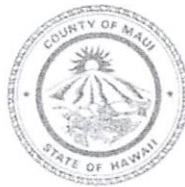


RICHARD T. BISSEN, JR.
Mayor

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

RECEIVED
2023 FEB -6 AM 9:34
OFFICE OF THE
COUNTY CLERK

February 3, 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. 4070761 OF
PAUL CLEVELAND

Dear Chair Lee and Council Members:

Please find attached separately a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CLAIM NO. 4070761 OF PAUL CLEVELAND." 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 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. Sova".

Bradley J. Sova
Deputy Corporation Counsel

cc: Director, Department of Water Supply
Attachments



P. O. Box 2096, Honolulu, HI 96805
Phone: 808.531.9733 Fax: 808.531.0053

January 30, 2023

MEMO TO: The Honorable Richard T. Bissen Jr.

VIA: Bradley J. Sova, Deputy Corporation Counsel

FROM: Shannon Takemoto, Insurance Claim Adjuster

RE: Property Damage Claim Settlement \$7,500.00 or More

SUBJECT: Claimant: Paul Cleveland
Date of Loss: 05/05/2021
Claim Number: 4070761
RISK NO.: RISK-2021-0399

FACTS: This incident occurred on May 5, 2021 about 10:30 PM at 404 Auhana Rd, Kihei, HI 96753. A water main break caused damage to the claimant's property.

PROPERTY DAMAGE: The claimant's home, shed and landscaping were damaged from this loss. Claimant went through his carrier, DB Insurance Company for the damages and we received a subrogation demand for \$13,593.87.

Mitigation: \$5,126.33

Water Extraction & Remediation (Flood Pro): \$4,161.73

Dump fees: \$964.60

Dwelling Repairs: \$6,018.78 ACV, less \$174.08 depreciation, \$5,844.70 ACV

Other Structures (Shed Flooring): \$950.40, less \$126.72 depreciation, \$823.68 ACV

Contents: \$638.90

R&R Refrigerator (3): \$522.18 RCV, less \$119.538 depreciation, \$402.65 ACV

Futon Mattress: \$100.00 RCV, less \$25.00 depreciation, \$75.00 ACV

Electric Generator: \$75.00 RCV, less \$18.75 depreciation, \$56.25 ACV

Bed Mattress: \$150.00 RCV, less \$45.00 depreciation, \$105.00 ACV

*Replacement cost values were calculated for a similar replacement at the time of the loss. Attached are some current comparable items.

Driveway Cleaning/Pressure Washing Debris: \$1,160.26

DISCUSSION/RECOMMENDATION: Liability is probable. Bobby Vida with DWS confirmed the hub end of the 30" transmission line split and broke off. It is 42 years old and buried 5-8' deep. DWS is responsible for the transmission line, but they only maintain the valves and tank controls that come off the transmission line. We recommend settling this claim for \$13,593.87.

APPROVED:

APPROVED:

Victoria J. Takayesu
Acting Corporation Counsel

Richard T. Bissen Jr.
Mayor – County of Maui

Date: _____

Date: _____

ENCLOSURES:

1. County of Maui Claim Form
2. Photos
3. Mitigation Estimate
4. Repair/Claim Estimate
5. Statement of Loss
6. Comparable Items
7. Executed Release (2)

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

June 10, 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 Paul Cleveland, of 404 Auhana Road, Kihei, which was received by our office on June 10, 2021.

Respectfully,

A handwritten signature in cursive script that reads "Kathy L. KaoHu".

KATHY L. KAOHU
County Clerk

Attachment

cc: Mayor
Corporation Counsel
Council Chair

/lks

COUNTY OF MAUI
CLAIM FOR DAMAGE OR INJURY

RECEIVED

2021 JUN 10 PM 1:00

PLEASE PRINT CLEARLY

1. Claimant: Mr. Mrs. Ms. Paul Cleveland OFFICE OF THE COUNTY CLERK
2. Address: 404 Auhana Rd Kihei, HI 96753
3. Telephone No. 808 870 1539 Email: grovestar@aol.com

4. Date of Accident: May 5 2021
5. Location of Accident: 404 Auhana Rd Kihei HI 96753
6. Amount of Claim: Property Damage \$ 32,161.73 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.

Approx 10:30 pm we heard loud roar. Look out front door to see 2 ft of fast moving water coming down my driveway and under my house and thru my yard. We noticed strong sewage smell also. We called 911 and reported flooding. we checked on neighbors who were also flooding and in danger from injury of objects raining by. As the night progressed and emergency response took over nobody made an attempt

8. If you carry insurance applicable to this claim, please provide the name and address of the insurance company and your policy number.
Dongbu Insurance / 1440 Kapiolani Blvd suite 950 Honolulu HI Policy No. CLEVELPAVL100

A. Did you file a claim with your insurance company? yes
If yes, amount claimed \$ still working Deductible amount \$ 1,000.00

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

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

[Signature]
(Signature of Claimant)

May 25 2021
(Date)



John Mullen & Company

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



8

8-Dwelling

Date Taken: 5/13/2021



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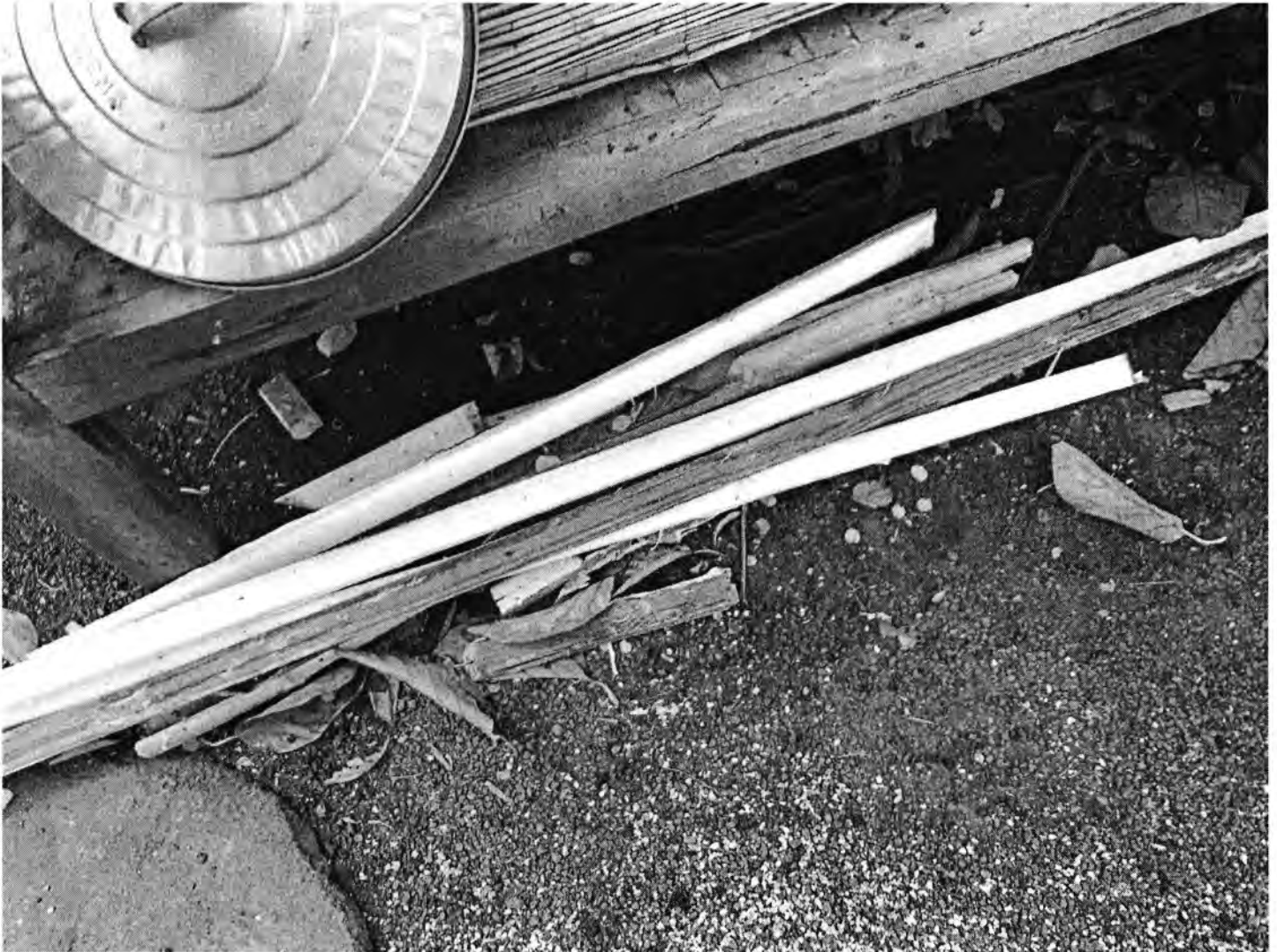
9 9-Dwelling

Date Taken: 5/13/2021



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10 10-Dwelling

Date Taken: 5/13/2021



11 11-Dwelling

Date Taken: 5/13/2021



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12 12-Dwelling

Date Taken: 5/13/2021

FLOOD EVENT CLEAN UP FOR APARTMENT/DRIVEWAY/DUMP RUNS:

LABOR: 28 HOURS @ \$100/HR \$28,000 / owner builder handyman
New sheet rock, paint, concrete floor, cabinets electrical work

Flood Pro: tore out sheet rock and flooring and took damaged goods to the dump -

Total Invoice for Flood pro = \$4,161.73

REBUILD FOR HOME GARAGE APARTMENT:

- GRIND FLOORING
- RECOAT AND SEAL FLOORING
- PAINT WALLS
- INSTALL NEW CABINET BASES AND TOPS
- BUY, DELIVER AND INSTALL NEW COUCH, CABINETS AND REFRIGERATOR
- SEVERAL DUMP RUNS OF WATER DAMAGED GOODS

DRIVEWAY RECLAMATION AND CLEANUP: PHOTOS AND VIDEO AVAILABLE

100 FEET OF DRIVEWAY HAS SEVERAL INCHES OF SAND AND SILT AFTER THE WATER DEPT. RAN A BULLDOZER DOWN THE DRIVEWAY THE DAY AFTER THE FLOOD.

DRIVEWAY WILL NEED TO BE SWEPT, SHOVELED AND THEN PRESSURE WASHED. = 10 hrs

DRIVEWAY ASPHALT IS NOW DAMAGED AND WILL NEED TO BE PATCHED OR REPLACED.

Total For Rebuild and driveway =	28,000.00
total for outside Flood Pro =	4,161.73
sub total	<u>\$32,161.73</u>

To divert the water south to a gulch approximately 200 ft. from the water main break/eruption on our street. 2 barricades diverting the water would have eliminated the threat of danger, damage or potential loss of life for humans or pets.

I stayed by the geyser of water with police and fire responders until past midnight and never saw one Water or County Supervisor arrive. I wanted to suggest diverting the water into the gulch instead of it raging down our driveway and under our home.

It was a scary night for our entire neighborhood. I was concerned about the foundation of our home withstanding the barrage of water for that many hours with no stopping in sight.

We have experienced 100 yr. flood waters from rain events in the past but nothing of this magnitude or strength of flow.

7am-10am:

I returned to see the water department beginning clean up with a backhoe. They dredged the hole and were diverting red mud filled water BACK down our street and again down our driveway and under our house. All of this has been video documented. My tenant located the Water Dept. supervisor and requested them to stop sending the mud filled filthy torrent of water back down our property. The supervisor was very responsive when he realized the mistake. He told her he thought there was a drain in front of our property which there definitely is not. The Water Department then redirected the hoses gushing muddy water in another less damaging direction. Unfortunately, it was too late for our property. It was loaded with filthy silt which we are STILL cleaning up.

The Water Department sent a loader to scrape loads of silty mud from our driveway but we really needed more help. I am still power washing the driveway and shoveling up huge amounts of muddy silt. It is blowing into our home.

Our entire neighborhood is on septic systems which overflowed the night of the water main break. Disgusting.

We have 37 years of memories from under the house which are ruined. Family photos, VHS tapes, Christmas decorations, camping gear, lawn equipment, generators, etc. GONE.

Damage report: PHOTOS AVAILABLE

HOME GARAGE SPACE:

- Sheetrock and Insulation removed to 4'
- Dried inner walls
- Flooring entirely ripped up, treated for mold

Damage:

\$1000 Cabinets: 3 lower base cabinets ripped out due to water damage
\$450 Refrigerator: was underwater but still runs, safely issue
\$250 Flooring: approximately 120 sq ft of oak laminate flooring
\$400 Couch with pull out bed
\$200 Sheet Rock, mud screws, new paint

GARDEN SHACK: 10'x10' wood structure with screen

Damage:

\$150 Flooring: 100 sq ft laminate flooring
\$250 Futon Couch, wood frame with futon mattress
\$150 spare queen mattress
\$500 Mini Fridge with bar
\$1050 Pool Pumps: 3 piece above ground pool pumps (\$350 each)
\$500 Pool Salination Pump

EQUIPMENT LOSS: PHOTOS AVAILABLE

\$2048 WHIRLPOOL TOP LOADING WASHER AND DRYER
\$3000 SOD CUTTER
\$2000 EDGERITE MACHINE
\$2000 VERTICUTTER
\$2500 TRENCHER
\$1500 DRILL TYPE JACKHAMMER FOR UNDER DRIVEWAY
\$360 HONDA CULTIVATOR
\$360 ECHO CULTIVATOR
\$600 FOLEY BELLSAW BACKLAP MACHINE
\$250 CRAFTSMAN RADIAL ARMSAW
\$180 CRAFTSMAN DRILL PRESS
\$120 COBALT AIR COMPRESSOR
\$350 EMGLO AIR COMPRESSOR
\$250 STANLEY PAINT GUN & SPRAYER
\$2500 DEWALT CONTRACOR TABLE SAW
\$250 SHINDAIWA T-27 WEEDEATER
\$125 ECHO POLE HEDGE TRIMMER
\$479 ECHO SHRED & VAC BLOWER
\$600 MCLANE 20" REEL MOWER
\$329 RYOBI PRESSURE WASHER
\$159 KELTY BACKPACK
\$79 MOUNTAIN SMITH TOUR LUMBAR BACKPACK
\$120 DA KINE HELI PRO BACK PACK



John Mullen & Company

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1 1-Point of entry

Date Taken: 5/13/2021



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2 2-Dwelling

Date Taken: 5/13/2021



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3 3-Dwelling

Date Taken: 5/13/2021



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4 4-Dwelling

Date Taken: 5/13/2021



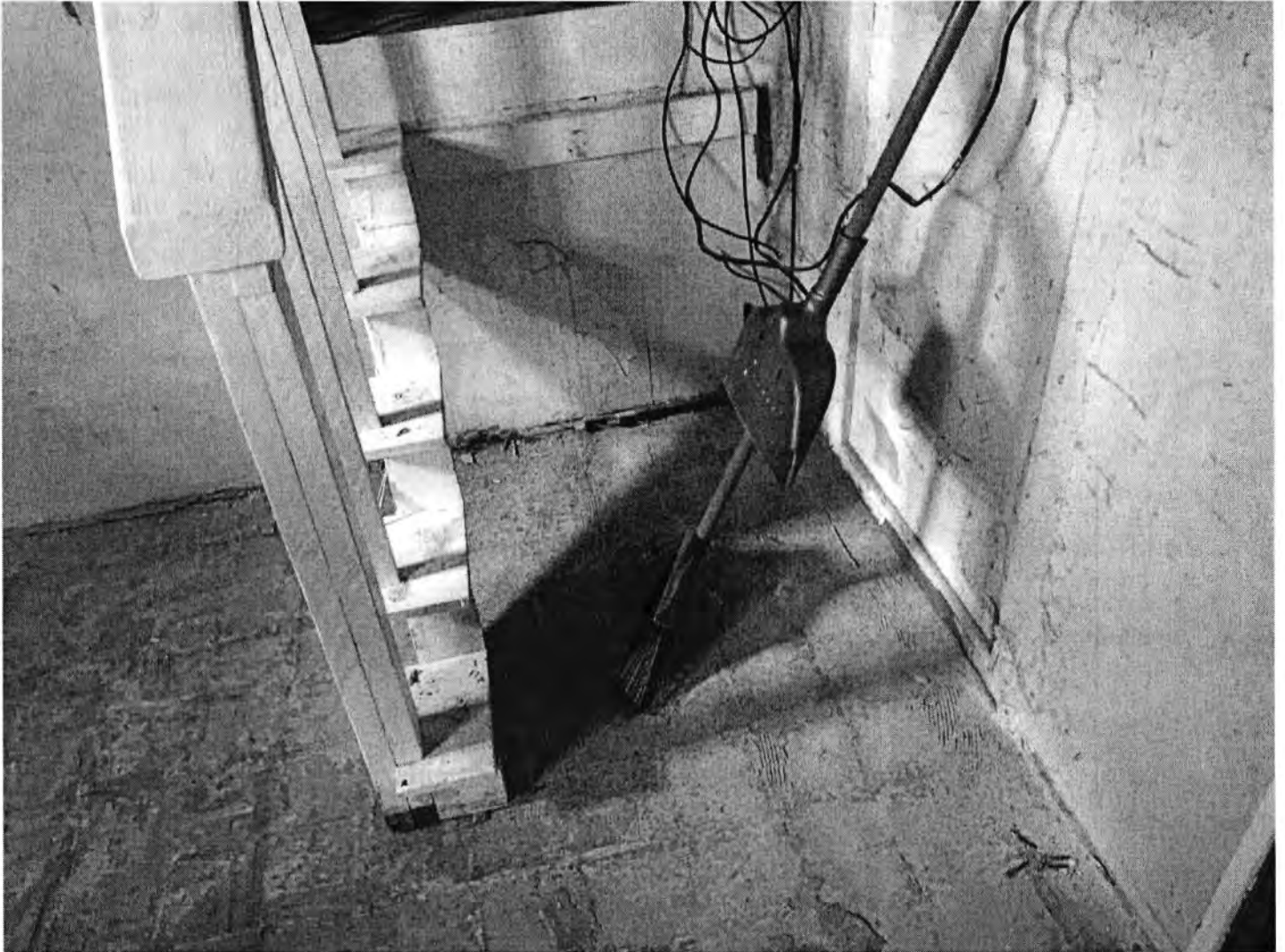
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5 5-Dwelling

Date Taken: 5/13/2021



6 6-Dwelling

Date Taken: 5/13/2021



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7 7-Dwelling

Date Taken: 5/13/2021



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13 13-Dwelling

Date Taken: 5/13/2021



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14 14-Dwelling

Date Taken: 5/13/2021



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15 15-Personal Property

Date Taken: 6/14/2021



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16 16-Personal Property

Date Taken: 6/16/2021



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17 17-Personal Property

Date Taken: 6/16/2021



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18 18-Driveway

Date Taken: 5/13/2021



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19 19-Driveway

Date Taken: 5/13/2021



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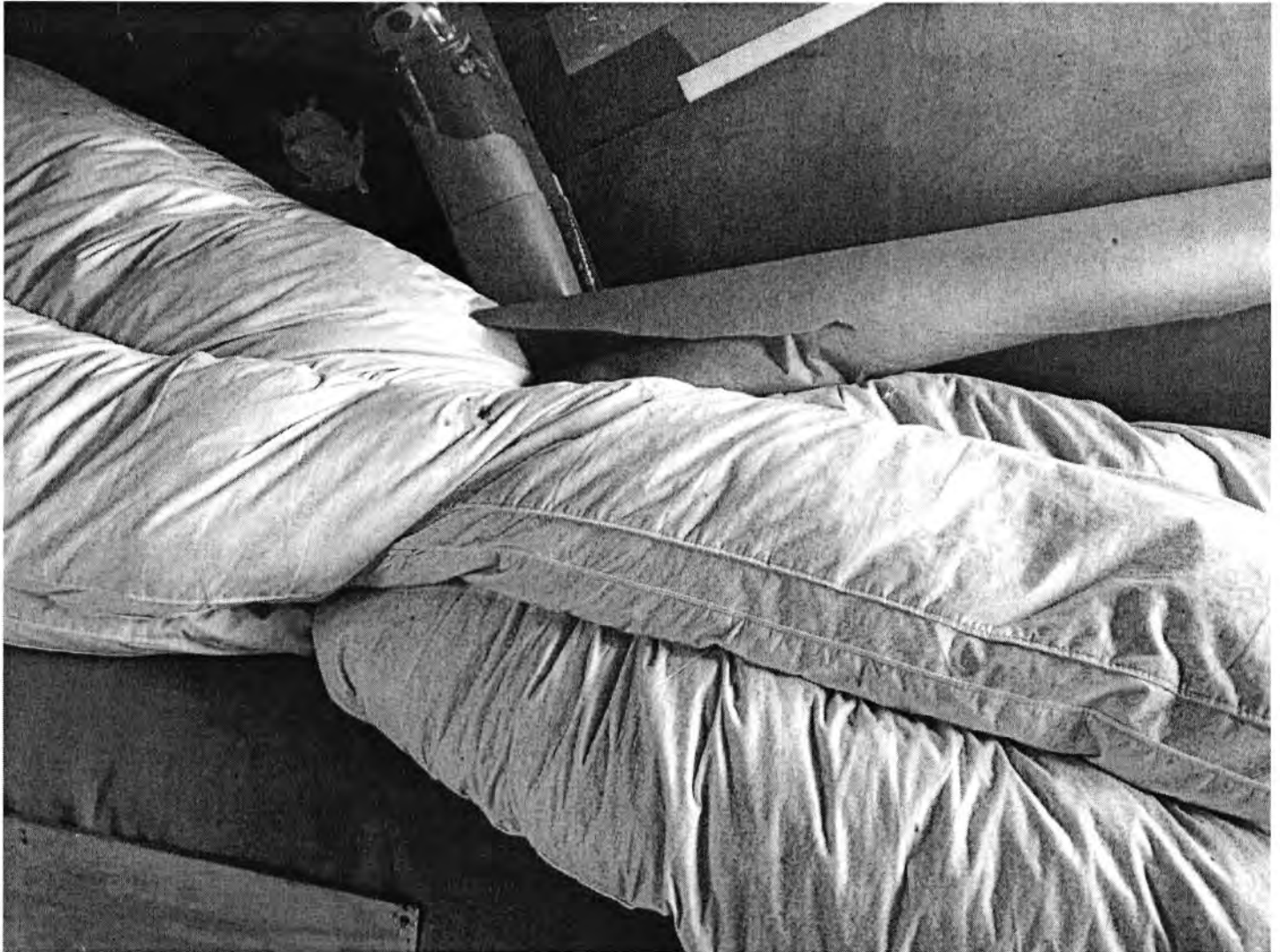
20 20-Personal property

Date Taken: 5/13/2021



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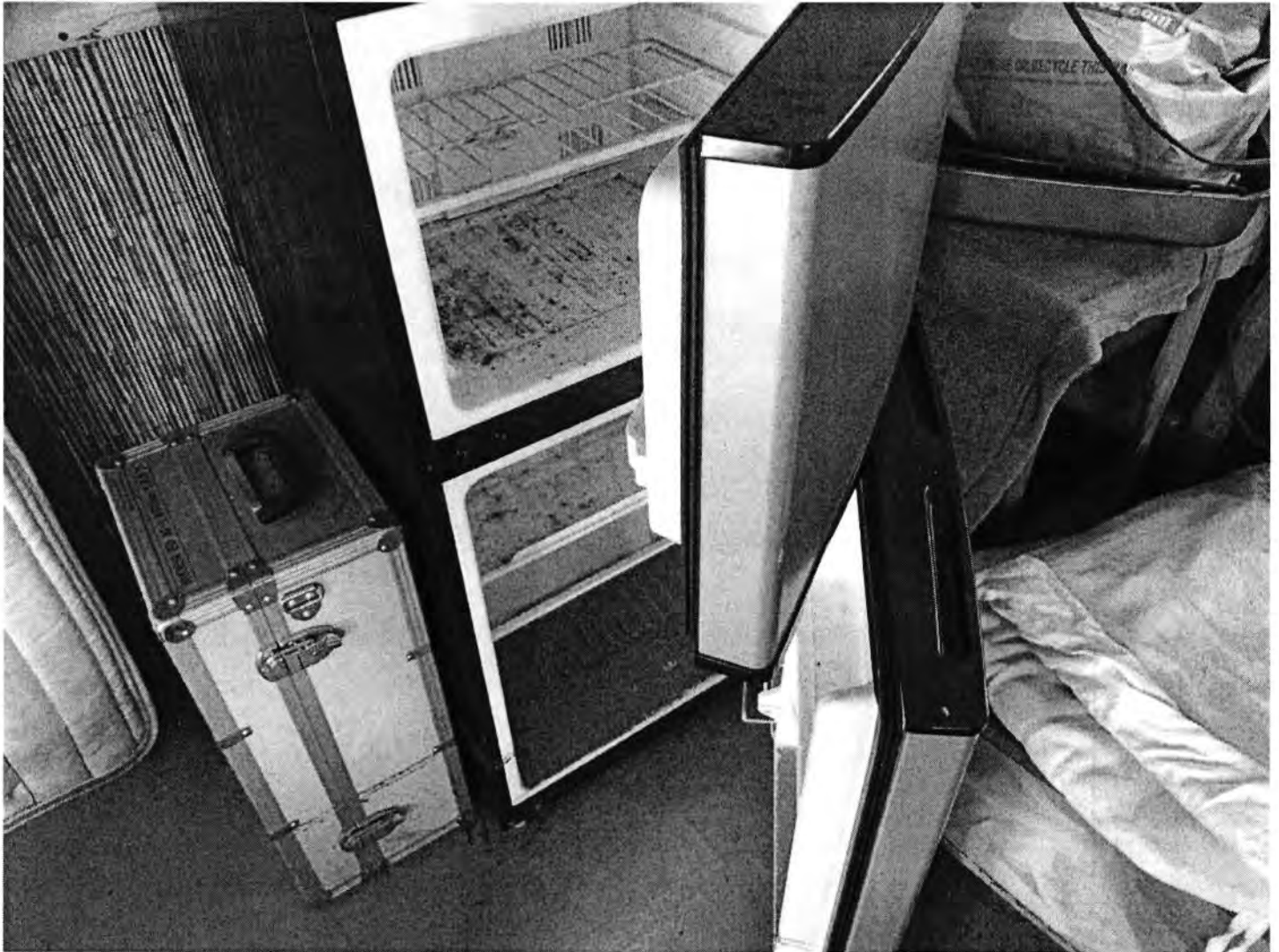
21 21-Personal property

Date Taken: 5/13/2021



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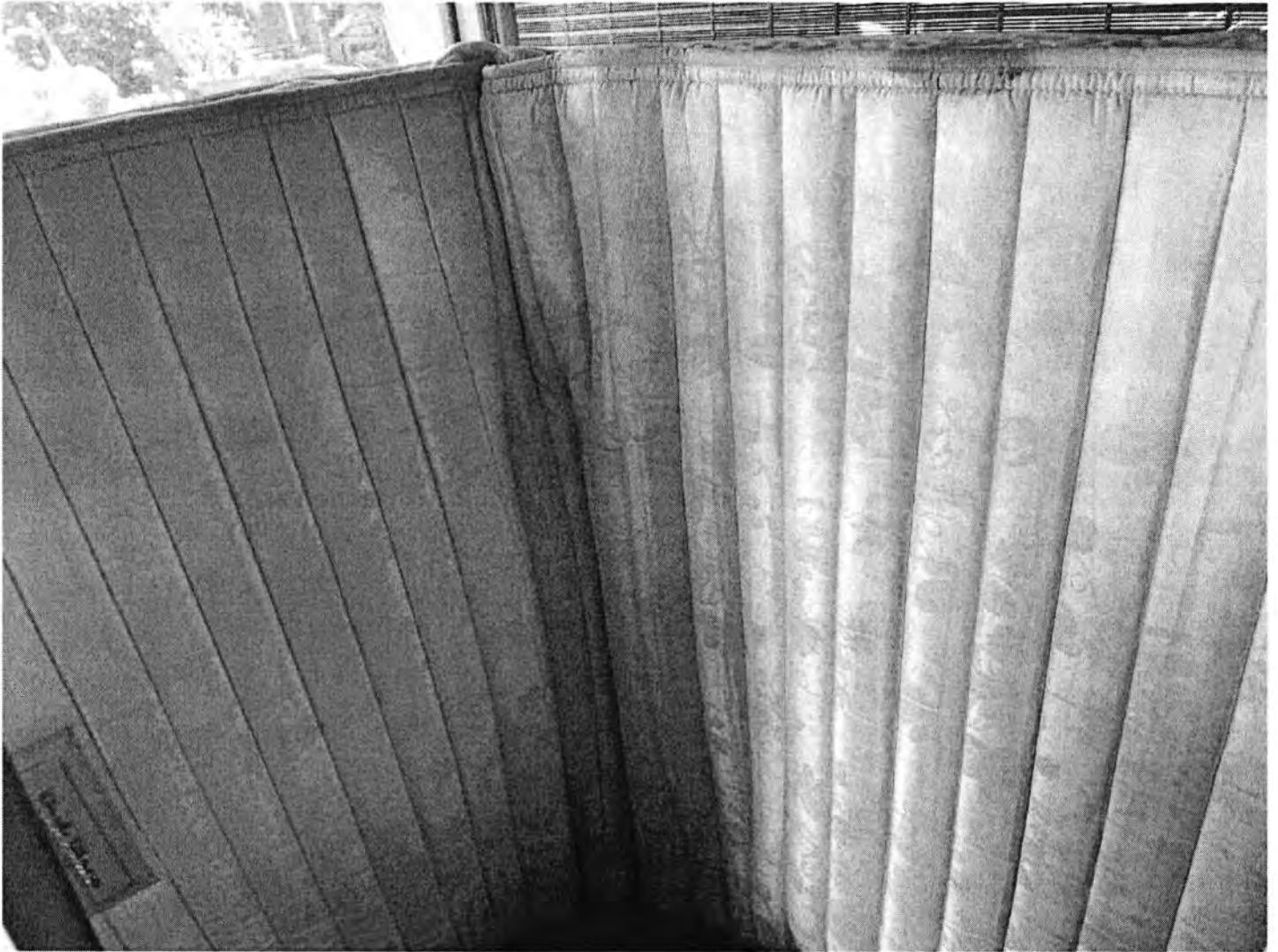
22 22-Personal property

Date Taken: 5/13/2021



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23 23-Personal property

Date Taken: 5/13/2021



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24

24-Personal property

Date Taken: 5/13/2021



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25 25-Personal property

Date Taken: 5/13/2021



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26 26-Personal property

Date Taken: 5/13/2021



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27 27-Personal Property

Date Taken: 5/13/2021



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28 28-Personal Property

Date Taken: 5/13/2021



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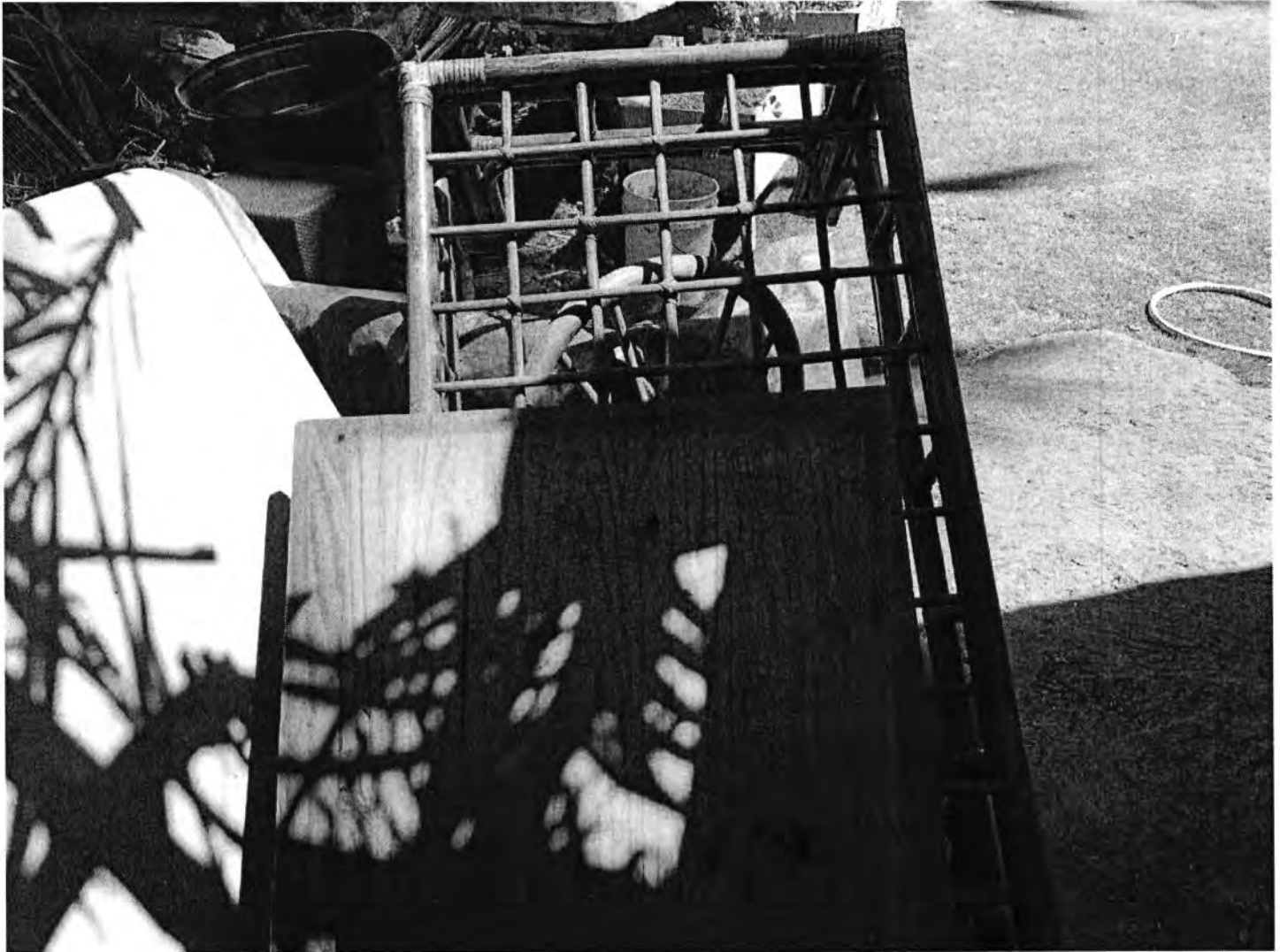
29 29-Personal Property

Date Taken: 5/13/2021



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30 30-Personal Property

Date Taken: 5/13/2021



31 31-Personal Property

Date Taken: 5/13/2021



John Mullen & Company

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32 32-Personal Proepty

Date Taken: 5/13/2021



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33 33-Personal Proepty

Date Taken: 5/13/2021



John Mullen & Company

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



34

34-Personal Proepty

Date Taken: 5/13/2021

Flood Pro Hawaii LLC
 167 Auoli Dr
 Makawao, HI 96768
 +1 8082501152
 jack@floodprohawaii.com
 FLOODPROHAWAII.COM



INVOICE

BILL TO

Paul Cleveland
 404 Auhana RD
 Kihei, HI 96753 USA

INVOICE # 1317
DATE 06/04/2021
DUE DATE 07/04/2021
TERMS Net 30

DESCRIPTION	QTY	RATE	AMOUNT
Water Damage:Remove Drywall Removal of damaged Drywall	240	1.07	256.80
Services replace drywall with tape mud and texture	240	5.22	1,252.80
Painting services Walls	480	1.43	686.40
Cleaning:Hepa Vacuuming Hepa Vacuuming to reduce particulate in the environment.	440	0.72	316.80
Deep Fungal clean Wipe all surfaces with an anti microbial	440	0.29	127.60
Water Damage:monitor equipment Monitor the equipment and drying process	2	60.00	120.00
Pick up dump run	1	150.00	150.00
Remove damages baseboards	60	1.00	60.00
Painting services Baseboards	60	3.38	202.80
Repair and Replace:Baseboard content manipulation	60	4.12	247.20
Repair and Replace:Mask and Prep for Paint	3	60.00	180.00
Repair and Replace:Mask and Prep for Paint	60	2.10	126.00
Water Damage:Tare our Cabinetry	15	18.56	278.40
Hawaii General Excise Tax:Hawaii GET 4.166% (income) Hawaii General Excise Tax 4.166%	3,815	0.04166	158.93

BALANCE DUE

\$4,163.73

Flood Pro Hawaii LLC
 167 Auoli Dr
 Makawao, HI 96768
 +1 8082501152
 jack@floodprohawaii.com
 FLOODPROHAWAII.COM



INVOICE

BILL TO

Paul Cleveland
 404 Auhana RD
 Kihei, HI 96753 USA

INVOICE # 1317
DATE 06/04/2021
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Water Damage:Tare our Cabinetry	15	18.56	278.40
Hawaii General Excise Tax:Hawaii GET 4.166% (income) Hawaii General Excise Tax 4.166%	3,815	0.04166	158.93

BALANCE DUE

\$4,163.73

Statement of Loss

Claim # 4070202

John Mullen & Company

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

3/5/2022

Adjuster
 Phone

Insured Name Paul Joseph Cleveland

Loss Address 404 Auhana Rd., Kihei, HI 96753

Phone Number

Other Phone

Ins Claim # 4070202

Date of Loss 5/6/2021

Ins Company

Abstract of Coverage

Policy #	Effective			
Forms				
Coverage	Limit		Co-Insurance	Deductible
Dwelling	\$365,581.00			\$0.00
Other Structures	\$36,558.00			\$0.00
Contents	\$182,790.00			\$0.00

Coverage - Dwelling

Coverage	Limit	RC Detail	ACV Detail	Value	Loss	Claim
Coverage	\$365,581.00	Not Applicable				
Replacement Cost Value		\$0.00		\$0.00		
Actual Cash Value			\$0.00	\$0.00		
Total Estimated Loss		\$11,145.11	\$11,145.11		\$11,145.11	
Less Depreciation			(\$174.08)			
ACV Loss			\$10,971.03			
Less Non-Recoverable Depreciation		(\$174.08)				
Sub-Total		\$10,971.03	\$10,971.03			
Less Deductible Applied		(\$0.00)	(\$0.00)			
Adjusted Loss Amount		\$10,971.03	\$10,971.03			\$10,971.03
Recoverable Depreciation		\$0.00				

Coverage - Other Structures

Coverage	Limit	RC Detail	ACV Detail	Value	Loss	Claim
Coverage	\$36,558.00	Not Applicable				
Replacement Cost Value		\$0.00		\$0.00		
Actual Cash Value			\$0.00	\$0.00		
Total Estimated Loss		\$2,110.66	\$2,110.66		\$2,110.66	
Less Depreciation			(\$126.72)			
ACV Loss			\$1,983.94			
Less Non-Recoverable Depreciation		(\$126.72)				
Sub-Total		\$1,983.94	\$1,983.94			
Less Deductible Applied		(\$0.00)	(\$0.00)			
Adjusted Loss Amount		\$1,983.94	\$1,983.94			\$1,983.94
Recoverable Depreciation		\$0.00				

Coverage - Contents

Coverage \$182,790.00 Not Applicable

	RC Detail	ACV Detail	Value	Loss	Claim
Replacement Cost Value	\$0.00		\$0.00		
Actual Cash Value		\$0.00	\$0.00		
Total Estimated Loss	\$847.18	\$847.18		\$847.18	
Less Depreciation		(\$208.28)			
ACV Loss		\$638.90			
Less Non-Recoverable Depreciation	(\$208.28)				
Sub-Total	\$638.90	\$638.90			
Less Deductible Applied	(\$0.00)	(\$0.00)			
Adjusted Loss Amount	\$638.90	\$638.90			\$638.90
Recoverable Depreciation	\$0.00				

Total Loss & Claim				\$14,102.95	\$13,593.87
-------------------------------	--	--	--	--------------------	--------------------

Total Recoverable Depreciation	\$0.00
---------------------------------------	---------------

A copy of this document does not constitute a settlement of this claim. The above figures are subject to insurance company approval.

Accepted by _____



John Mullen & Company

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

Insured: Paul Joseph Cleveland
Property: 404 Auhana Rd.
Kihei, HI 96753

Estimator: Kevin Frost
Company: John Mullen and Company

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

Claim Number: 4070202

Policy Number:

Type of Loss: Water Damage

Date Contacted: 5/7/2021 12:00 AM
Date of Loss: 5/6/2021 12:00 AM
Date Inspected: 5/13/2021 12:00 AM

Date Received: 5/7/2021 12:00 AM
Date Entered: 7/3/2021 10:04 AM

Price List: HIWA8X_NOV21
Restoration/Service/Remodel
Estimate: 4070286-SUB

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. §431:10C-307.7

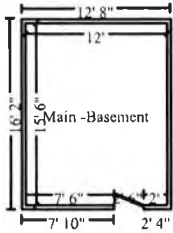


John Mullen & Company

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

4070286-SUB

Main Level



Main -Basement

Height: 8'

440.00 SF Walls
 626.00 SF Walls & Ceiling
 20.67 SY Flooring
 55.00 LF Ceil. Perimeter

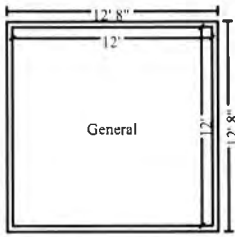
186.00 SF Ceiling
 186.00 SF Floor
 55.00 LF Floor Perimeter

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
DRYWALL									
1. Mask wall - plastic, paper, tape (per LF)									
55.00	LF	1.77	5.50	19.60	122.45	0/150 yrs	Avg.	0%	<0.00> 122.45
2. Texture drywall - machine									
206.25	SF	0.66	7.35	27.32	170.80	15/150 yrs	Avg.	10%	<1.24> 169.56
3. Texture drywall - smooth / skim coat									
206.25	SF	1.84	20.32	76.16	475.98	15/150 yrs	Avg.	10%	<3.09> 472.89
4. Drywall tape joint/repair - per LF									
41.25	LF	10.79	22.98	89.16	557.23	15/150 yrs	Avg.	10%	<1.69> 555.54
5. 1/2" - drywall per LF - up to 4' tall									
41.25	LF	19.44	46.52	161.60	1,010.02	15/150 yrs	Avg.	10%	<14.73> 995.29
FLOORING									
6. Snaplock Laminate - simulated wood flooring									
186.00	SF	9.04	111.07	341.42	2,133.93	0/25 yrs	Avg.	0%	<0.00> 2,133.93
7. Floor prep (scrape rubber back residue)									
186.00	SF	1.15	10.69	42.78	267.37	0/10 yrs	Avg.	0%	<0.00> 267.37
PAINT									
8. Mask the floor per square foot - plastic and tape - 4 mil									
186.00	SF	0.30	3.20	11.24	70.24	0/15 yrs	Avg.	0%	<0.00> 70.24
9. Concrete sealer - brush or spray applied									
186.00	SF	0.97	14.14	37.06	231.62	15/4 yrs	Avg.	100% [M]	<117.18> 114.44
10. Seal the surface area w/latex based stain blocker - one coat									
206.25	SF	0.80	8.97	33.14	207.11	5/15 yrs	Avg.	33.33%	<5.50> 201.61
11. Paint the walls - two coats									
440.00	SF	1.19	30.03	105.46	659.09	5/15 yrs	Avg.	33.33%	<29.33> 629.76
12. Paint door or window opening - 2 coats (per side)									
1.00	EA	39.96	2.17	8.04	50.17	5/15 yrs	Avg.	33.33%	<1.32> 48.85
PREP-POST CONSTRUCTION									
13. Final cleaning - construction - Residential									
186.00	SF	0.27	2.51	10.04	62.77	0/NA	Avg.	0%	<0.00> 62.77
Totals: Main -Basement		285.45	963.02	963.02	6,018.78				174.08 5,844.70



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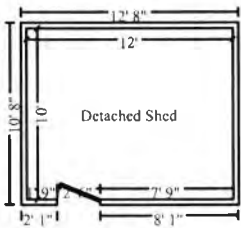
General

Height: 8'

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

144.00 SF Ceiling
 144.00 SF Floor
 48.00 LF Floor Perimeter

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV	
14. Water Extraction & Remediation: Flood Pro*										
1.00	EA	4,161.73	0.00	0.00	4,161.73	0/NA	Avg.	0%	<0.00>	4,161.73
15. Single axle dump truck - per load - including dump fees										
2.00	EA	385.84	38.58	154.34	964.60	0/NA	Avg.	NA	<0.00>	964.60
Totals: General			38.58	154.34	5,126.33				0.00	5,126.33



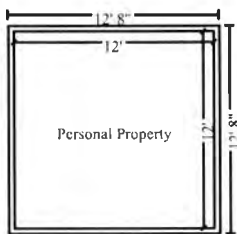
Detached Shed

Height: 8'

352.00 SF Walls
 472.00 SF Walls & Ceiling
 13.33 SY Flooring
 44.00 LF Ceil. Perimeter

120.00 SF Ceiling
 120.00 SF Floor
 44.00 LF Floor Perimeter

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV	
16. Snaplock Laminate - simulated wood floor - Standard grade										
120.00	SF	7.92	0.00	0.00	950.40	12/25 yrs	Avg.	48%	<126.72>	823.68
Totals: Detached Shed			0.00	0.00	950.40				126.72	823.68



Personal Property

Height: 8'

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

144.00 SF Ceiling
 144.00 SF Floor
 48.00 LF Floor Perimeter

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV	
17. R&R Refrigerator - compact (under counter) - Standard grade										
3.00	EA	174.06	0.00	0.00	522.18	5/14 yrs	Avg.	35.71%	<119.53>	402.65



John Mullen & Company

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CONTINUED - Personal Property

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
18. Futon Mattress*									
1.00 EA	100.00	0.00	0.00	100.00	0/NA	Avg.	25% [%]	<25.00>	75.00
19. Electric Generator*									
1.00 EA	75.00	0.00	0.00	75.00	0/NA	Avg.	25% [%]	<18.75>	56.25
20. Bed Mattress*									
1.00 EA	150.00	0.00	0.00	150.00	0/NA	Avg.	30% [%]	<45.00>	105.00
Totals: Personal Property		0.00	0.00	847.18				208.28	638.90
Total: Main Level		324.03	1,117.36	12,942.69				509.08	12,433.61

Driveway



Driveway

Height: 8'

1601.33 SF Walls	736.67 SF Ceiling
2338.00 SF Walls & Ceiling	736.67 SF Floor
81.85 SY Flooring	200.17 LF Floor Perimeter
200.17 LF Ceil. Perimeter	

QUANTITY	UNIT	TAX	O&P	RCV	AGE/LIFE	COND.	DEP %	DEPREC.	ACV
21. Driveway repairs*									
1.00 EA	1,160.26	0.00	0.00	1,160.26	0/NA	Avg.	0%	(0.00)	1,160.26
Totals: Driveway		0.00	0.00	1,160.26				0.00	1,160.26
Total: Driveway		0.00	0.00	1,160.26				0.00	1,160.26
Line Item Totals: 4070286-SUB		324.03	1,117.36	14,102.95				509.08	13,593.87

[%] - 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:

3,161.33 SF Walls	1,330.67 SF Ceiling	4,492.00 SF Walls and Ceiling
1,330.67 SF Floor	147.85 SY Flooring	395.17 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	395.17 LF Ceil. Perimeter
1,330.67 Floor Area	1,464.61 Total Area	3,161.33 Interior Wall Area
3,676.50 Exterior Wall Area	408.50 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	

Coverage	Item Total	%	ACV Total	%
Dwelling	11,145.11	79.03%	10,971.03	80.71%
Other Structures	2,110.66	14.97%	1,983.94	14.59%
Contents	847.18	6.01%	638.90	4.70%
Total	14,102.95	100.00%	13,593.87	100.00%



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Summary for Dwelling

Line Item Total	9,703.72
Material Excise Tax	44.77
Subtotal	9,748.49
Overhead	558.68
Profit	558.68
General Excise Tax	279.26
Replacement Cost Value	\$11,145.11
Less Non-recoverable Depreciation	<174.08>
Actual Cash Value	\$10,971.03
Net Claim	\$10,971.03

Kevin Frost



John Mullen & Company

677 Ala Moana Blvd. Suite #910, Honolulu, HI 96813
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Summary for Other Structures

Line Item Total	2,110.66
Replacement Cost Value	\$2,110.66
Less Non-recoverable Depreciation	<126.72>
Actual Cash Value	\$1,983.94
Net Claim	\$1,983.94

Kevin Frost



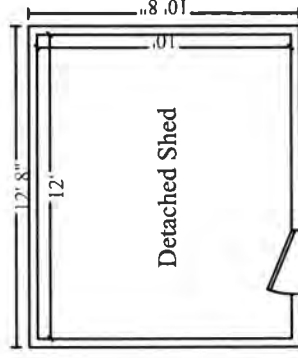
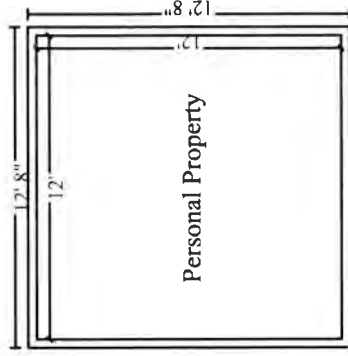
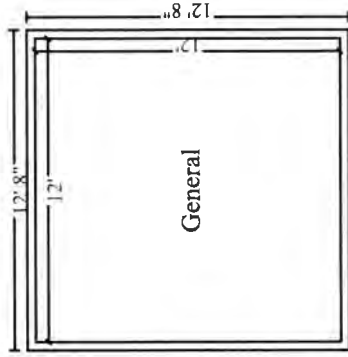
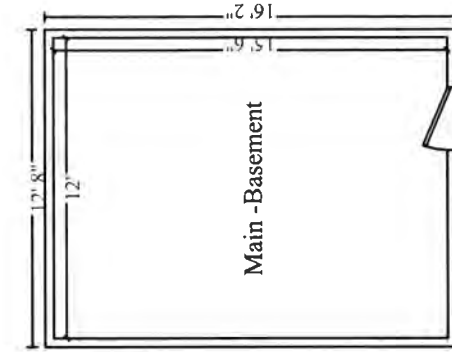
John Mullen & Company

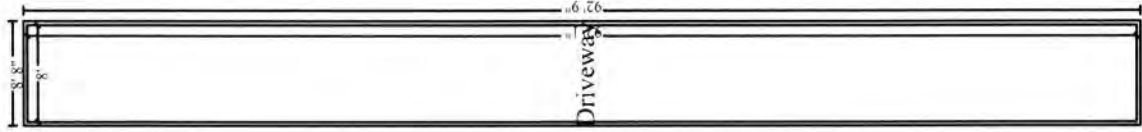
677 Ala Moana Blvd. Suite #910, Honolulu, HI 96813
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Summary for Contents

Line Item Total	847.18
Replacement Cost Value	\$847.18
Less Non-recoverable Depreciation	<208.28>
Actual Cash Value	\$638.90
Net Claim	\$638.90

Kevin Frost





Statement of Loss

Claim # 4070202

John Mullen & Company

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

3/5/2022

Adjuster
 Phone

Insured Name Paul Joseph Cleveland

Loss Address 404 Auhana Rd., Kihei, HI 96753

Phone Number

Other Phone

Ins Claim # 4070202

Date of Loss 5/6/2021

Ins Company

Abstract of Coverage

Policy #	Effective			
Forms				
Coverage	Limit		Co-Insurance	Deductible
Dwelling	\$365,581.00			\$0.00
Other Structures	\$36,558.00			\$0.00
Contents	\$182,790.00			\$0.00

Coverage - Dwelling

Coverage	Limit	RC Detail	ACV Detail	Value	Loss	Claim
Coverage	\$365,581.00	Not Applicable				
Replacement Cost Value		\$0.00		\$0.00		
Actual Cash Value			\$0.00	\$0.00		
Total Estimated Loss		\$11,145.11	\$11,145.11		\$11,145.11	
Less Depreciation			(\$174.08)			
ACV Loss			\$10,971.03			
Less Non-Recoverable Depreciation		(\$174.08)				
Sub-Total		\$10,971.03	\$10,971.03			
Less Deductible Applied		(\$0.00)	(\$0.00)			
Adjusted Loss Amount		\$10,971.03	\$10,971.03			\$10,971.03
Recoverable Depreciation		\$0.00				

Coverage - Other Structures

Coverage	Limit	RC Detail	ACV Detail	Value	Loss	Claim
Coverage	\$36,558.00	Not Applicable				
Replacement Cost Value		\$0.00		\$0.00		
Actual Cash Value			\$0.00	\$0.00		
Total Estimated Loss		\$2,110.66	\$2,110.66		\$2,110.66	
Less Depreciation			(\$126.72)			
ACV Loss			\$1,983.94			
Less Non-Recoverable Depreciation		(\$126.72)				
Sub-Total		\$1,983.94	\$1,983.94			
Less Deductible Applied		(\$0.00)	(\$0.00)			
Adjusted Loss Amount		\$1,983.94	\$1,983.94			\$1,983.94
Recoverable Depreciation		\$0.00				

Coverage - Contents

Coverage \$182,790.00 Not Applicable

	RC Detail	ACV Detail	Value	Loss	Claim
Replacement Cost Value	\$0.00		\$0.00		
Actual Cash Value		\$0.00	\$0.00		
Total Estimated Loss	\$847.18	\$847.18		\$847.18	
Less Depreciation		(\$208.28)			
ACV Loss		\$638.90			
Less Non-Recoverable Depreciation	(\$208.28)				
Sub-Total	\$638.90	\$638.90			
Less Deductible Applied	(\$0.00)	(\$0.00)			
Adjusted Loss Amount	\$638.90	\$638.90			\$638.90
Recoverable Depreciation	\$0.00				

Total Loss & Claim			\$14,102.95	\$13,593.87
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Total Recoverable Depreciation	\$0.00
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A copy of this document does not constitute a settlement of this claim. The above figures are subject to insurance company approval.

Accepted by _____

Futon Mattress



Check out these related products



Mini Refrigerator:

In 50+ people's carts

Sponsored

Best Deal



Q&A

DHP Caden 6 Inch Thermobonded High Density Polyester Fill Futon Mattress, Full, Black

★★★★☆ (17) 80,125 sold

\$104.18

Price when purchased online

Size: Full

6" Full \$104.18

8" Full \$126.14

Actual Color: Black



How do you want your item?



Sponsored

Q&A

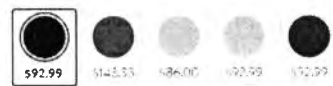
Caddie 6" Thermobonded High Density Polyester Fill Futon Mattress, Full, Black Linen (Frame Not Included)

★★★★☆ (7) 15,165 sold

\$92.99

Price when purchased online

Actual Color: Black



\$86.00

How do you want your item?





2020/11/11



Upstreman

Upstreman 3.2 Cu.ft Single Door Mini Fridge, Mini Fridge with Freezer

★★★★ (43) 129 Reviews

\$189.97

\$18/mo with **affirm** [Learn how](#)

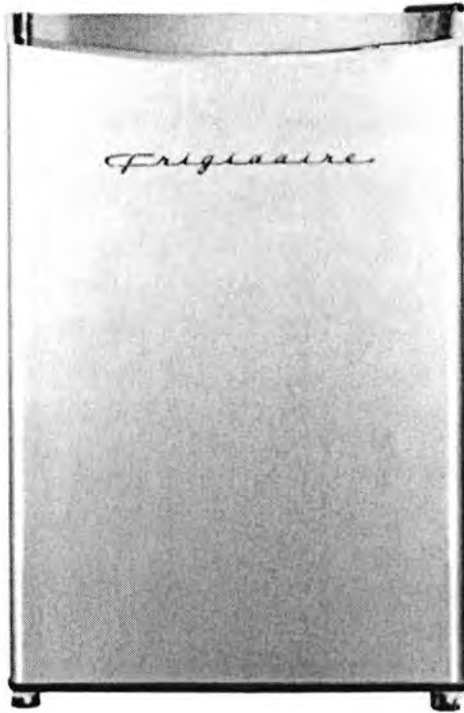
Price when purchased online

How do you want your item?



Kahului, 96732 **Change**

Arrives by Mon, Dec 19



Frigidaire EFR321-AMZ 3.3 cu ft Stainless Steel Mini Fridge, Perfect for Home or The Office, Platinum Series

Visit the FRIGIDAIRE Store

262 ratings | 14 answered questions

~~\$139.99~~ **\$173.99**

Low Price Guarantee

FREE Returns

or 5 monthly payments of \$34.80

You could have earned \$238.31 in rewards on your Amazon purchases over the past year with 5% back with an Amazon Prime Rewards Visa Card. Apply now and get a \$150 Amazon Gift Card upon approval. [Learn more](#)

May be available at a lower price from other sellers, potentially without free Prime shipping.

Size: 3.3 cu ft

2.5 cu ft 3.3 cu ft 4.5 cu ft

Style: Refrigerator

Refrigerator Refrigerator + Microwave Oven

Refrigerator + Microwave Oven, 0.7cu ft

Brand: Frigidaire

Capacity: 3.3 Cubic Feet

Generator:



Summary

MARBERO 88Wh Portable Power Station 24000mAh Camping Solar Generator(Solar Panel Not Included) Lithium Battery Power 110V/80W AC, DC, USB QC3.0, LED Flashlight for CPAP Home Camping Emergency...

4.4 (2,450)

Limited time deal

\$79.99

prime Same-Day
FREE delivery Today 2 PM - 6 PM
Arrives before Christmas



Westinghouse iGen160s Portable Power Station and Solar Generator, 150 Peak Watts and 100 Rated Watts, 155Wh Battery for Camping, Home, Travel, Indoor and Outdoor Use (Solar Panel Not Included)

4.4 (2,854)

Save 24%

\$105.83

Or 150.25/month for 3 months (no fees or interest)

Lowest price in 30 days
prime Same-Day
FREE delivery Today 2 PM - 6 PM
Arrives before Christmas

Max. quantity: 1 (lower
\$83.61 (24 used & new offers)

Mattress:



6/8/10/12 inch Gel Memory Foam Mattress for Cool Sleep & Pressure Relief, Medium Firm Mattresses CertiPUR-US Certified/Bed-in-a-Box/Pressure Relieving (8 in, Queen)

Visit the FQW Store

4.4 (949 ratings)

\$142.99

You could have earned \$238.31 in rewards on your Amazon purchases over the past year with 5% back with an Amazon Prime Rewards Visa Card. Apply now and get a \$150 Amazon Gift Card upon approval. Learn more

Color: White

Size: Queen

Twins Full Queen King

Style: 8 IN

6 IN 8 IN

Enhance your purchase



Roll over image to zoom in.

VIDEO



Roll over image to zoom in



Sleep Innovations Cool Comfort Dual Layer 4 Inch Memory Foam Mattress Topper, Queen Size, Medium Plush, 2 Inch Cooling Gel Memory Foam Plus 2 Inch Pillow Top Cool Cover

Visit the Sleep Innovations Store
28,745 ratings

\$149⁹⁹

prime

FREE Returns
or 3 monthly payments of \$50.00

Pay \$25.00/month for 6 months, interest-free upon approval for the Amazon Prime Rewards Visa Card

May be available at a lower price from other sellers, potentially without free Prime shipping

Color **Cooling Comfort**



Size **Queen**

California King Full King **Queen** Twin

Brand **Sleep Innovations**

Color **Cooling Comfort**

PROPERTY DAMAGE RELEASE

KNOW ALL MEN BY THESE PRESENTS:

That the Undersigned, being of lawful age, for sole consideration of THIRTEEN THOUSAND FIVE HUNDRED NINETY-THREE AND 87/100 DOLLARS (\$13,593.87), to be paid to DB Insurance Company as subrogee of Paul Cleveland, do/does hereby and for my/our/its heirs, executors, administrators, successors and assigns release, acquit and forever discharge 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 5th day of May, 2021, at or near 404 Auhana Road, 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 30th day of January, 2023.

CAUTION: READ BEFORE SIGNING BELOW

DB Insurance Company Ltd.

Paul Cleveland
Paul Cleveland

NOTARY: State of Hawaii County of Maui SS

On this 20th day of January, 2023, before me appeared Paul Cleveland

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

Melinda Bumalay
Notary Signature

07/15/2026

Date Commission Expires

Doc Date: 01/30/2023 # Pages: 1
Notary Name: Melinda Bumalay Circuit
Doc. Description: Property Damage Release (Stamp or Seal)
Melinda Bumalay 01/30/2023
Notary Signature Date



PROPERTY DAMAGE RELEASE

KNOW ALL MEN BY THESE PRESENTS:

That the Undersigned, being of lawful age, for sole consideration of THIRTEEN THOUSAND FIVE HUNDRED NINETY-THREE AND 87/100 DOLLARS (\$13,593.87), to be paid to DB Insurance Company as subrogee of Paul Cleveland, do/does hereby and for my/our/its heirs, executors, administrators, successors and assigns release, acquit and forever discharge 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 5th day of May, 2021, at or near 404 Auhana Road, 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 30th day of November, 2022.

RAY FOM
 CAUTION: READ BEFORE SIGNING BELOW
 NOTARY PUBLIC
Divina C. Kunimoto, Assistant Claims Manager
 DB Insurance Company Ltd. *DIVINA C. KUNIMOTO*
 No. 08-304
 Paul Cleveland
 STATE OF HAWAII

NOTARY: State of Hawaii; County of Honolulu; SS

On this 30th day of November, 2022, before me appeared _____

Divina Kunimoto

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

[Signature]
Notary Signature

08/10/2024
Date Commission Expires

NOTARY PUBLIC

Doc. Date: <u>11/30/22</u>	# Pages: <u>5</u>
Notary Name: <u>RAY FOM</u>	<u>1</u> Circuit
Doc. Description: <u>Property</u>	
<u>DB Insurance</u>	
Notary Signature: <u>[Signature]</u>	Date: <u>11/30/22</u>