



HAWAIIAN HOME LANDS
HAWAIIAN HOMES COMMISSION
DEPARTMENT OF HAWAIIAN HOME LANDS

Homesteads with DCCRs

Hawaiian Homes Commission

Item C-3

March 15 – 16, 2021

Agenda

- **Background**
 - What are the “DCCR Homesteads”
 - New Hawaii Administrative Rules Chapter 10-7
- **Update on DHHL Implementation**
 - Policy Level
 - Department Level
 - Community Outreach

Definitions

- DCCRs – Declaration of Covenants, Conditions and Restrictions
- Planned Community Association – a specific type of nonprofit, by law, requires homeowners to automatically be members; mandatory dues and assessments to operate the association; and documents (ie DCCRs) that bind homeowners

DCCRs only applies to 18 homesteads located statewide.

There are no DCCR homesteads on Moloka'i.

Total of 18 properties with DCCRs



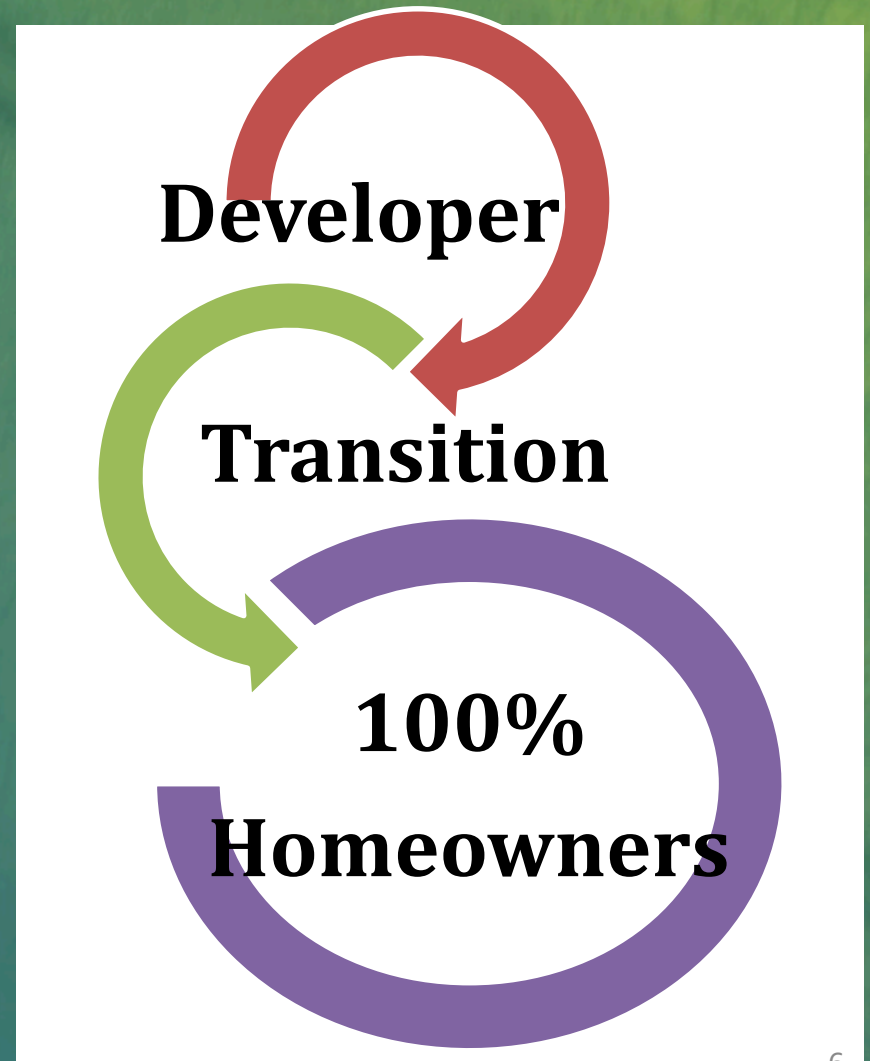
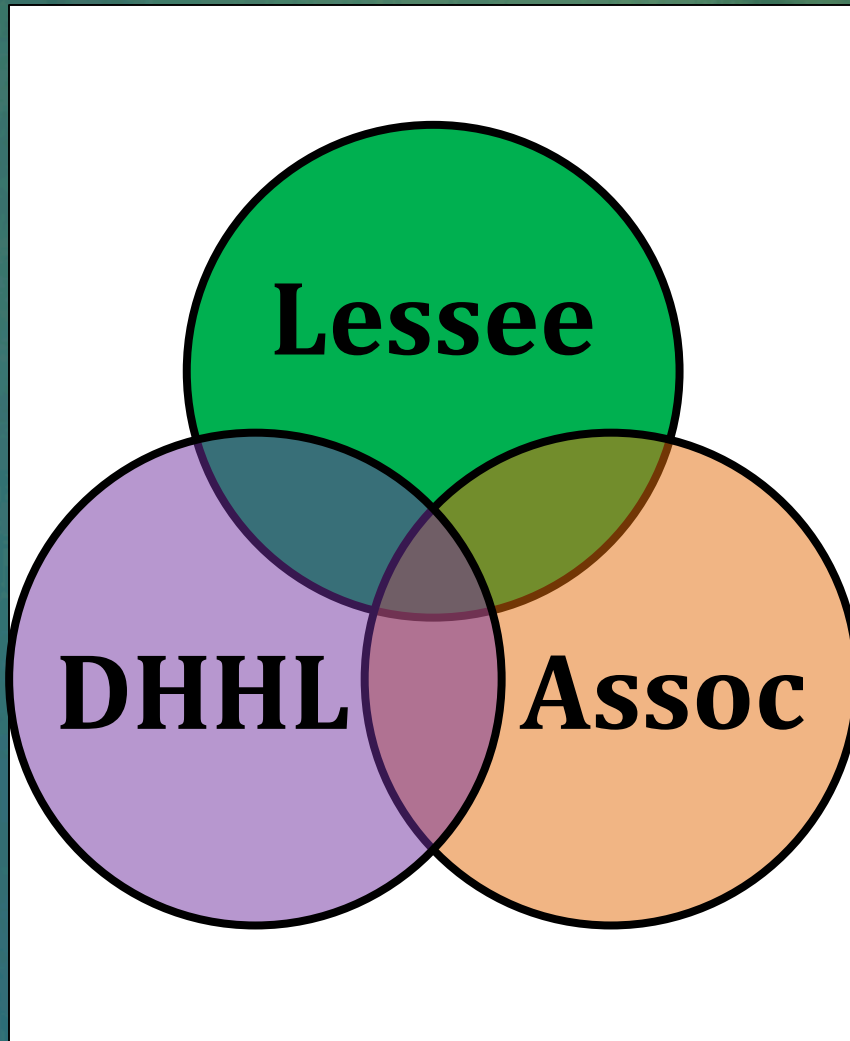
Every DCCR homestead is different, based on location and governing documents

WHO are these DCCR Homesteads

Homesteads in **BOLD** are properties where DCCRs came with the land at the time DHHL acquired the property

OAHU	MAUI	KAUAI	HAWAII
Kalāwahine	Kahikinui	Pi'ilani Mai Ke Kai	Discovery Harbor
Kaupe'a	Leiali'i		La'i 'Ōpua
Kaupuni	Waiehu Kou 2		Lālāmilo
Kumuhau and Kaka'ina	Waiehu Kou 3		
Malu'ōhai	Waiehu Kou 4		
Princess Kahanu	LĀNĀ'I		
Waiāhole	MOLOKA'I (none)		

Key Differences



HAR Chapter 10-7

DCCRs, Multi-Family, Rental Housing

Hawaii Administrative Rules Chapter 10-7

- Statewide Beneficiary Consultation complete – April – July, 2018
- Public Hearings complete – February – March, 2019
- HHC approval of Final Rules – June 2019
- Governor Signed Rules – August 2019

New Rules effective August 2019

HAR Chapter 10-7

Key Provisions for DCCR Homesteads

- 10-7-2 Applicability of chapter
- 10-7-4 Native Hawaiian cultural values
- 10-7-17(c) Period of declarant control
- 10-7-22 Budget
- Subchapter 4 Obligations of the Lessee
- Subchapter 5 Enforcement of Governing Documents



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Moving Forward

Next Steps

Policy level: Function before Form

- **Re-visit goals and objectives of the DCCR model**
- **Applicability to Kuleana Homesteads**
Explore options
- **Determine level of support to Associations**

Department level:

- **Clarify Division roles and responsibilities**
- **Develop procedures**

Community outreach

- **Community Outreach on the New Admin Rules**
- **Choose to opt-in**

Next Steps: Community Outreach

Community outreach

- **Community Outreach on the New Admin Rules**
 - Research homestead governing documents
 - Conduct initial kickoff meeting with each homestead
 - Conduct community meetings to review HAR 10-7
- **Choose to opt-in**
 - Assist homestead to take a vote whether to “opt-in”, per HAR Chapter 10-7-2(b)

Priority homesteads are those
where DHHL created the DCCRs

Long Term Programmatic Framework

- **Involve community throughout process**
- **Concept phase – research and analysis**
- **Formulate policy – seek HHC action**
- **Operational Plan**
 - **Clear division roles and responsibilities**
 - **Procedures**

THEN IMPLEMENT

- **Monitor, Evaluate, Adjust**



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