0	0	1,916	15,117
TOTAL HAWAII APPS	6,009	3	1	6,011	7,341	5	1	7,345	1,962	0	0	1,962	15,318
KAUAI DISTRICT													
Anahola	42	0	0	42	3	0	0	3	20	0	0	20	65
Kekaha/Puu Opae	8	0	0	8	0	0	0	0	7	0	0	7	15
Subtotal Area	50	0	0	50	3	0	0	3	27	0	0	27	80
Islandwide	1,669	2	1	1,670	2,272	2	1	2,273	308	0	0	308	4,251
TOTAL KAUAI APPS	1,719	2	1	1,720	2,275	2	1	2,276	335	0	0	335	4,331
MOLOKAI DISTRICT													
Kalamaula	4	0	0	4	0	0	0	0	0	0	0	0	4
Hoolehua	8	0	0	8	17	0	0	17	1	0	0	1	26
Kapaakea	6	0	0	6	0	0	0	0	0	0	0	0	6
One Alii	1	0	0	1	0	0	0	0	0	0	0	0	1
Subtotal Area	19	0	0	19	17	0	0	17	1	0	0	1	37
Islandwide	808	2	1	809	1,088	1	0	1,089	203	0	0	203	2,101
TOTAL MOLOKAI APPS	827	2	1	828	1,105	1	0	1,106	204	0	0	204	2,138
LANAI DISTRICT													
Islandwide	74	0	0	74	0	0	0	0	0	0	0	0	74
TOTAL LANAI APPS	74	0	0	74	0	0	0	0	0	0	0	0	74
TOTAL AREA ONLY	1,182	0	0	1,182	52	0	0	52	79	0	0	79	1,313
TOTAL ISLANDWIDE	22,527	25	9	22,543	19,364	12	4	19,372	3,053	1	1	3,053	44,968
TOTAL STATEWIDE	23,709	25	9	23,725	19,416	12	4	19,424	3,132	1	1	3,132	46,281

ITEM NO. D-1
EXHIBIT A

DELINQUENCY REPORT - STATEWIDE

January 17, 2023

(\$Thousands)

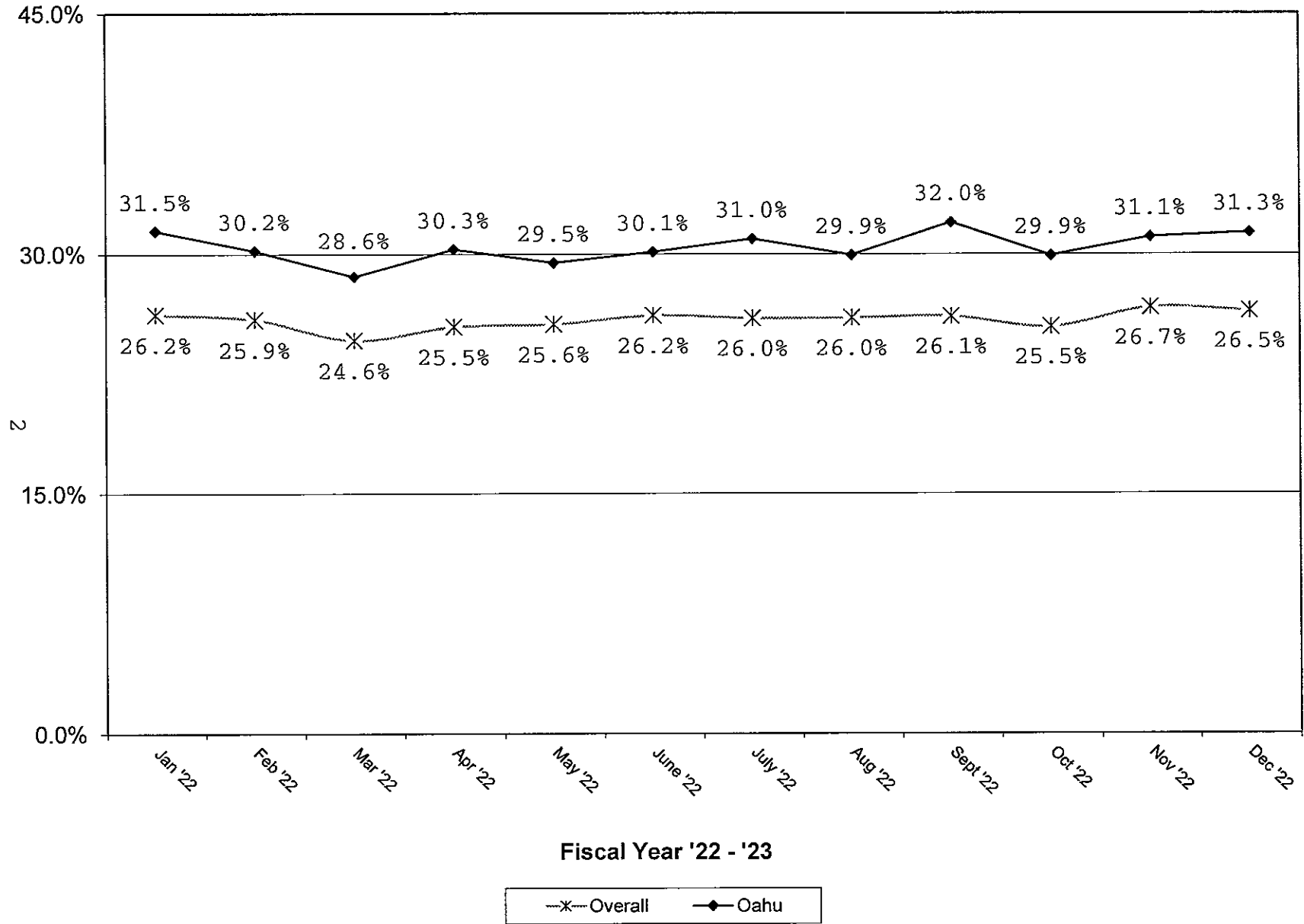
	Total Outstanding		Total Delinquency		30 Days (low)		60 Days (Medium)		R I S K 90 Days (High)		180 Days (Severe)		% of Totals 12/31/2022	
	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	(000s) Amt.	No.	\$
<u>DIRECT LOANS</u>														
OAHU	379	36,739	122	11,512	21	1,852	9	665	24	2,281	68	6,714	32.2%	31.3%
EAST HAWAII	201	12,105	61	4,040	12	578	3	158	7	344	39	2,960	30.3%	33.4%
WEST HAWAII	78	8,012	10	1,138	3	357	3	422	0	0	4	358	12.8%	14.2%
MOLOKAI	81	7,054	15	669	3	255	1	34	1	18	10	363	18.5%	9.5%
KAUAI	91	7,192	10	535	2	77	1	147	0	0	7	312	11.0%	7.4%
MAUI	<u>106</u>	<u>13,987</u>	<u>35</u>	<u>4,618</u>	<u>5</u>	<u>359</u>	<u>10</u>	<u>1,211</u>	<u>5</u>	<u>806</u>	<u>15</u>	<u>2,241</u>	<u>33.0%</u>	<u>33.0%</u>
TOTAL DIRECT	936	85,088	253	22,511	46	3,478	27	2,637	37	3,449	143	12,947	27.0%	26.5%
	100.0%	100.0%	27.0%	26.5%	4.9%	4.1%	2.9%	3.1%	4.0%	4.1%	15.3%	15.2%		
Advances (including RPT)	246	5,959	246	5,959	0	0	0	0	246	5,959			100%	100%
DHHL LOANS & Advances	1,182	91,047	499	28,470	46	3,478	27	2,637	283	9,408	143	12,947	42.2%	31.3%
<u>LOAN GUARANTEES as of June 30, 2022</u>														
SBA	2	67	0	0	0	0	0	0	0	0			0.0%	0.0%
USDA-RD	274	35,831	43	6,613	0	0	0	0	43	6,613			15.7%	18.5%
Habitat for Humanity	32	893	16	429	0	0	0	0	16	429			50.0%	48.0%
Maui County	5	74	0	0	0	0	0	0	0	0			0.0%	0.0%
Nanakuli NHS	1	7	1	7	0	0	0	0	1	7			100.0%	100.0%
City & County	10	204	10	204	0	0	0	0	10	204			100.0%	100.0%
FHA Interim	6	1,366	0	0	0	0	0	0	0	0			0.0%	0.0%
OHA	1	6	1	6	0	0	0	0	1	6			100.0%	100.0%
TOTAL GUARANTEE	<u>331</u>	<u>38,448</u>	<u>71</u>	<u>7,259</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>71</u>	<u>7,259</u>			<u>21.5%</u>	<u>18.9%</u>
PMI Loans	124	17,218	5	904	1	129	1	86	3	689			4.0%	5.3%
HUD REASSIGNED for Recovery	126	13,591	101	11,833	1	10	1	11	5	397	94	11,416	80.2%	87.1%
FHA Insured Loans	2,941	533,887	213	33,274	0	0	0	0	213	33,274			7.2%	6.2%
TOTAL INS. LOANS	<u>3,191</u>	<u>564,696</u>	<u>319</u>	<u>46,011</u>	<u>2</u>	<u>139</u>	<u>2</u>	<u>97</u>	<u>221</u>	<u>34,360</u>	<u>94</u>	<u>11,416</u>	<u>10.0%</u>	<u>8.1%</u>
OVERALL TOTALS(EXC Adv/RP)	4,458	688,232	643	75,781	48	3,617	29	2,733	329	45,069	237	24,363	14.4%	11.0%
ADJUSTED TOTALS	4,704	694,190	889	81,740	48	3,617	29	2,733	575	51,028	237	24,363		11.8%

EXHIBIT B
ITEM NO. D-1

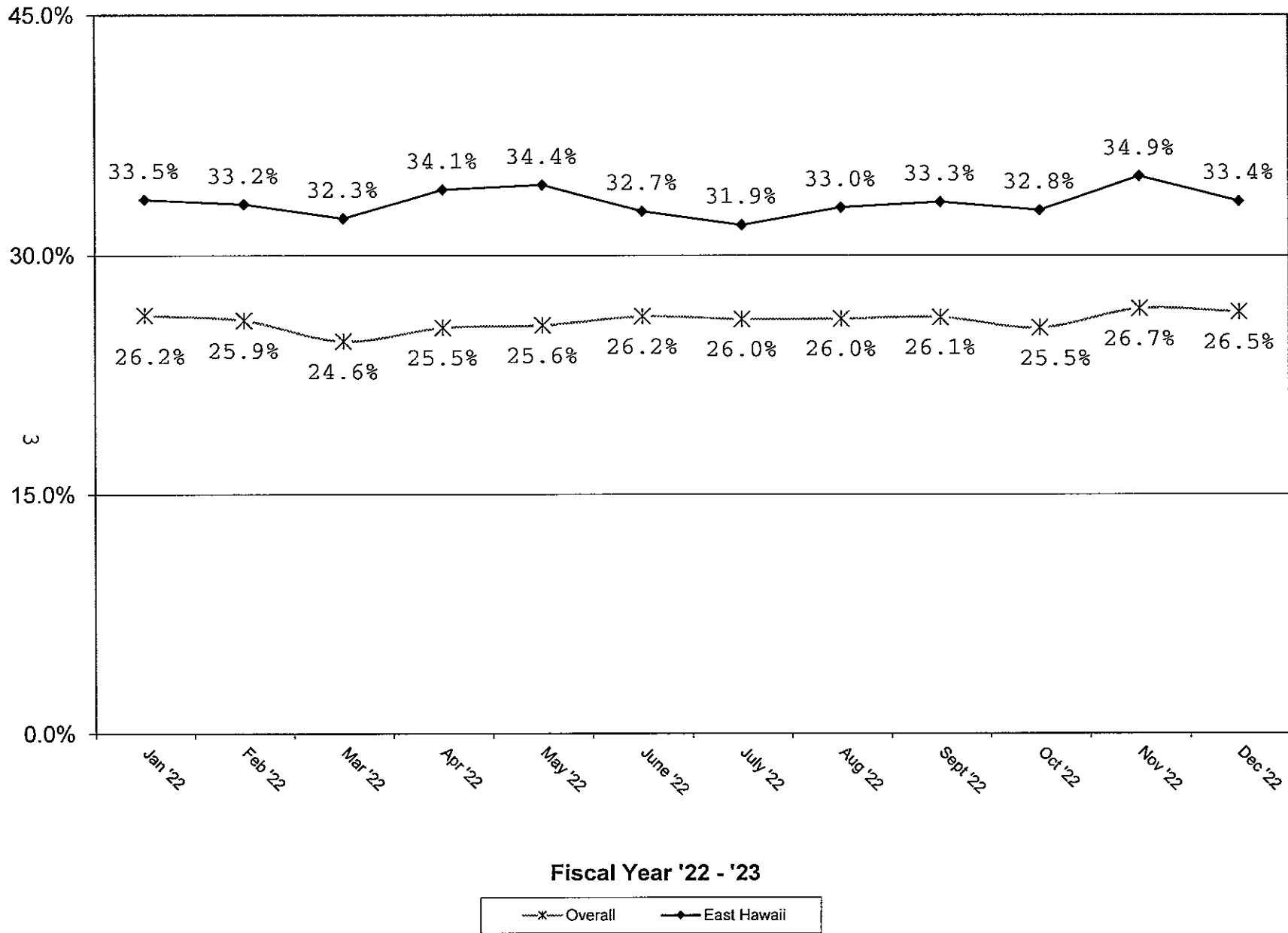
Note: HUD 184A loan program has 515 loans, with a total outstanding principal balance of \$112,252,547 as of June 30, 2022. 15 Loans, totaling \$3,590,830 are delinquent.

The deferred interest for 482 loans comes out to \$2,108,765.34 as of 12/31/2022.

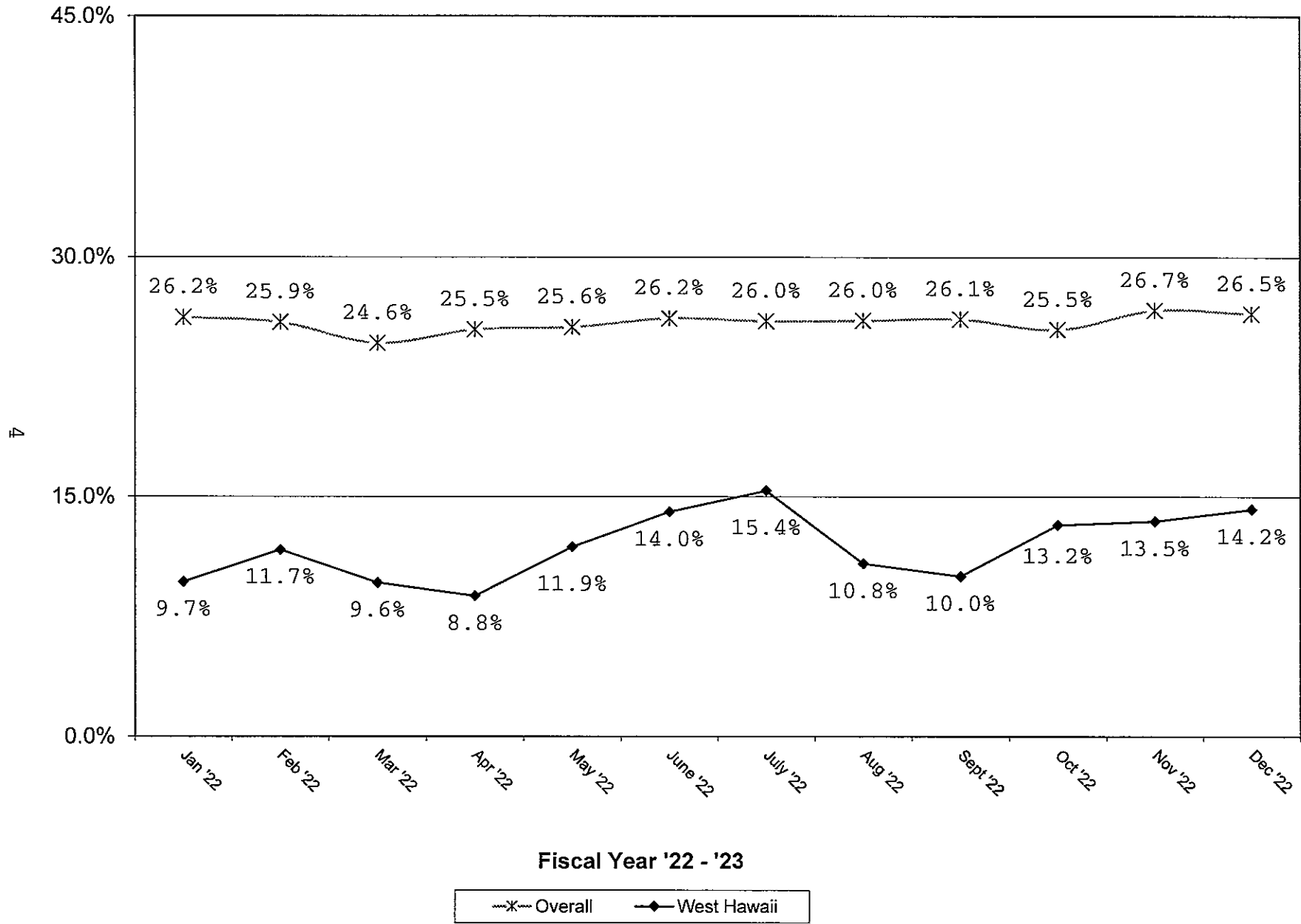
**OAHU
Direct Loans
Delinquency Ratio Report**



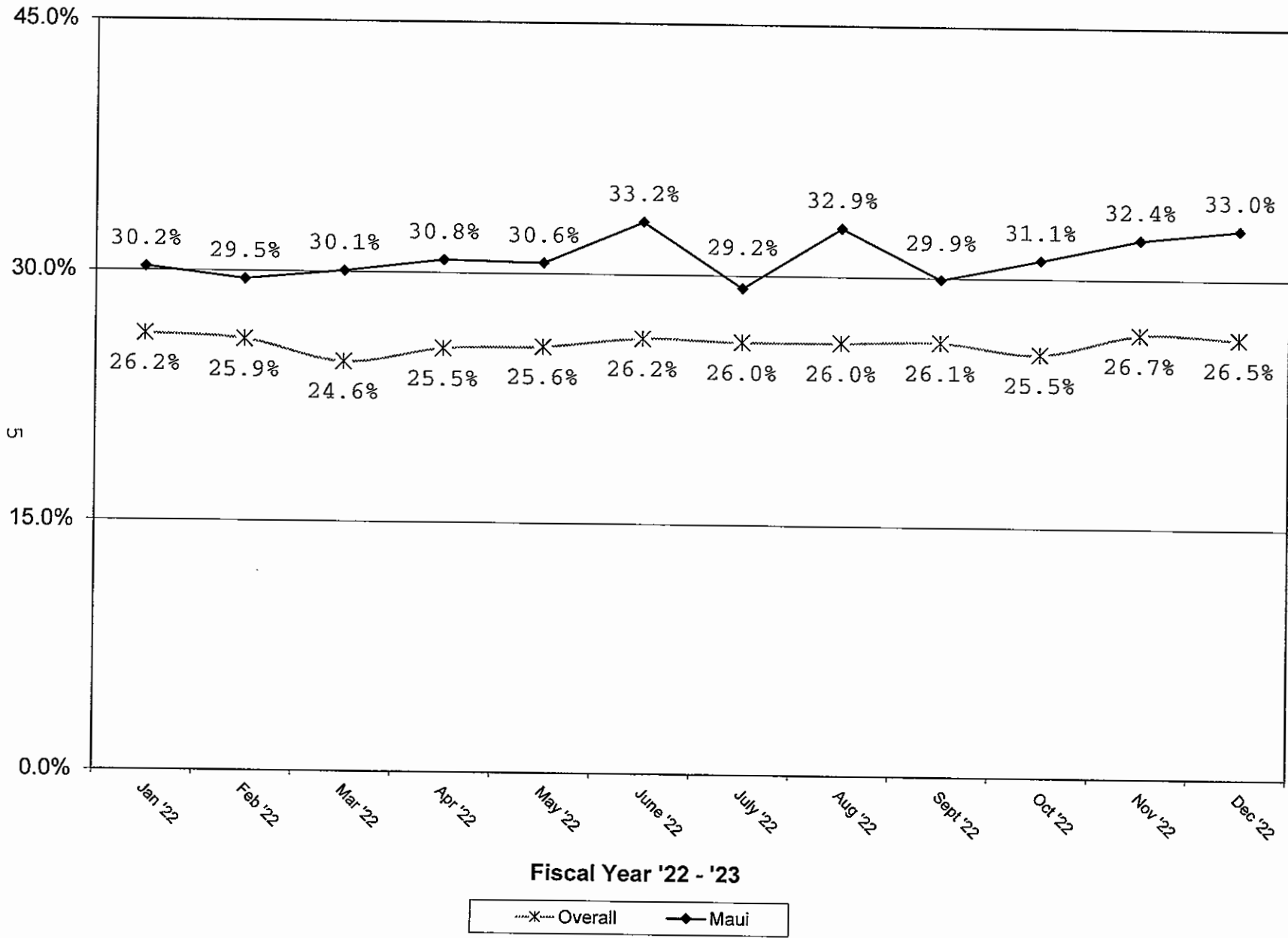
**EAST HAWAII
Direct Loans
Delinquency Ratio Report**



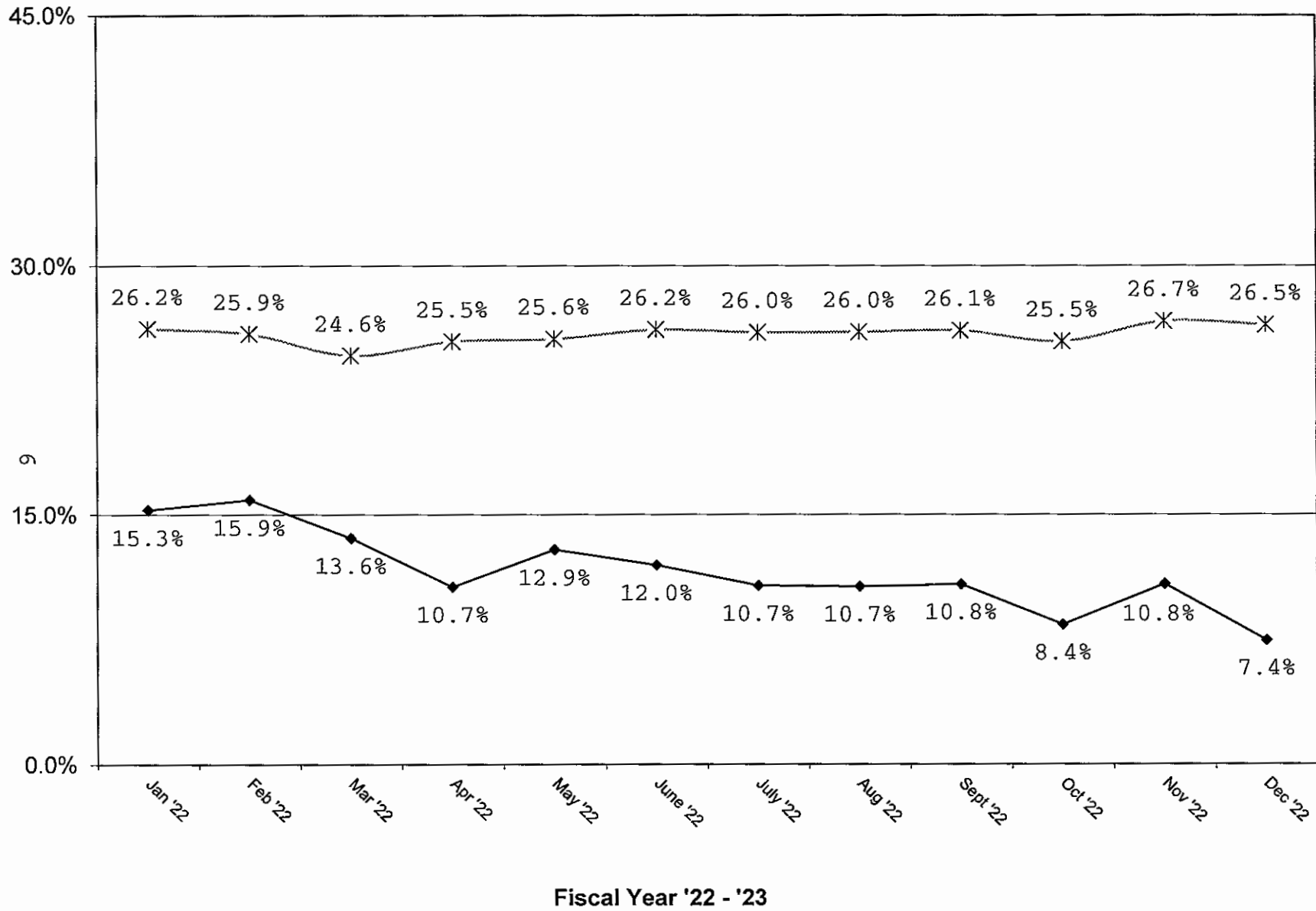
**WEST HAWAII
Direct Loans
Delinquency Ratio Report**



**MAUI
Direct Loans
Delinquency Ratio Report**

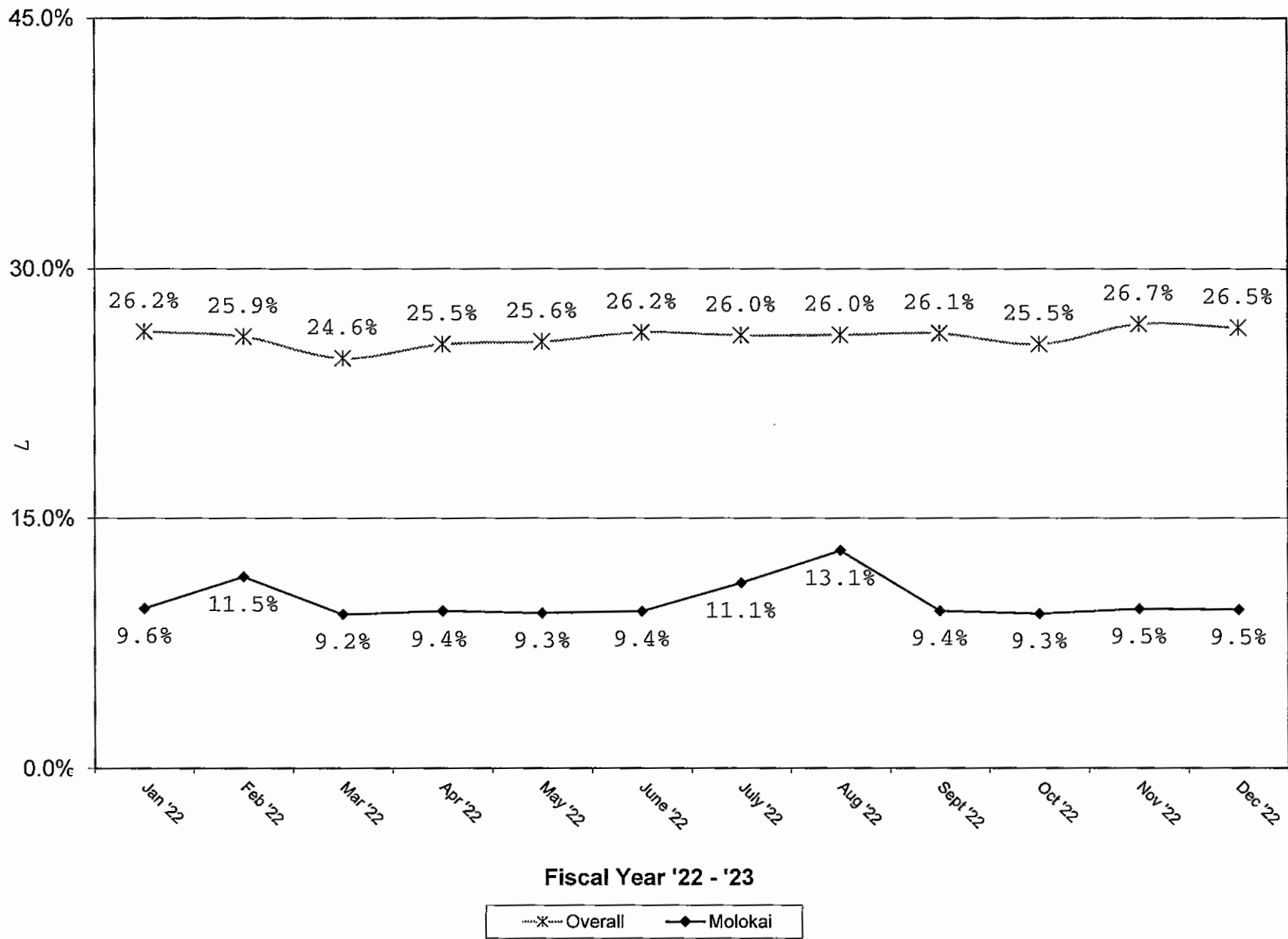


**KAUAI
Direct Loans
Delinquency Ratio Report**



---*--- Overall —◆— Kauai

**MOLOKAI
Direct Loans
Delinquency Ratio Report**



January 17, 2023

SUBJECT: **DHHL Guarantees for FHA Construction Loans**

DISCUSSION: The Department issues guarantees to FHA lenders during the construction period of a home, as FHA does not insure the loan until the home is completed. The loan term for these loans do not exceed fifteen (15) months from the date of loan signing. The following FHA Interim Construction loans were issued guarantees:

*Note: FHA loans are insured by the U.S. Department of Housing and Urban Development (HUD) and do not impact the State's guaranty ceiling.

<u>LEASE NO.</u>	<u>AREA</u>	<u>LESSEE</u>	<u>Loan Amount</u>	<u>Date Approved</u>
3947	Waimanalo	Duran, Monica K.	\$369,848	12/1/22
7058	Puu Pulehu	Kamauu, Dale I.	\$223,625	12/23/22

	<u>No.</u>	<u>Balance</u>
FY Ending 6/30/22	5	\$ 1,522,381
Previous Months	2	\$ 727,497
This Month	<u>2</u>	<u>593,473</u>
FY '22-'23 to date	4	\$ 1,320,970

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator
Homestead Services Division
FROM: Dean Oshiro, Loan Services Manager
SUBJECT: **Approval of Consent to Mortgage**

RECOMMENDED MOTION/ACTION

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (HUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

DISCUSSION

<u>PROPERTY</u>	<u>LESSEE</u>	<u>LENDER</u>	<u>LOAN AMOUNT</u>
<u>OAHU</u>			
Nanakuli Lease No. 3799 TMK: 1-8-9-009:016	KALEIKULA-KELE, Malisa M. (Cash Out Refi) FHA	Click N' Close, Inc.	\$ 199,000
Kewalo Lease No. 2168 TMK: 1-2-4-042:027	YIM, Edith W. (Cash Out Refi) FHA	Click N' Close, Inc.	\$ 189,000
Nanakuli Lease No. 3084 TMK: 1-8-9-005:029	TABALI, James P. (Cash Out Refi) FHA	HomeStreet Bank	\$ 311,400

OAHU

Princess Kahanu Estates Lease No. 8508 TMK: 1-8-7-042:123	KAHIAMOE-TERUKINA, Lance A. (Purchase)VA	Department of Veterans Affairs	\$ 375,000
---	--	--------------------------------------	------------

MAUI

Waiehu Lease No. 5945 TMK: 2-3-2-021:018	LONO, Howard M. (Cash Out Refi) FHA	Click N' Close, Inc.	\$ 392,000
--	---	-------------------------	------------

Waiehu Kou II Lease No. 9447 TMK: 2-3-2-022:009	MCGUIRE, Celice K. K. N. A. A. (Purchase)FHA	HomeStreet Bank	\$ 220,000
---	--	--------------------	------------

KAUAI

Kekaha Lease No. 11357 TMK: 4-1-2-017:028	FUJINAKA, Katrina (Purchase)FHA	V.I.P. Mortgage Inc.	\$ 450,751
---	---------------------------------------	----------------------------	------------

Anahola Lease No. 6488 TMK: 4-4-8-020:059	BLACKSTAD, Tiffany K. P. (Purchase)FHA	SecurityNat- ional Mortg- age Co.	\$ 307,000
---	--	---	------------

Hanapepe Lease No. 9908 TMK: 4-1-8-018:027	POE, Lorna L. & POE, Kaulana J. (Cash Out Refi) FHA	SecurityNat- ional Mortg- age Co.	\$ 184,000
--	---	---	------------

HAWAII

Keaukaha Lease No. 6296 TMK: 3-2-1-021:105	HOOPII, Carrie K. (Cash Out Refi) FHA	V.I.P. Mortgage Inc.	\$ 237,000
--	---	----------------------------	------------


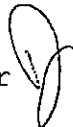
<u>RECAP</u>	<u>NO.</u>	FHA	<u>AMOUNT</u>	<u>NO.</u>	VA <u>AMOUNT</u>
FY Ending 6/30/22	381	\$	125,173,653	10	\$ 4,610,852
Prior Months	99	\$	34,487,602	3	\$ 819,375
This Month	9		2,490,151	1	375,000
Total FY '22-'23	<u>108</u>	\$	<u>36,977,753</u>	<u>4</u>	\$ <u>1,194,375</u>

			<u>HUD 184A AMOUNT</u>		<u>USDA-RD AMOUNT</u>
FY Ending 6/30/22	54	\$	16,015,743	5	\$ 1,134,606
Prior Months	14	\$	4,745,510	0	\$ 0
This Month	0		0	2	0
Total FY '22-'23	<u>14</u>	\$	<u>4,745,510</u>	<u>2</u>	\$ <u>671,858</u>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator, 
Homestead Services Division
FROM: Dean Oshiro, Loan Services Branch Manager 
SUBJECT: **Ratification of Loan Approvals**

RECOMMENDED MOTION/ACTION

To ratify the approval of the following loan previously approved by the Chairman, pursuant to section 10-2-17, Ratification of Chairman's action, of the Department of Hawaiian Home Lands Administrative Rules.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Kalaniopio, William K., Jr.	9835, Kawaihae	NTE \$134,000 @ 4% interest per annum, NTE \$640 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 19158 to reduce the interest rate due to financial hardship. Original loan amount of \$158,280 @ 4.5% per annum, \$880 monthly, repayable over 25 years. A contested case hearing was not held for this account.

<u>LESSEE</u>	<u>LEASE NO. & AREA</u>	<u>LOAN TERMS</u>
Caldeira, Heidi K.	8674, Anahola	NTE \$78,500 @ 4% interest per annum, NTE \$375 monthly, repayable over 30 years.

Loan Purpose: Refinance Contract of Loan No. 18942 to reduce the interest rate due to financial hardship. Original loan amount of \$99,729 @ 4.5% per annum, \$555 monthly, repayable over 25 years. A contested case hearing was not held for this account.

Johnson, Joshua	10379, WK-IV	NTE \$199,500 @ 4% interest per annum, NTE \$953 monthly, repayable over 30 months.
-----------------	--------------	--


Loan Purpose: Purchase existing improvements in conjunction with a new lease award.

<u>REFINANCE</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	6	\$ 1,275,214
Prior Months	6	695,925
This Month	2	212,500
Total FY '22-'23	<u>8</u>	<u>\$ 908,425</u>
<u>REPAIR</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	0	\$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '22-'23	<u>0</u>	<u>\$ -0-</u>
<u>HOME CONSTRUCTION</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	1	\$ 250,000
Prior Months	0	-0-
This Month	0	-0-
Total FY '22-'23	<u>0</u>	<u>\$ -0-</u>
<u>FARM</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	0	\$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '22-'23	<u>0</u>	<u>\$ -0-</u>
<u>TRANSFER WITH LOAN</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	1	\$ 133,000
Prior Months	1	143,000
This Month	0	143,000
Total FY '22-'23	<u>1</u>	<u>\$ 143,000</u>
<u>AWARD</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	3	\$ 469,550
Prior Months	0	-0-
This Month	1	199,500
Total FY '22-'23	<u>1</u>	<u>\$ 199,500</u>
<u>OTHER</u>	<u>NO.</u>	<u>LOAN AMOUNT</u>
FY Ending 6/30/22	0	\$ -0-
Prior Months	0	-0-
This Month	0	-0-
Total FY '22-'23	<u>0</u>	<u>\$ -0-</u>

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Specialist V
Application Branch, Homestead Services Division
SUBJECT: **Approval of Homestead Application Transfers/Cancellations**

RECOMMENDED MOTION/ACTION

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described below:

DISCUSSION

1. Requests of Applicants to Transfer

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

LAU, Beverly Ann	02/20/1976	HAWAII	RES	08/23/2022
------------------	------------	--------	-----	------------

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

ALONZO, Alvin R.	05/05/2015	KAUAI	AGR	11/15/2022
------------------	------------	-------	-----	------------

SEE, Shandon K.W.Y.	06/18/2020	MAUI	AGR	08/26/2022
---------------------	------------	------	-----	------------

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

ALONZO, Alvin R.	05/05/2015	KAUAI	RES	11/15/2022
------------------	------------	-------	-----	------------

ALONZO, Raymond J.	12/29/2015	KAUAI	RES	11/15/2022
--------------------	------------	-------	-----	------------

KEKAWA, Shalee K.	03/30/1999	HAWAII	RES	08/23/2022
-------------------	------------	--------	-----	------------

MENO, Tichelle K.	04/12/2013	HAWAII	RES	08/23/2022
-------------------	------------	--------	-----	------------

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

ROJAS, Lisa L.K. 10/07/1998 OAHU RES 08/12/2022

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

PANG, John K. 05/30/1990 OAHU RES 08/23/2022

2. Deceased Applicants

NONE FOR SUBMITTAL

3. Awards of Leases

WAIMANALO AREA / OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

KAPULE, Maminette P. Assigned Residential Lease
#12981, Lot 37 in Kakaina, Oahu
dated 11/30/2022. Remove
application dated 12/20/1971.

MEDINA, Bernardson C. Assigned Residential Lease
#12983, Lot 9 in Kakaina, Oahu
dated 11/30/2022. Remove
application dated 08/07/1962.

WAIMEA AREA / HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

BLOCK, Beatrice N. Assigned Agricultural Lease
#12988, Lot 66 in Maku'u, Hawaii
dated 10/25/2022. Remove
application dated 04/05/1972.


KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

ASANO, Deborah R. Assigned Residential Lease
#12990, Lot 7 in Pi'ilani Mai Ke
Kai (Anahola), Kauai dated
11/22/2022. Remove application
dated 01/08/1991.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission
THROUGH: Juan Garcia, HSD Administrator 
FROM: Nicole F. Bell, Specialist V
Application Branch, Homestead Services Division
SUBJECT: **Approval to Certify Applications of Qualified Applicants for the month of December 2022**

RECOMMENDED MOTION/ACTION

To approve the certification of applications of qualified applicants for the month of December 2022. The Department has verified the native Hawaiian blood quantum requirement of each applicant according to section 10-3-2 of the Hawaii Administrative Rules.

DISCUSSION

At its October 2020 regular meeting, the Hawaii Homes Commission adopted the recommendation of the HHC Investigative Committee on the Native Hawaiian Qualification Process to recall to the HHC, pursuant to Hawaii Administrative Rules § 10-2-16(a), the authority to accept the Native Hawaiian Quantum (NHQ) determination for an individuals as a function requiring the exercise of judgement or discretion. The recommendation included a process to implement the Commission's review and acceptance of NHQ determinations. These applicants have been deemed by the Department to have met the native Hawaiian blood quantum requirement through the kumu 'ohana process.

OAHU ISLANDWIDE AGRICULTURAL LEASE LIST

PUU, John C.K. 11/17/2022

OAHU ISLANDWIDE RESIDENTIAL LEASE LIST

CABRINHA, Jacob K. 11/17/2022

PUU, John C.K. 11/17/2022

HAWAII ISLANDWIDE AGRICULTURAL LEASE LIST

KANAHELE-MOSSMAN, Huihui L. 11/16/2022

HAWAII ISLANDWIDE RESIDENTIAL LEASE LIST

YAMAMOTO, Danny K., Jr. 11/15/2022

KAUAI ISLANDWIDE AGRICULTURAL LEASE LIST

WONG, Vallendee N. 11/21/2022

KAUAI ISLANDWIDE RESIDENTIAL LEASE LIST

WONG, Vallendee N. 11/21/2022

MOLOKAI ISLANDWIDE AGRICULTURAL LEASE LIST

ENGLISH, Fumiko D.K. 11/22/2022

MOLOKAI ISLANDWIDE RESIDENTIAL LEASE LIST

ENGLISH, Fumiko D.K. 11/22/2022

Previous Cumulative Total for Current FY	501
Current Month's Total	9
Fiscal Year Total: July 2022-June 2023	510

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor
Homestead Services Division

SUBJECT: **Approval of Assignment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

1. To approve the assignment of the leasehold interest, pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

2. To approve and accept that transferees are of no less than the required 25% or 50% Hawaiian ancestry as appropriate pursuant to Section 208, Hawaiian Homes Commission Act, 1920, as amended.

DISCUSSION

Eight (8) assignments of lease.

1. Lessee Name: Glynn L. U. Akina
Res. Lease No. 9444, Lot No. 6
Lease Date: 6/1/2000
Area: Waiehu Kou II, Maui
Property Sold & Amount: Yes, \$250,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Keoni K. Akahi
Relationship: Son
Loan Assumption: N/A
Applicant: Yes, Maui IW Res., 9/10/2009

Reason for Transfer: "Moving off island." Special
Condition: Transferee to obtain funds to pay purchase
price. See simultaneous transfer below.

2. Lessee Name: Keoni K. Akahi
Res. Lease No. 9444, Lot No. 6
Lease Date: 6/1/2000
Area: Waiehu Kou II, Maui
Property Sold & Amount: Yes, \$250,000.00
Improvements: 3 bedroom, 2 bath dwelling

Transferee Name: Kuakea K. Akahi
Relationship: Son
Loan Assumption: N/A
Applicant: No

Reason for Transfer: "Transfer lease to son." Special
Condition: Transferee to obtain funds to pay purchase
price.

3. Lessee Name: Isaac K. Kalua, III
Res. Lease No. 11213, Lot No. 4
Lease Date: 10/15/2016
Area: Kakaina, Oahu
Property Sold & Amount: Yes, \$625,000.00
Improvements: 4 bedroom, 3 bath dwelling

Transferee Name: Kapiolani A. Nolan
Relationship: None
Loan Assumption: N/A
Applicant: Yes, Oahu IW Res., 5/17/2022

Reason for Transfer: "Financial reasons." Special
Condition: Transferee to obtain funds to pay purchase
price.

4. Lessee Name: Brett K. Kanahale
Res. Lease No. 11357, Lot No. 28
Lease Date: 11/22/2006
Area: Kekaha, Kauai
Property Sold & Amount: Yes, \$450,000.00
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Roy K. Apo
Relationship: None
Loan Assumption: N/A
Applicant: Yes, Kauai IW Res., 11/18/2004

Reason for Transfer: "Moving off island and due to divorce
and separation." Special Condition: Transferee to obtain
funds to pay purchase price. See simultaneous transfer
below.

5. Lessee Name: Roy K. Apo
Res. Lease No. 11357, Lot No. 28
Lease Date: 11/22/2006
Area: Kekaha, Kauai
Property Sold & Amount: No, \$450,000.00
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Katrina K. A. Fujinaka
Relationship: Daughter
Loan Assumption: N/A
Applicant: No

Reason for Transfer: "Giving lease to relative." Special
Condition: Transferee to obtain funds to pay purchase
price.

6. Lessee Name: Elizabeth K. Namuo
Res. Lease No. 6601, Lot No. 41
Lease Date: 6/30/1994
Area: Anahola, Kauai
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2 bath dwelling

Transferee Name: Elizabeth K. Namuo & Sunday Lee A. U. Namuo
Relationship: Lessee & Daughter
Loan Assumption: Yes
Applicant: No

Reason for Transfer: "Adding relative to lease." HHC
approved refinance of loan under Transferees on November 21,
2022.

7. Lessee Name: Donna Lee M. Tokuoka
Res. Lease No. 8860, Lot No. 19
Lease Date: 5/1/2000
Area: Hanapepe, Kauai
Property Sold & Amount: No, N/A
Improvements: 4 bedroom, 2-1/2 bath dwelling

Transferee Name: Duellane K. Rita
Relationship: Daughter
Loan Assumption: N/A
Applicant: Yes, Kauai IW Res., 8/23/1991

Reason for Transfer: "Giving lease to relative."

8. Lessee Name: Margaret K. Keahi-Leary
Agr. Lease No. 6035, Lot No. 42-B-1-E
Lease Date: 12/1/1985
Area: Hoolehua, Molokai
Property Sold & Amount: No, N/A
Improvements: N/A

Transferee Name: David H. K. Gomes
Relationship: Nephew
Loan Assumption: N/A
Applicant: Yes, Molokai IW Agr., 1/16/2018

Reason for Transfer: "Giving lease to relative."


Assignments for the Month of January `23	8
Previous FY '22 - '23 balance	<u>108</u>
FY '22 - '23 total to date	116
Assignments for FY '21 - '22	220

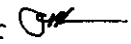
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval of Amendment of Leasehold Interest**

RECOMMENDED MOTION/ACTION

To approve the amendment of the leasehold interest listed below.

DISCUSSION

Eight (8) amendments of lease.

1. Lessee: Saint Mathew Kaluahine
Res. Lease No.: 3348
Lot No., Area, Island: 36-B, Anahola, Kauai
Amendment: To amend the lease to incorporate the currently used terms, covenants and conditions to the lease and to extend the lease term to an aggregate term of 199 years.

2. Lessee: Brett K. Kanahele
Res. Lease No.: 11357
Lot No., Area, Island: 28, Kekaha, Kauai
Amendment: To amend the lease to release the 10 year retention period established for the Native Hawaiian Housing Block Grant.

3. Lessee: Norman A. Piliialoha
 Res. Lease No.: 258
 Lot No., Area, Island: 19-A, Nanakuli, Oahu
 Amendment: To amend the lease title and lessor's name, update the property description, to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.
4. Lessee: Harry K. Purdy, III
 Agr. Lease No.: 106
 Lot No., Area, Island: 4, Hoolehua, Molokai
 Amendment: To amend the lease to incorporate the currently used terms, covenants and conditions to the lease and to extend the lease term to an aggregate term of 199 years.
5. Lessee: Rowena P. Smith
 Res. Lease No.: 4689
 Lot No., Area, Island: 12, Anahola, Kauai
 Amendment: To amend the lease tenancy from tenants-in-common to joint tenants.
6. Lessee: James P. Tabali
 Res. Lease No.: 3084
 Lot No., Area, Island: 114, Nanakuli, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, covenants and conditions to the lease and to extend the lease term to an aggregate term of 199 years.
7. Lessee: Keven L. Valente
 Res. Lease No.: 3757
 Lot No., Area, Island: 108, Waimanalo, Oahu
 Amendment: To amend the lease to incorporate the currently used terms, covenants and conditions to the lease and to update the property description.

8. Lessee: Alan M. L. K. Yee, Jr.
 Res. Lease No.: 2251
 Lot No., Area, Island: 13, Waimanalo, Oahu
 Amendment: To amend the lease title and lessor's name and to incorporate the currently used terms, conditions, and covenants to the lease, and to extend the lease term to an aggregate term of 199 years.


Amendments for the Month of January '23	8
Previous FY '22 - '23 balance	<u>49</u>
FY '22 - '23 total to date	57
Amendments for FY '21 - '22	133


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval to Issue a Non-Exclusive License for Rooftop Photovoltaic Systems for Certain Lessees**

RECOMMENDED MOTION/ACTION

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

The non-exclusive license is necessary as the Lessee can not issue his/her own licenses.

DISCUSSION

One (1) non-exclusive license.

1. Lessee: Anne N. H. Ota
Res. Lease No.: 11156
Lot No., Area, Island: 49, Anahola, Kauai
Permittee: Sunrun Installation Services, Inc.

Non-Exclusive License for the Month of January '23	1
Previous FY '22 - '23 balance	<u>47</u>
FY '22 - '23 total to date	48


Non-Exclusive License for FY '21 - '22	53
--	----

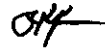
STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting District Supervisor 
Oahu District Office
Homestead Services Division

SUBJECT: **Commission Designation of Successor -
DANNY K. PALIMOO, Residential Lease No. 2231,
Lot No. 161, Kewalo, Oahu**

RECOMMENDED MOTION/ACTION

1. To approve the designation of Wanda Piliialoha Perry Palimo'o (Wanda) as successor to Residential Lease No. 2231, Lot No. 161, Kewalo, Oahu (Lease), for the remaining term of the Lease;
2. To approve and accept that Wanda is of no less than the required 25% Hawaiian ancestry and is therefore a qualified successor pursuant to Section 209 of the Hawaiian Homes Commission Act, 1920, as amended;
3. To stipulate that Wanda's successorship right and interest in the Lease do not vest until Wanda has signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Wanda does not sign all such documents on or before **March 31, 2023** (the Deadline), that the Commission's selection of Wanda as the successor is automatically revoked;
4. To authorize the Department to extend the Deadline up to 60 days for good cause;
5. To declare that if Wanda's selection as the successor is revoked, the Commission will consider other successorship claims to the leasehold interest received prior to the public notice closing date of April 7, 2023; and if there

are no eligible successors from these respondents, then under Section 209(a) of the Hawaiian Homes Commission Act, 1920, as amended, "...the land subject to the lease shall resume its status as unleased Hawaiian home lands and the department is authorized to lease the land to a native Hawaiian as provided by the Act;" and

6. To amend the lease title and Lessor's name, to update property description to include a new 10 ft wide sewer easement, to incorporate the currently used terms, covenants, and condition to the lease, and to extend the term to an aggregate term of 199 years.

DISCUSSION

Danny K. Palimoo (Decedent) succeeded to the Lease on July 10, 2002.

On September 14, 2022, the Decedent passed away without naming a successor to his lease.

On November 21, 2022, the Department received the decedent's death certificate.

In compliance with Administrative Rule 10-3-63, the Department published legal notices in the Honolulu Star-Advertiser, the Hawaii Tribune Herald, the West Hawaii Today, The Maui News, and The Garden Island newspapers on December 7, 14, 21, and 28, 2022, to notify all interested, eligible and qualified heirs of the Decedent to submit their successorship claims to the Lease.

The Department received a successorship claim from the Decedent's wife, Wanda, who has been determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the Lease.

The Department also received a successorship claim from the Decedent's son, Dennis Wailana Kaena Palimoo (Dennis), who has been determined to be of at least 25% Hawaiian ancestry and is thus eligible for successorship to the Lease.

Pursuant to Section 209 of the Hawaiian Homes Commission Act of 1920, as amended (Act), when a lessee fails to designate a successor, the commission is authorized to terminate this lease or to continue the lease by designating a successor. Section 209

states in part that the department may select from only the following qualified relatives of the decedent:

1. Husband or wife; or
2. If there is no husband or wife, then the children; or
3. If there is no husband, wife, or child, then the grandchildren; or
4. If there is no husband, wife, child, or grandchild, then the brothers or sisters; or
5. If there is no husband, wife, child, grandchild, brother, or sister, then from the following relatives of the lessee who are native Hawaiian: father and mother, widows or widowers of the children, widows or widowers of the brothers and sisters, or nieces and nephews.

Pursuant to Section 209, Wanda has the highest priority to succeed to the leasehold interest and is presently occupying the home. Should Wanda not succeed to the leasehold interest, Dennis' successorship claim, along with other claims received prior to the public notice closing date of April 7, 2023, shall subsequently be considered.

Improvements to the homestead lot consist of a 4 bedroom and 1-1/2 bath, single family dwelling, which was constructed in 1974.

There are no outstanding loans. The real property tax is current, and the next assessment will be due in February 2023. The lease rent account has a credit balance of \$2 dollars.


The Department requests approval of its recommendation.

STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, Administrator
Homestead Services Division 

FROM: Erna Kamibayashi, Kauai District Office Supervisor
Homestead Services Division

SUBJECT: **Request for Additional Time Extension in the Matter of Commission Designation of Successor, Pohaikealoha Dymond, Residential Lease No. 11042, Lot No. UNDV041, Anahola, Kauai**

RECOMMENDED MOTION/ACTION

To approve the request for an additional 120 days to be added to the Time Extension currently provided to complete the transfer through successorship from Pohaikealoha Dymond to her daughters, Nicole I.P. Doversola and Kollett E.M.M. Doversola, as successors to Residential Lease No. 11042, Lot No. UNDV041, Anahola, Kauai for the remaining term of the lease

DISCUSSION

On May 16, 2022, the Hawaiian Homes Commission approved the selection of Nicole I.P. Doversola (Nicole) and Kollett E.M.M. Doversola (Kollett) to succeed to their mother Pohaikealoha Dymond's Department of Hawaiian Home Lands Residential Lot Lease No. 11042, Lot No. UNDV041, located in Anahola, Kauai (Exhibit A)

The Commission's selection of Nicole and Kollett stipulated that their right and interest in the lease does not vest until Nicole and Kollett have signed that: (i) Transfer Through Successorship of Lease; (ii) Lease Addendum; and such necessary and appropriate instruments; and that if Nicole and Kolett did not sign all such documents on or before July 31, 2022 (the deadline) that the Commission's selection of Nicole and Kollett as successors would be automatically revoked. The

Commission also authorized the Department to extend the Deadline up to 60 days for good cause, not to exceed September 30, 2022.

The named successors, through largely no fault of their own, could not meet the extended execution deadline of September 30, 2022, and as such, the Department is requesting an additional extension of 120 days be granted for good cause not to exceed **January 31, 2023**.

While the subject Anahola lease is under the purview of the Kauai District Office, on-island staff requested assistance from the Oahu District Office (ODO) to obtain signatures of the designated successors as Kollett currently resides in Las Vegas, Nevada and Nicole lives on Oahu.

On September 19, 2022, ten (10) days before the expiration date of the extended Deadline, the ODO mailed the lease to Kollett who signed and subsequently returned the document on November 22, 2022. Unfortunately, the ODO inadvertently failed to simultaneously mail a copy of the lease to Nicole to be executed in counterpart. The ODO has already reached out to Nicole and will work to resolve this issue immediately.


The Department respectfully requests approval of its recommendation.


STATE OF HAWAII

DEPARTMENT OF HAWAIIAN HOME LANDS

January 17, 2023

TO: Chairman and Members, Hawaiian Homes Commission

THROUGH: Juan Garcia, HSD Administrator 
Homestead Services Division

FROM: Ross K. Kapeliela, Acting ODO Supervisor 
Homestead Services Division

SUBJECT: **Approval of Subdivision and Transfer of a Portion of Residential Lease No. 2907, Lot No. 30, Nanakuli, Oahu - JACOB JOHN KU, JR.**

RECOMMENDED MOTION/ACTION

1. To approve the request of Jacob J. Ku, Jr. (Jacob, Jr.) to subdivide Department of Hawaiian Home Lands Residential Lease No. 2907, Lot No. 30, Nanakuli, Oahu, consisting of 0.53 acres (23,087 square feet), and further identified as TMK (1) 8-9-006-:010 into Lots 30-A and 30-B, provided that the Lessee is responsible for all costs incurred in the processing and obtaining of the subdivision, including but not limited to surveying fees, fees imposed by the City and County of Honolulu (County), fees for utility (electric, water, etc.) and other fees associated with the subdivision of Lot No. 30.

2. To approve the amendment of Lease No. 2907, to amend the lease title and Lessor's name, to reflect the subdivision of Lot No. 30, updating the property description, incorporate the currently used terms, covenants, and conditions in the lease, and extend the lease term to an aggregate term of 199 years.

3. To stipulate that Jacob, Jr. shall provide either an approval letter from Wells Fargo Bank, allowing the amendments to Lease No. 2907 OR proof that the outstanding mortgage dated September 12, 2007, is paid in full, by **February 19, 2022**, otherwise this approval will be automatically revoked.

4. To approve the transfer of Lot No. 30-B, under Lease No. 2907, from Jacob, Jr. to his son, Jacob J. Ku, III (Jacob, III).

5. To approve the creation of newly designated Residential Lease No. 2907-A, demising Lot No. 30-B.

6. The above are subject to the completion of the survey work done by a licensed surveyor, including but not limited to the surveying and staking of boundary corners of the lots, submitting the required number of final subdivision maps recorded with the State of Hawaii Bureau of Conveyances to the County, preparing and submitting the legal description of the lots to the Department of Hawaiian Home Lands (Department), applying to the County for subdivision approval, obtaining the tax map keys for the Lots, and final subdivision approval by the County of Honolulu.

DISCUSSION

Department of Hawaiian Home Lands Residential Lease No. 2907, Lot No. 30, located in Nanakuli, Oahu (Lease), was transferred to Jacob, Jr. by way of Transfer Through Successorship instrument dated April 12, 2006.

Jacob, Jr. is requesting the approval to subdivide his lot into two lots and to transfer the newly created lot to Jacob, III. Jacob, III, has been deemed to be of at least 50% Hawaiian ancestry and is therefore qualified to receive a portion of the lot. Once the lot is subdivided, Jacob, III, will receive Lot No. 30-B, under newly created Lease No. 2907-A, and Jacob, Jr. will retain Lot No. 30-A, under Lease No. 2907.

Jacob, III, has submitted a prequalification letter from Security National Mortgage Company in the amount of \$386,000.00, for the construction of a new home.

Section 10-3-38 of the Administrative Rules (Rules) states that, "A lessee of a residential lot, with approval of the commission, may subdivide and transfer a portion of the lot for the remaining term of the lease to any individual who is native Hawaiian and is at least 18 years old; provided that after the transfer, each lot conforms to County zoning standards. The department shall not be required to finance the construction of the house on the transferred portion." The Rules also state, "The Department shall not be required to pay for any costs incurred in the processing and obtaining of the subdivision." Furthermore,

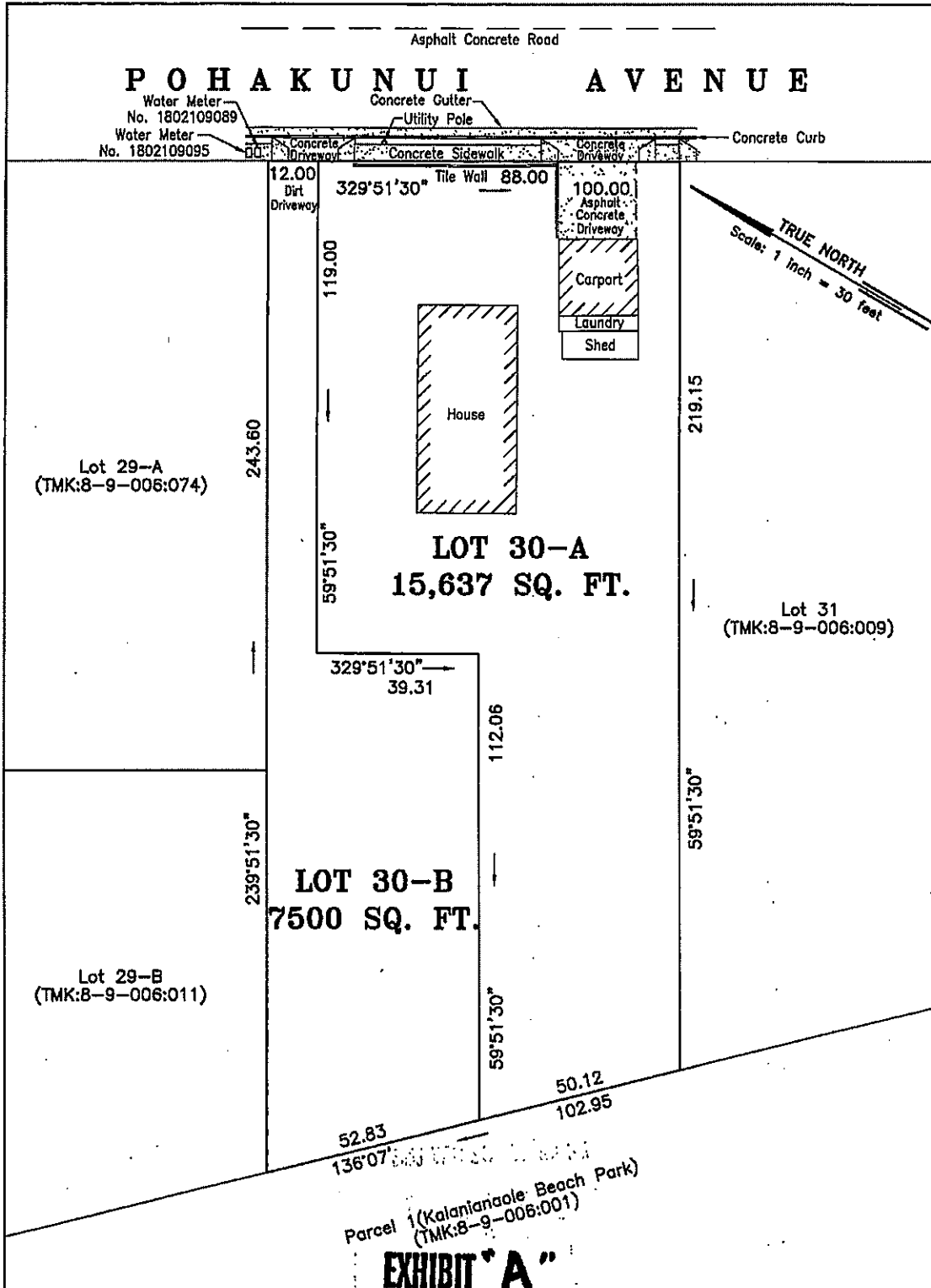
ITEM NO. D-11

Section 208(5) of the Hawaiian Homes Commission Act of 1920, as amended, states in part, "The lessee may transfer the lessee's interest in the tract to the following qualified relatives of the lessee who are at least one-quarter Hawaiian: husband, wife, child, or grandchild."

Attached is "Exhibit A" illustrating the two lots. The existing home is located on Lot No. 30-A, which is to be retained by Jacob, Jr.

There is an outstanding mortgage with Wells Fargo Bank dated September 12, 2007, with an original balance of \$142,450.00. The real property taxes and the lease rent are paid current.

The Department recommends a conditional approval, subject to written confirmation from Wells Fargo Bank allowing the Department to amend the Lease without jeopardizing the Federal Housing Administration mortgage insurance.



SB-261-SD-2

Submitted on: 3/13/2023 12:52:46 PM

Testimony for JHA on 3/14/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support