

RICHARD T. BISSEN
Mayor

VICTORIA J. TAKAYESU
Acting Corporation Counsel

SONYA TOMA
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

March 13, 2023

Via email only at county.clerk@mauicounty.us

Honorable Alice L. Lee, Chair
and Members of the Council
County of Maui
Wailuku, Hawaii 96793

SUBJECT: AUTHORIZING SETTLEMENT OF CLAIM NO. 4076130
OF HANSEN OHANA SECURITY LLC (ROBERT HANSEN)

Dear Chair Lee and Council Members:

Please find attached separately a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4076130 OF HANSEN OHANA SECURITY LLC (ROBERT HANSEN)." The purpose of the proposed resolution is for settlement of a general liability claim.

I request that the proposed resolution be scheduled for discussion and action, or referral to the appropriate standing committee as soon as possible. I have also attached the claim and the supporting documents.

It is anticipated that an executive session may be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and/or the Committee.

Should you have any questions or concerns, please do not hesitate to contact us. Thank you for your anticipated assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Sovia", is written over the word "Sincerely,".

Bradley J. Sovia
Deputy Corporation Counsel

cc: John Stufflebean, Director, Department of Water Supply
Attachments

RECEIVED
2023 MAR 16 AM 8:34
OFFICE OF THE
COUNTY CLERK

KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov/county/clerk

March 31, 2022

John Mullen & Company, Inc. (JMC)
Via email: claims@johnmullen.com

Attn: Unit Code 99

Respectfully transmitted is a copy of a claim against the County of Maui filed by Robert Hansen, of 52 Kuli Puu Street, Kihei, which was received by our office on March 31, 2022.

Respectfully,

A handwritten signature in black ink that reads "Kathy L. KaoHu". The signature is written in a cursive, flowing style.

KATHY L. KAOHU
County Clerk

Attachment

cc: Mayor
Corporation Counsel
Council Chair

/djy

COUNTY OF MAUI
CLAIM FOR DAMAGE OR INJURY

RECEIVED

2022 MAR 30 PM 3:26

PLEASE PRINT CLEARLY

1. Claimant: Mr. ☒ Mrs. ☐ Ms. ☐ Robert Hansen
2. Address: 52 Kulipuu, Kihei, HI 96753
3. Telephone No. 808-283-9456 Email: dad@mauirealestate.net

4. Date of Accident: May 6, 2021

5. Location of Accident: 52 Kulipuu, Kihei, HI 96753

6. Amount of Claim: Property Damage \$ 16,743.09 Personal Injury \$ _____

7. Describe the accident in detail. Indicate all the facts, causes, persons involved, witnesses, extent of damage, etc., and why you think the County is responsible. Attach additional sheets as needed.

There was a water main break above my house and water and dirt flowed down and ruined the flooring
and the sheetrock about 2 feet up. We cut the sheetrock right away so there would be no further damage
all flooring was wet and had to be removed. It took a month for everything to dry out completely. We had
ServPro do the initial remediation work, bought the flooring, repaired the sheetrock, painted and installed
the flooring.

8. If you carry insurance applicable to this claim, please provide the name and address of the insurance company and your policy number.

na
Policy No. _____

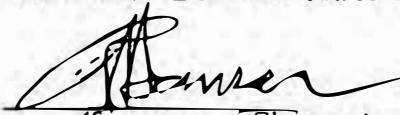
A. Did you file a claim with your insurance company? _____

If yes, amount claimed \$ na Deductible amount \$ _____

B. If a claim was filed with your insurance company, what action do they intend to take?

na

I HEREBY DECLARE THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT.


(Signature of Claimant)

3-29-22
(Date)

SERVPRO of Maui

Post Office Box 187

Kahului, HI 96733

accountspayable@servprohi.com

**INVOICE****BILL TO**

Bob & Donna Hansen

52 Kuli Puu St.

Kihei, HI 96753

INVOICE # 759**DATE 05/12/2021****DUE DATE 06/11/2021**

DATE	ACTIVITY	DESCRIPTION	AMOUNT
05/10/2021	Water Remed	Emergency water damage mitigation and drying services.	2,781.55T

Please mail payments to our main office at:
SERVPRO of Hawaii/Maui
PO Box 4545
Kailua-Kona, HI 96745

SUBTOTAL	2,781.55
TAX (4.1666%)	115.89
TOTAL	2,897.44
BALANCE DUE	\$2,897.44

Past due balances will be assessed late fees of 1.5% per month.

Lei Floor & Window Coverings Inc.
330 PAPA PLACE
KAHULUI, HI 96732 US
(808) 727-2160
leifloors@yahoo.com
<http://leiflooringmaui.com>



INVOICE

BILL TO

Robert Hansen
52 Kulipu'u Street
Kihei, HI 96753
PH:808-283-9456

INVOICE # 12196

DATE 05/18/2021

DUE DATE 05/18/2021

TERMS Due on receipt

SALESPERSON

Leo

DESCRIPTION

2083- Tanned Amber
Waterproof Flooring
Tanned Amber
1 carton = 26.15 square feet
31 Boxes
no returns
\$2.99 square foot
6 mil-25 year limited residential warranty

QTY	RATE	AMOUNT
800	2.99	2,392.00T

Aloha,
We Appreciate Your Business.
Enclosed is your invoice.
Thank You,
Lei Floor and Window Coverings, Inc.

SUBTOTAL	2,392.00
TAX (4.166%)	99.65
TOTAL	2,491.65
PAYMENT	2,491.65
BALANCE DUE	\$0.00

Also be sure to visit our Lahaina Location:
Lei Floor & Window Coverings Inc.
335 Keawe Street #217
Lahaina, HI 96761
808-298-0321

dad@mauirealestate.net

From: dad@mauirealestate.net
Sent: Monday, March 28, 2022 10:41 AM
To: 'Adam.Mundy@co.maui.hi.us'
Subject: Damage due to water main break 52 Kulipuu
Attachments: Invoice_12196_from_Lei_Floor_Window_Coverings_Inc.pdf; Invoice_759_from_SERVPRO_of_Maui.pdf; IMG_6304.jpg; IMG_6302.jpg; IMG_6300.jpg; Hans floor 2021.xlsx - hans feb,mar,apr 21.pdf

Hi Adam,

I am attaching pictures and bills for repairs to my home located at 52 Kulipuu, in Kihei. The water main break was May 6, 2021. It took some time to order the flooring and receiving the final bill. The total cost of the repairs was \$16,743.09. The reimbursement check can be made out to:

Robert Hansen
PO BOX 294
Kihei, HI 96753

Thank you.

Cheers,

Bob Hansen
RB-17532
Maui Luxury Real Estate LLC
808-283-9456



Adan's Kaula Tree
adanglez8@yahoo.com

6/6/2021
Receipt #:201

Sold To: HANSEN

Adan Gonzalez
2704 Kauhale st
Kihei, Hi 96753
808-450-7566

Payment Method

Check No.

Job

52 Kaulipuu

Qty	Item #	Description	Unit Price	Total
100	100	100	100	100
100	100	100	100	100
100	100	100	100	100
100	100	100	100	100

Subtotal \$ 10,900.00
Sales Tax \$ 454.00
TOTAL \$ 11,354.00











John Mullen & Company

677 Ala Moana Blvd. Suite #910, Honolulu, HI 96813
Main Office: (808) 531-9733 | Fax: (808) 531-0053

Insured: County of Maui-Robert Hansen
Property: 52 Kulipu'u
Kihei, HI 96753

Estimator: John Mullen

Claim Number: 4076130

Policy Number:

Type of Loss: Backup of Sewer or Drain

Date Contacted: 3/31/2022 12:00 AM

Date of Loss: 5/6/2021 12:00 AM

Date Inspected: 10/14/2022 12:00 AM

Date Received: 3/31/2022 12:00 AM

Date Entered: 10/25/2022 2:43 PM

Price List: HIWA8X_OCT22

Restoration/Service/Remodel

Estimate: 4076130

This is an estimate only and is intended to be a guide in the review of the insurance claim. We reserve the right to make adjustments to this estimate as additional information becomes available. This estimate reflects the actual cash value of the repairs. The actual cash value reflects a deduction for depreciation based on the age and condition of the items being replaced.. If your policy provides Replacement Cost coverage, this coverage provides payment of the actual, necessary costs of making repairs to your property without any deduction for depreciation. Before replacement benefits may be claimed, your policy requires that repairs be completed, or that an agreed price is reached with your contractor. The additional amount which may be claimed is limited to the smaller of the amount of depreciation or that portion of the depreciation actually spent for repairs. This is not an authorization to repair. This is not an interpretation of what is covered. Only your insurance company can make that decision.

"FOR YOUR PROTECTION, HAWAII LAW REQUIRES YOU TO BE INFORMED THAT PRESENTING A FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT IS A CRIME PUNISHABLE BY FINES OR IMPRISONMENT, OR BOTH." HI STAT. Å§431:10C-307.7

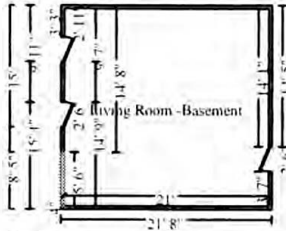


John Mullen & Company

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4076130

Main Level



Living Room - Basement

Height: 8'

622.00 SF Walls
1045.50 SF Walls & Ceiling
47.06 SY Flooring
82.33 LF Ceil. Perimeter

423.50 SF Ceiling
423.50 SF Floor
76.83 LF Floor Perimeter

Missing Wall - Goes to Floor

5' 6" X 6' 8"

Opens into Exterior

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
DRYWALL									
1. Mask wall - plastic, paper, tape (per LF)									
82.33 LF	1.77	9.30	29.34	184.36	0/150 yrs	Avg.	0%	(0.00)	184.36
2. 5/8" dry wall - hung, taped, ready for texture									
144.00 SF	3.19	33.07	93.22	585.65	20/150 yrs	Avg.	13.33%	<61.25>	524.40
3. Texture dry wall - machine									
160.00 SF	0.66	6.45	21.22	133.27	20/150 yrs	Avg.	13.33%	<14.08>	119.19
4. Texture dry wall - smooth / skim coat									
160.00 SF	1.84	17.85	59.10	371.35	20/150 yrs	Avg.	13.33%	<39.25>	332.10
5. Drywall tape joint/repair - per LF									
72.00 LF	10.79	45.39	155.66	977.93	0/150 yrs	Avg.	0%	(0.00)	977.93
FINISH WORK-TRIM									
6. R&R Baseboard - 3 1/4"									
76.83 LF	4.25	23.06	66.16	415.75	10/150 yrs	Avg.	6.67%	<19.00>	396.75
7. R&R Casing - 3 1/4"									
42.60 LF	3.57	12.19	31.10	195.38	5/150 yrs	Avg.	3.33%	<4.27>	191.11
8. R&R Interior door unit									
3.00 EA	376.95	102.54	233.48	1,466.87	5/100 yrs	Avg.	5%	<52.05>	1,414.82
FLOORING									
9. Remove Snaplock Laminate - simulated wood flooring - High grade									
423.50 SF	1.87	44.78	158.40	995.13	0/25 yrs	Avg.	NA	(0.00)	995.13
10. Install Snaplock Laminate - simulated wood flooring - High grade									
423.50 SF	5.89	141.05	498.88	3,134.35	0/25 yrs	Avg.	0%	<0.00>	3,134.35
11. Material Only Snaplock Laminate - simulated wood flooring									
1.00 EA	2,897.44	0.00	0.00	2,897.44	10/25 yrs	Avg.	40%	<1,158.98>	1,738.46
PAINT									
12. Mask the floor per square foot - plastic and tape - 4 mil									
423.50 SF	0.30	8.24	25.62	160.91	0/15 yrs	Avg.	0%	(0.00)	160.91
13. Seal the surface area w/latex based stain blocker - one coat									
160.00 SF	0.80	7.87	25.72	161.59	3/15 yrs	Avg.	20%	<25.60>	135.99
14. Paint the walls - two coats									
622.00 SF	1.19	48.04	149.22	937.44	5/15 yrs	Avg.	33.33%	<246.73>	690.71

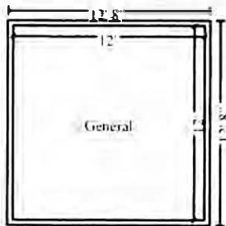


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CONTINUED - Living Room -Basement

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
15. Paint casing - two coats									
54.00 LF	1.92	6.24	20.82	130.74	5/15 yrs	Avg.	33.33%	<34.56>	96.18
16. Paint baseboard - two coats									
76.83 LF	1.91	8.80	29.46	185.01	5/15 yrs	Avg.	33.33%	<48.92>	136.09
PREP-POST CONSTRUCTION									
17. Contents - move out then reset									
3.00 EA	68.32	11.59	41.00	257.55	0/NA	Avg.	0%	(0.00)	257.55
18. Final cleaning - construction - Residential									
423.50 SF	0.27	6.47	22.88	143.70	0/NA	Avg.	0%	(0.00)	143.70
Totals: Living Room -Basement		532.93	1,661.28	13,334.42				1,704.69	11,629.73



General

Height: 8'

384.00 SF Walls	144.00 SF Ceiling
528.00 SF Walls & Ceiling	144.00 SF Floor
16.00 SY Flooring	48.00 LF Floor Perimeter
48.00 LF Ceil. Perimeter	

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
19. Water Extraction & Remediation: Servpro of Maui*									
1.00 EA	2,897.44	0.00	0.00	2,897.44	0/NA	Avg.	0%	<0.00>	2,897.44
20. Tandem axle dump trailer - per load - including dump fees									
1.00 EA	362.50	20.50	72.50	455.50	0/NA	Avg.	NA	<0.00>	455.50
Totals: General		20.50	72.50	3,352.94				0.00	3,352.94
Total: Main Level		553.43	1,733.78	16,687.36				1,704.69	14,982.67
Line Item Totals: 4076130		553.43	1,733.78	16,687.36				1,704.69	14,982.67

[0%] - Indicates that depreciate by percent was used for this item

[M] - Indicates that the depreciation percentage was limited by the maximum allowable depreciation for this item



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Grand Total Areas:

1,006.00	SF Walls	567.50	SF Ceiling	1,573.50	SF Walls and Ceiling
567.50	SF Floor	63.06	SY Flooring	124.83	LF Floor Perimeter
0.00	SF Long Wall	0.00	SF Short Wall	130.33	LF Ceil. Perimeter
567.50	Floor Area	611.83	Total Area	1,006.00	Interior Wall Area
1,184.33	Exterior Wall Area	135.67	Exterior Perimeter of Walls		
0.00	Surface Area	0.00	Number of Squares	0.00	Total Perimeter Length
0.00	Total Ridge Length	0.00	Total Hip Length		



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Summary for Dwelling

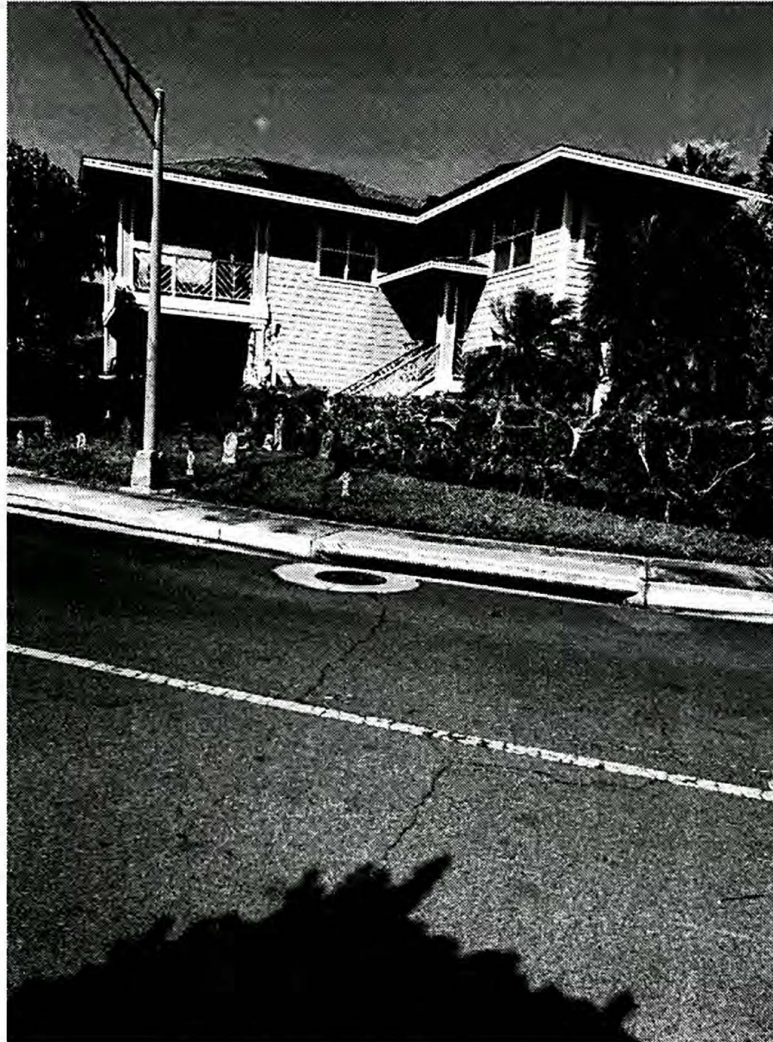
Line Item Total	14,400.15
Material Excise Tax	63.27
Subtotal	14,463.42
Overhead	866.89
Profit	866.89
General Excise Tax	490.16
Replacement Cost Value	\$16,687.36
Less Non-recoverable Depreciation	<1,704.69>
Actual Cash Value	\$14,982.67
Net Claim	\$14,982.67

John Mullen



John Mullen & Company

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1

I-Loss Location

Date Taken: 10/14/2022



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2 2-Loss Location

Date Taken: 10/14/2022



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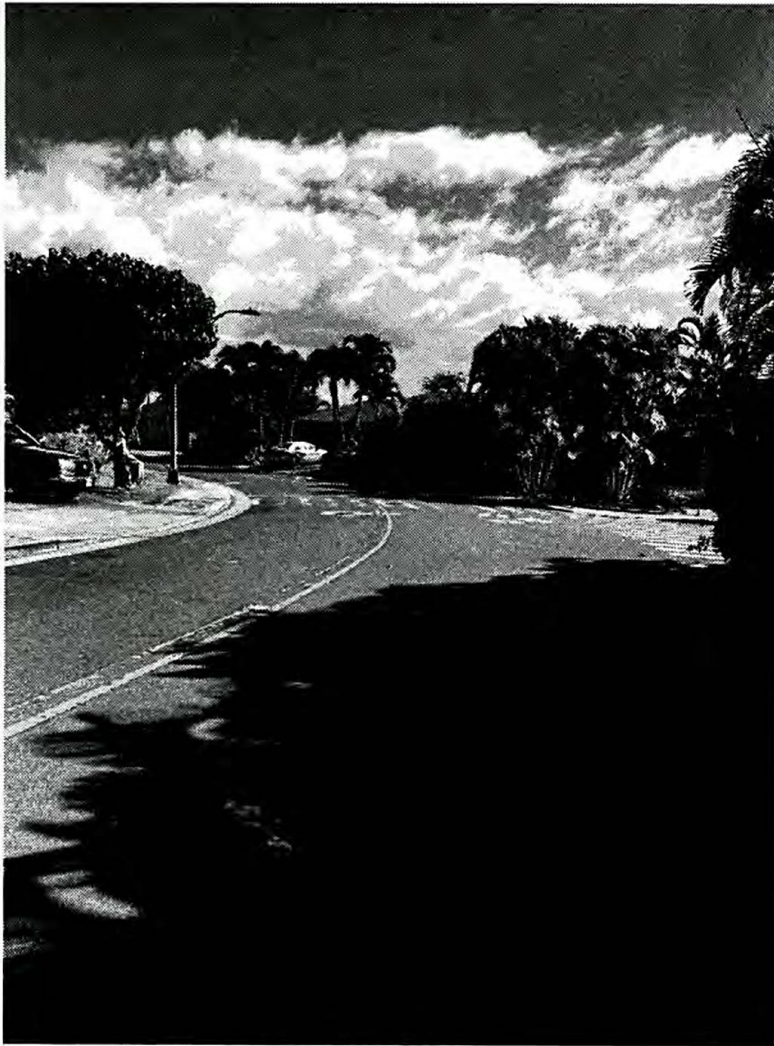


3 3-Loss Location Date Taken: 10/14/2022
Sewer line -outside of claimant's house.



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4

4-Loss Location

Date Taken: 10/14/2022



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5

5-Completed repairs

Date Taken: 10/14/2022



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6 6-Completed repairs

Date Taken: 10/14/2022



John Mullen & Company

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7

7-Completed repairs

Date Taken: 10/14/2022



John Mullen & Company

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8

8-Completed repairs

Date Taken: 10/14/2022



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9 9-Completed repairs

Date Taken: 10/14/2022



John Mullen & Company

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Main Office: (808) 531-9733 | Fax: (808) 531-0053



10 10-Completed repairs

Date Taken: 10/14/2022



John Mullen & Company

677 Ala Moana Blvd. Suite #910, Honolulu, HI 96813
Main Office: (808) 531-9733 | Fax: (808) 531-0053



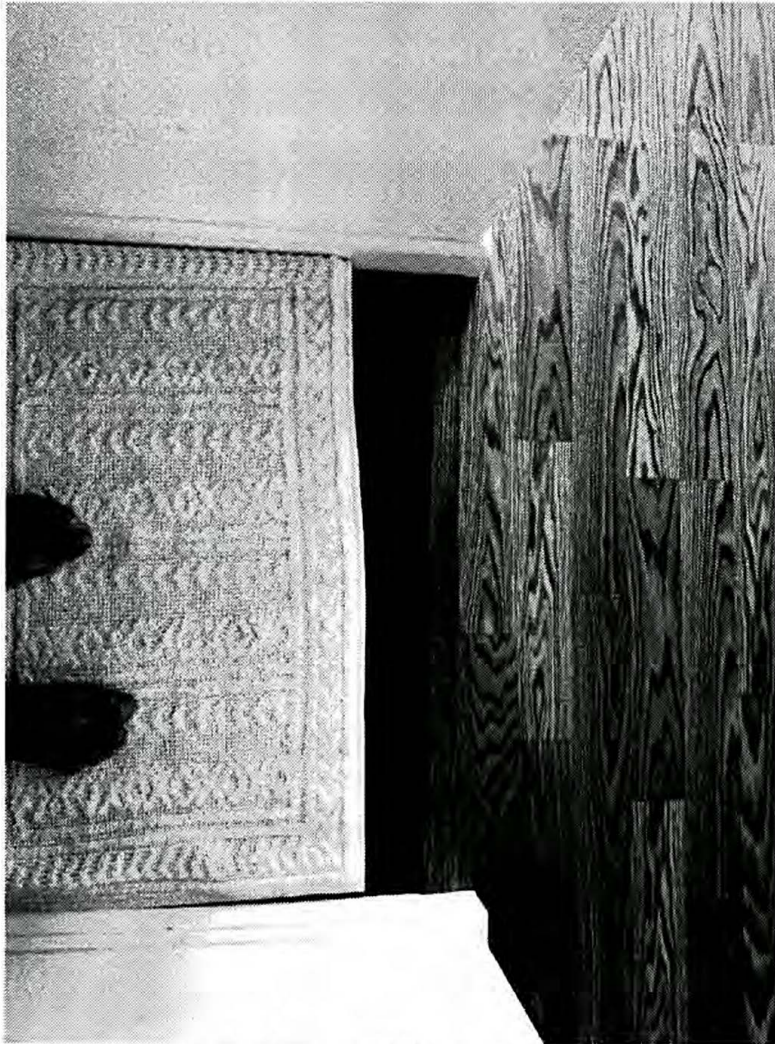
11 12-Completed repairs

Date Taken: 10/14/2022



John Mullen & Company

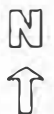
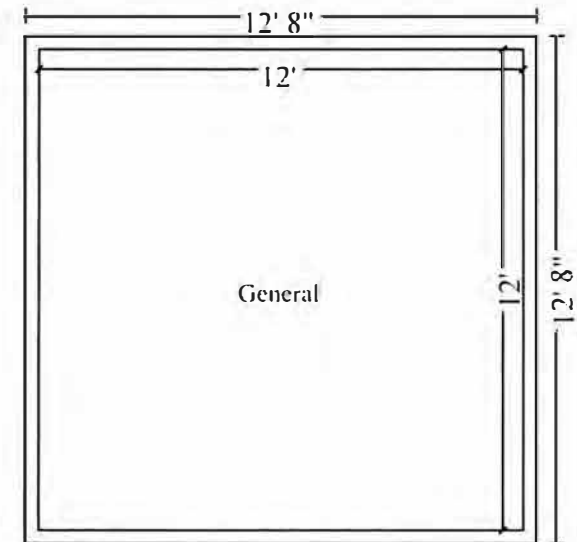
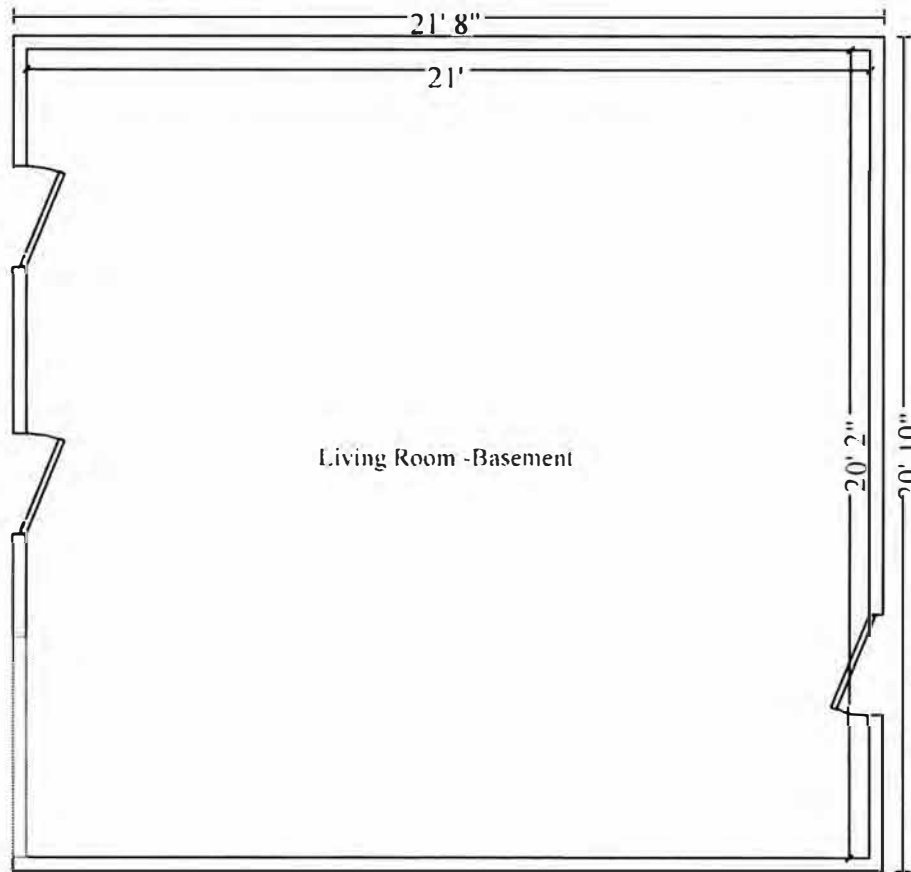
677 Ala Moana Blvd. Suite #910, Honolulu, HI 96813
Main Office: (808) 531-9733 | Fax: (808) 531-0053



12

13-Completed repairs

Date Taken: 10/14/2022





Parcel Information

Parcel Number 390180970000
Location Address 52 KULI PUU ST
 KIHEI HI 96753
Neighborhood Code 3918-1
Legal Information LOT 6 KE ALI I KAI SUBDIVISION FP 2323 6.917 SF
Land Area 6917 Square Feet
Parcel Note

[View Map](#)

Owner Information

Owner Names
 HANSEN OHANA SECURITY LLC Fee Owner

Mailing Address
[HANSEN OHANA SECURITY LLC](#)
 ATTN: FIRENZE.KIM
 773 PULLMAN CT
 ROCKLIN CA 95765

Assessment Information

[Show Historical Assessments](#)

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2022	NON-OWNER-OCCUPIED/RESIDENTIAL	\$457,800	\$0	\$457,800	\$578,100	\$1,035,900	\$0	\$1,035,900

[How to calculate real property taxes](#)

Current Tax Bill Information

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2022-2	Real Property Tax	02/21/2023	\$3,068.60	\$0.00	\$3,068.60	\$0.00	\$0.00	\$0.00	\$3,068.60
Tax Bill with Interest computed through 12/31/2022			\$3,068.60	\$0.00	\$3,068.60	\$0.00	\$0.00	\$0.00	\$3,068.60

Historical Tax Information

Year	Tax	Payments and Credits	Penalty	Interest	Other	Amount Due
2022	\$6,137.20	(\$3,068.60)	\$0.00	\$0.00	\$0.00	\$3,068.60
2021	\$5,083.58	(\$5,083.58)	\$0.00	\$0.00	\$0.00	\$0.00
2020	\$5,136.82	(\$5,136.82)	\$0.00	\$0.00	\$0.00	\$0.00
2019	\$5,126.24	(\$5,126.24)	\$0.00	\$0.00	\$0.00	\$0.00
2018	\$4,934.88	(\$4,934.88)	\$0.00	\$0.00	\$0.00	\$0.00
2017	\$4,740.02	(\$4,740.02)	\$0.00	\$0.00	\$0.00	\$0.00
2016	\$4,354.48	(\$4,354.48)	\$0.00	\$0.00	\$0.00	\$0.00

[Click a year to see tax payment information for the year.](#)

Improvement Information

Building Number	1	Heating/Cooling	CENTRAL A/C
Style	Contemporary	Exterior Wall	FIBER CEMENT
Year Built	2002	Bedrooms/Full Bath/Half Bath	5/4/0
Eff Year Built		Roof Material	Composition Shingle
Percent Complete	100%	Fireplace	No
Living Area	2,219	Grade	4+
Construction Type	Frame	Building Value	\$578,100

Sales Information

Sale Date	Price	Instrument Number	Instrument Type	Valid Sale or Other Reason	Document Type	Record Date	Land Court #	Land Court Cert
12/22/2016	\$179,715	A62060886	Fee conveyance	Not open market	Warranty deed	12/28/2016		
5/9/2002	\$477,460	02-084670	Fee conveyance	Developer sale	Warranty deed	5/14/2002		

Maui's Automated Planning & Permitting System

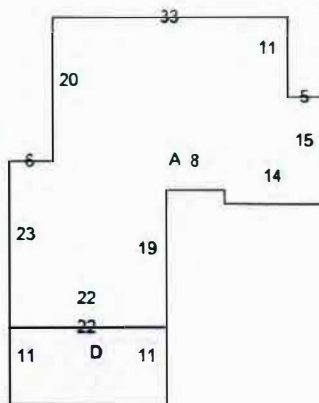
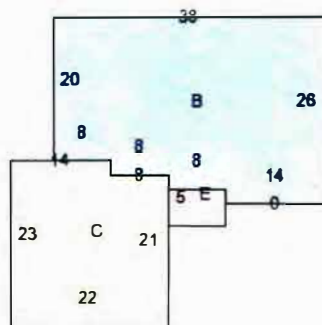
[Click Here to View All Planning and Permitting Info Regarding This TMK](#)

Permit Information

[Maui's Automated Planning & Permitting System link](#)

Date	Permit Number	Reason	Permit Amount
10/10/2001	20011892	Dwelling garage or carport	\$186,912

Sketches



Building 1

Room Type	Area
A 2nd Floor: 2ND STY FRAME	1327
B Main Area	892
C GAR WD CONC FL	490
D 2nd Floor: PCH CD W/RAIL	242
E PCH CD W/RAIL	40

Recent Sales In Area

Sale date range:

From:

12/14/2019

To:

12/14/2022

1500

Feet



Generate Owner List by Radius

Distance:

100

Feet



Use Address From:



Owner



Property

Select export file format:

Address labels (5160)



International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the .xlsx, .csv or .tab download formats.



Show All Owners



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PROPERTY DAMAGE RELEASE

KNOW ALL MEN BY THESE PRESENTS:

That the Undersigned, being of lawful age, for sole consideration of FOURTEEN THOUSAND NINE HUNDRED EIGHTY TWO AND 67/100 DOLLARS (\$14,982.67), to be paid to Hansen Ohana Security, LLC., do/does hereby and for my/our/its heirs, executors, administrators, successors and assigns release, acquit and forever discharge the County of Maui, and his, her, their or its agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses and compensation whatsoever, which the undersigned now has/have or which may hereafter accrue on account of, or in any way growing out of, any and all known and unknown, foreseen and unforeseen property damage and the consequences thereof resulting or to result from the occurrence on or about the 6th day of May, 2022, at or near 52 Kuli Puu Street, Kihei, Hawaii 96753.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and that the payment made is not to be construed as an admission of liability on the part of the party or parties hereby released, and that said releasees deny liability therefor and intend merely to avoid litigation and buy their peace.

The undersigned further declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and that this Release contains the entire agreement between the parties hereto, and that the terms of this Release are contractual and not a mere recital.

FOR YOUR PROTECTION, HAWAII LAW REQUIRES YOU TO BE INFORMED THAT PRESENTING A FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT IS A CRIME PUNISHABLE BY FINES OR IMPRISONMENT, OR BOTH.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT.

Signed, sealed and delivered this 11th day of November, 2022.

CAUTION: READ BEFORE SIGNING BELOW

[Signature] LS
for Hansen Ohana Security, LLC

Robert Hansen, Manager LS
Print name and title

STATE OF Hawaii)
COUNTY OF Maui) SS:

On the 11th day of November, 2022 before me personally appeared ROBERT HANSEN, known to me to be the person ~~for~~ named herein and who executed the foregoing Release and He acknowledged to me that He voluntarily executed the same.

My term expires 3/18, 2026.

[Signature]
Notary Public M. Herbon

FORM #45, REV. 11/00

NOTARY CERTIFICATE, STATE OF HAWAII
Doc. Description/ID: Property Damage Release
Doc. Date: 11/11/22 Pages: 1
Notary Name: M. Herbon 2nd Circuit
Notary Signature: [Signature] Cert. Date: 11/11/22

