

LAHAINA WILDFIRE

FROM NATIONAL BUILDING EXPERT &
INTERNATIONAL BEST-SELLING AUTHOR

SEARCH & RECOVER. THEN PLAN & REBUILD



LANCE LUKE, CCC, CCI, CCPM

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"The Word According to Luke" Series

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Construction Management Inspection LLC is a full-service construction management company located in Honolulu Hawaii.

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SCAN ME

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Introduction

Note: Most of the contents of this book was taken from a transcript of a webinar given by Lance Luke on August 21, 2023.

I have given about 150 webinars to date on mainly building and construction topics. But this topic, to me, is the most important because of the nature of the content.

Prayers are being sent out every day for Maui and Lahaina, especially. A Big Mahalo to the Maui community for your fast and active response to help those in need of shelter, food, and friendship.

According to reports I got, when FEMA and the Red Cross got into the site, there were Maui community members already there. So basically, the community of Maui was one of the very first responders, aside from the local police, fire and ambulances. That kind of says a lot about Hawaii and the people of Hawaii. I live in Hawaii. I don't live on the island of Maui, but I've been there numerous times.

A little bit about me: I'm just not somebody off the street making stuff up. In addition to being a National Building Expert, I'm also a member of the National Fire Protection Association.

The main goal of the National Fire Protection Association is the prevention of fires. Their goal is also to eliminate death, injury, property damage, and economic loss due to fires, electrical hazards, and related hazards. According to our last count to date, we have about 50,000 members of the association.

I have been fortunate enough to have media interviews about a number of building disasters, including the Marco Polo Fire, the Ala Moana Railing accident, and the Florida Surfside Building collapse.

This book is not primarily to point blame at anyone but to present and share some information and knowledge that I have to date. Although, here's a caveat: if what I'm saying actually puts blame on someone or different agencies, so be it. That's what it is, but that's not my main purpose.

Chapter I

What Happened?

Everyone might ask, "What the heck happened?" You've seen a lot of reports, you've seen videos, you've heard news reports, all kinds of stuff, and there's a lot of information—too much and it is information overload. There is actually misinformation and disinformation, and hopefully I can clear some of that up.

So, what happened? According to various reports, there was dry vegetation that caught fire, and the high winds helped the fire rapidly spread.

Basically, the Lahaina community had a false sense of security because they didn't know how dangerous the situation was and felt safe at their home and workplace. But what happened was that the government that the community depends on was supposed to be responsible for certain precautions; and at each step there was some failure.

Now, let's talk about conspiracy theories—there's a lot of stuff going on out there, and let me tell you what they are.

I got so many emails coming in reporting that it was some secret energy weapon from space that caused the fire. Aliens: I believe in aliens, but I don't think they caused the fire. There was a report of green lights in the sky, a terrorist shooting a laser beam, and a terrorist setting off bombs and plans by the government or rich developers to clear the land for the development of hotels, luxury mansions for rich people, or the construction of a smart or high tech city. That's part of the great replacement theory of the new world order.

I mean, when you think about these things, sometimes it may make sense, but I don't think any of this stuff is true; mostly the energy and all that. Some of it may be true about the land though.

Chapter II

Battery of Errors

People call it the "Perfect Storm". Well, I don't like that term because we're using the word perfect. Perfect is not even the word to be used because nothing was perfect in this disaster. Nothing at all. It was very sad about what happened.

I'm talking about the battery of errors, and I'll go down the list. Tall grass that dried due to drought conditions was not maintained, and proper fire breaks were not constructed. How did we get this dry grass stuff?

In the past, we had a lot of plantations that grew pineapple and sugarcane, and once those businesses went out of business, these grasses from Africa started growing, and they grew really wild. But what happens is that when it doesn't rain, the leaves dry out, and now you have acres and acres of fuel for a fire.

If you're driving around and you see these dry grasses, Kiawe trees, Hale Koa trees, and if someone threw a cigarette out and it landed in the bushes, guess what's going to happen? It's a wildfire, right? So that's one error.

Electrical poles may not have been properly supported and protected by a fire. Electrical lines were not properly insulated. The transmission equipment was old, poles fell and caused sparks, which ignited the grass; and that's yet to be proven.

High hurricane-type winds helped spread the fire rapidly. The reports I got were that the winds were between 60 and 90 miles per hour. And the fire spread at about one mile per minute, which is super fast.

The other error is that there were no disaster warnings or any kind. Sirens; none of those were sounded, meaning the civil defense sirens were not set off to warn the community of the dangers.

The sirens are not just for tsunamis and earthquakes but also for wildfires or any kind of national or natural disaster. If we have a missile that's coming to Hawaii, do you think that they're going to sound the sirens? Yes, they should. So, should the sirens have been sounded if there was a tsunami, earthquake, or volcano eruption? Yes. What about if there's a fire? I think so.

Here's another error. The Hawaii State Emergency Management Office sent a reminder to the Maui Emergency Management Agency to use a siren system if needed. The Maui office did not heed the state's advice. Well, as we all know, there were no sirens set off.

The other thing is that there was a huge issue getting water to Lahaina due to conflicts between DLNR, which is a state agency, and the West Maui Land Company, which is a private entity. So, after the water was released, there were issues with the water pressure, so basically the water system was compromised.

The firefighters who used water to put out fires basically had no water to put out the fire with. They had it in the beginning, but it's sort of like when the water system collapsed. If you have a garden hose and there are enough holes in the hose so that the nozzle is not even getting enough water coming out. Basically, that's the idea.

Emergency preparedness. What does that mean? Well, that means, in case of an emergency, we need to be prepared. But were we prepared? I don't think so. I think that preparedness should be the highest state of readiness regarding public safety and emergency management. I think we failed miserably. But like I said, I'm not here to blame people, but that's what it is.

There were previous reports regarding the level of risk from wildfires. This is not something brand new that, all of a sudden, we said, "Wow, we got caught off guard. We had no idea that we could have wildfires or that it could be a problem."

There are reports; the Maui County report on Wildfire Prevention and Cost Recovery in July 2021 had some information on that. Also, various city, state, and federal agencies are expending resources to determine the cause of the fire.

FEMA is on site with their electrical engineer. The Bureau of Alcohol, Tobacco, and Firearms is also involved, and that's a federal agency that investigates explosions, fire etc. When there are bombs involved, they go to the site. I'm happy that we have some help.

Now, the next thing is outside investors to make offers to buy devalued property. So, there's a term called "stigmatized property." If you have, let's say, a single-family house and it burns down or partially burns; there's something wrong with it, so that's called stigmatized.

Unfortunately, it's true that there are vultures and sharks circling, and these are people coming from outside of Hawaii. I've heard plans to develop Lahaina as a luxury resort and tourist destination.

I want to tell everyone now that Lahaina is not for sale. I repeat, Lahaina is not for sale. So don't try to call real estate agents and other people to make offers. And that's what's happening today.

It's easy to find out who the owner of a property is because there are real property tax and mortgage loan records that have the address, the tax key, and the name of the owner; and there are cross checks to reference. So that's happening now. If you're a Realtor, your objective is not to talk to these people and get them out.

Where do we go from here? Well, as of today, unfortunately, the search and recovery phase is not over. That's still happening. So it's not like people can go in and start demolition and start rebuilding. We're not at that stage yet.

Chapter III

Be very careful

Be very careful of the burn site. The burn site is a whole area that was touched by the fire. There are numerous health hazards present. The air is not good to breathe, and the water is not clean. There is debris left from the fire that may contain hazardous materials such as arsenic, asbestos, lead paint, and other contaminants.

Contaminants are already leaching into the soil; that's why, after the land is cleared, soil testing needs to be completed. Right now, the soil is so contaminated that it could have lead paint or dust mixed with it.

That's why I don't advise children to go on to the site, and as much as you want your family to go to where your home was, I don't think you should take your children.

Also, silt and dust control fencing needs to be installed and the storm drains protected. Special care needs to be taken so that the silt and contaminated ash and soil do not end up in the ocean. We need to protect the ocean and marine life. Once the contaminants start hitting the ocean, our coral reefs are going to die, as are the tropical fish. That's going to be another natural disaster.

In my estimation, the fire debris mitigation and removal will take between 12 to 18 months and cost over \$1 billion. To rebuild Lahaina, my estimation is between \$7 billion and \$11 billion. This is just my rough guess. I'm not going to be surprised if the cost of rebuilding Lahaina comes close to the cost of building the Honolulu rail line project.

Why am I talking about the rail? Because I had an idea. Why don't we just stop the Honolulu Rail project and divert all the funds to building Lahaina back? I think that's a good idea. It's never going to happen. You know why? Because they're two different things, but I think that's a good idea.

Believe it or not, we're looking at a period of rebuilding between 10 and 20 years. It's not going to happen overnight; it's not going to happen within one or two years, so be prepared for that.

Also, the state of Hawaii simply does not have enough surveyors, architects, engineers, contractors, and construction managers to work on 2000 plus homes even in a 10-year time span. We don't even have enough building materials.

I have an idea for that; my company, Construction Management Inspection, LLC, is Honolulu-based. We also work mainly in Honolulu, on the island of Oahu, but also on neighbor islands. We also have projects that we work on on the West Coast, in California, Oregon, and even Las Vegas at times.

My company is offering free consultations to Lahaina homeowners. We're not there yet, but we will be in the future.

So, I set up a dedicated email address so that homeowners can ask questions and receive expert advice. And that's how we're giving back to the community. The email address is lahaina@hawaiibuildingexpert.com.

I also have a website with information; if you want to visit it, it's called StandwithLahaina.now.site.

My company can help with providing advice on hazardous building materials, survey, design, working with a contractor, building codes and permits, contractor licensing information, and much more.

My advice is to consult. Do not call us to redesign your new house or build your house; that's not what we're here for. We're experienced construction managers and construction consultants, and we're offering that service to you. If you're not from Lahaina, don't call us to get free advice. because we're going to be swamped focusing our attention to Lahaina.

Right now, I had a discussion with our team, and we're hiring a couple more people to help. But we're offering \$1 million in free consultation. That's \$250,000 a year for four years of free advice. So you can take it.

If you need a second opinion, give us a call. We're not writing checks, although we did donate a bunch of money already. This is our way to give back and allow our services to be free of charge to Lahaina residents who need the help.

As more investigation and research is done, the people of Hawaii are going to realize that there is and has been politics at play. Even before this fire happened. And I'll just leave that statement there. You'll see.

Chapter IV

What's for the future?

I'm talking about the future. We should restore the natural water system and maybe replant the breadfruit trees that were there in the 14th century, or way back then. And make Lahaina Lahaina again, not like what people are planning for.

The other thing is for the government—the county and state governments—to give the people of Lahaina a seat at the table when you're planning the development. People need to be heard; they need to have a say in all this, in rebuilding and planning for the future. You cannot come up with your own plan and say, this is what's going to happen, because that's not going to work. Hawaii is like a different country, entirely different from anywhere in the United States or anywhere in the world.

In fact, I heard somebody talking about why the US government should donate any more money or any money to help Hawaii. Because billions of dollars already went to Ukraine, and enough of that Why don't we keep the money in the United States and help the people in the United States?

And I'm like, "Hello? Hawaii is part of the US". So there are still people who don't even know Hawaii is part of the United States. So that's ignorance. If you combine ignorance with misinformation, it's just really bad news.

The message that I have is to keep vigilant. You're going to find out as various investigations go on, and it may take years to find out what the truth is. But you're going to trace it back to politics from all these land use restrictions, water restrictions, and all that.

This is political; what's happening with our electrical system? That's political too, because there's a Public Utilities Commission, and if you trace who the people are in the commission, a lot of them came from Hawaiian Electric. So, I don't want to get into being like an investigative reporter or anything; I'm just here to help.

I also want to help small business owners on Maui. I've also developed a new venture called Best Hawaii Business Directory. It's sort of like the Yellow Pages, and it's called Best Hawaii Business Directory.

We're going to offer free business listings and free upgraded listings to any business on Maui. It doesn't have to be in Lahaina, because Maui is already hurting, and it's going to be hurting even more. We already got hit with the pandemic and now this, so that's why we're offering free business listings.

Chapter V

Question and Answer

"You mentioned the Marco Polo Fire, the Ala Moana accident, the railing, and the Florida Building collapsed. What is the correlation between these events and the Maui fire? They seem to be totally unrelated."

They are unrelated, but they are related. And here's why: They are related because all these events should never have happened. The Marco Polo Building did not have any fire sprinklers. So if there's a fire in one condo unit, it will spread to the other units and the entire building. So that could have been prevented.

The Ala Moana railing collapse could have been prevented if the shopping center had maintained its building and not had corroded railings and concrete spalling.

And then the Florida building collapsed; that was a huge disaster. It was due to condo board negligence and not maintaining their building. Because my investigation showed that they needed \$15 million to repair their building, and they did nothing.

The investigation, by the way, hasn't been completed yet, but when it's finished, you'll see that it was due to a lack of maintenance; it was also probably due to a building's design and construction, but mainly a lack of maintenance, not repairing structural elements of the building. And that's why there was a collapse. So they're all tied in.

In my opinion, this Lahaina fire should never have happened. Now, you can't always prevent a fire, right? But if a fire starts, there are different fail safes that you put in place. If you have fire breaks, the fire can't spread. If you have a fire spreading, even when it's windy, you're going to use water to put it out.

If you have no water, you can't put the fire out. If you don't have proper transformer maintenance, and your electrical line falls on the dry grass and starts a fire, that could be prevented too.

So, all these different scenarios could come into play, and it's all a matter of spending time, money, and energy in preventing them. And that's why, to me, they're all related together.

"Can you explain the current environmental concerns and when you think the area will be safe?"

The burn area is not safe right now due to hazards like arsenic, lead paint, and asbestos, which were common building materials used prior to 1977–1978. This is well known in the construction and real estate industries. So, you have houses, you have buildings that were built prior to that time period, and now you have some environmental hazards.

The other thing is that the materials were also mixed with ash. The fire by itself creates environmental hazards because there are things that, when they catch fire and burn, become hazardous. Things such as carpet, lumber, drywall, any kind of furniture, or anything made from plastic became toxic when burned. We've got a lot of stuff made from plastic.

When that plastic burns, it's not just fumes. The fire that is dangerous. That's why when there are some deaths caused by fires, the people don't necessarily die because they burned; they die because they're inhaling the toxic fumes.

Also, tap water is unsafe to drink because the water system is compromised. So, you don't just have to be careful when you go to the site, and I'm going to have information on my website; people can go there to get some reference data.

"Do you think the state will be granting variances to allow rebuilding on the same types of properties without proper setbacks, lot coverage, etc.?" It seems as though part of the problem was the substandard buildings."

The answer is no. The state can waive certain zoning restrictions, but the building codes followed are the International Residential Code for single-family houses and the International Building Code for commercial buildings.

In Lahaina, we have a combination of both structures. We have single-family houses and commercial buildings, including educational retail, restaurants, stores, and shops. There might be slight waivers, but due to safety concerns after what happened, fire restrictions and safety precautions cannot be waived.

The code prohibits building houses close to each other without proper setbacks, whether they're five feet, ten feet, etc. Building materials will change too.

Once a house or structure burns down, it can't be rebuilt the same way. If a house was built in 1975 and needs reconstruction today, you don't follow the 1975 code. You have to adhere to the current code, like the 2024 version, when getting plans approved.

Similarly, in Lahaina town, for commercial buildings, most were wood-framed due to historical construction practices. However, modern building codes and fire regulations don't permit such close placement of wood-framed structures.

Different rules apply for concrete or other materials. In most cases, the answer will be no. Other factors could be at play, and we'll see how it unfolds. But deviating too much would likely expose the state to liability in case of another fire, as they would have deviated from the established building code.

"How fast was the fire?"

The fire spread incredibly quickly due to strong winds of 60 to 80 miles per hour. Imagine holding a torch in such conditions; the fire would spread rapidly when dry grass and heavy wind is involved. Reports suggest gusts even reached 80 to 90 miles per hour. The fire was estimated to travel about one mile per minute, a remarkably swift pace. The burned area covered approximately 2,170 acres, equivalent to 3,391 square miles, according to my calculations.

To put this in perspective, Lahaina's land area is 7.8 square miles. Rounded up to eight square miles, the fire could have engulfed the entire Lahaina area in just eight minutes.

While these are estimations, they provide a clear picture. The fire's rapidity is evident in videos online depicting the wind-fueled flames that resemble scenes from a movie, yet they're real. The speed caught people off guard, as it didn't allow sufficient time for evacuation, especially without sirens and prior warnings.

"How's the water handled? What is the Maui water system?"

Research is going to show that for years and years, the water system in Hawaii has been very political; because you have the public water system and then you have the private water system, and they're combined together. I think there are maybe 15 private water systems on Maui in addition to the public system.

Now, when it comes to Lahaina, there is supposed to be a shared water system between the public and private, and there was some glitch on that. But in the old days, when we had the plantations and the sugar cane and pineapple fields, water had to be used for that too. And that was the main purpose.

Then eventually, when houses were built, they used the public water system, but the private water system was diverted to golf courses, rich mansions, and other properties.

So you're going to see when the report comes out that it's very convoluted and political. You might even get upset when you find out private landowners had water for themselves, and then the residents, the farmers, have to beg for water. And that's not only on Maui; it also happens on other islands as well. When the investigation comes out and people do the research, you're going to see what I'm talking about.

"What is the advice you have right now for those who lost their homes: what can they do, or should they do?"

If you have not so already, you should register for assistance with FEMA, the Red Cross, and any other agencies that are offering assistance, whether it's food, shelter, or money. That's what you need to do.

I got reports from people who are not US citizens, and they're scared to approach the government because they don't want to get busted. They may be illegal aliens, have a green card, or whatever. I would say, "Don't be afraid. Just try and see what help you can get." And also, it's not very helpful when people apply to the government and the government say, "We need your social security card, your green card, we need your paperwork." And it's like, "I have no paperwork because it all got burned in a fire." So, they need more help with documentation.

Also contact the county real property tax office and request a hold on your property tax bills. I think that's probably a given already with what the county's doing, but request a credit because when people pay their property taxes, they pay them currently and for the next six months.

So you shouldn't be paying property taxes for the next six months, although the real property taxes are, for the most part, your tax on the land, and the county may say, "The land is still there, so therefore pay your taxes." But you can't use the land, right? So see what you can do and try to get a credit.

Also, this is very important. Contact your mortgage lender and let them know that you cannot pay your mortgage because your house burned down. You cannot pay your mortgage and request a deferred payment plan. Work out some kind of payment plan or forbearance or something—three months, six months, or whatever—and explain the situation.

Almost everybody is aware, and all the lenders are aware of what happened. So some of them are going to help you, and some may say, "Well, we don't know if we can help." Now get this; in your mortgage documentation: when you sign for a mortgage, there's a clause that says you have to pay your mortgage no matter what.

So if your house burned down, got inundated with a tsunami, or got blown away by a hurricane and your house is not there anymore. Guess what? Your mortgage requires you to still pay your mortgage payments. That's how strict it is. So go and ask them, contact them, and see what can be done, especially if you're not working.

If you're a small business owner, do the same thing. If you took out a loan, an SBA loan, or something, do the same thing. Now, if you're a small business owner, apply to the SBA; there are disaster relief funds available. And see how they can help you. So just follow these things. Most of you have probably have done it already, but some have not, so just do as much as you can.

"Do you know how long the insurance takes to cover their losses? "

The answer is too long. And here's the reason why: From the history of insurance claims on the mainland, where there are natural disasters like hurricanes and floods, it may take six months to two years to get a check from an insurance company. But be aware that the insurance company may not agree with the claim or argue that their coverage does not apply.

For instance, I've gotten emails from people saying, The insurance company says "My insurance doesn't cover wildfires." Heads up, if you have a mortgage on your property and the insurance company writes a check to you, they're going to write the check jointly in your name and the name of the mortgage company, the mortgage lender, or your bank.

So, you cannot just cash the check and move to Las Vegas because your mortgage lender has to countersign the check. And they're going to want to know. I want assurance that you have a licensed contractor who's going to rebuild your house. Because, remember, the mortgage is on not only the land but also the house.

According to the last report I got, the average house on Maui is valued about \$1.1-1.2 million. So naturally, these lenders are going to balk and say, "Well, I'm not going to release the money until I know you're going to rebuild." And then you may have to argue and fight with them and say, "I decided not to rebuild. I'm going to take my money and I'm going to move to Kahalui, or I'm going to move off the island."

So, heads up, it's going to be frustrating. Be prepared. No matter how many calls you make, letters you send, emails you send, whatever, it's just a waiting game. It's just going to be that difficult.

Now, if there were only one or two houses, it might be simpler, but you're talking thousands of houses insured by the many of the same insurance companies. It's going to take some time for them to go through the paperwork and review everything. So just be prepared for that.

"What recommendations do you have to speed things up when it is time to rebuild, following up on your rebuilding?"

I think that's not on the individual homeowner. That has a lot to do with the government. But for Maui residents, I would say to contact the county and state, and request that demolition permits be waived. They're probably already going to do that because you're not going to be in charge. Usually in the case of a single or a few houses being burned, the homeowners will be in charge in this case. The Fed will handle demolition and clean up.

In order to demolish a house, you need to get a demolition permit, but there's nothing there to demolish; basically, it's burned to the ground. So, the good thing is, I heard FEMA, EPA, and the Corps of Engineers are going to be in charge of doing the hazardous removal and cleanup, which would cost about a billion dollars or so. And so the federal government just decided they were going to do that.

So for each homeowner, you don't really have to worry about that too much. The government, the federal government, is going to take care of that. Also contact the county and state and ask them to waive all the building permit requirements. And that's going to speed things up because you heard about building permits taking two years and all that red tape. Let's cut all the red tape.

Also, here's a big one: request that the state allow outside architects, engineers, and contractors to work on Maui construction projects without requiring Hawaii state registration and licensing for architects, surveyors, and engineers to work in Hawaii; you have to have a license from the state of Hawaii.

If you have a license in California, that's not allowed in Hawaii. In other words, if you're a contractor that's licensed in the state of California, you cannot come to Hawaii and start doing contracting work because you doesn't have a Hawaii State contractor's license.

So, my idea is to have the government allow reciprocity, which means if the contractor is licensed in California or in whatever state but not in Hawaii, the state allows reciprocity and an exemption. The same way with an architect or engineer. In other words, we need outside experts, architects, engineers, and contractors to come to Maui to help with the rebuilding. There's no way Hawaii has enough architects, engineers, and contractors to rebuild. So that's why I am recommending that.

In addition, request that the state allow prefab package or modular-type homes to be built. In the past, for many years because Hawaii is a strong union state, a construction union; the unions did not want these prefabricated modular homes to come to Hawaii because it would take jobs away from our carpenters, our concrete workers, and such. But now is not the time to continue that argument.

In fact, I got a report that the unions have agreed to allow modular and prefab because, in the past, they've been like, "Oh, they're going to take jobs away from us because the house is ready built. It's like it comes in a container, and we don't need much labor to put it together from scratch." So, times have changed, and I think that's a good thing. So the government and unions have to go in that direction, especially given the situation.

"Have you been contacted directly from investors outside of Hawaii to help them buy real estate in Lahaina?"

I personally and other people that I know that are real estate professionals. I'm also a licensed Realtor in Hawaii. I have a real estate expert website, and I've been contacted through that website. But my answer is that I haven't even called these people back. I've been too busy trying to plan for the future and provide help. But every real estate board in Honolulu and Maui has already issued notices to their Realtor membership.

Do not help these people because Lahaina is not for sale. The speculators that come in want to buy property for pennies on the dollar, and probably some homeowners will sell just to get out for whatever reason—they don't want the memories, or they lost their job—and that's the only way to survive. But for the most part, it's early in the game for these people to be coming in. They're like vultures and sharks, as I mentioned before.

To the Realtors out there, don't talk to these people. If you have to tell them you're supposed to be documenting, find out who it is, and take their address, phone number, and everything else so they can be put on the DCCA list because the state is saying it's some kind of violation to be doing that.

Legal Issues

There's talk about legal action; you probably heard that there's like a bunch of lawsuits already. The primary ones were against Hawaiian Electric, and anytime there's a crisis or a disaster, you've got these attorneys—people call them ambulance chasers trying to get in on the action.

So be aware of law firms, especially out-of-state law firms, and what's happening is that law firms from out-of-state, mainly the west coast, California, Oregon, Washington, even Las Vegas, Texas, and Florida, are actually contacting homeowners and saying, "We're experienced attorneys. We can get you money; we're prepared to sue, whether it's an individual or part of a class action lawsuit."

Here's the carrot. They're telling these homeowners, "We're going to expend all the legal efforts and pay for whatever is necessary, court costs, legal filing, and all that for free. We're going to do all these things for free." So it may sound good, right? Free means that they're going to take your case on a contingency or contingency basis. What that means is that if they win, they're going to get 30–40%, or whatever their percentage is, of whatever the settlement is.

So basically, it's only the upfront that's free; they're going to ask you to sign a contract with them and everything. When you hear the word free, it's not free. They're not going to do it and represent you, and then when you get your settlement, they get nothing. They're in it for the money too, so just be aware.

Now, the caveat and caution is that if these attorneys are from out of state and they do not have a state of Hawaii license to practice law in the state of Hawaii, that's illegal. They cannot represent you.

Now, there's what you call partnership agreements, where a law firm in California would contact a law firm in Hawaii and say, "I want to work in a case; let's do a joint thing." So that would work, because then that lead attorney would be a licensed attorney in Hawaii, but the law firm that's running the show is the one from the mainland. So, it can be done, but just be aware.

Now, it's kind of early to sue in one respect, but not in another. And I've seen responses on social media. "Why do people have to sue Hawaiian Electric? Why do these law firms even have to sue anyone right now? Can't you wait until everything settles down? It's not even completed yet; the search and recovery. Why can't you wait until you know the search and recovery efforts are completed and then start your litigation?"

The reason why attorneys want to sue right away is because of the protection of evidence. If they wait too long, evidence can be destroyed, and it will not be available anymore. So they want to at least preserve, and that's the way that they do things. So, in the case of a homeowner suing, there's really no evidence because their house is not there anymore.

So what they do is they're going to go, and you're going to see it coming up when it comes to lawsuits. And what happens is the law firms are going to name every single entity that has anything to do with the fire.

And here's what's going to happen: Who's going to get named? You can't name the dried brush, but whose land is on the dried brush? Did they maintain it? Did they make firebreaks? Did they do anything? What's their history? And then what's the elements that contribute to the start of the fire? How did the fire start?

If it was due to a transmission line that fell, they're going to say, "Well, who maintained this? Let me see your records." And then also, oh, what about the water? Who's responsible for the water? Because they're going to just name everybody, including the county and including the state. And that's how lawsuits are.

Then one by one, if the entity is not responsible, then they're going to get taken off the lawsuit, but they're just going to name everybody, John Does one through 500 or whatever.

And that's how, when they make their formal complaint, it's made. They're just going to broadbrush and sue everybody that they can name. And then go from there. So, there's going to be many more lawsuits coming up, and we'll see how it all plays out.

I think the main target right now is the utility company, followed by the rest. We'll see how it pans out, but it's not going to be fun watching this whole thing develop. But then you're going to see, mark my words, that there were political influences involved in the past; everybody was status quo. But now that this tragic event has happened, everyone's going to dig in, find as much information as they can, and then see who's responsible.

"I remembered the 1992 contractors that were brought in from the mainland, and then after they got started, they filed bankruptcy of some sort."

That's why we've got to take precautions. I'm not saying just go and hire X, Y, or Z construction company in California and have them start building a house. The precautions would be that they have to have a valid license, valid insurance, and a bond. If they start work and take a hike, they go to the bonding company and finish building the house. So, it's not going to be the Wild West anymore. And we're seeing that happens a lot in disaster situations.

We had two Hawaii hurricanes, and there were problems with contractors. Some other comments came in: this is not the first wildfire that happened on Maui. Maui had other wildfires. So it's like, when was the last wildfire that happened, especially around Lahaina? Did we learn from that? Apparently not. There are issues that are going to come up, but you'll see them coming up, and it's not going to be a fun thing, and you're going to hear excuses from the people who were blamed.

But that's really not going to help the cause; what we're trying to do is help the recovery efforts and get that completed. The next step is going to be hazardous material testing, removal, and cleaning up the whole area. And I don't think there's a dump site on Maui. I think they probably have to take the material offshore somewhere. So, we'll see what happens.

"Are the vacant lands where the grass grew, mainly Bishop estate land? Do you know?"

I don't know. I haven't had a record, but I know that Bishop Estate is one of the largest landowners in Hawaii, and so it could be. When it comes to lawsuits, they're probably going to be named too if they are a landowner. Unfortunately, I'm part of the alumni of Bishop Estate kamehameha schools. I was educated, so I hate to see them get sued too. But let's see what happens.

I'm going to have more information coming out, like on my website, standwithlahaina.now.site. I'm going to put up a lot more information on helping to rebuild, because that's what this is all about. I'd rather talk about helping rebuild than litigation and who's responsible and all that.

But I've had a bunch of emails from people asking me to go on and give my opinion because there's so much stuff out there on social media and in the news that people don't know what to believe. So, I think there's going to be more out there.

If you're a Lahaina resident and you want to contact me, use the email lahaina@hawaiibuildingexpert.com. And we're set up to help you answer questions regarding insurance or construction. My specialty is in construction and building, not necessarily insurance. But I would probably tell you to contact your insurance company first, but you may need advice from me, and that's fine too.

It's going to take many years for us to rebuild. And it's going to take a lot of participation from the Lahaina community to take a stand, even if whatever stand you feel is correct, because Hawaii is known for low voter turnout, and it's apathy. But please don't get into that. We don't have time for that anymore.

The people have to speak out, and they have to say what they're thinking and let the government know. And there are people out there that I know by the terms, like activists, protestors, or whatever, but that's not the case. People have a right to express their opinion, especially that Lahaina is the people's land. It's not the government's land, and the people should have a say.

So I'm thinking there should be, and hopefully the Banyan tree continues to grow. There should be some nice monument with the names of all the people who perished. We don't even know the names of the people. We're still out there trying to find all the people who died. There are different things to be done.

"Explain what the people did right with the house still standing, the white one with the red roof."

Well, I can tell you now that there was a good design on that house that was still standing. One of the designs, if you look there, the yard didn't have trees around it; it was more grass. That's like an automatic, natural plan landscaping fire break. The other thing was that the report I got said that that roof was fire-resistant. So when embers hit the roof, they didn't catch it on fire. So what's going to happen is, I think, there's going to be a new set of rules. It's already in place, but it may be more stringent.

So how many roofs in Lahaina were fire-resistant? There was no roof that was fireproof, but that's why all these roofs caught fire. Roofs are the first to catch fire in a wildfire when the wind's blowing so much because the embers are blowing lit pieces of wood or material that's on fire. Or it could be just a spark that lands on your roof. It could be an asphalt shingle roof; it could be a wood type roof. And then the roof starts burning, and then the house starts burning.

By the way, I saw a picture of a building in Lahaina, a commercial building that had a flat roof, and the roof was burning. That was the first to go. So the code right now has preventive measures for fire retardants and those kinds of things, but maybe we have to be more stringent about that.

"Is our metal roof a good thing?"

Yes, it is a good thing. But here's the situation on metal roofs: the older roofs that were corrugated iron were called tow tongue roofs, and that's not approved by building code today. It was just that a lot of buildings had that, and there was no hurricane protection. With such high winds, all these roofs blew off.

That's why when you see photos of all the corrugated iron lying on the ground, that's people's roofs that blew off because there was no hurricane protection. That's not allowed, but the new metal roofs, standing seam, and all that are good too. Standing Seam roofs are a good product.

Chapter VI

Rebuilding Lahaina

This is the final chapter of this book, but it is the first chapter of the recovery and rebuilding of Lahaina.

Please check out my Lahaina Rebuild website
www.lahaina1.com

This website will be dedicated to helping Lahaina rebuild.



ATTENTION: MAUI BUSINESS OWNERS

Maui business owners, sign up and claim your free upgraded business listing in the biggest and most progressive business directory in Hawaii. You save \$120/year.

And every Maui business that signs up gets a free membership in the business association; Small Business Hawaii. Your yearly membership fee of \$95 is waived for a year.



Stay safe and God Bless!

Lance Luke

END

ABOUT THE AUTHOR



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SUMMARY/OVERVIEW

Lance Luke has been in the construction and real estate industry for over 42 years. He is a former general contractor and worked as a construction and project manager for real estate development companies. Currently he owns an independent construction consulting company, Construction Management Inspection, LLC. He has experience in design, engineering, construction inspections, construction management, reserve studies, real estate development, property management and condo association management.

His specialty is in inspection and construction management for condo association buildings and commercial properties. Various types of projects worked on include concrete spalling repair, painting, roofing, waterproofing, asphalt resurfacing, plumbing re-piping, electrical retrofit and structural wood repair. He provides construction oversight and progress inspections for residential and commercial projects. He has 42 years managing capital improvement projects for condominium associations.

Lance Luke serves as an expert witness on construction and real estate litigation cases. He was formally an Advisory Board Member for the State of Hawaii Regulated Industries Complaints Office, as an expert consultant (for over 15 years). His expertise was in helping to resolve complaints filed with the Contractors' License Board. He was also selected in 2017 by Honolulu Assistant Fire Chief to serve on the RFSAC (Residential Fire Safety Advisory Committee) Building Code Sub-Committee to prepare the Fire Life Safety Evaluation criteria.

He has written numerous articles on construction and inspection, which have published in both local and national media. He conducts up to 30 presentations a year to the construction, real estate and property management industry including educational webinars and construction seminars.

Two-time Best-Selling Author on subjects of construction management and building safety. Numerous articles published in national construction, design, and building management publications.

Featured guest on national media shows such as Times Square Today and Hollywood Live which were broadcast on national media outlets such as ABC, CNBC, CNN, NBC, Fox Affiliates, A&E, and Bravo.

Mr. Luke is a qualified insurance inspector and an approved Federal HUD Construction Inspector. HUD projects included “from the ground up” assisted living facilities such as Plaza at Moanalua (2012), Plaza at Pearl City (2014) and Ilima at Leihano (2016) He is also listed as one of America’s Premier Experts and Marquis Who’s Who in America 70th Anniversary Edition. And is an instructor for National Seminar Providers such as Lorman Education Services, Compliance Prime, and Half Moon Education Seminars.

Lance Luke is a former member of the Structural Engineers Association of Hawaii and the American Bar Association serving on the Real Property/Probate Law Division and the Forum for the Construction Industry and a former member of the following Professional Associations:

PROFESSIONAL ASSOCIATIONS

- Construction Management Association of America (CMAA)
- The Construction Specifications Institute (CSI)
- Hawaii Building Association (HBA)
- International Code Council (ICC)
- International Concrete Repair Institute (ICRI)
- National Institute of Building Sciences (NIBS)
- Roofing Consultant Institute (RCI)
- Structural Engineers Association of Hawaii (SEAH)
- Mortgage Solicitor/Designated Mortgage Broker
1996-2010
- General Residential Contractor (Oregon 1998-2000)
- Certified Construction Project Manager 2007
(Association of Construction Inspectors)

- Certified Construction Consultant 2007
(Association of Construction Inspectors)
- Certified Construction Inspector 2007 (Association
of Construction Inspectors)
- OSHA Certifications:
 - NFPA 70-E
 - Scaffolding Competent Person
 - Fall Protection Competent Person
 - Revised Hazard Communication
Standard (HCS) Globally Harmonized
System
 - Aerial Lifts
 - Powered Industrial Truck Certification
(Class VII Rough Terrain Telehandler
Forklift)
 - Respirable Crystalline Silica
 - NFPA 70E Arc Flash Safety
 - Trenching & Excavation Safety

**EXPERIENCE: REAL ESTATE DEVELOPMENT,
CONSTRUCTION MANAGEMENT, CONSTRUCTION
ENGINEERING**

- Central Pacific Development Corporation (Hawaii
Headquarters) 1979-1990
- Capital Pacific Development Corporation
(Mainland Branch) 1980-1990
- Building Inspection Consultants 1989-2000
- Lance Luke, Construction Consultant 2000-2007
- New item
Construction Management Inspection LLC. 2008-
current
- Served as construction manager on hundreds of
capital improvement projects for condo and
commercial buildings from 1990 to the current
date.

EXPERIENCE: REAL ESTATE CONDO ASSOCIATION MANAGEMENT, CONDO BOARDS

- Certified Properties Inc. 1978-1984
- First American Realty & Management Corp. 1981-1986
- First American Real Estate Services Inc. 1986-1989
- Certified Management Inc./Associa Hawaii 2007-2011
- Certified Association Services Inc 2007-2012
- Certified Real Estate Services Inc. 2007-2012
- Certified Reserve Studies 2007-2012
- Certified Maintenance 2007-2012
- Served on various condo boards from 1979 to 1984, and 2017 to current. Currently on three condo association boards serving as Vice President, Secretary and Treasurer respectively.
- In addition to serving as corporate and consulting manager, Mr. Luke also educated many associations property, resident and site managers from 1990 to the current date.

REAL ESTATE DEVELOPMENT PROJECTS (Served as Construction Manager for the following projects)

1. Makiki Plaza: 131 units, 25 stories, 1980
2. Tradewinds Plaza: 80 units, 11 stories, 1979
3. Punahou Surf: 7 units, 2 stories, 1980
4. Emerson Plaza: 12 units, 4 stories, 1979
5. Atkinson Plaza: 127 units, 18 stories, 1979
6. Plaza at Century Court: 94 units, 20 stories 1987
7. Century Park Plaza: 600 units, 40 story twin towers.1984
8. Makiki Colony: 56 units, 9 stories, 1980
9. Kuulei Hale: 16 units, 4 stories.1984
10. Castle Hills: 130 single family subdivision, 1982
11. Nuuanu Palms: 7 unit single family cluster, 1988
12. Executive Plaza/Starts International: 7 story office building, 1990
13. Iolani Palms: 31 units, 6 stories, 1989
14. Fountains at Makiki: 72 units, 5 stories, 1991
15. Lani Hale: 15 units, 2 stories, 4 buildings, 2011
16. Leialoha Parkside, 10 units, 3 stories, 2011
17. Parkway Plaza: Residential Highrise Building, San Antonio, Texas 1984 New item
18. Centre Plaza: Residential Highrise Building, Orlando Florida, 1984
19. Capital Pacific Business Plaza: Commercial Highrise Office Building, San Diego California, 1984

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Warranties in Construction	03/23
Cast Iron Drain Piping-Replace Now/Later	04/13
Air Conditioning - Fresh Air Fact	04/27
Railing Failure Issues	05/04
Hurricane Ties - Don't Be Blown Away	05/08
Roofing - Facts to Be On Top	06/08
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BUILDING SAFETY	09/14
Building Codes & Permits - 2021	09/28
Asphalt Reconstruction 101/102	10/26
WOOD REPAIR-METHODS TO THE MADNESS	11/09
Flooring & Sound Transmission Issues	11/23

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Building Envelope - It's a Wrap	04/12
Lot/Grade Drainage - The Correct Flow	04/26
Plumbing - Let It Flow	05/05
The Millenium Story - The Sinking Building	05/24
HOA Design Review - The AOA Protocol	06/14
After a Flood - Do This, Not That	06/28
Contractor Bidding - Avoid the Ripoff	07/12
The Termite Story - They're Always Hungry	07/26
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Red Hill: The Big Navy Blunder	11/28
Why Hire A Construction Manager	12/05
Holiday Party	12/12

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The National Building Expert Lance Luke shares his tips on Building Safety for Buildings large and small. He shares his 42 years of experience in the construction industry.

His webinars on building and construction topics draws audiences not only from the Unites States but from all over the world.

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