



WORKING TOGETHER TO HELP OTHERS

April 15, 2023

The Honorable Josh Green, M.D.
Governor, State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Craig K. Nakamoto, Executive Director
Hawaii Community Development Authority
547 Queen Street
Honolulu, Hawaii 96814
Dbedt.hcda.contact@hawaii.gov

Re: **Honuakaha**

Aloha Governor Green and Director Nakamoto,

For over five decades, Kokua Council has advocated to improve laws, policies, and practices which impact the well-being of kūpuna, their families, and our community.

Each year, Kokua Council holds a Policy and Legislative Priorities Community Meeting attended by representatives from affiliate organizations¹ to present their priorities. Concerns about homelessness, housing affordability, shortages of essential workers and the services they provide, increasing crime, and other issues have dominated our recent meetings.

All of these are symptoms of a core problem, the lack of housing.

Decades ago, when construction trucks stopped rumbling through neighborhood streets and steel cranes no longer crisscrossed the sky, Hawaii's residents were happy with the quiet but unaware that we should have been concerned about the continued need to increase the housing supply.

Fortunately, construction continued in some areas and the Legislature delegated to the Hawaii Community Development Authority (HCDA) the powers needed to develop

targeted “suitable housing for persons of low or moderate income, sufficient commercial and industrial facilities for rent, residential areas which have facilities necessary for basic livability, such as parks and open space, and areas which are planned for mixed uses.”

In 1995, HCDA completed the mixed-use project, Honuakaha, in alignment with the Legislature’s directive and as part of the redevelopment of Kaka’ako to create desirable and sustainable urban communities for residents to live, work, and play.

HCDA’s commitment to housing those who were of low income made Honuakaha attractive to consumers. Some became purchasers of Honuakaha’s ninety-three (93) “affordable” residential apartments. Many more became tenant occupants of the one hundred fifty-one (151) “elderly dwelling units” in the Honuakaha complex.

Another attractive feature of Honuakaha is its eighteen (18) dwelling units which were designed with accessibility in mind, including thirteen (13) dwelling units for persons with physical impairments and five (5) dwelling units for persons with audio/visual impairments.

Thus, it was unimaginable for Kokua Council to learn that a promising project that was built to overcome physical and financial barriers was now the subject of an investigative exposé that revealed appalling living conditions and long-deferred maintenance, <https://www.civilbeat.org/2023/03/600-a-month-in-kakaako-gets-seniors-mold-shocks-and-the-smell-of-death/>.

Residents of the complex allege that they reached out to Honuakaha’s management, HCDA, and other State and County government officials, and on March 1, 2023, their State Representative, Scott Saiki, wrote that it was “unfortunate” that residents were “experiencing these problems” and that he would be “taking these concerns to the Hawaii Community Development Authority and intend to request an action plan.”

Over a month later, they were told that the Representative had arranged a “town hall” meeting. That meeting was held on April 12, 2023, and Representative Scott Saiki, Senator Sharon Moriwaki, Councilmember Tyler Dos Santos-Tam, and Director Nakamoto were in attendance.

Despite Representative Saiki’s March 1, 2023 letter and the subsequent Town Hall meeting, it appears that owners still have not received satisfactory responses in their attempt to resolve recurring maintenance problems which pose health and safety hazards.ⁱⁱ

Also compounding the Honuakaha community’s problems is the legal structure of the five-member board of the Association of apartment owners of Honuakaha. Unlike most owners’ associations, Honuakaha’s owners have not been able to liberate themselves

from the developer of the complex and that developer continues to dominate governanceⁱⁱⁱ which may be a contributing factor to the deferred maintenance of the property.

Hawaii's sluggish housing development cannot meet the demands of Hawaii's population, creating greater financial pressure on those most financially burdened. Kūpuna because of fewer opportunities to increase incomes to offset rising costs of living and greater healthcare costs, and those with disabilities, already marginalized by inattention to their needs, are especially vulnerable and deserve government assistance.

We note that in a year-old report by Spectrum News regarding a crosswalk to Kolowalu Park in the "Super Block" section of Kaka'ako, Director Nakamoto was reported as having said "the coordinated effort between city and state [sic] agencies is a positive example of what can be done to provide solutions to community problems," and, "we hope to be doing a lot that in the most 'un-siloed' manner to make sure we can deliver these solutions to neighborhoods and provide safer infrastructure for everyone."^{iv}

Thus, we anticipate that those in our community whose circumstances do not allow them residence in the Kaka'ako "Super Block" should receive similar attention to protect their health and safety and prompt resolution from all agencies involved.

Kokua Council brings these concerns to you and asks for your intervention to resolve these matters for the health and safety of Honuakaha's residents.

Respectfully submitted,

/s/

Lila Mower, President
Kokua Council

ⁱ AARP - Advocacy Director, Altres Home Care, Alzheimer's Association, Arcadia Family Of Companies, Caring Across Generations, Catholic Charities, Child And Family Services, Common Cause Hawaii, Community Alliance On Prisons (CAP), Condo 411, Drug Policy Forum, Elderly Affairs Division, City and County Of Honolulu (EAD), Executive Office On Aging (State Of Hawaii), Faith Action (fka Faith Action For Community Equity), Foster Grandparent Program, Grassroot Institute Of Hawaii, Hawaii Disability & Communication (DCAB), Hawaii Alliance Of Non-Profits (HANO), Hawaii Appleseed Center For Law And Economic Justice, Hawaii Alliance Of Retired Americans (HARA), Hawaii Community Foundation, Hawaii Family Caregiver's Coalition (HFCC), Hawaii Disability Rights Center, Hawaii Long Term Care Ombudsman, Hawaii Meals On Wheels, Helping Hands Hawaii, Hui `Oia`i`o, Institute For Human Services (IHS), KAHEA, Kokua Kalihi Valley, Kupuna Caucus, Kupuna Education Center at KCC, Lanakila Meals On Wheels, League Of Women Voters, Manoa Cottage Care Home, Mediation Center Of The Pacific, National Alliance On Mental Illness (NAMI), Native Hawaiian Legal Group, Osher Lifelong Learning Institute, Pacific Alliance To Stop Slavery (PASS), Partners In Care, Phocused, Policy Advisory Board For Elderly

Affairs (PABEA), Pono Action, Project Dana, Public Health Nursing, Sierra Club, Senior Companion Program, Times Pharmacy, UH Center On Aging, and many more.

ⁱⁱ A Honuakaha owner wrote to government officials,

“The sewage leak happened ~mid-February and was mixed with debris + rainwater, etc. The flooded area was left to sit for days before the regular janitorial crew (which is one woman, who was not provided with PPE or the proper tools/chemicals to sanitize) hosed down and pushed the contaminated water out the rear garage entrance and toward the edge of the property, near the preschool on Halekauwila. Condo owners brought up the incident at our 3/21 board meeting, and our property manager confirmed that there were two flooding incidents, one of which was the main line, and advised that she would reach out to the plumbing contractor about it. The water that was left in the garage dried up and smelled for weeks. even from the Queen St. sidewalk.

I have been playing phone tag and email whack-a-mole with Locations and various State and C&C departments and nothing has been done to notify residents about the exposure to sewage. Residents were notified on 4/10, via several printed notices in the lobby, that the affected parking area would be cleaned on 4/11; then the notice was changed to include "sanitizing" which was performed by our regular maintenance and janitorial crew (Fletcher Pacific) and not a specialized contractor. This sanitization happened only after the town hall was announced, even though management had confirmed they knew for at least a month.

We have not heard from the Board, the HCDA, or Locations; there have been no apologies for the lack of oversight in communication, no letters sent, no notices posted, and no statement regarding the biohazard that many people walked through, and several cars were also affected by the splashing of the contaminated water. People in slippers had feet that were stained black for days, and many of the seniors have walkers, canes, etc. that they use to get around.

There has been a dangerous and startling lack of corrective action and accountability by various agencies who were or should have been aware of this issue, which potentially (and maybe did) compromise the health and safety of the hundreds of residents in the building.”

ⁱⁱⁱ According to Honuakaha’s Declaration, two of the five directorships represent and are elected by the owners of the 93 residential affordable apartment class, aka, condominium units. Each of the following classes are represented by and elect its own director: the elderly apartment class, the commercial/retail apartment class, and the brewery building class. But the representation of each class is not proportional to its percentage of common interest and is weighted so that owners’ interests are not protected:

- The residential affordable apartment class has a cumulative 42.6777% of the common interest but controls 2/5 or 40% of the board;
- The commercial/retain apartment class has only 1.15% common interest, but controls one of the five directorships, or 20% of the board;
- The elderly housing apartment has 44.31% of the common interest, but controls only one of the five seats, or 20% of the board; and
- The brewery building apartment has only 11.8623% of the common interest, but controls the last of the five seats, or 20% of the board.

^{iv} <https://spectrumlocalnews.com/hi/hawaii/news/2022/03/13/notoriously-dangerous-intersection-will-get-a--1m-upgrade>