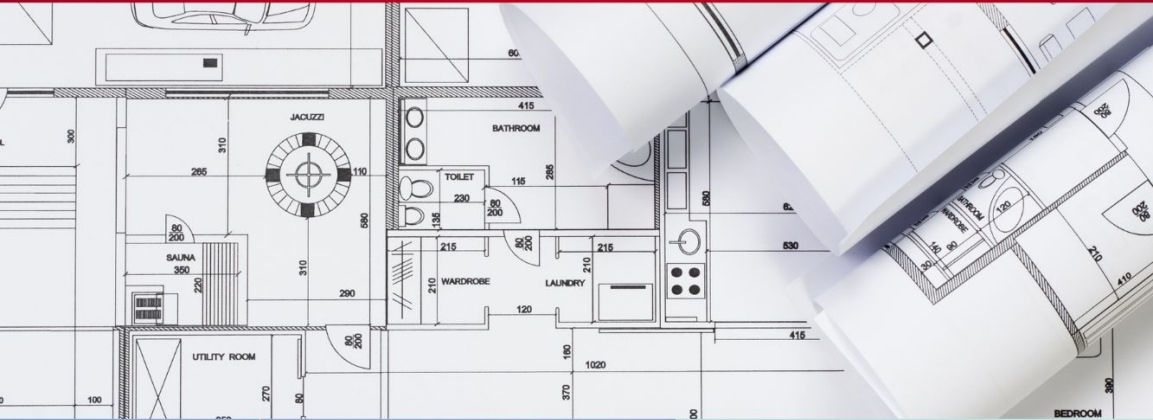


BUILDING CODES & PERMITS HAWAII EDITION

FROM NATIONAL BUILDING EXPERT &
CRITICALLY ACCLAIMED BEST-SELLING AUTHOR

GUIDANCE FOR COMPLIANCE AND SAFETY



LANCE LUKE, CCC, CCI, CCPM

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"The Word According to Luke" Series

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INTRODUCTION

The information I'll be sharing applies mainly to the state of Hawaii. The Honolulu building code may be different from state to state and county to county. If you're from outside of Hawaii, like California, Florida, or anywhere in the United States, the main building code that requires building permits is the same.

Each specific county adopts their own, so they can make it less or more stringent or add more requirements, and that's the caveat.

What I'm going to tell you basically applies to Honolulu City, but you can take most of the information and apply it to whatever city or county you're in. But then double-check with that specific country that you're in to be sure.

Are you ready to crack the code?

Basically, we set up this site to help building owners, condo associations, property managers, homeowners, anybody related to the building industry, Realtors, real estate attorneys, mortgage people, real estate appraisers, and more.

This book is presented by Construction Management Inspection, LLC.

Since the date this book was written in 2022 some information may have changed.



CHAPTER I

WHEN IS A PERMIT NEEDED?

The topic is Building Codes and Permits. The question I frequently get asked is, When is a building permit needed? When somebody asks me, "Hey Lance, when is a building permit needed?" I say, "Let me give you some information." They might ask, "Does this certain condition conform to the building code?" And I might ask, "What building code? Because there are many."

There are differences in the various building codes, but in Honolulu, the law states; A permit is required to erect, construct, alter, or remove any building or structure. Those are the exact words from the actual building code.

A permit is required for any electrical work over \$2500 and any plumbing work over \$2500. If a permit is required, you must use a licensed contractor. Now, when do you not need to get a permit?

A building permit is not required for painting, cabinet work, floor covering, or windows; what does that mean? That basically means that if construction work is being done and it's not painting, cabinet work, or floor covering, then you need a building permit.

There are other factors involved, and I'm here to dispel the myths, lies, and fake news around town, coming from contractors and other people who supposedly should know this information. But no one really bothers to check the source and reference, and they just hear it from other people.

If your contractor says, "You don't need a permit for building that rock wall there," then you think, you don't need one because that's what your contractor is telling you or that's what the engineer is telling you. Or your architect or a real estate broker. Where did they get this information? And what is the foundation for their statements? It could be both; someone told them, or they checked with another contractor, and he said, "You don't need a building permit for this or that." But how do you know if this is true? That's why I always cite the sources.

If you cite the source or the correct reference, you can't be wrong, unless the building department changes the rules on you and doesn't tell anybody. So, there is no exemption from the permit requirements if the work is being done only for the purposes of general repair and maintenance.

In other words, you need a building permit if the work being done is for the purposes of general repair and maintenance. But what if the work is not structural? Do you still need a permit? Yes, you do.

What if you're replacing, like taking siding off a wall of a house or renovating your bathroom, and all you're doing is just removing the old tub or old shower tile? You're just removing all of that and replacing it with new; you're not building any additions or any new construction, like structural walls, and you're just going in and doing that. When the work is done, you're not changing the square footage or anything; it's just new building materials, but then you still need a permit.

If you're doing the work yourself rather than hiring a contractor, do you still need a building permit? Yes, you still need one, but if you're using an unlicensed contractor, do you still need a building permit? Yes, you do. What if it's an emergency and your roof blows off? Do you still need a building permit? Yes, you do.

If it's an emergency and your roof falls off, you technically need a permit. But you need to hire a contractor to fix your roof. The contractor will fix the roof and supposedly apply for the permit the next day or a couple of days later. On the issue of doing the work by yourself and all the examples I gave you, if the value of the construction work exceeds \$10,000, that triggers the need for a building permit.

Basically, if you look at what's going on and what the cost of construction is by today's standards, as well as the cost of building materials and labor, almost every kind of improvement you're doing for construction is over the \$10,000 threshold.

Therefore, that triggers the need for a building permit, and you might say, "Nobody gets permits for these things." And I say, "That's true. I'm aware; the building department is aware; a lot of people are aware that many people are doing this, and they don't get permits. Now, is that the right way to do things? No, but it's almost out of necessity because it takes so long to get a building permit."

Anyway, take those facts and do whatever you want with them. But if anybody tells you, like a contractor says, "You don't need a permit," Ask, "Why don't I need a permit?"

For instance, if you are building a 6 foot high rock retaining wall or a CMU concrete block wall and it costs \$15,000, do you need a permit or not? Yes, you do. If the contractor says, "You don't need one," say, "Show me that section of the building code where it says, I don't need a permit because I can show you the section of the code that says you do." And do that for any situation, whether you're doing a bathroom or kitchen remodel.

And the contractor says, "You don't need a permit." "Well, why don't I need one?" And he might say, "Cabinetry doesn't need a permit." If cabinetry doesn't need a permit, what other work are you doing? Aren't you doing drywall? Isn't there electricity? Aren't you doing some plumbing work? If you add all these together, does it exceed the value of \$10,000 that triggered a permit? We don't have time to get one.

Most of the information where the contractor and the salespeople are telling you you don't need a permit is wrong. All you have to do is go online and look up when a permit is needed and go to the DPP website.

I'm not making things up, I'm just telling you what the facts are, and that's why I'm saying dispel the myths, fake news around town, and lies.

When people say you don't need a permit, they're lying, because that's not true. So, all these big high-rises in Kaka'ako that are going up have to have a building permit. But what about if I bought a single-family house where they're remodeling and renovating? Or what about the condo? If you're living in a high-rise condo and you're remodeling your kitchen or bathroom, do you still need a permit? Why do we need a permit? No one's even going to see any work going on; it's hidden, and it's not like these brand new Kakaako buildings.

What happens if the DPP finds out and you get a citation? What happens if the contractor you hired doesn't even have a contractor's license? What happens when the work is done?

Let's say you have a single-family house with a patio. It's a lanai because there's a roof over it, but you want to enclose it. And you hire a contractor to enclose it. Then he says, "You don't need a permit because we're only putting walls up; your roof is there already, and there shouldn't be a problem".

Now, what happens when the building inspector goes to the house and looks at it and says, "I don't see a permit, did you get a permit for this?" You might say, "No, the contractor that I hired said I don't need one." And the building inspector is going to say, "You do need one because all you had was a roof over your lanai and you enclosed it."

Now it's becoming part of the house, adding to the square footage, and are you paying real property taxes? I mean, for the additional square footage. Well, the other thing is, I'm looking around, I'm the building inspector, and I go, "Your electrical outlets, they're too far apart, it needs to be like six feet, and I see one here, like 15 feet away. This is not to code, and your lighting is not to code, and you don't have enough windows." Maybe that's why they didn't want to get a permit.

So, the building inspector is going to say, "I want you to get a building permit, and you've got to correct all these things." And he says "How do I do that?" And I say, "You better call the contractor back and ask him to help you." Which leads me to the next lie.

CHAPTER II

GETTING AN AS - BUILT PERMIT

What happens when you don't get a building permit? Now, you've got to go get an as-built permit, and what is an as-built permit? It's a permit that you apply for after all the work is done, and it's not that easy. It is costly because you have to conform to the current building code, you need to hire an architect or engineer to draw plans, and you need a willing contractor to sign on as the contractor of record.

In the example I gave you about that enclosed lanai, if that contractor is not licensed, he can't pick up the permit, and you must hire a licensed contractor.

So, let's say the contractor you hire is licensed, but he says, "The deal was, we weren't getting a permit, I'm not going to get the permit, it takes too long." So, you hire another contractor to sign the form, and you get another contractor. If you can find one, apply for an as-built permit and say, "I need you to sign on as a contractor so I can get a building permit."

The contractor is going to tell you, "I didn't do the work, and you're asking me to sign as a contract of record; now I'm liable for all this construction. I don't know who you hired to do the electrical or who did the windows. And what's inside the wall—whether he put insulation—I can't see it. So, if I'm going to risk my license to sign on the dotted line and attest to the building department that I was a contractor that built this improvement without me doing any work at all, you've got to pay me \$5,000 or \$10,000."

And you go, "This is highway robbery." And the contractor says, "Then you don't have to hire me, go find somebody else." It's very tricky because you're going to have to find a contractor who's willing to do that.

So basically, you must pay them to be the contractor who never did the work, but they're taking on the liability.

The other thing is insurance, too. What happens if there's an electrical fire caused by bad installation and the insurance company wants to go after the contractor who signed to get the permit but didn't do any work? You see how sticky this can get, and it's very technical in nature.

Good luck in trying to find a contractor willing to do that, and then also for the contractor that just signed as a contractor of record for the permit. That's not adding on the costs of the contractor doing the work to correct all the inefficiencies that he needs to correct to conform with the current building code.

Another example is if you buy a house that doesn't have a permit for an addition and want to get the permit. You must pay a contractor to go in there and build everything to the current code. You can't say, "It was grandfathered in because when I bought the house, all those things were built in the seventies, and I didn't touch them. I just want to get a permit."

The building department is going to say, "It doesn't matter. We're treating it as if you're coming in with today's code, and that's the code we're going to use. Not the code back in the seventies when this thing was built, because it's not grandfathered in. There's no such thing as having an improvement grandfathered in when there's no building permit."

CHAPTER III

APPLICABLE CODES ON CONSTRUCTION PROJECTS

There are a lot of different codes. There's the *IBC International Building Code* and the *IRC International Residential Code*. There's an *IECC International Energy Conservation Code* and a *NEC National Electrical Code*. **NFPA 70, Fire Code; NFPA 1.**



There's a Hawaii Elevator Code, a Uniform Plumbing Code, an International Plumbing Code, an International Mechanical Code, and a whole bunch more.

If somebody asked me, "Hey, Lance, is this construction up to code?" I'm going to say, "What code are you talking about? There is not only one code; there are numerous codes."

CHAPTER IV

EXISTING BUILDING VS. NEW CONSTRUCTION

Is there a difference between an existing building and a new construction, code-wise?

Yes, there is. If you look at the photo of an apartment building in Waikiki, as you can see, the roof is kind of shot and it's kind of old.



So, the code that governs this building is not necessarily a new construction code; it's an existing building code. That's two different codes, but if they're doing a renovation or remodeling, some parts of the current code apply, and you could use some parts of the existing building code because the existing building code is more lax and doesn't require some things.

In some cases, you can't renovate it up to current standards, so they allow you some leeway, and you can combine the two codes together and maybe get the least expensive construction costs. Because if you follow the current code for your remodeling, it may be cost prohibitive.

Basically, that's the difference. If you have an existing building, there are multiple codes that come into play. Also, the residential code comes into play because this is a residential building, and then the International Building Code, which is a standard code, would come into play too. So, there could be multiple codes pertaining to one building.

CHAPTER V

CONSEQUENCES OF BUILDING CODE VIOLATIONS

I guess they ran out of an electrical junction box, so they decided to use a tuna can, and I think a tuna can works well. But it's not UL-rated, and there's no stamp on the tuna can saying "Conforms with the electrical code." That's not really a good idea. I thought that photo was kind of funny.



Then there's a circuit breaker for which they used a tie wire, and I asked, "You did a pretty good job, but tying the wire to the screw to make the breaker secure—why did you do that?" And you said, "The breaker kept tripping." I said, "Did you know that the breaker is supposed to trip when there's an overload? So, by forcing it not to trip now, you're creating more of a fire hazard because those breakers could start heating up and catch on fire. And next thing, the whole house is going to burn down. That's not a very good idea."



What are the consequences of a building code violation? By the way, if they got any electrical permits for this electrical work, they sure didn't do it according to the electrical code. There are cases where there is a building permit, but the work is still bad.

The downside to this is that you could have the DPP issue fines. If you don't pay the fine, they can file a lien on your property, and it doesn't matter whether a contractor did the work. If you're the homeowner and the lien is going to be filed on your property, not the contractor's property,

There could be lawsuits or bad publicity from an abandoned house or a monster house. I know there are abandoned houses where they don't clean up, and it looks like a dump, and they issue a violation notice.

The DPP issued a building code violation, the health department issued violations, and then, next thing, the neighbors complained, and then your property is on the news.

They put your address in the news. Or if it's vacant and you've got homeless people living there, all of a sudden the house burns down, and then your property is on the news and they put your name on it. "Here's the owner; we reached out to them. And they didn't call us back."

So, monster houses too, if you build a monster house and the neighbors complain and you didn't get a building permit for some areas of the house and the DPP issues notices of violation. Now, your name is in the paper, and your name is on the news.

CHAPTER VI

ACTUAL STUDIES:

Violation?

Look at the photo; this is one of my job sites that I was on. They have a construction trailer, and they didn't really grade the lot properly, and we had a kind of storm, and the job site got flooded. For me to go to the construction trailer, I need to use the kayak. What's worse is if I need to go to the port-a-potty. Is this a violation? It may or may not be, but it's just a bad situation. Eventually the water dissipated and got displaced, like a channel to drain the water out, but this is not a good situation.



Illegal Railing Repair

Do you see the new look? These are new pickets, so if you look at the white pickets, that's the original, and the space between the pickets is more than four inches. Although this deck was built in the eighties without a permit, it didn't conform to today's code, which is why a contractor had to go in and install intermediate pickets. And you can see the bare wood in between the old pickets, to make it legal and conform to the code.



Why is this railing still illegal? When you look at the top handrail. Now they decided to put this trim piece here on the bottom of the handrail. The idea is to make it look like a nice design, but guess what? With that, you can't grab the rail; that's why it's illegal. It doesn't conform to the building code that has to do with railings. The original two-by-four railing is not in the current code because it's hard to grab.

So, you see what happens when things are built without a permit. At the time it was built, it probably followed the code, but it doesn't comply with the current code today. And since there's no permit, it must be corrected.

New Roof, Height Too High

Look at this new roof. What happened was that there was a permit for it, but the permit was based on the roof on top of the wall, and as you can see, the roof got raised.



I guess the homeowner may have decided, "Maybe I'll park my car on the road and put my new boat in this garage. So can you guys raise the roof so it can accommodate my new boat?" There's a permit for the roof; the permit didn't call for the roof to be this high.

This is a case where there is a building permit, but the construction didn't follow the plans and didn't follow the permit that was approved. Therefore, the roof height is too high, and now they must go in for an alteration permit so that DPP can approve the higher roof.

Rotted Deck at Marina

This is a rotted deck at a Marina, and the deck was so rotted that after they tore off the flooring, they had to throw it away, replace some of the wood supports, and put in new ones. The construction of this cost about \$25,000.



In this case, after what I told you, would you say that the work here requires a building permit? It does because it's over the \$10,000 threshold; that's why it requires a building permit. And because it is over \$10,000, it triggers the requirement to hire a licensed contractor.

So, if there is no permit taken out, let's say they hired a handyman guy who knew carpentry. If he didn't have a license, then you got two wrong things: no permit, and the contractor was not licensed.

So, that's basically the building code and permit issue. In a nutshell, I really wanted to stress the requirements for a building permit because there is so much misinformation around town and people really don't know the true story or the real facts.

CHAPTER VII

QUESTION & ANSWER

We try to make it interesting and include topics that are of interest to people and topics that were requested by a whole bunch of property management companies or condo board members. And we have a whole bunch of industry people that give us ideas and things.

If, by chance, you forget all this information, please know how to reach us. Just go on Google or another search engine, enter my name, Lance Luke, building expert, and go to one of our various websites. We have 25 websites right now on different topics, which we're still working on.

Our idea is that if you have questions on concrete spalling, you go to our concrete spalling website, and it'll give you some information and a video.

We have this huge idea for reference information to help homeowners, condo owners, property managers, real estate attorneys, architects, engineers, and whoever else needs it. That's why we're doing this.

"I am remodeling my kitchen and bathrooms in my condo. My contractor said, I do not need a permit; I'm just replacing the same items, like for like. Is that true?"

No, it's not true. If you use the DPP \$10,000 threshold and add up all that, the value of the work being done; and I guarantee the value of the work is over \$10,000. So that triggers the need for a building permit.

Now, assuming the contractor is licensed, you still need to get a permit. If you separate the items, let's say the contractor just goes in and does the cabinets or countertops; no, you don't need a permit. But who's going to do that because when you take out your vanity cabinet and countertop sink, you're going to replace it with a new sink, new plumbing fixtures, a new countertop, and new cabinets? Be very careful; don't let people tell you that you don't need a permit if you really do, because that goes on all the time.

I know it's just a big hassle to get a permit, and that's just how it is now. It would be your decision not to get one, but that's not following the rules. The other thing is that if you're in a condo and you don't get the permit, the condo regulations may require you to get a permit and use a licensed contractor.

If you're in a condo, be sure to check your condo design guidelines, house rules, and all your condo documents. Check with the property manager of the condo and ask them, "Here's what I'm doing. What do I need to get? Do I need to get board approval? Where's the application I need to fill out?" And normally there is an application. And if they say, "No", just say, "Here's my letter saying, I'm going to do this, and let them sign at the bottom," saying, "You're aware of the work." So that later, it doesn't come back that you are guilty because you did not follow the renovation guidelines.

Also, if you're planning on selling the condo in the future and you don't get a permit and you don't get board approval, the buyer may say, "I want to make sure, do you have board approval for this? I don't want to get into trouble later because I didn't get condo board approval or a building permit. Because once I buy the condo, now I'm the one responsible, even if I was the one that did not do the work." So that's just how it goes.

“Regarding the example of the raised roof to accommodate a boat, the permit was taken out, but the permit was not closed. How would the liability be shared if the city closed the permit? Are there examples of closed permits that passed, even though the structure was not done according to code?”

The example is that a permit was taken out. The roof was fixed, the DPP came in and closed the permit out, but there are still issues with the work. There's little recourse to the DPP unless it's something major.

You must go back to your contractor who did the work, and I'm not sure what problems there were, but let's say they were framing problems, or the roof material wasn't put on correctly, or blew off during heavy winds, or the roof was leaking. That really is not a permit issue per se; it goes into a construction defect issue.

So, you would have to deal with that with the contractor. In any case, if DPP was at fault, then they closed it; good luck trying to sue them or even call them and say, "I think you guys made a mistake. You've closed this permit out, and it was just bad construction."

Remember, the building code is based on minimum standards, and the word minimum is there for a reason. The code isn't there for maximum standards. The minimum standard is the lowest standard needed to pass the test.

So, if something wasn't built to code, it's not even following the minimum standards, it's already wrong twice, and it's a double jeopardy situation. It could have been built better. It doesn't even conform to the minimum standards.

In this example, the reliance is on the contractor to fix the problem, not necessarily the building inspector. Although you could try calling the building inspector and saying, "A permit was closed out, Can you come and look at this?" And they might look on their records to go out to the premises.

We have no jurisdiction to come back. But that's not true if they close a permit out and you call him, they should still come out, but they're busy.

DPP is shorthanded, there are a lot of drive-by inspections and a lot of permits closed out where they didn't even look at the construction.

So, if you have any other questions pertaining to that example, let us know. I'm curious as to what exactly is the problem with the roof, and maybe we can guide you in the right direction. If your contractor was not licensed, that's a different story, but you could still go after them to try and correct the problem.

“How do these monster houses get built all over town? They must be illegal, right?”

Not necessarily. There are a bunch of monster houses that I have checked where I thought it was illegal, but they did have permits.

In those cases, although it's a monster house, they did have a building permit. How did they get the permit? If they conform to the current building code and the zoning code, then there would be no reason why they would not be issued a building permit.

Sometimes the monster house is a semi-monster, and when they start building, they add more square footage, which turns it into a monster house, and the square footage that was added was never permitted. There's another situation: a couple of houses where they never got a permit. Or they submitted a plan, but they never got the permit issued, and he started building the house.

There's a house on Bay Street, and what happened is that they got fined big time. Later, they corrected it, and I guess they got a permit. So, in some cases, there are permits for these; in others, there aren't.

Sometimes the neighbors complain, but if the zoning allows that much square footage and all those rooms and bathrooms, then it conforms. But if it does not, then they add too many rooms and bedrooms to the house. So sometimes it's tricky.

They have one house built, and it's like a monster house with 20 bedrooms and 20 bathrooms, and then later, after the permit is closed out, they go in and add walls, and now you have like an apartment complex there. That's the part where people don't like either because they don't have a permit due to the zoning. It only allows one house, let's say, six units on that same property.

There is a difference, and just be vigilant about the people in the neighborhood that you don't like. Just make sure that the house is inspected and conforms to the code.

“There's a building code for new construction. Is there a building code that has to do with buildings already built and kind of a follow-up to that is how easy is it to get an after the fact permit?”

The code allows for new construction, and there's a special code called the Existing Building Code that pertains to a building that's already constructed versus a brand-new building to be constructed.

If you do have an existing building, it doesn't matter if it's a single-family home, an apartment building, or an office building. If it's already built, then there's a way to use the right pertaining code to help you with your future renovation work.

So, it'll be a combination of the existing building code and the current international building code. In residential use, it is the International Residential Code. So you would combine all these codes together. Usually, you would work with an architect who's familiar with all these different codes and see what they could do.

The other question had to do with after-the-fact permits. As I mentioned before, it's not easy. That's why I always tell people that if a permit is required, I think you should go get one because it's a lot of hassle trying to get an after-the-fact permit.

People call me, asking me to help them get an after-the-fact permit because they're stuck. And the problem that I tell him is that you must find a contractor who's willing to sign off on it.

Once they do that, they're basically saying that I'm the contractor that built this, and they're taking all the liability and responsibility. That's why most contractors don't want to do that. You'd have to either pay them a lot of money, or they must be a relative of yours or a good friend to do you a favor.

I've had a situation where the contractor agreed to sign off as a contractor of record on an after-the-fact building permit.

But we must open walls, cut out new drywall, look at the plumbing pipes, look at the electrical wiring, and all that before he feels comfortable enough to say, "The work looks good." And he'll be the contractor who signs off on the permit. I think we even had to tear off a section of some roofing materials to make sure. And all that costs a lot of money. The homeowner ended up having to pay in addition to paying the contractor to sign the permit. So, it's not easy, and if you are the contractor, think about it. Would you be willing to do that?

You don't even know the homeowner. You've just met them; you don't know who did the work, what contractor did the work, what their skill level was, or whether they're licensed or not.

I've seen contractors refuse to sign because the work done for plumbing and electrical wasn't done by licensed contractors. It was like hiring people that they had found on Craigslist for way cheaper than what a licensed contractor could do.

In the end, they saved a bunch of money, but now that they must get the permit, they're paying more now than they would have paid if they had hired licensed contractors to begin with and gotten a building permit.

It's sad stories, and there are some situations I know of where, to this day, they still don't have a building permit because they couldn't find a contractor to sign off on getting one.

They're exposed now because any day they could get a knock on the door from the building inspector saying, "I want to take a look," and after the inspector looks at it, he then issues a violation notice for building without a permit.

DPP is the local Honolulu building department, which stands for Department of Planning and Permitting, and I think that's a really dumb title: Department of Planning and Permitting.

I think the name of the agency should be Department of Building Safety or Department of Building Permitting and Safety. Planning and permitting are like the front end, where you plan, submit plans, and get a permit. But their real job is building safety, and that's where the building code and the plans come into play.

That's the whole reason why the building code was first created: because there are too many people building without any reference to anything, and it's the wild west, and houses are collapsing, falling, roofs are caving in, and structural damage is occurring. When there's a hurricane or earthquake, good luck. That's why there is a building code today, and it's mainly for safety. It's not to harass you or make you pay extra fees. It's mainly for safety.

"We've seen in the media a lot of problems with that DPP, and it seems like everything needs permits for the most part. What's your perspective on expediting the process? To me, that's the key since everybody needs those permits. There's got to be a better process to be able to get them. I think that's the real issue and why we have so many problems now with the department and the process. What's your take on how it's done to really make it more consumer-friendly for those who really need that service?"

It's never been consumer-friendly for the past 40 or so years that I've been working with the building department. They're always shorthanded; there aren't enough people, and lately, within the past 10 years, they've had an antiquated computer system. When people ask me the same question, I say, "You would hire a permit processing company. "

There are companies in existence that help people review plans and submit them for processing. They know how DPP works, the management system of the building department, and the steps because they have a kind of roadmap or GPS for working with the building department. And they're specialists in what they do.

For my big projects, I always recommend to my clients that we hire a third-party review person to review plans and help submit them for permit routing to get the permit. That's the fastest way to go. Of course, it costs money, but waiting around costs money too.

If I don't use these permit processing agencies and I'm submitting it on my own and I must wait a year to get my permit, I've just lost a whole bunch of money because, let's say, my client took out a construction loan, he got approved, and they're ready to fund.

I've had a situation where their loan commitment expired because they never got the permit on time, and they lost the money. So unfortunately, there are additional payments to make for specialists to do that.

In the old days, back in the 70s and 80s, I used to go down and take the plans myself, standing in line and talking to the plan checker. But times have changed.

Now, it's hard to talk to anyone. You leave your plans there, and you don't know what happened to them. Then, next month you call, the following month, and then I heard stories where people are checking and now they can't find the plans. Now they had to resubmit, and they lost three months.

So, if you work with those experienced contractors, they know how to deal with the permit application process and review. I would say, "Don't go into it on your own. It's wise to spend additional money to help it along, especially with the high costs of construction."

Today, you can't afford to wait. Every month that goes by, money goes out the window. Because you're just sitting around waiting, and there are people that are renting because they want to build a new house, but they're still waiting for their building permits to be approved.

So, it's kind of a sad situation to keep trying to revamp the system. But it's still the system—a lot of red tape, a lot of governmental bureaucracy—and that's what we deal with. I'm not happy with the way that the system is set up and how it operates. It's just way too slow, and I don't know how customer-friendly you can be when there are not enough workers in the system. It is basically stacked against you when there are way more permit applications. Then there are people to process them.

It's just a kind of nightmare that's been going on and on, and it never changes. They keep saying they're going to change for the better, but I haven't seen it. I mean, it's still slow. It still takes months and months to get a permit. It shouldn't take that long for me.

If you apply to, let's say, build an addition to your house and all the plans are drawn correctly, there will be no errors because of the delay. The building department is saying, "Part of the reason why people aren't getting their permits sometimes is because the plans that are submitted are faulty and they have to kick it back and the architect has to make changes."

So, don't blame the building department if the plans are wrong. In a best-case scenario in a perfect world, let's say the plans are drawn correctly, it follows the code, and it's submitted to DPP.

It shouldn't take them nine months to process the permit. It should take them two or three months, right? So, inherently, there are problems with the system, and I don't know if they can be corrected. I mean, they keep trying, and so far, I haven't seen a big or large improvement.

END

ABOUT THE AUTHOR



LANCE LUKE, CCC, CCI, CCPM

820 West Hind Drive, Suite 240275

Honolulu, HI 96824

(808) 422-2132

lanceluke@hawaiibuildingexpert.com

Lance Luke has been in the construction and real estate industry for over 43 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 43 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 Subcommittee 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.

Three-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.

The National Building Expert Lance Luke shares his tips on Building Safety for Buildings large and small. He shares his 43 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.

Sign up for a future webinar or two, or watch a few on demand at askbuildingexpert.now.site