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COUNTY COUNCIL
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www.MauiCounty.us

February 28, 2025

Mr. Lawrence Carnicelli, Developer & Land Planner

Via Email: lawrencecarnicelli@gmail.com

Dear Mr. Carnicelli:

**SUBJECT: BILL 22 (2024), BILL 12 (2023), AND BILL 74 (2023),
RELATING TO RESIDENTIAL WORKFORCE HOUSING
DEED RESTRICTIONS (HLU-24)**

Thank you for agreeing to participate in the Council's upcoming Housing and Land Use Committee meeting on residential workforce housing deed restrictions.

To prepare for the meeting, please see the attached list of questions from Committee members. Various experts and stakeholders will receive the same list of questions, so please prepare for only those questions that relate to your expertise.

A written response is appreciated but not required. If you would like to provide a written response, please transmit it to hlu.committee@mauicounty.us by **March 7, 2025**. To ensure efficient processing, please include the Committee item number in the subject line.

Should you have any questions, please contact me or the Committee staff (James Krueger at 808-270-7761, or Jennifer Yamashita at 808-270-7143).

Sincerely,

A handwritten signature in black ink, appearing to read "Tasha Kama".

TASHA KAMA, Chair
Housing and Land Use Committee

hlu:ltr:024a14:jgk

Attachment

1. What is the connection between affordable housing and the local economy, and how could deed restrictions support this?
2. How do longer deed restrictions impact communities? What are the impacts on the local and market economies, financing, and potential interest in buying housing units?
3. How do deed restrictions contribute to the preservation of affordable housing options for future generations?
4. What are the benefits of having a predictable housing market because of longer deed restrictions?
5. How can deed restrictions prevent gentrification and the displacement of long-term residents?
6. How can deed restrictions ensure that essential workers are able to afford housing near their workplaces?
7. What is the average length of an affordability deed restriction in the United States?
8. How do deed restrictions address the inelasticity of the housing market?
9. What factors should the Council consider when creating a policy to balance affordability and equity in homeownership?
10. How can the Council balance deed restriction policies with extenuating circumstances, such as natural disasters or other life-altering events? Provide any specific policies the Council should consider.
11. What are some risks when buying a deed-restricted home and how can they be mitigated? What are the risks for buying an unrestricted home?
12. Should properties in different Area Median Income categories have similar or the same deed-restricted time periods?
13. Should there be different deed-restriction time periods for different types of homes? For example, should a multifamily home and a single-family home be subject to different time periods? What about a one-bedroom single family home and a three-bedroom home?

14. Should the length of deed restrictions correspond to the amount of County funding a project receives? If so, explain how this should be implemented, including whether the type of housing, such as multifamily or single-family, be considered.
15. What deed-restriction time periods would you recommend the Council consider?
16. As it relates to both deed restrictions and the 99-year lease model used by the Department of Hawaiian Home Lands:
 - a. Do longer deed restrictions and 99-year leases prevent homeowners from taking out home equity loans?
 - b. Do longer deed restrictions and 99-year leases make it more difficult for potential homeowners to secure financing?
 - c. Can deed restrictions and 99-year leases specify that the owner is not restricted from refinancing their mortgage or borrowing against the equity in their home?
17. How many affordable units have been created since Chapter 2.96, Maui County Code, was enacted? Of those, how many units are still affordable today?
18. How can the County address and support each resident's need to afford a home?
19. Do you have a preferred managed appreciation formula? If so, please explain.
20. How can the County prevent investors from buying then selling properties for a profit, primarily properties that contribute to the affordable and workforce housing stock?
21. How much affordable housing inventory should be isolated from the general housing market through leaseholds, deed restrictions in perpetuity, and housing land trusts?

HLU Committee

From: HLU Committee
Sent: Friday, February 28, 2025 4:15 PM
To: lawrencecarnicelli@gmail.com
Cc: HLU Committee; Tasha A. Kama
Subject: PLEASE READ attached letter re: HLU-24, Relating to Residential Workforce Housing Deed Restrictions
Attachments: 024a14_TK.pdf

Aloha, Mr. Carnicelli, please refer to the attached letter from the Housing and Land Use Committee Chair, dated February 28, 2025.

Mahalo,
HLU Committee Staff