

## HLU Committee

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**From:** Susan Pcola-Davis <susanp60@yahoo.com>  
**Sent:** Wednesday, August 30, 2023 7:16 PM  
**To:** HLU Committee  
**Subject:** Re: Testimony for August 30 1:00

Thank you so much for sharing with the 1:00 committee meeting!

On August 30, 2023, at 2:25 PM, HLU Committee <hlu.committee@mauicounty.us> wrote:

Aloha,

Confirming receipt.

Mahalo,  
HLU Committee Staff

-----Original Message-----

From: Susan Pcola-Davis <susanp60@yahoo.com>  
Sent: Tuesday, August 29, 2023 7:13 PM  
To: Maui\_County Council\_mailbox <county.council@mauicounty.us>  
Subject: Testimony for August 30 1:00

Maui Council Land Use Committee

My testimony is in document form. I know to use eComment but not sure it would work.

Susan Pcola-Davis  
susanp60@yahoo.com  
808-387-3061

Maui Council

Land Use Committee

Testimony August 30, 2023

SUSAN A. PCOLA-DAVIS

Aloha, thank you for your sincere listening. I'm glad there isn't any action meetings yet. I saw this article this morning from Civil Beat. Knowing how busy you are I made it my testimony.

It is so sad the Domino effect of this tragedy.

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## [Hawaii Fires](#)

# These Maui Tenants Didn't Lose Their Homes In The Fire, But They're Still Being Displaced

Advocates say the decision by some landlords to oust renters risks leaving more people homeless in an already tight housing market.

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By [Madeleine List](#) / About 16 hours ago

Reading time: 7 minutes.

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When wildfires destroyed Lahaina on Aug. 8, Miranda Boam lost both of her jobs, her favorite hangout spots and the town she adores.

But while she didn't lose her Lahaina apartment to the blaze, she's about to be displaced for another reason.

Boam and dozens of other tenants around Maui have received **45-day notices** to vacate — many coming from landlords who say they need their properties back to house family members whose homes were destroyed in the fires.



Most of the 2,200 buildings destroyed in the Lahaina wildfire were residential, leaving thousands of families displaced. (David Croxford/Civil Beat/2023)

Alan Lloyd, an organizer with the Maui Tenants Association, a project of Hawaii Workers Center, said over the last week, the group's hotline has received 10 to 15 calls per day from renters who say they've received notices to vacate.

Lloyd calls it a second wave of people about to be uprooted from their homes after the fire left thousands homeless in an already tight housing market.

**“It’s really an eviction storm,” he said. “It’s the worst of the worst, because it puts everyone in crisis.”**

A 45-day notice sent to a renter on a month-to-month lease isn't technically an eviction. And tenants do have some recourse.

They can look online to see if their landlord has listed their unit for rent, which would indicate the property owner isn't really using it for a family member, Lloyd said. In that case, the tenant could write a letter contesting the notice to vacate.

### **‘Shell Shocked And So Numb’**

But many renters won't go up against property owners or take them to court because they may need to use the landlord as a reference to get a new rental, or they may simply want to avoid the hassle of a legal battle, he said.

Boam's landlord, Liz Straka, told tenants they have to go because her sister lost her home and needs a place to live with her two dogs, according to a copy of the 45-day notice to vacate letter provided to Civil Beat.

Straka did not respond to calls and texts seeking comment.

**“It’s the worst of the worst, because it puts everyone in crisis.”**  
*Alan Lloyd of the Maui Tenants Association*



Boam, 28, who shares the rental property with two other people, noted that people displaced by the fire should be eligible for assistance that Boam and her roommates **don't qualify for because their home didn't burn down.**

The home, adjacent to Napili Park on Pualu Loop, is north of the area most impacted by the fires.

Boam worked at Reef Dancer, an underwater tour company, and Choice Health Bar, a vegan restaurant — which she said both perished in the flames.



Miranda Boam is looking for

new rental she can move into with her two cats after receiving a 45-day notice to vacate from her landlord in Lahaina. (Courtesy of Miranda Boam)

“I do feel bad if it’s true and her sister lost her home, but at the same time, you’re going to make three people homeless in order to house one person,” she said, “and that doesn’t seem to make a lot of sense.”

Boam said finding a rent comparable to the \$1,200 a month she’s been paying will be difficult, especially a unit that is pet friendly.

She’s starting to imagine that once the 45-day notice expires, she’ll have to move into a large tent with her two cats, Dobby and Cali.

“It’s such a weird concept when you’re almost **planning for homelessness**,” she said. “**There’s just no help out there for you because you’re not one of the people who lost their house to the fire.**”

“In my life right now, my landlord is my fire,” she said.

Gov. Josh Green has temporarily prohibited landlords on Maui from increasing rent prices and [terminating tenancies for failure to pay](#).

Landlords can still kick tenants out, though, in order to house immediate family members at their property, Lloyd said. But while many landlords are using that excuse, he thinks they may have an ulterior motive of raising rents.

Lloyd said he saw the same phenomenon happening during the Covid-19 pandemic when there was a moratorium on evictions. Landlords would still kick out their tenants with the justification that they were moving in family members.

Robert Collier, 55, who works operating a ferry between Maui and Lanai, said he also received a 45-day notice to leave his unit at 70 Pualu Loop in Lahaina.

Robert Collier received a 45-



Quam Properties Hawaii, Inc.  
5095 Napilihau St. Suite 202  
Lahaina, Hawaii 96761  
Ph 808 665-1315 Fax 808 665-1319  
[www.quamproperties.com](http://www.quamproperties.com)

## 45 DAY NOTICE TO TERMINATE TENANCY

DATE of NOTICE: 8/25/23  
TENANT in POSSESSION: Robert Collier  
LEASED PREMISES: 70 Pualu Loop, #MAIN/UPPER LEFT, Lahaina HI 96761

To: Tenants Listed Above and All Persons Now in Possession of the Leased Premises

This is a formal notice that the landlord is terminating your tenancy on the Leased Premises. You must vacate the Leased Premises on or before **October 8<sup>th</sup>, 2023** and remove all of your personal possessions including those of your guests. Tenant may move at any time during the forty-five (45) days and shall notify Landlord of Tenant's vacate date and pay a prorated rent "until" tenant vacates the unit and satisfies the conditions of Standard Term D-2.

Failure to comply will result in the landlord filing in court to have you evicted.

Sincerely

Kate Grumet R(S) / Clara Quam R(B)  
Quam Properties Hawaii  
808-665-1315  
[Kate@quamproperties.com](mailto:Kate@quamproperties.com) / [Clara@quamproperties.com](mailto:Clara@quamproperties.com)

### SERVICE of NOTICE

I hereby certify that a copy of the following Notice was served upon the above named tenant(s) at the above address on the following by the following means:

Hand delivered  
Posted copy at the premise



day notice to vacate his unit in Lahaina more than two weeks after fires destroyed the town. (Courtesy of Robert Collier)

The notice, issued by property management company Quam Properties Hawaii, says Collier must leave before Oct. 8 but doesn't give a reason.

Four other people also live in the house, he said. Quam Properties did not respond to a phone call or email seeking comment.

The notice compounded Collier's problem after he lost his Lahaina Harbor business with two boats and all his dive gear.

“I’m so shell shocked and so numb with everything else that I’ve lost,” said Collier. **“You’re just getting hit by so many different things in so many different ways, and what do you do?”**

Collier said he’s still working part time for the ferry, which is now running service to Lanai out of Maalaea Harbor, but he lost his ability to earn extra income through his other business doing underwater repair work.

“Right now studios are going for \$3,000 a month in Lahaina,” he said. “And I have a 1-year-old German shepard, so it makes it even more difficult to find a place.”

Collier could technically fight the property management company because it didn’t provide a legitimate reason for kicking him out. But he said he knows the issue will recur once the eviction moratorium expires, and he wants stable housing.

More than a third of households on Maui [spend 30% or more](#) of their income on housing, which is considered cost-burdened, according to a 2019 study by SMS Research and Marketing Services. Twenty-two percent of households were also crowded or doubled-up, which is a sign of a pent-up demand for housing, according to the study.

### **‘Suffering From Way Before The Fires’**

Hundreds of people on Maui who were homeless before the wildfires will also have a more difficult time transitioning to permanent housing in the wake of the disaster, advocates say.

There were 704 [homeless people in shelters or on the streets on Maui](#) in January, according to this year’s point-in-time count published by Bridging the Gap Continuum of Care, a nonprofit working to end homelessness in Hawaii.

The wind-fanned flames that spread rapidly through Lahaina on Aug. 8 burned 2,200 structures, about [1,500 of which were residential](#), leaving hundreds more families homeless. Nineteen homes were also destroyed by fires in Upcountry and Kula.





**“There’s just no help out there for you because you’re not one of the people who lost their house to the fire.”**

*Miranda Boam*

Family Life Center, an organization working with homeless populations on Maui, was in the middle of finalizing leases for five homeless families in Kahului and Wailuku before the fires, said Maude Cumming, executive director of the organization. But post-disaster, landlords canceled the leasing process because they said they needed to use the units for themselves or family members.

The organization has other properties it could utilize for housing but hadn’t finalized the process of getting them insured, and now, in the wake of the fires, it’s more difficult to get insurance, Cumming said.

In the meantime, many families will face longer stays in shelters while they wait for housing to become available. Many still are living in tents or in the elements while they wait, said Chaplain Leah Smith, CEO of Chaplain Ministries of Maui, which runs a program that helps find housing for clients on Medicaid.

**“At the end of the day, our clients, even though they were already homeless prior to the fires in Lahaina, they’re still going to be homeless,” she said, “even after everybody gets placed and we rebuild.”**