

TRANSFERS AND SUCCESSORSHIP FOR APPLICANTS AND LESSEES

Source: Hawaiian Homes Commission Act, Section 208 and 209
Hawai'i Administration Rules, Sections: 10-3-8, 10-3-36, and 10-3-61

YOUR STATUS	TRANSFERS (while you are alive)	SUCCESSORSHIP (after death)
APPLICANT who is 50% Hawaiian	Applicants cannot transfer their place on the Applicant Waitlist	Family members who can succeed to your place on the Applicant Waitlist include: <ul style="list-style-type: none"> Your parents, children, grandchildren, spouse, a surviving spouse of your children, a surviving spouse of your siblings, your niece/nephew—who are 50% Hawaiian and 18 years or older.
LESSEE who is 50% Hawaiian	Lessees can Transfer their Lease to: <ul style="list-style-type: none"> Any 50% Hawaiian Their children, grandchildren, or spouse who are at least 25% Hawaiian. 	Family members who can succeed to your Lease include: <ul style="list-style-type: none"> Your parents, a surviving spouse of your children, your sibling, a surviving spouse of your sibling, your niece/nephew—who are 50% Hawaiian and 18 years or older. Your children, grandchildren or spouse who are at least 25% NH and 18 years or older.
LESSEE who is 25% Hawaiian	Lessees who are 25% Hawaiian can transfer their lease to: <ul style="list-style-type: none"> Any 50% Hawaiian Their children, grandchildren, or spouse who are at least 25% Hawaiian. 	Family members who can succeed to the lease of a 25% Hawaiian Lessee include: <ul style="list-style-type: none"> Your parents, a surviving spouse of your children, your sibling, a surviving spouse of your sibling, your niece/nephew—who are 50% Hawaiian and 18 years or older. Your children, grandchildren or spouse who are at least 25% NH and 18 years or older.
50% Hawaiian	<ul style="list-style-type: none"> Any Lessee can transfer their lease to you. 	You can succeed to their place on the Applicant Waitlist or to the Lease of family members who are: <ul style="list-style-type: none"> Your parents, a surviving spouse of your children, your sibling, a surviving spouse of your sibling, your niece/nephew—who are 50% Hawaiian and 18 years or older Your children, grandchildren or spouse who are at least 25% Hawaiian and 18 years or older.
25% Hawaiian	<ul style="list-style-type: none"> Your parent, grandparent, spouse or sibling who is a Lessee can transfer their lease to you. 	<ul style="list-style-type: none"> Your parent, grandparent, spouse or sibling who is a Lessee can name you as a successor to their lease.

FREQUENTLY ASKED QUESTIONS

I, or my spouse, already has a residential homestead lease. Can I still take a lease at Honomū?

You can take a Subsistence Ag homestead lease at Honomū because the Act allows you and your spouse, to have a residential homestead lease and an agricultural homestead lease. HOWEVER, there are two (2) other rules that you have to consider:

- ✓ You and your spouse can only have one (1) house; and
- ✓ You have to reside on the same island as the Ag Lease.

If you, or your spouse, have a residential homestead lease on another island (not Big Island), to take a lease at Honomū:

- You or your spouse would have to surrender or transfer the residential homestead lease (see back side for details on who you can transfer to); and
- You and your spouse would have 3 years to reside on the Big Island by building a residence at Honomū or finding other housing arrangements on the Big Island.

If you, or your spouse, have a residential homestead lease on the Big Island, to take a lease at Honomū:

- You and your spouse would not be able to construct a house at Honomū.
- If you wanted to build a house at Honomū, you or your spouse would have to surrender or transfer the residential homestead lease (see back side for details on who you can transfer to).

If I take the Subsistence Ag Homestead Lease at Honomū, can I transfer it to someone else?

Yes, you can accept the Subsistence Ag Homestead lease at Honomū and transfer it to anyone who is 50% Hawaiian or you can transfer the lease to your children, grandchildren, or spouse who are at least 25% Hawaiian. The transferee has to cultivate the lot within 60 days.

If I take the Subsistence Ag Homestead Lease at Honomū, who can I leave the lease to after I pass?

You would have to designate a successor to your lease. Eligible successors are: your parents, a surviving spouse of your children, your sibling, a surviving spouse of your sibling, your niece/nephew—who are 50% Hawaiian and at least 18 years old. In addition, eligible successors are: your children, grandchildren, or your spouse—who are at least 25% Hawaiian and over 18 years old.

What if I take the Subsistence Ag Homestead Lease at Honomū and don't designate a successor?

Upon your passing, DHHL puts a legal ad in the newspaper asking any eligible successor (see answer above for who is eligible) to submit their paperwork. DHHL determines who gets your lease, based on who submitted their paper work. If you have a balance on a home loan, the successor would have qualify to assume the loan. Please aloha your family and DHHL by designating a successor if you get a lease.