



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
DEPARTMENT OF HAWAIIAN HOME LANDS

DHHL and DCCR Communities

Roadmap

- Background
- Kalawahine vs. DHHL
- What the Department does for DCCR communities
- Moving forward

DCCR Communities

Community	Lessees on Lot	Lots (Projected)	<p>Total Lessees on Lot: 1,943</p> <p>*Development on going</p>
Laiopua*	61	(1,340)	
Lalamilo*	30	448	
Leialii	104	(357)	
Waiehu Kou 2	109	109	
Waiehu Kou 3	114	114	
Waiehu Kou 4	98	98	
Lanai	29	45	
Princess Kahanu Estates	271	271	
Maluohai	222 (+1 in process)	226	
Kaupea	326	326	
Kanehili*	358	403	
Kaupuni	19	19	
Kumuhau-Kakaina*	52	97	
Kalawahine Streamside	92	92	
Piilani Mai Ke Kai*	58 (+22 in process)	177	

Lot Status

Community	Lots	Lessees Total	Construction	Inventor y
Laiopua*	(1,340)	286	118 (underway) 101 (pending) Est. 778 (future)	HSD: 1
Lalamilo*	448	30	81 (hold) 330 (design hold)	LDD: 2
Leialii	(357)	104	Est. 253 (future)	--
Waiehu Kou 2	108	108	--	--
Waiehu Kou 3	115	115	--	HSD: 1
Waiehu Kou 4	98	98	--	HSD: 1
Lanai	45	29	--	--
Princess Kahanu	271	271	--	--
Maluohai	226	225	--	--
Kaupea	326	326	--	HSD: 1
Kanehili*	403	336	67 (underway)	--
Kaupuni	19	19	--	--
Kumuhau-Kakaina*	97	65	15 (underway)	LDD: 17
Kalawahine	92	92	--	HSD:1
Piilani Mai Ke Kai*	177	58	46 (pending)	LDD: 51

**Total Lots:
(4,122)**

***Development on
going**

“Apples” and “Oranges”

- Two types of DCCR communities exist on Hawaiian home lands:
 - DHHL *created* (11), and
 - DHHL *acquired*
 - Leialii, Maluohai, Kaupea, Laiopua

Kalawahine v. DHHL

- HHCA section 207.5
- “DHHL should have promulgated administrative rules before incorporating the DCCRs into the homestead leases issued to Kalawahine Project residents.” *Kalawahine v. DHHL (2015)*
- “[I]ndependent of the homestead lease, the Kalawahine Project residents are bound by the DCCRs pursuant to their sales contract with [the developer] . . . the DCCRs . . . remain subject to enforcement by the Association.” *Kalawahine v. DHHL (2015)*

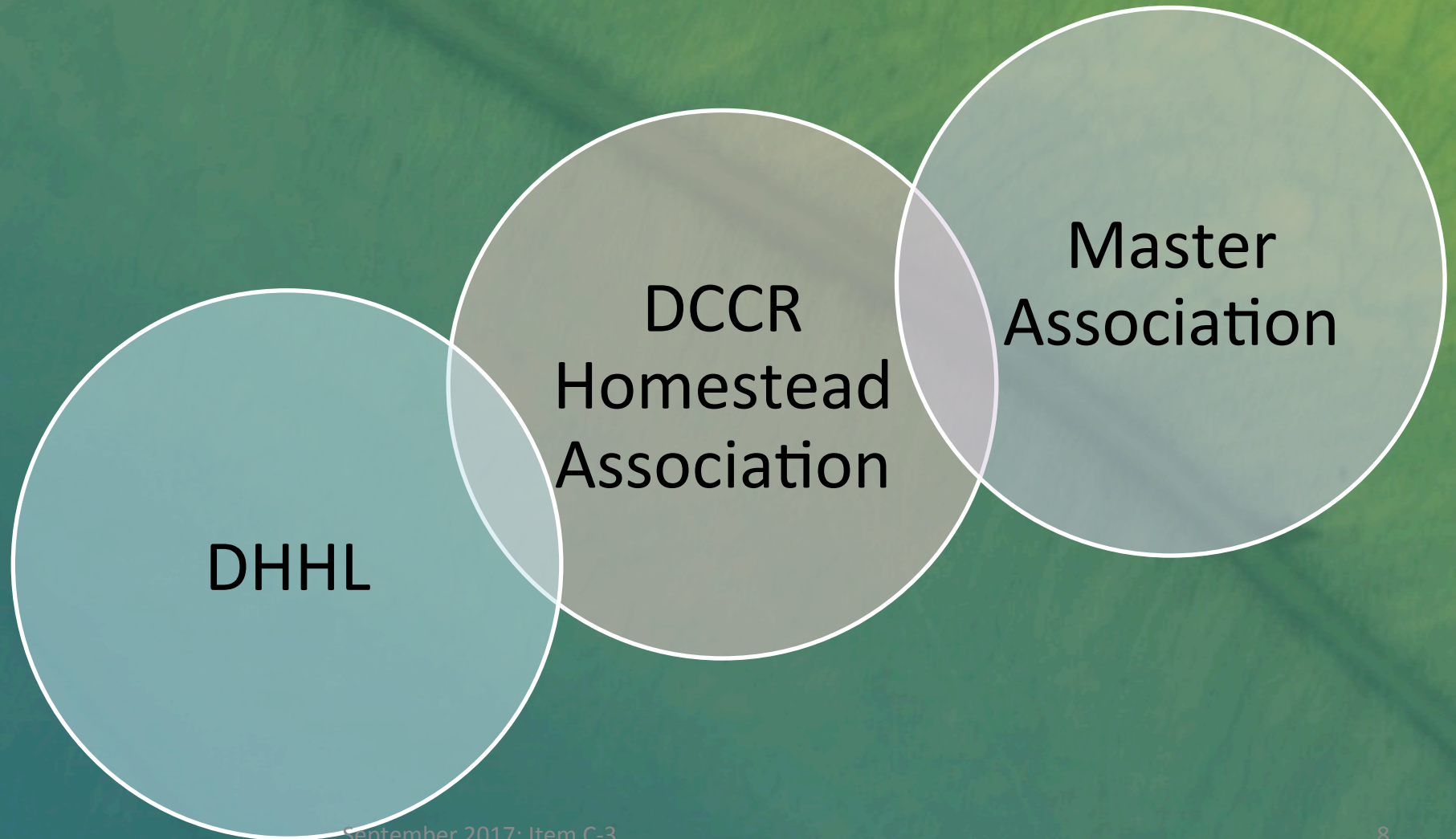
DHHL, “Apples,” and “Oranges”

- Generally...
 - DHHL *acquired* communities are subject to enforcement of the DCCRs by the Department.
 - DHHL *created* communities are subject to enforcement of the DCCRs by their respective Associations.
- Ultimately, how DHHL relates to each association will depend upon the (1) particularities of the development, and (2) association documents.

DHHL and “Apples”

If the community is DHHL acquired, there may be a “master association.”

These relationships can vary based on association documents.



DHHL and “Oranges”

If the community is DHHL created, interaction between DHHL and the DCCR homestead association may be limited and depends on how the association was created and the association documents.



DHHL, “Apples,” and “Oranges”

- Enforcement issues
 - Delinquent assessments
 - Kanawai procedures
- Loans and transfer requests
- New lessee contact information

- Inactive/Not organized associations
- Vacant lot awards

Moving Forward

- Administrative Rules
 - “Method of disposition”
 - “Terms, conditions, covenants, and restrictions as to use and occupancy”
 - Enforcement