



To: Maui County Council Housing and Land Use Committee

RE: Review of Mayor Bissen's revised version of Bill 9 (2025)

Aloha Chair Kama and Members,

Mahalo for bringing up this important legislation at this time. We know the budget process is a grueling one, and applaud your undertaking review of Mayor Bissen's revision to Bill 9 so close on the heels of finishing the budget last week.

We appreciate Mayor Bissen's extending the deadline to July 1, 2028, and your extension to July 1, 2030. This is welcome, as Bill 9 will impact many in the community – both owners of short-term rentals, as well as the many businesses and individuals who depend on them for income. Not all short-term rental owners are off island, some are long-time residents of Maui, and will be affected by Bill 9.

Ma'alaea Village Association (MVA) is a volunteer-led, 501c3 nonprofit organization representing over 220 Ma'alaea businesses and condominium owners and residents of Ma'alaea. We agree that housing for Maui's people is a top priority. It is a problem faced by communities nationwide. For Maui, this is not new – in 1977, Mayor Hannibal Tavares told the Maui Chamber of Commerce that housing would be the biggest problem facing Maui in years to come. Sadly, the Lahaina fires exacerbated the problem, leaving many Lahaina families homeless. We urge this committee and the Council to come up with a fair solution that will truly benefit those in need. Taking valuable dollars away when all revenue is needed is not the answer.

MVA supports the Bill 9 criteria for 'permitted uses' within the A-1 and A-2 districts. We fully support the call for owners to hold the proper licenses and be current in payment of taxes, fines, etc. We encourage this Council and the Mayor to pursue those in arrears, which apparently totals in the millions of dollars.

We don't understand the criteria that Transient vacation rental use was legally conducted prior to September 24, 2020 as determined by RPT tax class or payment of general excise and TAT tax. What is the significance of that date?

Ma'alaea Village is a unique, self-contained visitor-oriented community comprised of Maui's top visitor activities Maui Ocean Center, Pacific Whale Foundation, Ma'alaea Harbor and Harbor Shops, and Maui Sports Park. We have an active commercial center, and ten condominium properties, eight of which are apartment-zoned. All condominium properties were built in the 1970s, and none were built using public funding, or dedicated to workforce housing. Some original declarations specifically permit apartment use for transient purposes. Ma'alaea Village occupancy is a combination of owner residents, long term renters, and visitors.

Ma'alaea has historically been the crossroads of Maui, as was documented in MVA's recently published book *Ma'alaea: The Untold Story of Maui's Historic Crossroads* written by Maui historian Lucienne de Naie. Ma'alaea was the site of Maui's first hotel in 1888, and its first aircraft runway.

Ma'alaea is an older, coastal community, with condominium properties all within the sea level rise SLRXA. Properties face increasing costs for maintenance, insurance, and seawall repair. Special assessments for some properties have exceeded \$2 million for seawall repair, more to come. All condominiums are along Hauoli St., with access only by Ma'alaea Road and no outlet in case of emergency. Next to Lahaina, Ma'alaea is the second most fire prone area on Maui.

Attached to this testimony is a graph of the average costs to own and maintain an apartment-zoned condominium property in Ma'alaea. Monthly costs for mortgage, maintenance fee, etc. range from \$5,000 to \$6,000/month. The graph doesn't include insurance, which is getting higher every year. In most cases, there is one parking stall per unit. According to current county codes, this is a 482-stall deficit. On street parking on Hauoli St. is sometimes at a premium and would not accommodate the two car/unit average household.

Thank you for hearing our testimony. Mahalo for your attention and consideration.

Tanci M. Mintz

Tanci Mintz, President, Ma'alaea Village Association

Attachment

Ma`alaea Condominiums on Minatoya List at a Glance, all A-2 Zoned ¹												
Condo and TMK					Environmental		Financial					
	No Units	Year Built	% units TVR	Parking deficit to code	SLRXA	Seawall/ Revet.?	Ave. Sales Price/Unit ²	Monthly Mortgage Estimate ³	Leasehold per month per unit	AOAO Fees per month/unit	Estimated Monthly ⁴	Special Assessments in last 10 years
Milowai 38014022	42	1976	61%	-42	YES	YES	\$572,875	\$2,859	\$857	\$1,912	\$5,628	\$2,300,000 - 2020, seawall \$50,302 - 2024 insurance
Maalaea Kai 38014021	79	1975	33%	-79	YES	YES	\$1,044,750	\$5,214		\$911	\$6,125	\$65,485 - 2024, insurance
Lauloa 38014016	47	1977	2%	-47	YES	YES	\$1,029,143	\$5,136	some units are leasehold	\$1,041	\$6,177	\$625,000 - wastewater plant
Island Sands 38014015	84	1975	49%	-84	YES	YES	\$822,444	\$4,105		\$927	\$5,032	\$16,600 - 2025, security cameras
Maalaea Banyans 38014011	79	1976	75%	-79	YES	YES	\$808,526	\$4,035		\$753	\$4,788	\$86,369 - 2024, elevator
Kanai A Nalu 38014004	81	1976	1%	-81	YES	YES	\$645,589	\$3,222	\$1,235	\$1,100	\$5,557	\$240,000 - 2021, seawall plans and permits \$2,400,000 - 2024, seawall
Hono Kai 38014002	46	1972	72%	-46	YES	YES	\$479,750	\$2,394	\$1,289	\$1,509	\$5,192	\$1,103,829 - 2021 wastewater plant \$323,533 - 2021 Seawall
Makani A Kai 38014001	24	1974	50%	-24	YES	NO	\$966,000	\$4,828		\$1,198	\$6,025	\$36,180, 2023, insurance \$42,000 - 2025, insurance
Totals	482			-482								

¹ Maalaea Mermaid and Maalaea Yacht Marina are not listed, they are not on the Minatoya list

² Sales per RPT 2022 to end of 2024

³ Calculated using average sales price with FHB mortgage calculator, 30 yr fixed, 20% down, 6.375%

⁴ Does NOT include special assessments