

HLU Committee

From: Maureen Ulrich <maureenulrichwrites@gmail.com>
Sent: Friday, June 27, 2025 4:22 AM
To: HLU Committee
Subject: Bill 9 Testimony

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Because I am a Canadian citizen, I have been reluctant to speak out on this legislation. However, here's my situation. My husband and I purchased a one-bedroom unit in South Maui in 2012, when the Canadian dollar was at par with the US dollar. We spend approximately 8 weeks on Maui each year. In 2014, when the Canadian dollar slid, we began employing our condo as an STR . Rental income covers the unit's expenses. Currently we are looking at \$40000/year to maintain it. In past years when there was a profit, we spent the proceeds on Maui, purchasing groceries and gas, eating out, etc. There is no longer a profit so we are supplementing expenses from our savings. A recent assessment to replace complex roofs and pipes set us back \$35000. Insurance rates are climbing. If we are unable to rent out our unit as an STR, we will have to sell it as becoming distant landlords for long term renters is not pragmatic. We love Maui and hoped to enjoy our unit for another ten years (we are in our mid/late sixties), but that seems to be a distant possibility. Aloha.
Sent from my iPhone

HLU Committee

From: Miller Family <alibradjackmax@gmail.com>
Sent: Friday, June 27, 2025 4:58 AM
To: HLU Committee
Subject: Bill 9 Testimony

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Aloha Chair, Vice Chair, and Committee Members,

My name is Ali Miller, and I am the owner of a short-term rental property in Maui County. I am writing with deep respect and concern regarding Bill 9 and the proposed phase-out of vacation rentals.

Our condo building is the only one in the Maui North Shore area. At just 550 square feet, if removed from short-term use, it wouldn't return to the local housing market in a meaningful way. We would retain its use for ourselves and family.

Through our ownership, we have been fortunate to form lasting connections with the community. We work with local businesses and employ cleaners, maintenance workers, service technicians and contractors. These are people we care deeply about — our partners and friends who rely on this work to support their families. Our guests, in turn, contribute to small local businesses, restaurants, and cultural tours. Many have shared that they chose Maui specifically because of the experience they could have staying in a local home rather than a hotel.

We understand and share the desire to protect Maui's residents and resources. We ask that this Council consider a balanced solution that preserves jobs, supports local families, and recognizes that not all short-term rentals have the same impact.

Mahalo for your time and consideration.

Sincerely,

Ali Miller

Sent from my iPhone

HLU Committee

From: Shelby Rodrigues <noreply@adv.actionnetwork.org>
Sent: Friday, June 27, 2025 7:55 AM
To: HLU Committee
Subject: Support for Bill 9 to Phase Out the Minatoya List!

Housing Land Use Committee,

Aloha Councilmembers,

Please SUPPORT Bill 9 to phase out the short term rentals on the Minatoya list without carveouts or special protections for timeshares.

Shelby Rodrigues
shelbyrodrigues@gmail.com

Austin, Texas 78729

HLU Committee

From: Lynn Peabody <lynnpeabody51@gmail.com>
Sent: Friday, June 27, 2025 8:14 AM
To: HLU Committee
Subject: Bill 9 Testimony

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Aloha Chair Kama:

On behalf of the Board of Directors of Wailea Ekahi, I am happy to present this testimony requesting that Wailea Ekahi be excluded from the proposed Bill as suggested by the Planning Commission. My testimony is in addition to that presented via email on June 7, 2025.

Wailea Ekahi, developed in three Phases (TMK 21008064, 21008060, 21008065) and legally merged as each Phase was completed, include the following characteristics as defined in each project's Land Use Declaration Form and Horizontal Property Regimes (Condominium)Public Report:

- Designated as planned Development (PD)
- Multiple Community Planning designations including Multi-Family Residential, Open Space, PUD
- County Zoning Apartment, Business Resort, Open Space, Active Open Space, Hotel, PUD
- An identical Purpose of Buildings and Restrictions As To Use—"...residential properties hereinabove described shall be at all times used as permanent or temporary residences or as hotel rooms and for no other purpose."

The Merger Documents, first between Phase I and Phase II, and subsequently between Phase I, Phase II, and Phase III further define the solidity which binds the entire Wailea Ekahi property. For instance, from the Phase I and Phase II merger document:

"Whereas, upon development of Phase II, in one or more increments, the filing of one or more Declarations of Horizontal Property Regime and Bylaws for Phase II, substantially identical to Phase I Declarations except for the project description (said Declarations of Horizontal

Property Regime and Bylaws hereinafter called the Phase II Declaration), and fulfillment or other conditions, **it is the desire and intention of Owner that the entire Property shall be controlled and administered as a single condominium project.”**

At the time of the merger between Phases I and II, forming a unified property, the Phase II project included the land which was subsequently subdivided into Phases II and III. Upon the completion of Phase III, another merger was finalized. This merger thus created the Wailea Ekahi condominium property which exists today.

In conclusion, Wailea Ekahi resulted from the development of three Phases, with designation as a Planned Development, legally approved to share a common purpose, sharing common land with multiple uses, and with an objective to be controlled and administered as a single condominium project.

It is with these unique characteristics and unique background that we request Wailea Ekahi be excluded from the proposed Bill.

Mahalo for your consideration, and for all that you do for the benefit of Maui.

Lynn Peabody

President

Wailea Ekahi Board of Directors

HLU Committee

From: Dan Welch <daqattack@gmail.com>
Sent: Friday, June 27, 2025 8:30 AM
To: HLU Committee
Subject: Compromise solution for STR phase out bill

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Dear HLU Committee,

Instead of a blanket ban of all Minatoya properties on Maui, has the committee considered converting only the properties in West Maui, as that is where the greatest need and moral responsibility is to help Lahaina wildfire survivors?

Polls show that people from West Maui generally want to stay in West Maui. That is where their family, friends and support are.

Converting all the Kihei STRs will devastate Kihei businesses. Tourists who frequent these lower cost units will not just switch over to \$1000/nite Wailea hotels. Kihei has very few hotels, so Kihei businesses will be the worst to suffer. It is these STR guests that keep all these businesses alive.

Many Kihei businesses are already struggling with bookings down and they will collapse if this STR ban goes through.

Thank you for your consideration.

Dan Welch
Luana Kai Resort

HLU Committee

From: Deborah Notch <debbienotch@mac.com>
Sent: Friday, June 27, 2025 10:44 AM
To: HLU Committee
Subject: Bill 9 Testimony

You don't often get email from debbienotch@mac.com. [Learn why this is important](#)

Aloha Council members,

Please forgive my last minute letter of testimony but I feel it is important to know my story of why I am here.

I love Maui and have been working to protect the condo that I purchased for our family back in 2002.

We dreamed of a honeymoon on Maui when we married in 1984 but my husband, Jeff, could not get enough time off work to travel to Maui.

Our lives would have been so different had we done so back then.

After cancer took by father-in-law at age 63, we finally had a chance to travel to Maui and went for a WEVA conference in 2001. As soon as we got off the plane, I could not explain my immediate connection to Maui, even the smell in the air said I was home. As we left after two weeks, we felt as if we were leaving home, it was a very strange feeling. When 911 happened and airfare was cheap we flew back to make sure we still felt the same.

We stayed in a B&B up in Haiku and yes, we still felt the pull of the island.

We traveled back to Ohio and 6 months later my husband, Jeff was diagnosed with non-hodgen lymphoma. Stage 4 cancer.

Neither either of our fathers, lived through cancer to enjoy retirement.

Living in Ohio, Jeff only had time to connect to the ocean when we took vacations, so, to forge a working retirement for my husband, who learned to scuba dive in the Service, I took all the equity from our home we built in Ohio, and purchased at the Koa resort condo in 2002.

We were in no position to own a second home. I quickly rented to keep our place until we could complete his chemo treatments and our daughter could graduate from high school. In 2006 Jeff left the Timken Steel Company with 23 years of service, I closed my event video business of 21 years, we sold and gave away all we had and then relocated to Maui. We came to the island with 5 suitcases and a mortgage but no jobs. We worked for many companies on Maui and forged a grass root connection to the struggles here to live on the island.

Because of a change in policy at the condo community concerning our rescue cats, we found a home up the mountain in Pukalani.

My cousin, Betty Ann, from CA that came to visit us several times a year, offered to buy the condo we loved and worked hard for.

She was still working as a teacher and wasn't able to retire here yet so she asked, in the terms of her buying the family condo, that I find a way to rent out the condo short term so she could still come and visit. She had hopes that would also help support us after buying in Pukalani.

For the next 12 years I developed the short term rental business to support myself and to support the idea of supporting local people here on island. Never hiring a cleaning company, I forged cleaning relationships with local girls that really needed the work. I bought flowers from local gals from came from Hana. I wrote and did voice overs with other local videographers to produce iPhone apps about the islands. Where to shop local has always been a part of everything I support as well as respect for our oceans.

As a videographer I not only worked with tourism but local businesses. I also advocated for ending the plastic bags used still on island. Writing and taking photos of the problems we needed to solve, to end all the trash blowing into our

ocean. My book in the condo contains so many helpful local things to do and see, where to eat and proper etiquette with locals and taking care of the land.

Maui is a special place of healing for our family. My husband who went through many alternative medicine and healing techniques on island is still with me today. We left in 2014 as the sugar mill began its decline with the promise of a grandchild from our daughter.

We suddenly lost the family member who owned the Koa resort condo in March 2024. I stepped in to close the estate only to find so much to be done. We found her brother in a wheelchair and unbathed for well over a year. I have been involved in a very complicated estate and took in her brother, Gabe. I am struggling to try to save the family legacy condo we have worked so hard to protect all these years.

When I bought at the Koa resort condo in 2002, to order to change the by laws it took over 75% of ownership, I am connected to my little place. It is becoming so expensive since the fire. I worry about being able to return. My wish is to pass my love of the island to my grandchild, as I have with my own children. I am not by any means wealthy. Shutting down the STRs will cause them to be put on the market and resultantly purchased by the wealthy. I have witnessed so much waste while we were working on the island by those that have money to waste. Please don't let Maui turn into an island of only the wealthy. It is those who work hard here, cleaning, repairing, running local restaurants and supporting responsible tourism that keep this island thriving, Shutting down the STRs will hurt the people at Maui's core. It's not just about Lahaina but our whole blue collar working class on Maui who work everyday to support this local economy. Please foster respect, support education and harmony for the island not those of division.

We loose when we see differences instead of our humanity, let's support each other. I support team work, we are all stronger when we see a way to work for all people. Supporting our beautiful island of Maui makes us all family.

STR's are local people too making ends meet to support the place we all love.

Sincerely with warm Aloha.

Deborah Notch

owner since 2002 and rental agent

Koa resort Kihei

HLU Committee

From: PAUL SERVENTI <paulserventi@aol.com>
Sent: Friday, June 27, 2025 12:04 PM
To: HLU Committee
Subject: Fw: Vote No - BILL 9 (2025), AMENDING CHAPTERS 19.12, 19.32, AND 19.37, MAUI COUNTY CODE, RELATING TO TRANSIENT VACATION RENTALS IN APARTMENT DISTRICTS (HLU-4)

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Paul Serventi
paulserventi@aol.com

Please do not pass BILL 9 (2025), AMENDING CHAPTERS 19.12, 19.32, AND 19.37, MAUI COUNTY CODE, RELATING TO TRANSIENT VACATION RENTALS IN APARTMENT DISTRICTS (HLU-4)

I am a homeowner on Maui and believe this Bill 9 will negatively impact the overall economic welfare of Maui County and its residents.

Please vote NO on this bill

HLU Committee

From: Judith Ritz <judithritz@comcast.net>
Sent: Friday, June 27, 2025 12:09 PM
To: HLU Committee
Subject: Bill 9

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We have a condo at Kaanapali shores. We bought it about 19 years ago. Wanting to supplement our retirement income by purchasing a rental unit. My husband and son are handicapped and we have to be able to accommodate them when we visit our condo. No surprises . We are very comfortable in our condo and cannot rent another unit. We won't want long lease occupants because of the above. We go and visit Maui once a year and know what we are getting. We can't just rent another unit.

If you make our unit long term it would be horrible for us and also our property managers. Please don't do this. Thank you Sent from my iPhone

HLU Committee

From: Josh Feyen <joshfeyen@gmail.com>
Sent: Friday, June 27, 2025 12:48 PM
To: HLU Committee
Subject: Bill 9 Testimony - Feyen

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Aloha,

I'm writing to express my opposition to Bill 9. I've listened closely to testimony from both sides and wanted to hear the pros and cons before making any decision. I am a full time Maui resident and I own a STVR condo in Maui Hill. It is a leasehold property with the majority of units being timeshares. It makes absolutely no sense that it would be considered apartment or local housing. We purchased the property with the understanding that the Minatoya ruling had been codified into law. The property was purchased after many years of hard work, fixing up and renting other properties. My wife and I had no money of our own to start, but "traded up" properties over a decade to be in a place to buy that condo. It is our side hustle income and helps us to get by living on Maui. I could sell it and move into other real estate or other investments, and would do so if I thought that would help people on Maui in any way.

The reality I'm seeing from testimony is that this Bill is an emotional knee jerk reaction to the housing crisis, which most experts and even some proponents admit will not help solve the problem. The only thing it will do is cause a loss of jobs on Maui, hurt the economy in an already difficult time, and lose tax revenue which could be used to solve the housing crisis. My cleaner runs her own business and is worried that if this proposal goes through she will lose most of her accounts. She would not be able to get by working for the hotels, so might be forced to move after living here her whole life. To me it's a lose-lose-lose proposition for all parties. Additionally several legal experts have confirmed that owners have a vested right to rent their condos, and this would be a taking, for which owners would need to be compensated by the county. How does that help anyone? On top of that I believe if condo prices drop even more than they already have, buyers will purchase units at a discount to be used as second homes. They will sit vacant most of the year, and we will be left with fewer jobs, less revenue, and still no housing. The only benefit this Bill has is for the Hotel industry. I don't believe it will do anything to help local families.

There are many other ways the County can go about addressing affordable housing, starting with fixing the permit system, but this is not the way. Please VOTE NO on Bill 9.

Mahalo,

Josh Feyen
125 Haele Place
Makawao HI 96768

HLU Committee

From: Tony Cedolini <tonyced@pacbell.net>
Sent: Friday, June 27, 2025 2:43 PM
To: HLU Committee
Subject: Bill 9 Testimony

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Dear Committee,

As a Maui condo owner, we have enjoyed the benefits of short term rentals as they currently stand. Our family and friends visit regularly while tenants also help pay for all the services needed to extend a welcoming "ALOHA"!

They include the many Maui hard working and dedicated staff who clean, maintain, and manage our property. We have become fond friends with most of the staff. They provide valuable services for everyone who visits. They rely on us and others to provide for them. It is a labor of mutual love and gratitude. It is the essence of an old family tradition, "One hand washes the other, both hands wash your face". It is harmony and happiness that inspires the message that Hawaii implicitly conveys to each other and to its visitors, "ALOHA!"

We as owners gladly pay the fees and taxes needed to assist the various governmental services provide for all of its citizens. Our visitors write glowing reports about the extensive accommodations available to them, while restaurants, businesses, and service personnel also benefit from the guests.

We offer a home away from home where kitchens, bathrooms, parking and the personal amenities accommodate more families than a single hotel room. **Our focus is about uniting families, and providing opportunities to explore and enjoy the many wonderful venues and natural beauty that Hawaii offers.**

Hawaii is truly Paradise! Sharing the types of accommodations we provide allows families a private and broad range of amenities that enhance their stays and the entire community benefits from the alternatives they offer.

Mahalo, Tony & Clare Cedolini

HLU Committee

From: Rajam <rajamradha@gmail.com>
Sent: Friday, June 27, 2025 3:44 PM
To: HLU Committee
Subject: Fwd: Testimony

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Aloha Chair, Vice Chair, and Committee Members,

My name is Rajam Radhakrishnan and I own a Condo at Hololani since 2018. I wanted to share what this proposed phase-out of short-term rentals could mean for families like mine and the people we work depends on visitors who stay in short-term rentals. Many of them come back year after year, and they support local restaurants, shops, and tour companies — not just the big-name spots, but the mom-and-pop places that make Maui special. If these rentals go away, I worry we'll lose those repeat visitors, and with them, a huge part of what keeps us going. This phase-out feels like it's targeting the very people who are trying to make it here — local families doing our best to stay afloat. I understand there are concerns about housing, and I agree we need real solutions. But taking away our income without a clear plan just makes things harder.

We need the County to protect locals on every front — not just in housing, but in employment, education, services, and economic opportunity. We need a balanced approach, not one that removes critical sources of income and support.

Please, don't move forward with this phase-out. Work with us. Listen to us. Let's find a way that protects our jobs, preserves our communities, and helps Maui thrive.

Mahalo for your time and for listening to our stories.

Sincerely,

[Rajam Radhakrishnan
Phone No 404-556-8428

Sent from my iPhone

HLU Committee

From: Nancy Omiliak <nancy333kay333@gmail.com>
Sent: Friday, June 27, 2025 4:14 PM
To: HLU Committee
Subject: Bill 9 STR Legislation Lahaina Strong supports removing Papakea from STR Ban

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Aloha to all concerned,

I was happy to see the support of Lahaina Strong to exclude Papakea from this bill. Papakea already has a H1-A1 designation and never needed to be on the Minatoya list to maintain its standing as a resort/hotel.

The expense for Maui County to process a zoning change, and for the local property managers like Aston, to have to spend millions, and years in litigation to change a Hotel designation.....to a Hotel designationis not in the best interest of anyone.

Papakea property is different than all others on Minatoya, it already has a designation of H1. The fact that it also allows people to live long term (A1) does not negate the H1 rights.

Apartment complexes doing STR, don't have full time staff of 35. (Like papakea)
Apartment complexes doing STR aren't also paying to maintain a critical canal, (Like Papakea)
Apartments can't afford maintaining a Hawaiian Landscape with rare plants and koi ponds. (Like Papakea)

Papakea contributes these assets to the community because it is a resort.
It has a H1 zoning already. It was only added to Minatoya because it has H1 (and A1) at the time of building to give owners the right to retire in Hawaii.

Papakea should be excluded from Bill 9. They never should have been on the list of Apartments, (without hotel zoning... they do have Hotel zoning.

The fact that Lahaina Strong supports Papakea from having STR banned says a lot.

Sometimes you need to dive down into the details, before you act.

There are many apartments on the Minatoya list, Papakea is clearly not one of them.

Nancy
Sent from my iPad

HLU Committee

From: steve Schultz <kamaole3penthousesuite@gmail.com>
Sent: Friday, June 27, 2025 4:53 PM
To: HLU Committee
Subject: Bill+9+Testimony

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Aloha, was talking to a small contractor doing some work at our condo. He was really excited to have made the list for worker housing on s. Kihei road. A house, not a condo, 4 bedrooms, for 750k. Now that makes sense as a typical str 2 br with 1 parking spot will cost that much even after a big discount should the bill pass.

Please use the taxes paid via str units for real housing like this.

Warm Regards,

Steve and Patricia Schultz

HLU Committee

From: Martin Thompson <mt@thompsonlaw.net>
Sent: Friday, June 27, 2025 5:09 PM
To: HLU Committee
Cc: Tasha A. Kama; Nohe M. Uu-Hodgins; Thomas M. Cook; Gabe Johnson; Alice L. Lee; Tamara A. Paltin; Keani N. Rawlins; Shane M. Sinenci; Yukilei Sugimura
Subject: RE: Why rezoning is not required for A-2 zoned properties designated as Resort/Hotel in the Community Plan
Attachments: LT LUC Committee - June 27 2025.pdf

To: Maui County Housing and Land Use Committee Members

Aloha,

I am the president of the Maui Eldorado Association of Apartment Owners.

Attached is my June 27, 2025 letter which sets out the reasons why rezoning is not required for A-2 zoned properties designated as Resort/Hotel in the Community Plan.

Kindly advise if you have any questions or comments.

Mahalo for your time.

Martin Thompson
President
Maui Eldorado AOA
Tel: (604) 351-0558
E-mail: mt@thompsonlaw.net





June 27, 2025

To: The Housing and Land Use Committee
By e-mail to: HLU.committee@mauicounty.us;

And to: [Tasha Kama \(tasha.kama@mauicounty.us\)](mailto:tasha.kama@mauicounty.us), [Alice Lee \(alice.lee@mauicounty.us\)](mailto:alice.lee@mauicounty.us),
[Nohelani U'u-Hodgins \(nohe.uu-hodgins@mauicounty.us\)](mailto:nohe.uu-hodgins@mauicounty.us), [Tom Cook \(thomas.cook@mauicounty.us\)](mailto:tom.cook@mauicounty.us),
[Gabe Johnson \(gabe.johnson@mauicounty.us\)](mailto:gabe.johnson@mauicounty.us), [Tamara Paltin \(tamara.paltin@mauicounty.us\)](mailto:tamara.paltin@mauicounty.us),
[Keani Rawlins-Fernandez \(keani.rawlins@mauicounty.us\)](mailto:keani.rawlins@mauicounty.us), [Shane Sinenci \(shane.sinenci@mauicounty.us\)](mailto:shane.sinenci@mauicounty.us), and [Yuki Lei Sugimura \(yukilei.sugimura@mauicounty.us\)](mailto:yukilei.sugimura@mauicounty.us)

Re: Why rezoning is not required to implement the Planning Commission's request to exclude the two A-2 zoned properties designated in the West Maui Community Plan as "Resort/Hotel" from the proposed Transient Vacation Rental ("TVR") ban

I am the president of the Maui Eldorado Resort Association of Apartment Owners. Our property comprises 204 residential condominium units located within the Kaanapali Resort master plan area.

For the reasons specified below, rezoning is not required to implement the Planning Commission's request to exclude the two A-2 zoned properties designated in the West Maui Community Plan as "Resort/Hotel", being our Maui Eldorado Resort and Hale Kaanapali (the "**A-2 Resort/Hotels**"), from the proposed TVR ban. With a few simple modifications, the proposed TVR Bill can be revised to exclude those two A-2 Resort/Hotels from the TVR ban as requested by the Planning Commission, without impacting the scope or enforceability of the TVR ban on all other A-2 properties.

1. The Planning Commission's request to exclude the A-2 Resort/Hotels from the TVR ban. At the conclusion of the public hearings in June and July, 2024, regarding the proposed TVR ban, the Planning Commission **unanimously** and unconditionally requested that "Council consider **excluding** those properties that are community plan designated for hotel use" (the two A-2 Resort/Hotels) from the proposed TVR ban. That request was confirmed by the Planning Director on page 2 of her Report to Council dated November 22, 2024.

2. Why rezoning is not required to exclude the two A-2 Resort/Hotels from the TVR ban.

- (a) ***Public Hearings and Planning Commission Due Diligence were previously completed.*** The reason given by the Planning Commission to unconditionally **exclude** the two A-2 Resort/Hotels from the proposed TVR ban was that those two A-2 Resort/Hotel properties had already been subject to extensive scrutiny from the local community and the public hearings held in connection with the 2022 West Maui Community Plan, and had been approved as "Resort/Hotels" by the Planning Commission at that time without imposing a rezoning requirement.
- (b) ***Maui County Council approval has already been given.*** On December 17, 2021, Maui County Council approved the West Maui Community Plan, which included the designation of the two A-2 Resort/Hotels as "Resort/Hotel", and their permitted use as "primarily intended

to serve visitors, including transient accommodations”.

- (c) **“Transient vacation rentals” is a permitted use in both A-2 zoning and the “Resort/Hotel” designation in the Community Plan.** The “permitted use” of the Community Plan’s “Resort/Hotel” properties is “primarily intended to serve visitors, including transient accommodations”. “Transient vacation rentals” is also a “permitted use” under current A-2 zoning. Accordingly, the Community Plan and A-2 zoning are completely aligned with each other in permitting transient vacation rental use, so rezoning is not required to align their respective permitted uses.
- (d) **Compatible Community Plan and Zoning designations.** The chart on page 176 of the Community Plan lists the “Most Compatible Zoning Districts for the Community Plan’s Resort/Hotel designation”, which includes A-2 zoning. Consequently, as those Community Plan and A-2 zoning designations are already aligned, rezoning is not required for that purpose.
- (e) **The Planning Commission request to exclude the two A-2 Resort/Hotels from the TVR ban is unconditional.** The Planning Commission’s request to **exclude** the two A-2 Resort/Hotels from the proposed TVR ban is unconditional. In particular, rezoning is not a requirement for that exclusion, presumably because it is unnecessary for all of the reasons set forth above.

For all of these reasons, requiring the two A-2 Resort/Hotels to be rezoned would serve no purpose.

3. Implementation. The approach of both Bill 9 (2025) and the LUC Commission’s Bill 9 CD1 (2025) proposed amended version thereof, is to delete “transient vacation rentals” as a permitted use under A-2 zoning. However, there is a simple, effective and efficient way to implement both the TVR ban and the Planning Commission’s request to Council to **exclude** the two A-2 Resort/Hotels designated in the West Maui Community Plan as “Resort/Hotel” from the TVR ban, without impacting the scope or enforceability of the TVR ban on all other A-2 zoned properties; namely by including the minor amendments specified in Schedule “A” hereto to Bill 9 CD1 (2025), subject to any drafting recommendations of Maui Corporation Counsel.

If you have any questions or comments, kindly contact me.

Mahalo for your time.

ASSOCIATION OF APARTMENT
OWNERS OF MAUI ELDORADO



By: _____

Martin Thompson
President

Tel: 1 (604) 351-0558

E-mail: mt@thompsonlaw.net

SCHEDULE "A"

Suggested modifications to the HLU Committee's proposed amended TVR ban Bill 9 CD1 (2025) to exclude the two A-2 Resort/Hotels designated in the Community Plan as "Resort/Hotel" from the proposed TVR ban:

- (a) amend the final paragraph in SECTION 1 to add the following underlined words:

"This Ordinance's purpose is to discontinue the use of Transient Vacation Rentals in Apartment Districts except for those properties designated in the West Maui Community Plan as "Resort/Hotel", after a reasonable amortization period.

- (b) insert in SECTION 2 of the June 3, 2025 version of Bill 9, CD1 (2025) proposed by the HLU Committee, the following clause as Subsection G.8. to Section **19.12.020 Permitted Uses:**

"8. From and after July 1, 2030, those properties designated as "Resort/Hotel" in the West Maui Community Plan.", and

- (c) by inserting in SECTION 4 of the June 3, 2025 version of Bill 9, CD1 (2025) proposed by the HLU Committee:

- (i) the following clause after the word "districts" in line 4 of Subsection A. to Section **19.12.070 [Reserved] Transient vacation rental phase-out:**

"...except for those properties designated as "Resort/Hotel" in the West Maui Community Plan,,", and

- (ii) the following clause at the beginning of Subsection B. to Section **19.12.070 [Reserved] Transient vacation rental phase-out:**

B. "Except for those properties designated as "Resort/Hotel" in the West Maui Community Plan...".

HLU Committee

From: Cecilia Alicaya Cirimelli <ccirimelli@yahoo.com>
Sent: Friday, June 27, 2025 5:32 PM
To: HLU Committee
Subject: Bill 9 Testimony

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I have two STVRs. I am not a "WEALTHY OFF-ISLAND" person owning two vacation condos. I am a very hard-working person. I am a Chumash Native American and my land was stolen and my family/ancestors kicked to the desert. I feel the pain of the Maui locals. However, I worked too hard to just hand over my condos to native locals. I already rented to fire victims and my condos were thrashed. But the fire victims had a place to stay, thanks to my hard work for purchasing the property they lived in and thrashed. So now, the money I made is going back into repairs and refurbishing. While many locals swam in the ocean, partied on the beach, smoked pot, drank, sang and danced (not all locals, of course), I was working three jobs to get ahead and invest early on in my life since my great-grandparents and our families' land were taken by the haole/gringo. Sad but true. And now I am being told to pretty much hand over my hard earned work to local Hawaiians for cheap? They claim that about a decade ago a property was \$350,000 and is now selling for \$1,750,000. Well, that is called investing. They should have bought that property when it was going for \$350,000. My grandmother always said:

1. Eat your vegetables
2. Stay in school
3. Don't drink alcohol or do drugs
4. Work and work and invest in real estate or other ventures early on
5. If you can't feed'm (kids), then don't breed'm
6. Don't expect other people or the government to take care of you or your kids
7. If you can't feed/house yourself or your kids, don't add pets to the family! Who is going to rent to someone with 5 kids and 4 pets?
8. Plan ahead and make good choices

I have lowered the rents only to break even. Unfortunately, no locals wanted to rent from me. I guess they got use to the free fire-victim rents and freebies. We Chumash Native American Indians weren't as lucky. No fancy hotels to stay and or free meals or a beautiful beach, just a dry, dry desert.

So now I am renting long term and it's actually better for me. However, only mainlanders had applied and are now renting long term from me.

Sale prices have plummeted in my complex and have been bought by mainlanders. More people coming to Maui from the mainland to permanently reside in these lower-priced ex-STVRs. Many of my mainland friends are anxiously watching and waiting for the prices to plummet even more so their dream of permanently living on Maui comes true. They are ready to buy because they can retire or work remotely. Sorry, but this Bill 9 will not work. It will bring in more mainlanders.

I will be fine either way, but I feel sorry for those who will suffer greatly because of this Bill.

HLU Committee

From: Jeanne Malter <jeanne.kra301@gmail.com>
Sent: Friday, June 27, 2025 5:33 PM
To: HLU Committee
Subject: Bill 9 Testimony

You don't often get email from jeanne.kra301@gmail.com. [Learn why this is important](#)

Dear HLU committee members and other interested parties,

I want to say thank you so much for all your hard work and thoughtful deliberations regarding Bill 9 Testimony. My husband and I are Minetoya condo owners and I already submitted testimony in regards to this bill. After I submitted my testimony, I realized I neglected to discuss an idea that I had that may or may not be useful. I know there are various proposals being talked about, such as the proposal from Jonavan Asato, that are attempting to change the situation into a win-win. I think we could all agree that that would be ideal (and it would make your job, hopefully, easier)!

My question/idea is this: why can't Maui County work with various non-profits and charitable organizations for seed money to purchase condos at fair market prices that are already for sale? The owners want to sell them and plenty of people want to buy them. Can Maui County buy them and sell them to residents on a land contract basis, so that no down payment is necessary? They would then become affordable and help to solve the housing crisis. The county would also then become a de facto bank since it would be financing the purchase of these homes but, if a resident defaulted on the home, the county would repossess the property and become sole owners of the property and regain the full equity (in addition to the monies already paid by the owner). In this way, the county would retain ownership of the properties until they are paid off, thereby retaining property values on the island and avoiding a real estate market crash with resulting decrease in income to the county and state. Since Bill 9 seeks to force owners to sell their properties at much lower amounts than they potentially paid or become unwilling landlords in order to provide housing for lower income families, the county will have reduced income either way. Why not be pro-active and spend the money now in order to maintain the real estate (property taxes, GET and TAT) income later? A quick search of Zillow reveals dozens and dozens of properties for sale that could be placed into this program. If Maui County wants to help it's people and Mayor Bissen thinks it's easy, he can just force us, as Minetoya owners, to solve the problem, why is this option not being discussed? It would be a win for the county, a win for the Minetoya owners and a win for low income residents who need housing. The only problem is financing the seed money, but I would think some creative financiers there and some charitable funding should be able to solve this problem.

If Maui County is able to offer residents ownership with no down payment, they would be heroes! If Maui County is able to maintain a healthy real estate market under the circumstances, they would again be heroes. If Maui County also maintains it's property tax revenue and income from STRs, wonderful! The benefit to the county outweighs the risk--the county would repossess the properties in the case of foreclosure and it would create immediate housing for low income families.

Maybe someone has already proposed this solution, so forgive me if I'm being redundant. I do believe there is a healthy compromise to this problem that can be amenable to everyone. Thank you for your time and good luck with the deliberations!

Sincerely,
Jeanne Malter
2560 Kekaa Dr, #A301
Lahaina