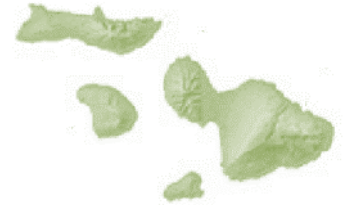


RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Acting Corporation Counsel

MIMI DESJARDINS
First Deputy

LYDIA A. TODA
Risk Management Officer



DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808)270-7740

September 6, 2024

Tasha Kama, Chair
Housing and Land Use Committee
Maui County Council
200 S. High Street
Wailuku, Maui, Hawaii 96793

Re: **Rent Stabilization (HLU-3(20))**

Dear Chair Kama:

This letter is in response to your August 22, 2024 question on whether the County of Maui has the authority to enact ordinances related to rent stabilization (attached). Because your inquiry is general in nature and is not related to any specific legislative proposal my response is also general. Further analysis will be needed with respect to any proposed legislation.

Hawaii Revised Statutes Section 46-1.5(20) states: "Each county shall have the power to regulate the renting, subletting, and rental conditions of property for places of abode by ordinance." As such, Maui County has general authority to pass ordinances related to rent stabilization as they involve the "renting, subletting, and rental conditions of property."

Sincerely,

/s/ Michael J. Hopper

MICHAEL J. HOPPER
Deputy Corporation Counsel

Attachment
HLU-3(20)
LF2023-0141

REQUEST FOR LEGAL SERVICES

RECEIVED

By Corporation Counsel at 3:24 pm, Aug 22, 2024

Date: August 22, 2024
From: Tasha Kama, Chair
Housing and Land Use Committee

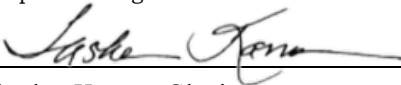
TRANSMITTAL
Memo to:

DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Michael J. Hopper, Esq.

Subject: Rent Stabilization (HLU-3(20))

Background Data: The HLU Committee intends to hold a Rule 7(B) discussion on rent stabilization on September 5, 2024, at 5:30 p.m. in the Council Chamber. May I please request a written opinion on whether the Maui County Council has the authority to enact ordinances to stabilize or control rent in the County? May I further request you explain the rationale for your response. Please submit your response to hlu.committee@mauicounty.us with a reference to HLU-3(20).

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: Opinion

Requestor's signature  Tasha Kama, Chair	Contact Person <u>James Krueger or Carla Nakata</u> (Telephone Extension: <u>7761 or 5519, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): September 4, 2024
REASON: To inform the Committee's discussion on September 5, 2024.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: MJH	ASSIGNMENT NO. 2023-0141	BY: maa
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):

DEPARTMENT OF THE CORPORATION COUNSEL

Date 09/06/2024

By MJH

(Rev. 7/03)

HLU Committee

From: Melody Andrion <Melody.Andrion@co.maui.hi.us>
Sent: Friday, September 6, 2024 10:40 AM
To: HLU Committee
Cc: Carla M. Nakata; James G. Krueger
Subject: HLU-3(20) Rent Stabilization
Attachments: HLU-3(20) 2024-09-06 RFLS Closing Rent Stabilization.pdf

See attached closing of RFLS received on 08/22/2024 e-signed by Michael Hopper regarding the subject matter. Thanks!

NOTICE: The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. Any review, use, disclosure, distribution or copying of this transmittal is prohibited except by or on behalf of, the intended recipient. If you have received this transmittal in error, please notify me immediately by reply email and destroy all copies of the transmittal. Thank you.