

ORDINANCE NO. _____

BILL NO. 169, CD1 (2025)

A BILL FOR AN ORDINANCE TO ESTABLISH VALUATIONS FOR
SHARED-EQUITY DEED AND GROUND LEASE RESTRICTED
REAL PROPERTY ADMINISTERED BY A QUALIFIED ENTITY

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. The Council finds that attainable housing shared-equity programs administered by community land trusts and other qualified affordable housing enterprises are similar to affordable and workforce housing programs administered by government. The shared-equity deed and ground lease restrictions do not permit resale at market rates in excess of sale price limits. This Ordinance's purpose is to provide a mechanism to recognize these shared-equity deed and ground lease restrictions when assessing real property. This Ordinance provides for criteria that will allow similarly situated properties to be treated fairly under clear, enforceable standards.

SECTION 2. Chapter 3.48, Maui County Code, is amended by adding a new section in Article VII, "Valuations," to read as follows:

"3.48.362 Real property used for housing with shared-equity deed or ground lease restrictions. A. For purposes of this section, a "qualified entity" must:

- 1. Be a community land trust or affordable housing enterprise as determined by the director.**
- 2. Be a nonprofit organization.**
- 3. Have at least three board members.**
- 4. Maintain an inventory of at least three resale-restricted homes.**

5. Administer the inventory of homes through a public application process.

B. A qualified entity may petition the director for a valuation which considers the resale-restricted price contained within a shared-equity deed or ground lease restriction for housing if:

1. The resale-restricted price for the real property does not exceed the median sales price of real property in the neighborhood for the current year.

2. The real property is owner-occupied.

3. The owner maintains the real property home exemption under section 3.48.450 or 3.48.475.

4. The qualified entity is offered a right of first refusal or opportunity in the event of resale.

C. In determining the value, the director must consider the resale-restricted price defined in the shared-equity deed or ground lease restrictions.

D. The petition must be filed with the director by December 31 of the calendar year prior to the January 1 effective date of the assessment."

SECTION 3. Section 3.48.290, Maui County Code, is amended to read as follows:

"3.48.290 Considerations by director. The director must cause the fair market value of all taxable real property to be determined and annually assessed by the market data and cost approaches to value using appropriate systematic methods suitable for mass valuation of properties for taxation purposes, so selected and applied to obtain, [as far as] to the extent possible, uniform and equalized assessments throughout the County, except as follows:

A. For real property tax purposes, the value of land classified and used for agriculture, whether [such] the lands are dedicated in accordance with section 3.48.350 or not, is the value of the land for agricultural use without regard to any value the land might have for other purposes or uses, or to neighboring land uses, and determined as provided in section 3.48.320.

B. For real property tax purposes, the value of land leased under section 207 of the Hawaiian Homes Commission Act, 1920, is \$0.

C. For real property tax purposes, real property subject to shared-equity deed or ground lease restrictions administered by a qualified entity under section 3.48.362 will be valued in the same way as government-administered shared-equity deed restrictions."

SECTION 4. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 5. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Kristie M. Wigglesworth', written over a horizontal line.

Kristie M. Wigglesworth
Department of the Corporation Counsel
County of Maui
2025-11-21 RPTR-15 Bill 169

INTRODUCED BY:


KEANI N. W. RAWLINS-FERNANDEZ

DIGEST

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This bill proposes to preserve attainable housing by: 1) allowing the Director of Finance to consider shared-equity deed restrictions when assessing real property; and 2) setting clear standards to ensure similar properties receive fair treatment.

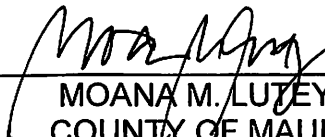
I, MOANA M. LUTEY, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 169, CD1 (2025) was passed on First
Reading by the Council of the County of Maui, State of Hawaii, on the 5th day of
December, 2025, by the following vote:

AYES: Councilmembers Tom Cook, Gabriel Johnson, Tamara A.M. Paltin,
'AE Keani N. W. Rawlins-Fernandez, Nohelani U'u-Hodgins, Vice-Chair
Yuki Lei K. Sugimura, and Chair Alice L. Lee.

NOES: None.
'A'OLE

EXCUSED: Councilmember Shane M. Sinenci.
HO'OKU'U 'IA

DATED at Wailuku, Maui, Hawaii, this 8th of December, 2025.



MOANA M. LUTEY, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,
County of Maui, for use and examination by the public.