

## AH Committee

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**From:** Graham Resell <Graham.M.Resell@co.maui.hi.us>  
**Sent:** Wednesday, June 29, 2022 4:29 PM  
**To:** AH Committee  
**Cc:** Richard E. Mitchell  
**Subject:** Bill 107; Affordable Housing Sales Guidelines  
**Attachments:** 2022-06-16 RFLS Mitchell Bill 107 Re AH Sales Price GuidelinesClosing.PDF; 2022-06-29 Ord Amd Ch 2.96.docx

Please find attached the above referenced ordinance, reviewed and approved (with revisions) by our department. Also attached for your records is the Word version with markup. Please let me know if there are any questions or if you need anything else.

Thank you,  
Graham

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Graham M. Resell  
Law Technician  
Department of the Corporation Counsel  
Telephone: (808)270-1778

## REQUEST FOR LEGAL SERVICES

**Date:** June 16, 2022  
**From:** Gabe Johnson, Chair  
Affordable Housing Committee

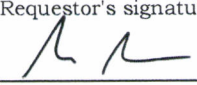
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Mimi DesJardins, Esq.

**Subject:** BILL 107 (2022), RELATING TO AFFORDABLE HOUSING SALES PRICE GUIDELINES

**Background Data:** Please see the attached bill, in anticipation of it being referred to Committee at the June 21 Council meeting . Please reply to ah.committee@mauicounty.us and richard.mitchell@mauicounty.us.

**Work Requested:** ☐ FOR APPROVAL AS TO FORM AND LEGALITY  
☒ OTHER: Review and comment on Bill 107.

Requestor's signature  Gabe Johnson	Contact Person <u>Richard E Mitchell</u> (Telephone Extension: <u>7662</u> )
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)  
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): June 28, 2022

REASON: To be discussed at the June 30 Affordable Housing Committee meeting, if the Council refers the bill on June 21.

**FOR CORPORATION COUNSEL'S RESPONSE**

ASSIGNED TO: MDJ	ASSIGNMENT NO. 2021 -0011	BY: dlb
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)  
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): See attached revised version

DEPARTMENT OF THE CORPORATION COUNSEL

Date 6-29-2022

By Mimi DesJardins (Rev. 7/03)

ah:ltr:014(6)acc01:pmg

Attachment

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2022)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.96, MAUI COUNTY  
CODE, RELATING TO AFFORDABLE HOUSING SALES PRICE GUIDELINES

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

SECTION 1. The purpose of this Ordinance is to establish a new method  
of determining the sales price for an affordable dwelling unit.

SECTION 2. Section 2.96.060, Maui County Code, is amended by  
amending Subsection C to read as follows:

“C. Sales price - dwelling units. The sales price of a new  
dwelling unit [shall] must be established by the department [based  
on] using the current HUD [price guidelines.] area mean income for  
Maui County and adjusted for very low, low, below moderate,  
moderate, above moderate, and gap income ranges, and must  
include principal, interest, taxes, homeowner’s insurance, private  
mortgage insurance, and homeowner’s association dues capped at  
31 percent of the homeowner’s gross monthly income.”

SECTION 3. 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 4. This Ordinance takes effect on approval.

Approved as to Form  
and Legality:

  
MIMI DESJARDINS

Deputy Corporation Counsel

LF2021-0011

2022-06-29 Ord Amd Ch 2.96

ah:misc:014(6)abill01:rem

INTRODUCED BY:

  
\_\_\_\_\_  
GABE JOHNSON