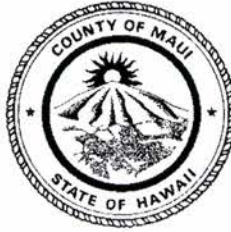


MICHAEL P. VICTORINO
Mayor

MOANA M. LUTEY
Corporation Counsel

RICHELLE M. THOMSON
First Deputy


LYDIA A. TODA
Risk Management Officer
Tel. No. (808) 270-7535
Fax No. (808) 270-1761



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
FACSIMILE: (808) 270-7152

July 15, 2021

MEMO TO: Michael J. Molina, Chair
Government Relations, Ethics and Transparency Committee

FROM: Caleb P. Rowe, Deputy Corporation Counsel 

SUBJECT: Litigation Matters
Settlement of Claim: Sandy Farowich
John Mullen Claim No.: 4070387

Pursuant to Section 3.16.020B of the Maui County Code, our department hereby requests authorization to discuss settlement of the aforementioned claim. It is not anticipated that an executive session will be necessary to discuss questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee. There is no immediate deadline to this matter.

Copies of the claim and proposed resolution are enclosed. We request that a representative from the Department of Water Supply be in attendance during discussion of this matter. If you have any questions, or concerns, please do not hesitate to contact me.

CPR:cs
Enclosures

cc: Jeffrey Pearson, Director
Department of Water Supply

Resolution

No. _____

AUTHORIZING SETTLEMENT OF JOHN MULLEN CLAIM NO. 4070387 OF SANDY FAROWICH

WHEREAS, Sandy Farowich., filed Claim No. 4070387 on May 19, 2021, against the County of Maui for damages to his property located at 2250 Kanakanui Road, Kihei, Maui, Hawaii 96753, resulting from a broken water main; and

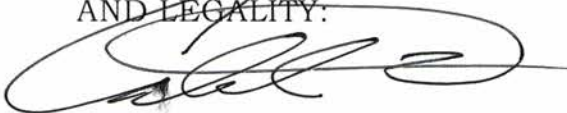
WHEREAS, the County of Maui and Sandy Farowich, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, have reached a proposed resolution of this claim by way of a negotiated settlement; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of attempts to reach resolution of this claim by way of a negotiated settlement by the Department of the Corporation Counsel, the Council wishes to authorize settlement; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves settlement of Claim No. 4070387 in the amount of \$ 11,935.47; and
2. That payment is authorized to satisfy settlement of this claim following the execution of the "Release of Claim" by Sandy Farowich; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Department of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui

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.mauicounty.gov/county/clerk

May 19, 2021

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 Sandy Farowich, of 2250 Kanakanui Road, Kihei, which was received by our office on May 19, 2021.

Respectfully,

A handwritten signature in black ink that reads "Kathy L. Kaohu".

KATHY L. KAOHU
County Clerk

Attachment

cc: Mayor
Corporation Counsel
Council Chair

/djy

COUNTY OF MAUI

RECEIVED

CLAIM FOR DAMAGE OR INJURY

2021 MAY 19 PM 1:13

PLEASE PRINT CLEARLY

1. Claimant: Mr. ☐ Mrs. ☐ Ms. ☒ Sandy Farowich OFFICE OF THE COUNTY CLERK
2. Address: 2250 Kanakanni Rd Kilauea HI 96753
3. Telephone No.: Business (808) 214-2377 Residence (808) 879-4854
4. Date of Accident: May 5 2021
5. Location of Accident: 2250 Kanakanni Rd Kilauea HI 96753
6. Amount of Claim: Property Damage \$ _____ 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. You may write on the back if needed.
At around 10:45 pm I was woken up by a long banging on the front door. As I climbed out of bed I observed water on the floor up to my ankles. When I opened the door there was a fireman asking me if I was okay and telling me a water main had broken. I noticed a river of water flowing by my ~~man~~ home, it looked to -
8. If you carry insurance applicable to this claim, please provide the name and address of the insurance company and your policy number.
Universal North American Insurance Company
Policy No. 17ADH0000002987-7
- A. Did you file a claim with your insurance company? pending
 If yes, amount claimed \$ pending Deductible amount \$ 1,000.00
- B. If a claim was filed with your insurance company, what action do they intend to take?
I am unsure at this time

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

Sandy Farowich
 (Signature of Claimant)

5/18/21
 (Date)

be about 6" high and rising. The other property dwellers were on the stairs leading up to the one bedroom apartment. The water continued to rise and all kinds of trash, branches and assorted items flowed under the house and out the back. The lattice fence under the main house stop a lot of the floating trash from flowing through and quickly became a stopping point for the debris. In the morning when the sun was out there were various sized rocks and boulders that had been carried and spread all over the yard. A large rock was under my car and although it made a lot of noise no major damage was caused. There was silt, sand and red dirt every and the ~~fence~~ fence around my property was strung with trash and dead vegetation. I attempted to remove some of the compounded trash under my house and injured by my back which is still causing me pain. When raking under the house I heard some voices, joking and talking story. I looked out my fence and saw 5 country trucks joking and looking like they had no problems in the world. All my carpet had to be removed and I had several fans running for 7 days until every thing was deemed dry. I need to replace some dry wall as well as my bathroom vanity. I have had to go to the chiropractor twice so far and with my house in such disarray it is frustrating that I am unable to do more due to my inflamed SIF joint. I am also 64 and a widow Sandy Farrowick



MD MAUI LLC
55 Laa St.
Kahului, Hawaii 96732

Office: (808) 877-8989 Fax: (888) 266-2251
Contractor License CT-33121
Fed ID: 46-1228193

Invoice

Date
5/25/2021

Invoice #
20210506W22

Sandra Farowich
2250 Kananui Rd.
Kihei, Hawaii 96753

Due Date
6/4/2021

Terms: Net 10

Project Address:		2250 Kananui Rd.			
Description			Amount		
Mitigation per Xactimate work scope #2021-05-06-W2250			5,252.72		
Hawaii State General Excise Tax 4.166%			218.83		
paid by owner					
Total Invoice:	\$5,471.55	Payments:	\$0.00	Balance Due:	\$5,471.55

Payment for this invoice is due upon receipt (immediately). A \$15.00 late fee will be assessed should this invoice not be paid within 30 calendar days from the "Due Date" listed above. Finance charges in the amount of 1.5% (18% APR) will be assessed every 30 days starting from the "Due Date" listed above. Past due accounts will be referred to a professional collections agency and/or an attorney. All related fees will be the responsibility of the client names on this invoice. Should you have any questions please call our office at (808)877-8989. ** For your convenience we do accept visa or mastercard, however there is a 3% service charge.



MD Maui LLC

MD Restoration Maui
55 Laa St., Kahului, Hawaii 96732
PH: (808) 877-8989 / FAX: (888) 266-2251
www.mdmaui.com
FEIN #46-1228193
Contractor License #C-33121

Client: 2250 Kanakanui Rd. - Mitigation
Property: 2250 Kanakanui Rd.
Kihei, HI

Operator: SUN

Estimator: Sun Galanto
Position: Owner
Company: MD Maui LLC (dba. MD Restoration Maui)
Business: 55 Laa St.
Kahului, HI 96732

Business: (808) 877-8989 x 3
E-mail: sun@mdmaui.com

Type of Estimate: Water Damage
Date Entered: 5/19/2021

Date Assigned:

Price List: HIWA8X_APR21
Labor Efficiency: Restoration/Service/Remodel
Estimate: 2021-05-06-W2250

The total amount due for this project is **\$5,471.55**.

This is a detailed scope of work performed following the latest edition of the IICRC S500 Standard and Reference Guide for Professional Water Damage Restoration. The work included in this scope was performed as an emergency to mitigate losses and reduce the possibility of secondary damage.

Payment for the work included in this scope is due upon completion.

MD Restoration Maui is an IICRC Certified Firm.

**MD Maui LLC**

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 FEIN #46-1228193
 Contractor License #C-33121

2021-05-06-W2250**05/06/2021 (Thursday @ 12:40 pm)**

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
1. Emergency service call - during business hours	1.00 EA	0.00	171.38	7.14	178.52
2. Equipment setup, take down, and monitoring (hourly charge)	6.00 HR	0.00	59.17	14.79	369.81
3. Water extraction from carpeted floor - Cat 3 water - Heavy	90.00 SF	0.00	1.58	5.92	148.12
4. Content Manipulation charge - per hour	1.00 HR	0.00	50.60	2.11	52.71
5. Tear out wet non-salvageable carpet, cut/bag - Cat 3 water	405.00 SF	0.92	0.00	16.57	389.17
6. Tear out wet carpet pad, cut/bag - Category 3 water	405.00 SF	0.86	0.00	15.56	363.86
7. Containment Barrier/Airlock/Decon. Chamber	40.00 SF	0.00	0.89	1.64	37.24
8. Containment Barrier - tension post - per day	2.00 DA	0.00	3.30	0.27	6.87
9. Peel & seal zipper - heavy duty	1.00 EA	0.00	16.40	1.22	17.62
10. Haul debris - per pickup truck load - including dump fees	1.00 EA	199.19	0.00	8.30	207.49
11. Personal protective gloves - Heavy duty (per pair)	4.00 EA	0.00	6.64	2.26	28.82
12. Dehumidifier (per 24 hour period) - XLarge - No monitoring	2.00 EA	0.00	120.72	10.06	251.50
13. Air mover (per 24 hour period) - No monitoring	3.00 EA	0.00	31.25	3.91	97.66
14. Negative air fan/Air scrubber (24 hr period) - No monit.	1.00 DA	0.00	71.81	2.99	74.80
Totals: 05/06/2021 (Thursday @ 12:40 pm)				92.74	2,224.19

05/07/2021 (Friday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
15. Equipment setup, take down, and monitoring (hourly charge)	4.00 HR	0.00	59.17	9.86	246.54
16. Apply anti-microbial agent to the surface area	518.00 SF	0.00	0.28	6.94	151.98
17. Baseboard - Detach	100.00 LF	0.00	1.32	5.50	137.50

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CONTINUED - 05/07/2021 (Friday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
18. Toe kick - Detach & reset	2.00 LF	0.00	10.96	0.92	22.84
<i>* Detach only, cost / 2.</i>					
19. Containment Barrier - tension post - per day	2.00 DA	0.00	3.30	0.27	6.87
20. Dehumidifier (per 24 hour period) - XLarge - No monitoring	2.00 EA	0.00	120.72	10.06	251.50
21. Air mover (per 24 hour period) - No monitoring	3.00 EA	0.00	31.25	3.91	97.66
22. Negative air fan/Air scrubber (24 hr period) - No monit.	1.00 DA	0.00	71.81	2.99	74.80
Totals: 05/07/2021 (Friday)				40.45	989.69

05/08/2021 (Saturday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
23. Containment Barrier - tension post - per day	2.00 DA	0.00	3.30	0.27	6.87
24. Dehumidifier (per 24 hour period) - XLarge - No monitoring	2.00 EA	0.00	120.72	10.06	251.50
25. Air mover (per 24 hour period) - No monitoring	3.00 EA	0.00	31.25	3.91	97.66
26. Negative air fan/Air scrubber (24 hr period) - No monit.	1.00 DA	0.00	71.81	2.99	74.80
Totals: 05/08/2021 (Saturday)				17.23	430.83

05/09/2021 (Sunday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
27. Containment Barrier - tension post - per day	2.00 DA	0.00	3.30	0.27	6.87
28. Dehumidifier (per 24 hour period) - XLarge - No monitoring	2.00 EA	0.00	120.72	10.06	251.50
29. Air mover (per 24 hour period) - No monitoring	3.00 EA	0.00	31.25	3.91	97.66
30. Negative air fan/Air scrubber (24 hr period) - No monit.	1.00 DA	0.00	71.81	2.99	74.80
Totals: 05/09/2021 (Sunday)				17.23	430.83



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05/10/2021 (Monday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
31. Equipment setup, take down, and monitoring (hourly charge)	2.00 HR	0.00	59.17	4.93	123.27
32. Containment Barrier - tension post - per day	2.00 DA	0.00	3.30	0.27	6.87
33. Dehumidifier (per 24 hour period) - XLarge - No monitoring	2.00 EA	0.00	120.72	10.06	251.50
34. Air mover (per 24 hour period) - No monitoring	3.00 EA	0.00	31.25	3.91	97.66
35. Negative air fan/Air scrubber (24 hr period) - No monit.	1.00 DA	0.00	71.81	2.99	74.80
Totals: 05/10/2021 (Monday)				22.16	554.10

05/11/2021 (Tuesday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
36. Equipment setup, take down, and monitoring (hourly charge)	2.00 HR	0.00	59.17	4.93	123.27
37. Containment Barrier - tension post - per day	2.00 DA	0.00	3.30	0.27	6.87
38. Dehumidifier (per 24 hour period) - XLarge - No monitoring	1.00 EA	0.00	120.72	5.03	125.75
39. Air mover (per 24 hour period) - No monitoring	2.00 EA	0.00	31.25	2.60	65.10
Totals: 05/11/2021 (Tuesday)				12.83	320.99

05/12/2021 (Wednesday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
40. Equipment setup, take down, and monitoring (hourly charge)	2.50 HR	0.00	59.17	6.16	154.09
41. Content Manipulation charge - per hour	1.00 HR	0.00	50.60	2.11	52.71
42. Dehumidifier (per 24 hour period) - XLarge - No monitoring	1.00 EA	0.00	120.72	5.03	125.75
43. Air mover (per 24 hour period) - No monitoring	2.00 EA	0.00	31.25	2.60	65.10



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CONTINUED - 05/12/2021 (Wednesday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
Totals: 05/12/2021 (Wednesday)				15.90	397.65

05/13/2021 (Thursday)

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
44. Equipment setup, take down, and monitoring (hourly charge)	2.00 HR	0.00	59.17	4.93	123.27
Totals: 05/13/2021 (Thursday)				4.93	123.27
Line Item Totals: 2021-05-06-W2250				223.47	5,471.55



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Summary

Line Item Total	5,248.08
Material Excise Tax	4.67
Subtotal	5,252.75
General Excise Tax	218.80
Replacement Cost Value	\$5,471.55
Net Claim	\$5,471.55

Sun Galanto
Owner



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Recap of Taxes

	Material Excise Tax (4.166%)	General Excise Tax (4.166%)
Line Items	4.67	218.80
Total	4.67	218.80



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Recap by Room

Estimate: 2021-05-06-W2250

05/06/2021 (Thursday @ 12:40 pm)	2,131.45	40.61%
05/07/2021 (Friday)	949.24	18.09%
05/08/2021 (Saturday)	413.60	7.88%
05/09/2021 (Sunday)	413.60	7.88%
05/10/2021 (Monday)	531.94	10.14%
05/11/2021 (Tuesday)	308.16	5.87%
05/12/2021 (Wednesday)	381.75	7.27%
05/13/2021 (Thursday)	118.34	2.25%
<hr/>		
Subtotal of Areas	5,248.08	100.00%
<hr/>		
Total	5,248.08	100.00%



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Recap by Category

Items	Total	%
CABINETRY	21.92	0.40%
CONTENT MANIPULATION	101.20	1.85%
GENERAL DEMOLITION	920.09	16.82%
WATER EXTRACTION & REMEDIATION	4,204.87	76.85%
Subtotal	5,248.08	95.92%
Material Excise Tax	4.67	0.09%
General Excise Tax	218.80	4.00%
Total	5,471.55	100.00%



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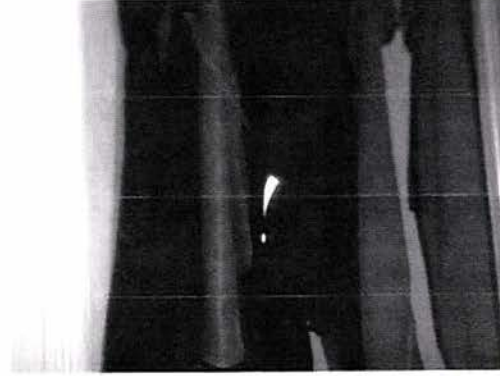
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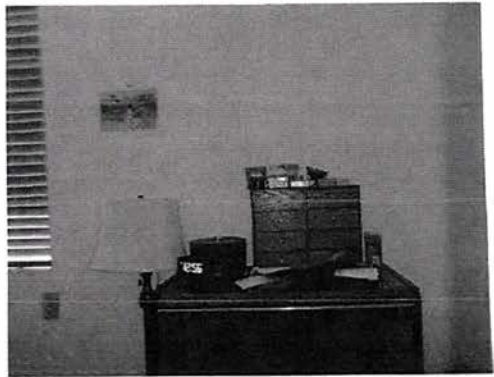
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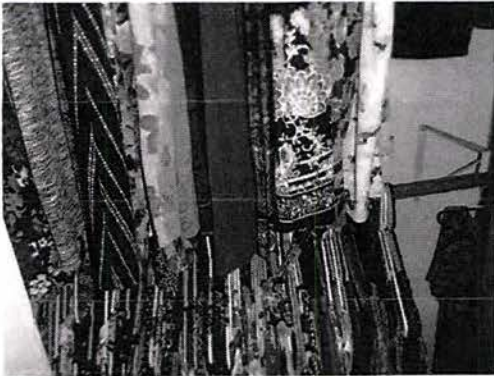




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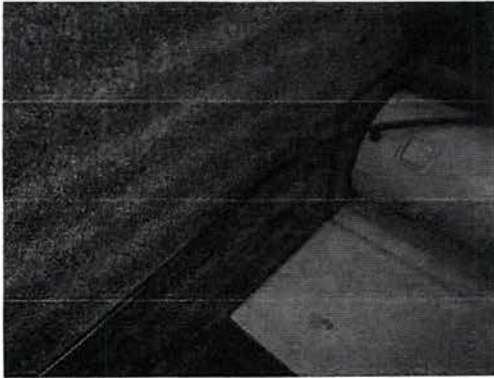




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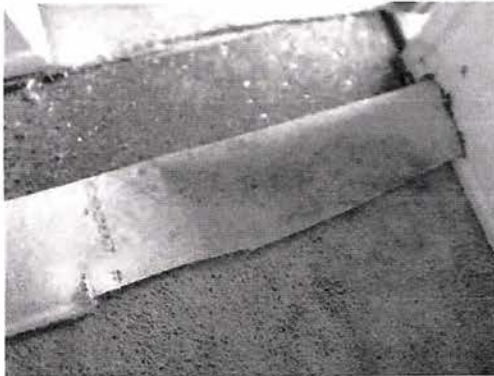
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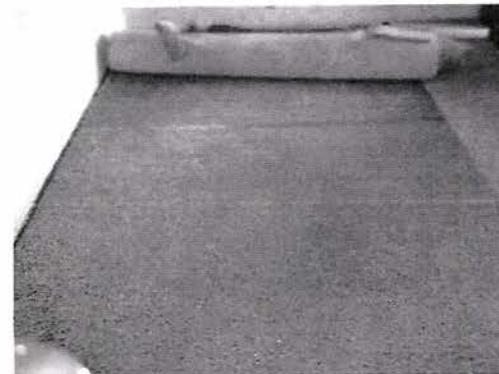
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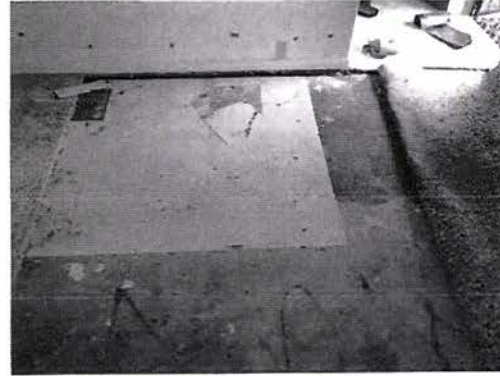
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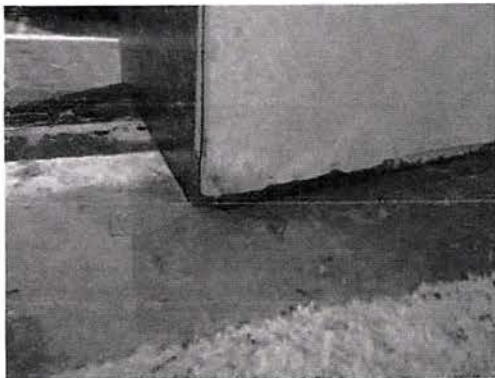
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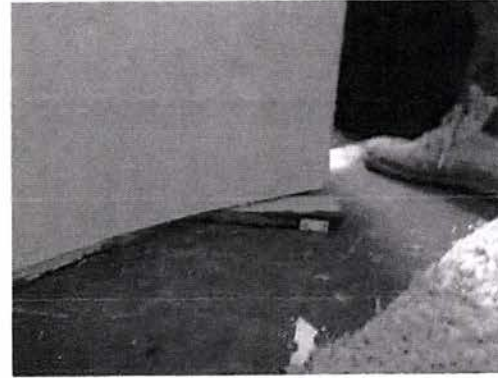
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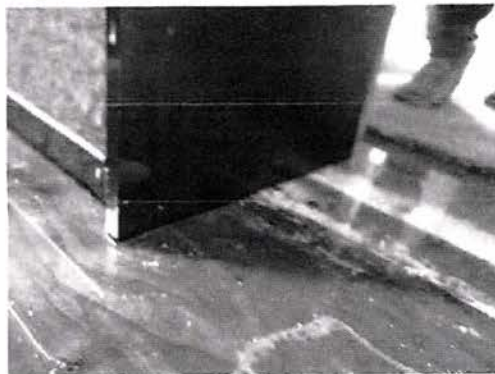
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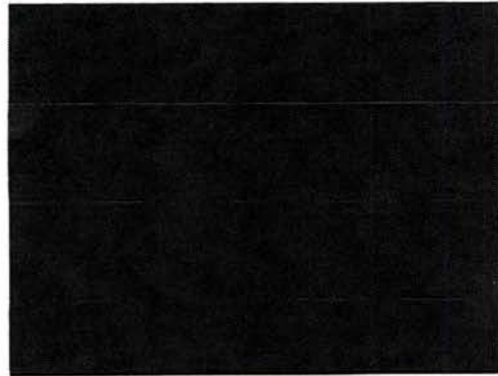
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Contractor License #C-33121

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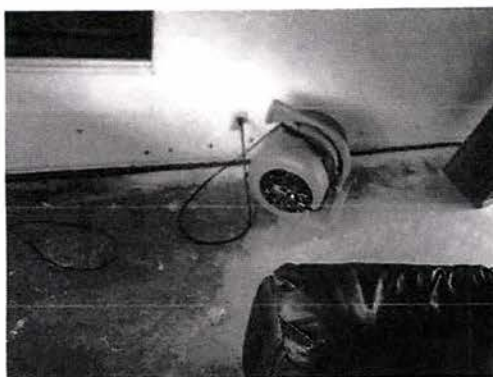
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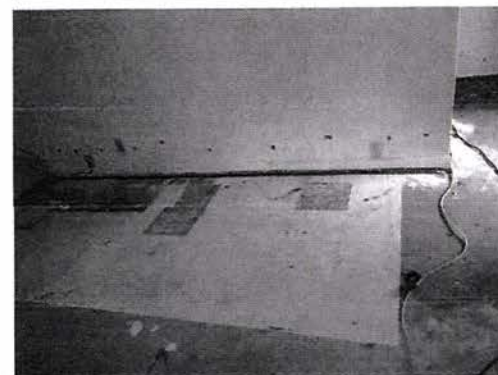
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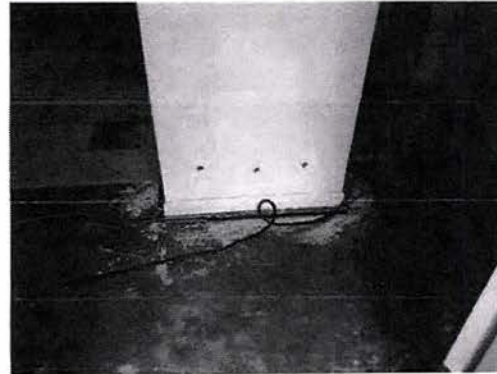
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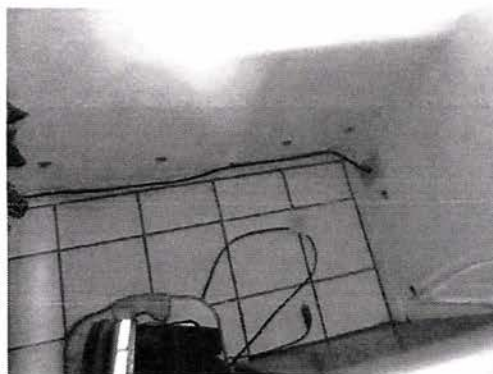
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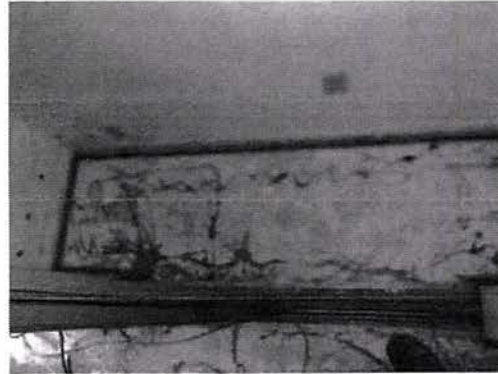
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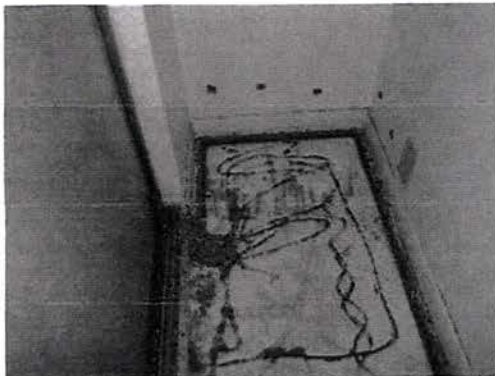
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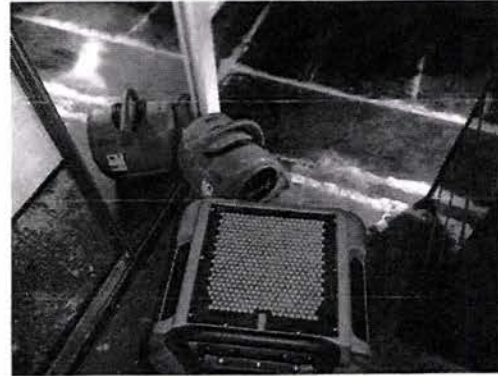
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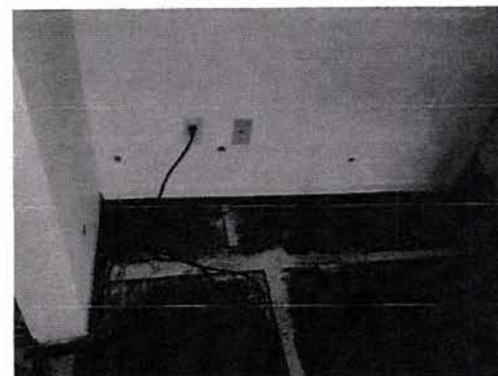
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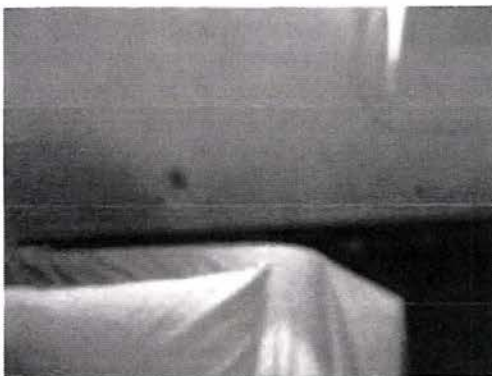




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Image Detail

Image No.	Type	Date Taken	Taken By
1	1-DSCF6132	5/6/2021	
2	2-DSCF6133	5/6/2021	
3	3-DSCF6134	5/6/2021	
4	4-DSCF6135	5/6/2021	
5	5-DSCF6136	5/6/2021	
6	6-DSCF6137	5/6/2021	
7	7-DSCF6138	5/6/2021	
8	8-DSCF6139	5/6/2021	
9	9-DSCF6140	5/6/2021	
10	10-DSCF6141	5/6/2021	
11	11-DSCF6142	5/6/2021	
12	12-DSCF6143	5/6/2021	
13	13-DSCF6144	5/6/2021	
14	14-DSCF6145	5/6/2021	
15	15-DSCF6146	5/6/2021	
16	16-DSCF6147	5/6/2021	
17	17-DSCF6148	5/6/2021	



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Continued - Image Detail

Image No.	Type	Date Taken	Taken By
18	18-DSCF6149	5/6/2021	
19	19-DSCF6150	5/6/2021	
20	20-DSCF6151	5/6/2021	
21	21-DSCF6152	5/6/2021	
22	22-DSCF6153	5/6/2021	
23	23-DSCF6154	5/6/2021	
24	24-DSCF6155	5/6/2021	
25	25-DSCF6156	5/6/2021	
26	26-DSCF6157	5/6/2021	
27	27-DSCF6158	5/6/2021	
28	28-DSCF6159	5/6/2021	
29	29-DSCF6160	5/6/2021	
30	30-DSCF6161	5/6/2021	
31	31-DSCF6162	5/6/2021	
32	32-DSCF6163	5/6/2021	
33	33-DSCF6164	5/6/2021	
34	34-DSCF6165	5/6/2021	



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Continued - Image Detail

Image No.	Type	Date Taken	Taken By
35	35-DSCF6166	5/6/2021	
36	36-DSCF6167	5/6/2021	
37	37-DSCF6168	5/6/2021	
38	38-DSCF6169	5/6/2021	
39	39-DSCF6170	5/6/2021	
40	40-DSCF6171	5/6/2021	
41	41-DSCF6172	5/6/2021	
42	42-DSCF6173	5/6/2021	
43	43-DSCF6174	5/6/2021	
44	44-DSCF6175	5/6/2021	
45	45-DSCF6176	5/6/2021	
46	46-DSCF6177	5/6/2021	
47	47-DSCF6178	5/6/2021	
48	48-DSCF6179	5/6/2021	
49	49-DSCF6180	5/6/2021	
50	50-DSCF6181	5/6/2021	
51	51-DSCF6182	5/6/2021	



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Continued - Image Detail

Image No.	Type	Date Taken	Taken By
52	52-DSCF6183	5/6/2021	
53	53-DSCF6184	5/6/2021	
54	54-DSCF6185	5/6/2021	
55	55-DSCF6186	5/6/2021	
56	56-DSCF6187	5/6/2021	
57	57-DSCF6188	5/6/2021	
58	58-DSCF6189	5/6/2021	
59	59-DSCF6190	5/6/2021	
60	60-DSCF6191	5/6/2021	
61	61-DSCF6192	5/6/2021	
62	62-DSCF6193	5/6/2021	
63	63-DSCF6194	5/6/2021	
64	64-DSCF6195	5/6/2021	
65	65-DSCF6196	5/6/2021	
66	66-DSCF6197	5/6/2021	
67	67-DSCF6198	5/6/2021	
68	68-DSCF6199	5/6/2021	



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Continued - Image Detail

Image No.	Type	Date Taken	Taken By
69	69-DSCF6200	5/6/2021	
70	70-DSCF6201	5/6/2021	
71	71-DSCF6202	5/6/2021	
72	72-DSCF6203	5/6/2021	
73	73-DSCF6204	5/6/2021	
74	74-DSCF6205	5/6/2021	
75	75-DSCF6206	5/6/2021	
76	76-DSCF6207	5/6/2021	
77	77-DSCF6208	5/6/2021	
78	78-DSCF6209	5/6/2021	
79	79-DSCF6210	5/6/2021	
80	80-DSCF6211	5/6/2021	
81	81-DSCF6212	5/6/2021	
82	82-DSCF6213	5/6/2021	
83	83-DSCF6214	5/6/2021	
84	84-DSCF6215	5/6/2021	
85	85-DSCF6216	5/6/2021	



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Continued - Image Detail

Image No.	Type	Date Taken	Taken By
86	86-DSCF6217	5/6/2021	
87	87-DSCF6218	5/6/2021	



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Contractor License #C-33121

Client: 2250 Kanakanui Rd. - Recon
Property: 2250 Kanakanui Rd.
Kihei, HI

Operator: SUN

Estimator: Kale Galanto
Position: RME / Owner
Company: MD Maui LLC (dba. MD Restoration Maui)
Business: 55 Laa St.
Kahului, HI 96732

Business: (808) 877-8989 x 1
E-mail: admin@mdmaui.com

Type of Estimate: Water Damage
Date Entered: 5/19/2021 Date Assigned:

Price List: HIWA8X_APR21
Labor Efficiency: Restoration/Service/Remodel
Estimate: 2021-05-06-R2250

The total cost of your estimate is \$6,768.50. A 50% deposit of the total cost of repairs is due prior to scheduling repair work. The balance is due upon completion. Repair estimates are good for 15 days.

General Repair Conditions:

A building permit may be required prior to us performing any work. If it is determined that a building permit is required, the owner will be assessed an application fee of \$600 and will also be responsible for the cost of the permit(s). MD Restoration Maui will determine the necessity for permitting and advise the Client.

Repairs to textured walls are difficult to blend, and may not match exactly. In some cases, it may be necessary to re-texture an entire wall in order to repair it properly. Repairs to ceilings covered with acoustic texture will never match exactly. In order to properly repair an acoustic ceiling, the entire ceiling needs to be scraped and re-sprayed, or smooth-coated.

Paint colors are professionally matched per paint-chip samples collected from the damaged areas. Depending on the age and availability of the original paint, an exact match may not be possible. If the Client wishes to paint their walls a different color from the original, it is their responsibility to choose the color, finish, and manufacturer. This type of change may add to the cost of the work and the added cost will be the responsibility of the Client.

Materials included in this estimate (ie. carpet, cabinets, drywall, laminate flooring, etc.) are per the existing materials in the structure. However, an insurance-covered loss may only cover the structure in it's "as-built" condition, and may not cover the full replacement cost of the materials currently installed. Please refer to the Insurance Policy, Carrier, or Adjuster for clarity on this issue.

Original plumbing fixtures and materials will be used by default (faucets, p-traps, supply hoses, etc.), and will only be changed if they are leaking at the time of installation. If the Client wishes to change these items, the charge for the new material and installation fee will be additional. MD Restoration Maui is not responsible for damage or losses originating from defective or aged materials, such as supply hoses and drains.



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Laminate and other types of floating floor covering are susceptible to squeaking and movement if the subfloor is not leveled properly. Even in installations with a properly leveled subfloor, there is no guarantee the floor covering will be free of movement or squeaking. This should go away over time as the floor covering is walked on and settles into the subfloor. MD Restoration Maui is responsible for replacing floor coverings as they were originally installed. If the Client wants to level the subfloor, they are responsible for the additional cost.

Building materials and finishes that may contain lead or asbestos will need to be tested prior to performing any demolition or repair work, such as acoustic ceiling texture, drywall, drywall compound, mastic, paint, etc. Testing of these items will be an additional fee.



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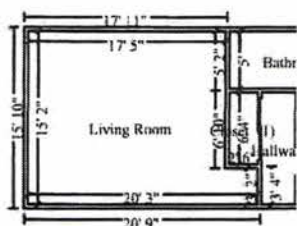
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2021-05-06-R2250

General Component

General Component

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Content Manipulation charge - per hour	2.50 HIR	0.00	56.33	7.04	28.16	176.03
2. Haul debris - per pickup truck load - including dump fees	0.50 EA	193.83	0.00	4.85	19.38	121.15
Total: General Component				11.89	47.54	297.18



Living Room

Height: 8'

566.67 SF Walls	273.13 SF Ceiling
839.79 SF Walls & Ceiling	273.13 SF Floor
30.35 SY Flooring	70.83 LF Floor Perimeter
70.83 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
3. Carpet	320.50 SF	0.00	5.76	136.59	377.66	2,360.33
4. Carpet pad	273.13 SF	0.00	1.01	20.97	56.54	353.37
5. Baseboard - Reset	70.83 LF	0.00	2.07	7.39	29.34	183.35
6. Paint baseboard - one coat	70.83 LF	0.00	1.92	7.06	27.24	170.29
7. Final cleaning - construction - Residential	273.13 SF	0.00	0.42	5.74	22.94	143.39
Totals: Living Room				177.75	513.72	3,210.73



Bathroom

Height: 8'

260.00 SF Walls	56.25 SF Ceiling
316.25 SF Walls & Ceiling	56.25 SF Floor
6.25 SY Flooring	32.50 LF Floor Perimeter
32.50 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
8. Baseboard - Reset	15.00 LF	0.00	2.07	1.56	6.22	38.83

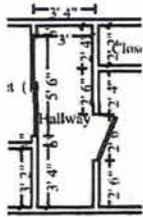


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CONTINUED - Bathroom

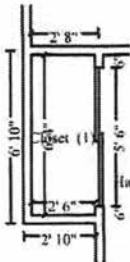
DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
9. Paint baseboard - one coat	15.00 LF	0.00	1.92	1.49	5.78	36.07
10. Final cleaning - construction - Residential	56.25 SF	0.00	0.42	1.18	4.72	29.53
Totals: Bathroom				4.23	16.72	104.43



Hallway

Height: 8'

205.33 SF Walls	29.50 SF Ceiling
234.83 SF Walls & Ceiling	29.50 SF Floor
3.28 SY Flooring	25.67 LF Floor Perimeter
25.67 LF Ceil. Perimeter	



Subroom: Closet (1)

Height: 8'

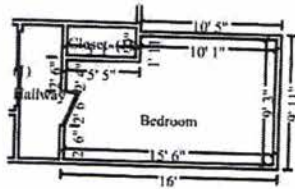
141.33 SF Walls	15.83 SF Ceiling
157.17 SF Walls & Ceiling	15.83 SF Floor
1.76 SY Flooring	17.67 LF Floor Perimeter
17.67 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
11. Bypass (sliding) door set - slabs only - Detach & reset	1.00 EA	0.00	57.88	2.89	11.58	72.35
12. Carpet	84.67 SF	0.00	5.76	36.09	99.78	623.57
13. Carpet pad	45.33 SF	0.00	1.01	3.47	9.38	58.63
14. Baseboard - Reset	18.00 LF	0.00	2.07	1.87	7.46	46.59
15. Paint baseboard - one coat	43.33 LF	0.00	1.92	4.30	16.66	104.15
16. Final cleaning - construction - Residential	45.33 SF	0.00	0.42	0.95	3.80	23.79
Totals: Hallway				49.57	148.66	929.08



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Bedroom

Height: 8'

396.00 SF Walls	132.99 SF Ceiling
528.99 SF Walls & Ceiling	132.99 SF Floor
14.78 SY Flooring	49.50 LF Floor Perimeter
49.50 LF Ceil. Perimeter	



Subroom: Closet (1)

Height: 8'

116.00 SF Walls	11.01 SF Ceiling
127.01 SF Walls & Ceiling	11.01 SF Floor
1.22 SY Flooring	14.50 LF Floor Perimeter
14.50 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
17. Bypass (sliding) door set - slabs only - Detach & reset	1.00 EA	0.00	57.88	2.89	11.58	72.35
18. Interior door - Detach & reset - slab only	1.00 EA	0.00	40.99	2.05	8.20	51.24
19. Carpet	213.00 SF	0.00	5.76	90.78	250.98	1,568.64
20. Carpet pad	144.01 SF	0.00	1.01	11.05	29.82	186.32
21. Baseboard - Reset	46.00 LF	0.00	2.07	4.80	19.04	119.06
22. Paint baseboard - one coat	64.00 LF	0.00	1.92	6.37	24.62	153.87
23. Final cleaning - construction - Residential	144.01 SF	0.00	0.42	3.02	12.10	75.60
Totals: Bedroom				120.96	356.34	2,227.08
Total: General Component				364.40	1,082.98	6,768.50
Line Item Totals: 2021-05-06-R2250				364.40	1,082.98	6,768.50



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Grand Total Areas:

1,685.33 SF Walls	518.72 SF Ceiling	2,204.05 SF Walls and Ceiling
518.72 SF Floor	57.64 SY Flooring	210.67 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	210.67 LF Ceil. Perimeter
518.72 Floor Area	573.02 Total Area	1,685.33 Interior Wall Area
1,006.50 Exterior Wall Area	111.83 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

Line Item Total	5,321.12
Material Excise Tax	93.70
Subtotal	5,414.82
Overhead	541.49
Profit	541.49
General Excise Tax	270.70
Replacement Cost Value	\$6,768.50
Net Claim	\$6,768.50

Kale Galanto
RME / Owner



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Recap of Taxes, Overhead and Profit

	Overhead (10%)	Profit (10%)	Material Excise Tax (4.166%)	General Excise Tax (4.166%)
Line Items	541.49	541.49	93.70	270.70
Total	541.49	541.49	93.70	270.70



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Recap by Room

Estimate: 2021-05-06-R2250

Area: General Component	237.75	4.47%
Living Room	2,519.26	47.34%
Bathroom	83.48	1.57%
Hallway	730.85	13.73%
Bedroom	1,749.78	32.88%
<hr/>		
Area Subtotal: General Component	5,321.12	100.00%
<hr/>		
Subtotal of Areas	5,321.12	100.00%
<hr/>		
Total	5,321.12	100.00%

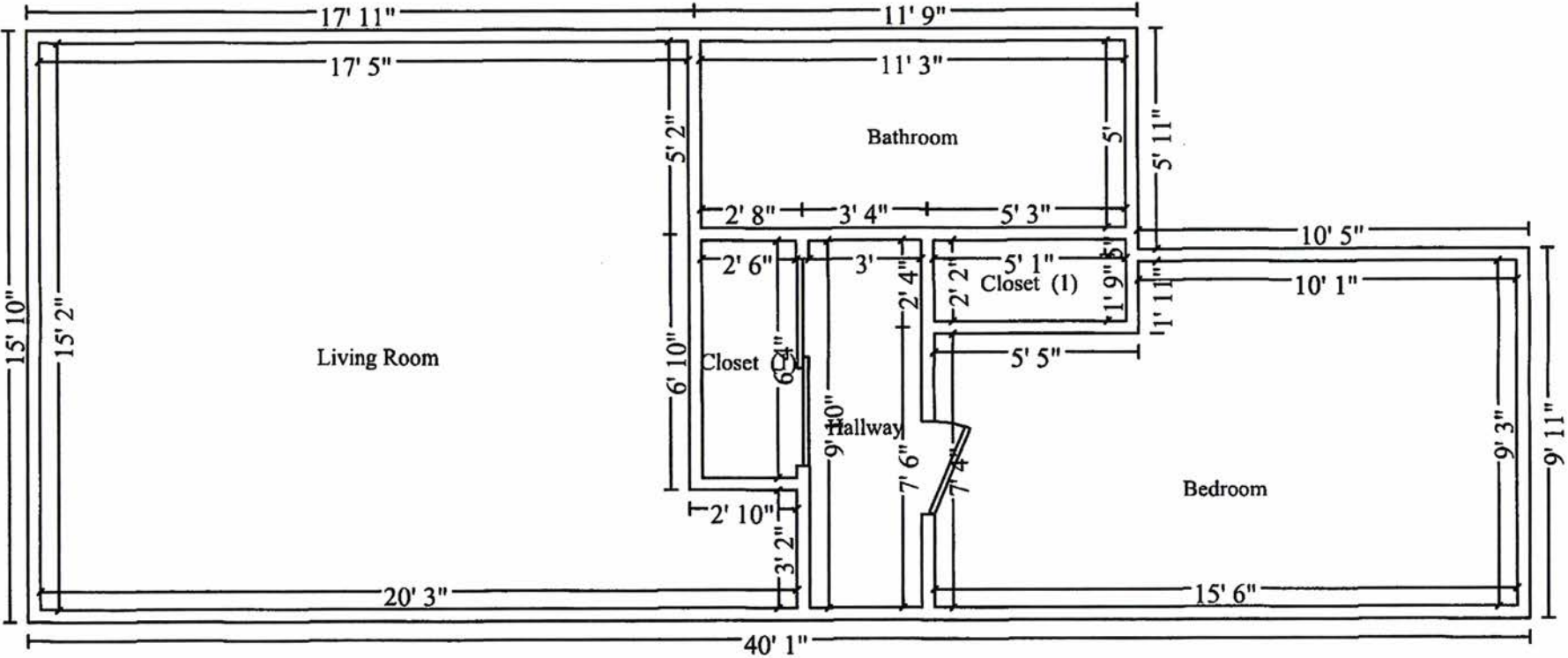


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Recap by Category

O&P Items	Total	%
CLEANING	217.86	3.22%
CONTENT MANIPULATION	140.83	2.08%
GENERAL DEMOLITION	96.92	1.43%
DOORS	156.75	2.32%
FLOOR COVERING - CARPET	4,027.75	59.51%
FINISH CARPENTRY / TRIMWORK	310.15	4.58%
PAINTING	370.86	5.48%
O&P Items Subtotal	5,321.12	78.62%
Material Excise Tax	93.70	1.38%
Overhead	541.49	8.00%
Profit	541.49	8.00%
General Excise Tax	270.70	4.00%
Total	6,768.50	100.00%





John Mullen & Company

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

Insured: Dana M. Farowich
Property: 2250 Kanakanu Rd.
Kihei, HI 96768

Estimator: Kevin Frost
Company: John Mullen and Company

Business: (808) 500-2314
E-mail: kfrost@johnmullen.com

Claim Number: 4070179

Policy Number:

Type of Loss: Water Damage

Date Contacted: 5/5/2021 12:00 AM

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

Date Inspected: 5/14/2021 12:00 AM

Date Received: 5/5/2021 12:00 AM

Date Entered: 6/5/2021 11:09 AM

Price List: HIWA8X_JUN21

Restoration/Service/Remodel

Estimate: 4070179

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. Â§431:10C-307.7

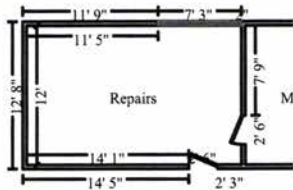


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4070179

Main Level



Repairs

Height: 8'

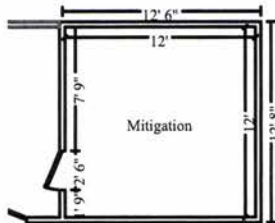
442.33 SF Walls	224.00 SF Ceiling
666.33 SF Walls & Ceiling	224.00 SF Floor
24.89 SY Flooring	54.08 LF Floor Perimeter
61.33 LF Ceil. Perimeter	

Missing Wall - Goes to Floor

7' 3" X 6' 8"

Opens into Exterior

QUANTITY	UNIT	TAX	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
1. MD Maui-Repairs-Labor*								
1.00 EA	4,737.95	0.00	4,737.95	0/NA	Avg.	0%	(0.00)	4,737.95
Estimated labor to be .70 of the total bid (\$6768.50)								
2. MD Maui-Repairs-Material*								
1.00 EA	2,030.55	0.00	2,030.55	0/NA	Avg.	15% [%]	<304.58>	1,725.97
Estimated materials (carpet, pad and paint) to be .30 of the total bid (\$6768.50)								
Totals: Repairs		0.00	6,768.50				304.58	6,463.92



Mitigation

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	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
3. Water Extraction & Remediation: MD Maui*								
1.00 EA	5,471.55	0.00	5,471.55	0/NA	Avg.	0%	<0.00>	5,471.55
To be reviewed by Code Blue.								
Totals: Mitigation		0.00	5,471.55				0.00	5,471.55
Total: Main Level		0.00	12,240.05				304.58	11,935.47
Line Item Totals: 4070179		0.00	12,240.05				304.58	11,935.47

[%] - 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:

826.33	SF Walls	368.00	SF Ceiling	1,194.33	SF Walls and Ceiling
368.00	SF Floor	40.89	SY Flooring	102.08	LF Floor Perimeter
0.00	SF Long Wall	0.00	SF Short Wall	109.33	LF Ceil. Perimeter
368.00	Floor Area	401.11	Total Area	826.33	Interior Wall Area
749.67	Exterior Wall Area	88.67	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	12,240.05
Replacement Cost Value	\$12,240.05
Less Non-recoverable Depreciation	<304.58>
Actual Cash Value	\$11,935.47
Net Claim	\$11,935.47

Kevin Frost



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1 1-Loss Location

Date Taken: 5/13/2021



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2 2-Loss Location

Date Taken: 5/13/2021



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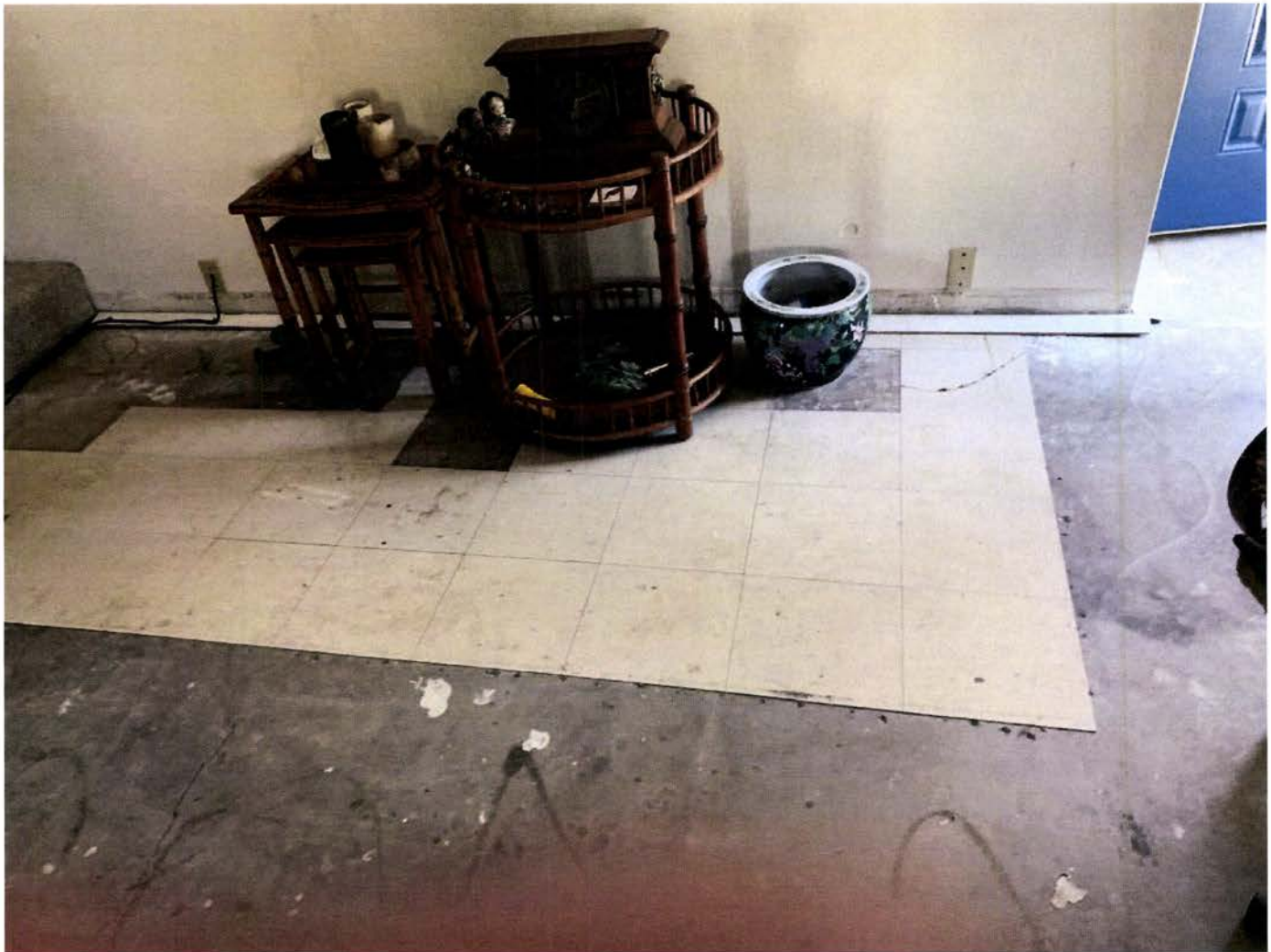
3 3-Loss Location

Date Taken: 5/13/2021



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4 4-Living Room

Date Taken: 5/13/2021



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5 5-Living Room

Date Taken: 5/13/2021



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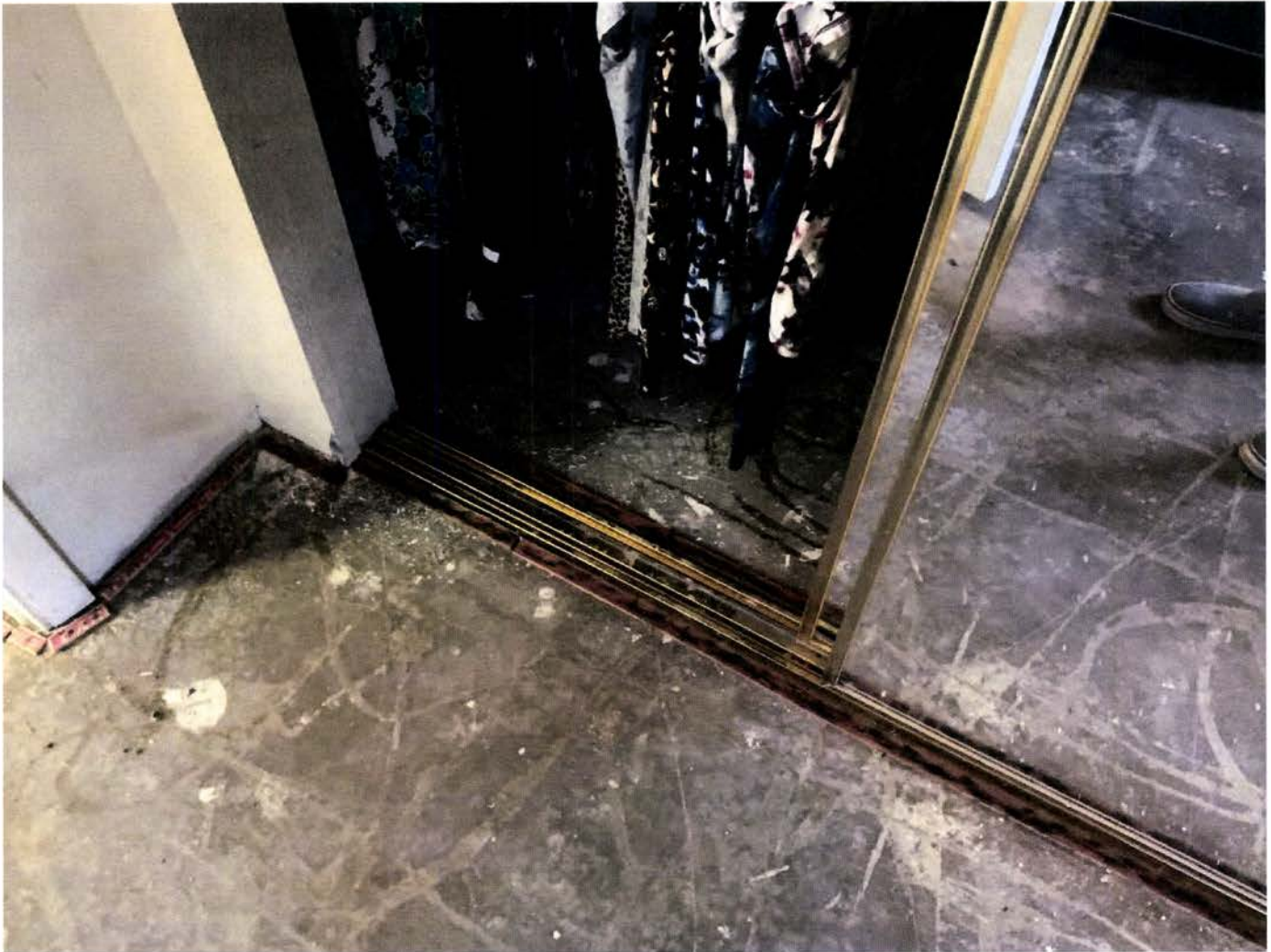
6 6-Living Room

Date Taken: 5/13/2021



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7 7-Living Room

Date Taken: 5/13/2021



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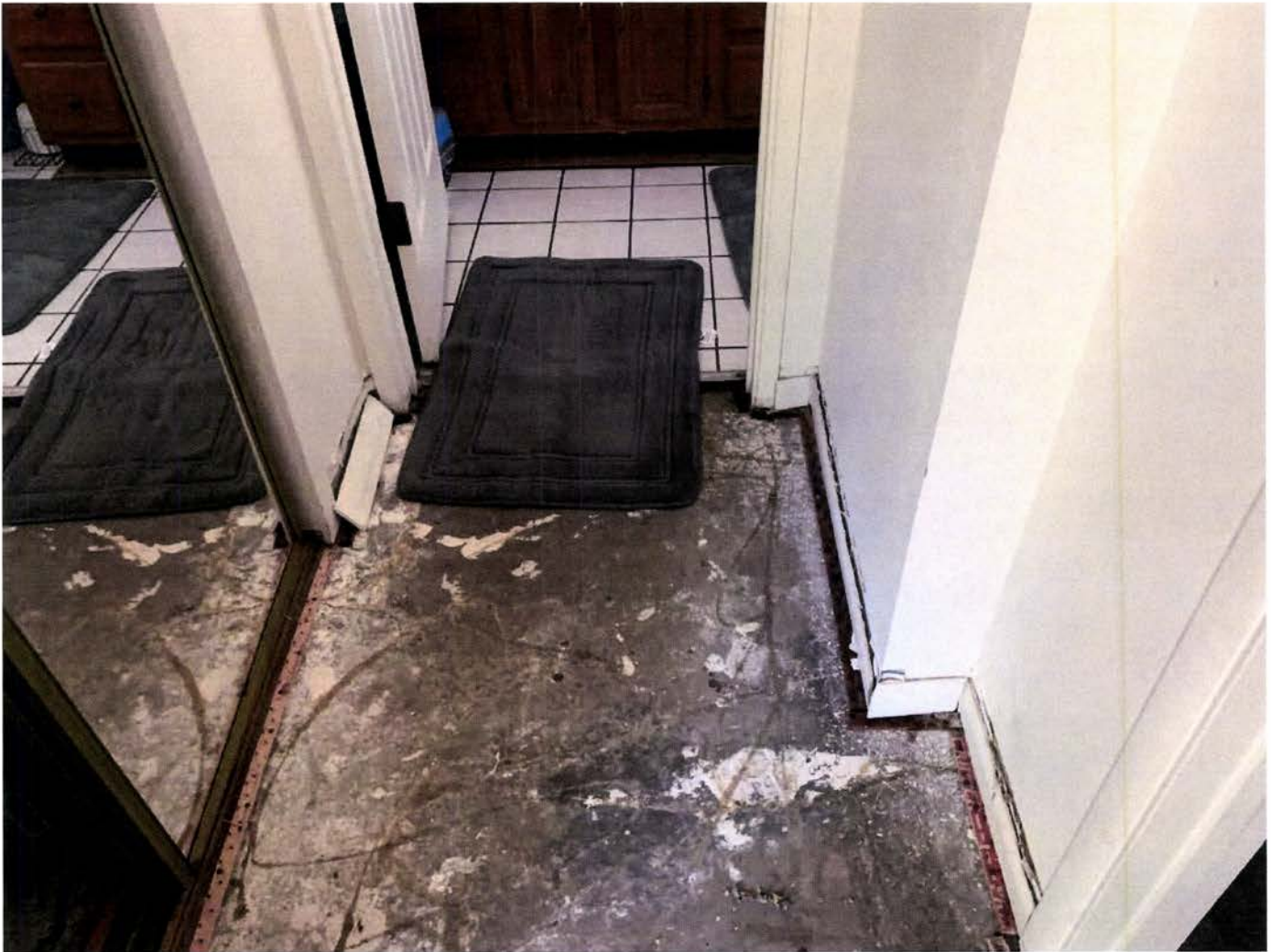
8 8-Bedroom

Date Taken: 5/13/2021



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9 9-Bedroom

Date Taken: 5/13/2021



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10 10-Crawlspace

Date Taken: 5/13/2021



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11 11-Crawlspace

Date Taken: 5/13/2021



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12 12-Exterior
Water saturated ground.

Date Taken: 5/13/2021



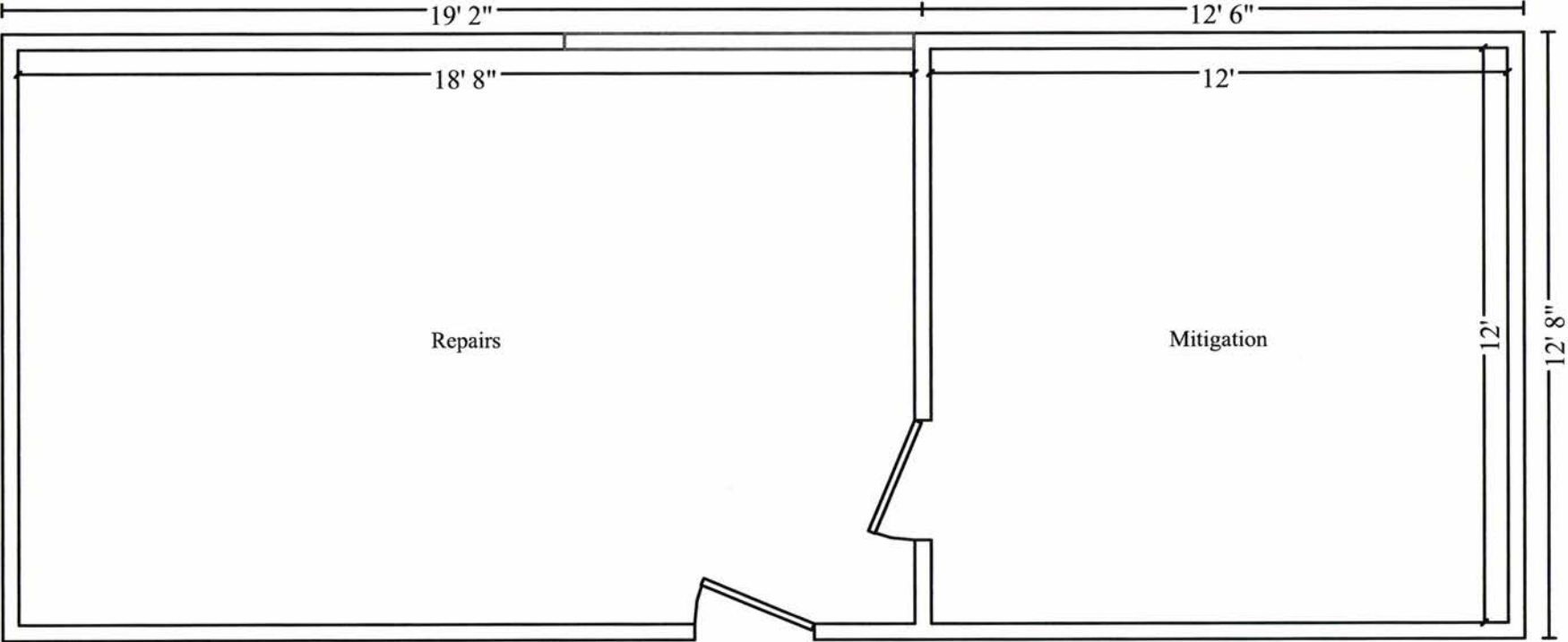
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13 13-Exterior
Water saturated ground.

Date Taken: 5/13/2021



Main Level

RELEASE OF ALL CLAIMS

KNOW ALL MEN BY THESE PRESENTS:

That the Undersigned, Sandra and Dana Farowich, being of lawful age, for the sole consideration of ELEVEN THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS AND 47/100 (\$11,935.47) receipt whereof is hereby acknowledged, does hereby and for my heirs, executors, administrators, successors and assigns release, acquit and forever discharge County of Maui or their 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 or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen bodily and personal injuries and property damage and the consequences thereof resulting or to result from the incident which occurred on or about May 5, 2021 at 2250 Kananui Rd., Kihei, HI 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 releases deny liability therefore and intend merely to avoid litigation and buy their peace.

The undersigned hereby declares and represents that the injuries sustained are or may be permanent and progressive and that recovery there from is uncertain and indefinite and in making this Release it is understood and agreed, the undersigned relies wholly upon the undersigned's judgment, belief and knowledge of the nature, extent, effect and duration of said injuries and liability therefore and is made without reliance upon any statement or representation of the party or parties hereby released or their representatives or by any physician or surgeon by them employed.

The undersigned further declares and represents that there may be unknown or unanticipated injuries resulting from the above stated accident, casualty or event and in making this Release it is understood and agreed that this Release is intended to include such injuries.

The undersigned further declares and represents 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.

This Release expressly reserves all rights of the person, or persons, on whose behalf the payment is made and the rights of all persons in privity or connected with them, and reserves to them their right to pursue their legal remedies, if any, including but not limited

to claims for contribution, property damage and personal injury against the undersigned or those in privity or connected with the undersigned.

IN WITNESS WHEREOF, these presents have been duly executed this 15th day of July, 2021.


Sandra Farowich


Dana Farowich

NOTARY: State of Hawaii; County of Maua; SS
On this 15 day of July, 2021, before me appeared SANDRA FAROWICH

who is known to be the person(s) named herein and who voluntarily executed this release.


Notary Signature

02/16/2022
Date Commission Expires

Doc. Date: 7/15/21 # Pages: 2
Notary Name: Matthew Arnold - Second Circuit
Doc. Description: Release of All Claims
 7/15/21
Notary Signature Date

