

Revocable Permit Pilot Program

Purpose	Statutory Authority
DHHL Land Inventory	Past Use/Issues HHC Concerns
RP Pilot Program	Initial Test Parcel

DISCUSSION

RP Pilot Program

Purpose

RP Pilot Program

Purpose

- ✓ Presence on DHHL lands reducing land management costs (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant

RP Pilot Program

Purpose

- ✓ Presence on DHHL lands reducing land management costs (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant
- ✓ Supplements DHHL's annual revenue from available lands

RP Pilot Program

Purpose

- ✓ Revocable Permit allows for presence on DHHL lands thereby reducing costs for land management activity functions (i.e. signage, landscaping, fencing, removing trash and derelict vehicles, and prevents trespassing on unencumbered lands) that DHHL would bear if the lands were to sit vacant
- ✓ Supplements DHHL's annual revenue from available lands
- ✓ Short-term (30-day month-to-month, annually renewable), which can be cancelled by DHHL, upon thirty (30) days advance notice in writing to tenant.

Revocable Permit Pilot Program

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DISCUSSION

RP Pilot Program

Authority

- HHCA, Section 204(a)(2)
- Hawaii Revised Statutes Section 171-55
- Hawaiian Homes Commission Actions

RP Pilot Program

Authority

➤ HHCA, Section 204(a)(2), as binding authority,:

“ ... In the management of any retained lands not required for leasing under section 207(a), the department may dispose of those lands or any improvements thereon to the public, including native Hawaiians, on the same terms, conditions, restrictions, and uses applicable to the dispositions of public lands in chapter 171, Hawaii Revised Statutes; provided that the department may not sell or dispose of such lands in fee simple except as authorized under section 205 of this Act ... ”

RP Pilot Program

Authority

➤ **Hawaii Revised Statutes Section 171-55, as binding authority by reference in HHCA,:**

“The board of land and natural resources may issue permits for the temporary occupancy of state lands or interest therein on a month-to-month basis under such conditions which will serve the best interest of the State, subject however, to such restrictions as may from time to time be expressly provided by law. Such permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided that the board may allow the permit to continue on a month-to-month basis for additional one year periods.”

RP Pilot Program

Authority

➤ Hawaiian Homes Commission Actions, as binding authority:

- ✓ **HHC action, 3/30/84:** revocable permit policies adopted:
1.) Minimum rental at \$200/yr; 2.) “Package” method of annual renewing of revocable permits; 3.) One revocable permit per household; and 4.) Invoice/billing procedure at quarterly or semi-annual basis
- ✓ **HHC action, 5/31/85:** delegation to Chairman to issue, amend, renew, and terminate revocable permits.
- ✓ **HHC action, 10/31/86:** policy for agricultural revocable permits involving more than 40 acres to consider impacts on homestead farmers on the same island and requiring permittee to have ownership in the crops produced

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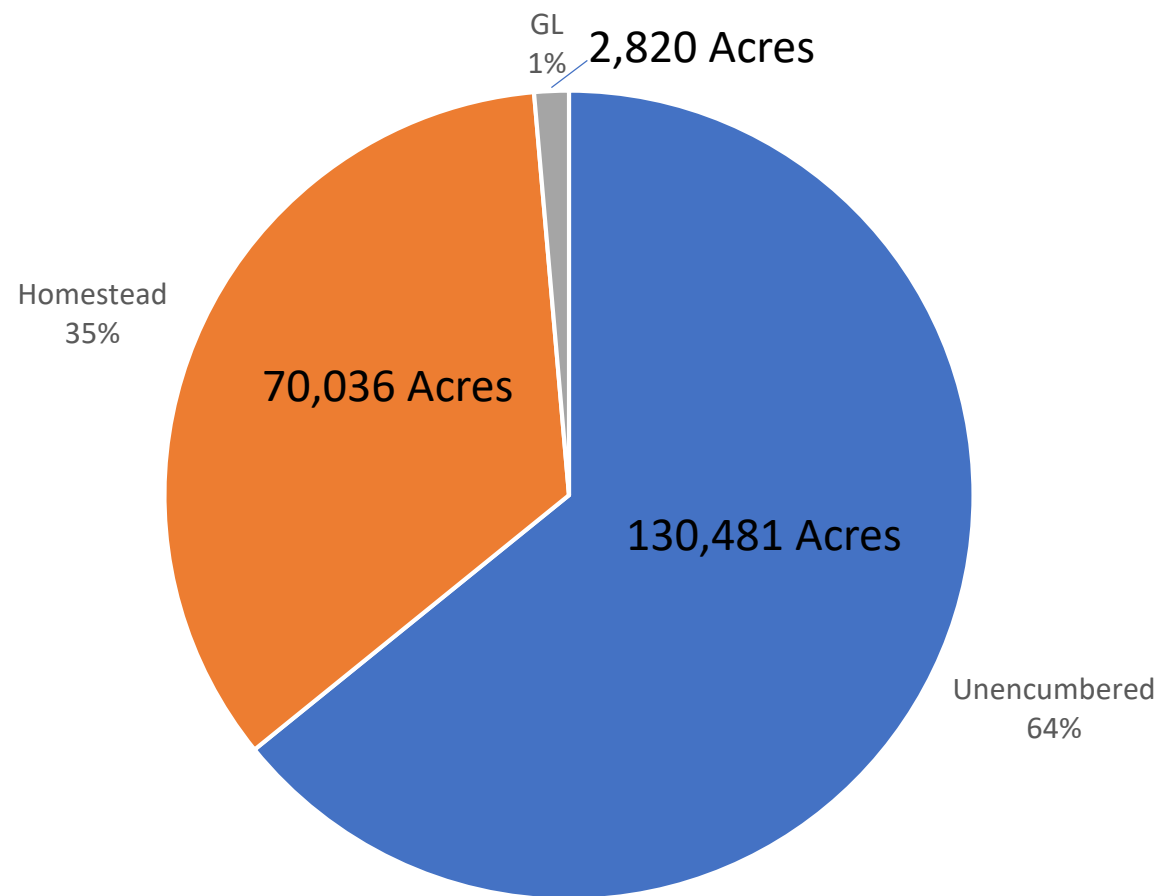
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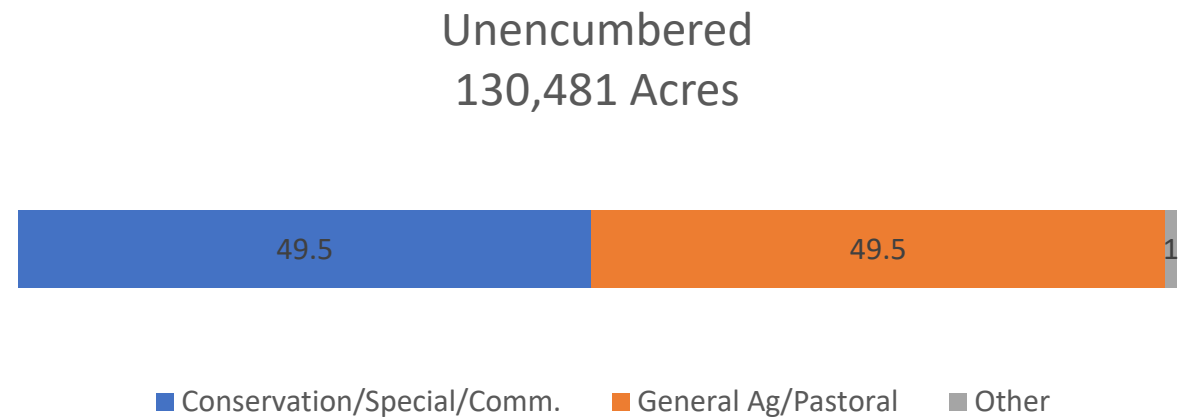
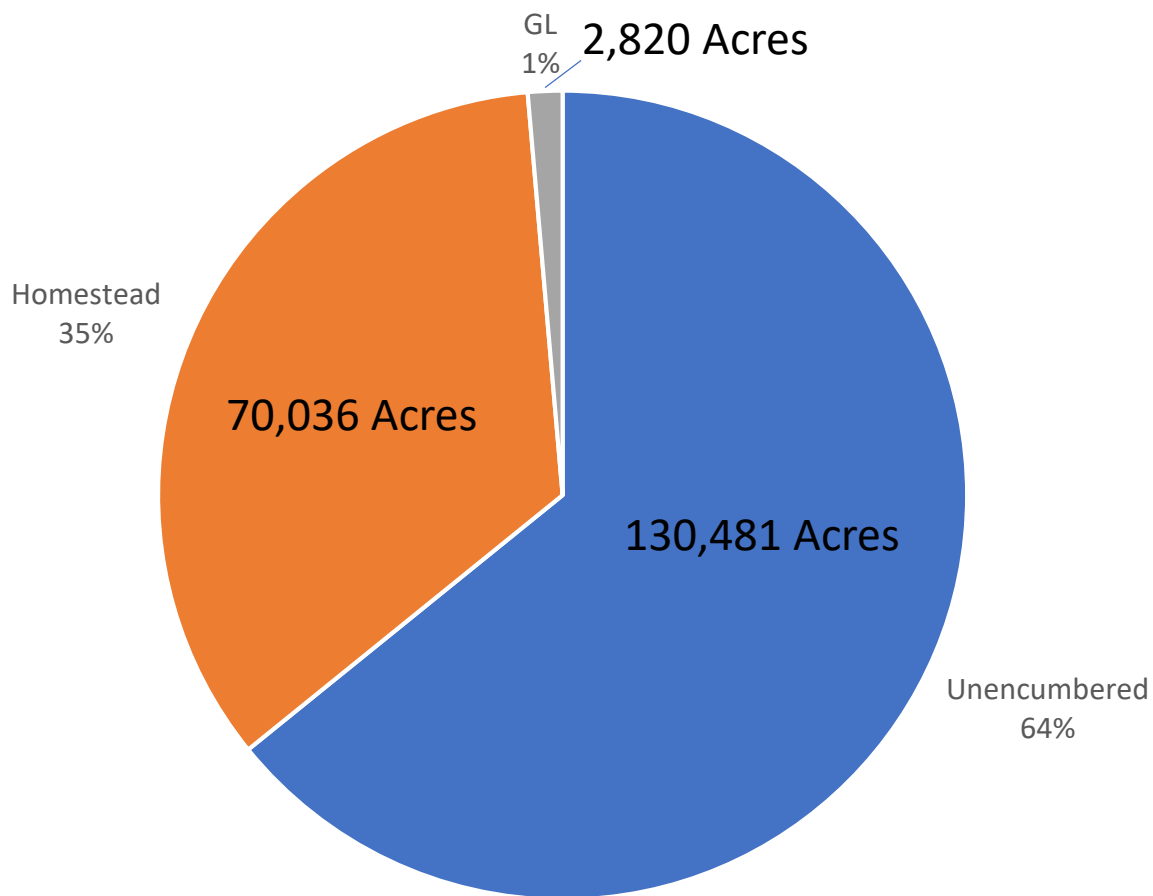
RP Pilot Program

DHHL Land Inventory



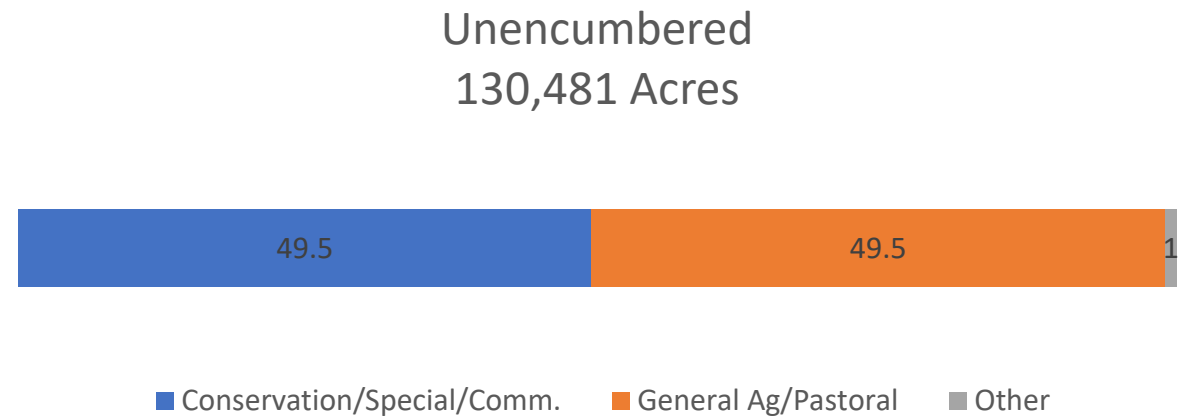
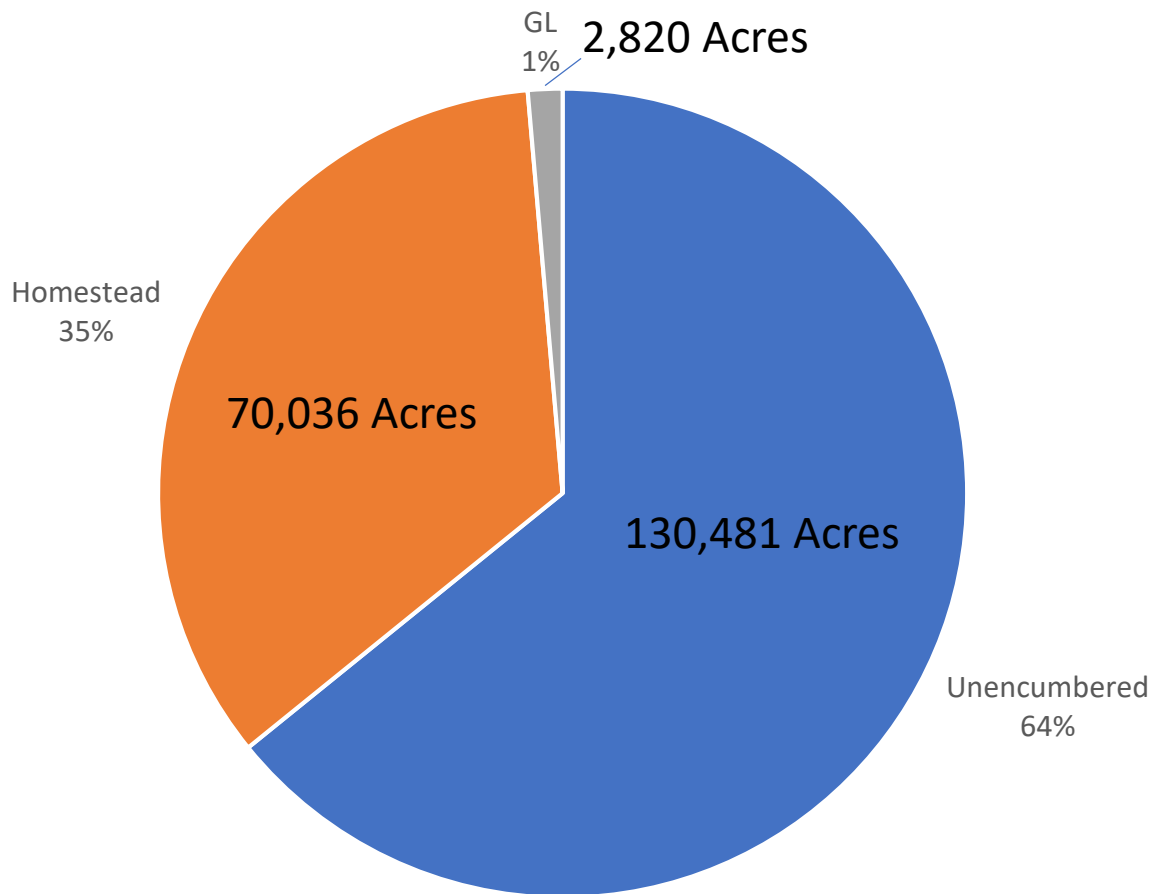
RP Pilot Program

DHHL Land Inventory



RP Pilot Program

DHHL Land Inventory



Revocable Permit Disposition-

Short term disposition to help MANAGE these lands until it is available for a long-term disposition

Revocable Permit Pilot Program

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Past Use/Issues

- May 2013 Star Advertiser (Rob Perez) series of articles highly critical of DHHL's RP program.

RP Pilot Program

Past Use/Issues

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 - ✓ Gov. Abercrombie convenes a Governor's Ad Hoc Advisory Group to assist DHHL to review program and provide recommendation on improvement to the program.

RP Pilot Program

Past Use/Issues

- May 2013 Star Advertiser (Rob Perez) series of articles highly critical of DHHL's RP program.
 - ✓ Gov. Abercrombie convenes a Governor's Ad Hoc Advisory Group to assist DHHL to review program and provide recommendation on improvement to the program.
 - ✓ Ad Hoc Advisory Group recommendations issued in summer of 2014. 7 recommendations issued:

1. Cease issuance of new RPs	4. Hire a commercial real estate consultant (to assist with recommendations 5,6 and 7)
2. Review existing RPs for violations	5. Inventory non-homesteading lands
3. Transition existing RPs to Limited Rights of Entry	6. Issue licenses and leases for lands for which development is not planned in the next 20 years.

RP Pilot Program

Past Use/Issues -- Advisory Group Recommendations

7. Formulate new permitting system for lands envisioned to be developed in the nearer future. (Not founded on “first come, first served” basis

-- Competitive process. RFP on an annual or semi-annual basis.

-- No automatic renewal. DHHL review annually prior to renewal. Allocate staff to conduct compliance reviews annually. Move quickly on violations (cure or cancel).

-- Establish method to determine appropriate rents.

-- Retain outside commercial real estate expert to review all month to month dispositions periodically to determine whether revenues are maximized.

-- Promulgate administrative rules authorizing implementation of the new permit program.

-- Create a procedures manual.

RP Pilot Program

HHC Concerns

- HHC Concerns with Issuance of Revocable Permits

RP Pilot Program

HHC Concerns

➤ HHC Concerns with Issuance of Revocable Permits

- ✓ Large tracts were issued to non-beneficiaries

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- ✓ Short term use but held for long period of time

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- ✓ Large tracts were issued to non-beneficiaries
- ✓ Short term use but held for long period of time
- ✓ Encourage beneficiary participation & use

RP Pilot Program

HHC Concerns

➤ HHC Concerns with Issuance of Revocable Permits

- ✓ Large tracts were issued to non-beneficiaries
- ✓ Short term use but held for long period of time
- ✓ Encourage beneficiary participation & use
- ✓ Consider long-term disposition if planned use is > 20 yr time frame

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Phase 1 - Application

1. Implement a competitive process for disposition that is available to native Hawaiians and the public at large.
2. Provide parcel details as follows: TMK, Location, Land Area, Proposed permitted use, rent, terms, etc.

RP Pilot Program

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Phase 1 - Application

1. Implement a competitive process for disposition that is available to native Hawaiians and the public at large.
2. Provide parcel details as follows: TMK, Location, Land Area, Proposed permitted use, rent, terms, etc.

Phase 1 - Scoring Criteria

1. Establish proof of the necessary experience and ability to be able to maintain proposed use.
2. Upset Minimum Rent (\$)
Proposal

RP Pilot Program

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Phase 1 - Scoring Criteria

1. Establish proof of the necessary experience and ability to be able to maintain proposed use.
2. Upset minimum Rent (\$) Proposal

Phase 2 - Parcel List

1. Identify non-homestead parcel(s) that are suitable for disposition on a month-to-month basis.
2. Establish proper method of determining appropriate rent(s)

RP Pilot Program

RP Pilot Program

Review

Methodology that Reflects Commission Priorities

Criteria

Criteria to score applications that reflect priorities



RP Pilot Program

RP Pilot Program

Review

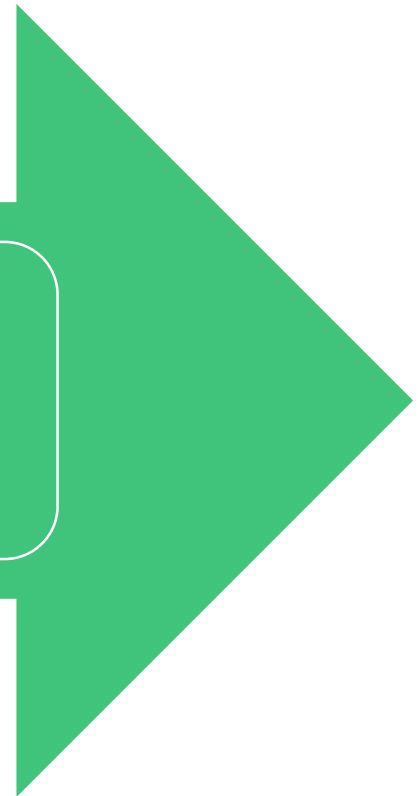
Methodology that Reflects Commission Priorities

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Criteria to score applications
that reflect priorities

Scoring

Review each application
and score on criteria



RP Pilot Program

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Review

Methodology that Reflects Commission Priorities

Criteria

Criteria to score applications
that reflect priorities

Scoring

Review each application
and score on criteria

Selection

Select the application
with the highest score

RP Pilot Program

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Criterion Scoring Guide:

- A) Establish proof of the necessary experience and ability to be able to maintain proposed use: To meet this criterion applicant must demonstrate each of the following: (50 Points Total)**

RP Pilot Program

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Criterion Scoring Guide:

- A) Establish proof of the necessary experience and ability to be able to maintain proposed use: To meet this criterion applicant must demonstrate each of the following: **(50 Points Total)**
- **(20 Points)** - Proof of work in such capacity that will demonstrate knowledge and/or experience in the specific field/area of the use as proposed in the State of Hawaii for not less than two of the last five years. This is best established by submittal of a business/personal resume and/or tax returns for years as determined by DHHL. and. If only tax returns or business/personal resume is submitted applicant would receive Points to be awarded as follows: 1 yr of tax returns = 5 points; 2 yrs. of tax returns = 10 points; Updated resume for the business/individual = 10 points.

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 - **(10 Points)** - Proof of history as excellent tenant on State and/or other private owned lands; no termination or enforcement action against applicant within the last 5 years. This is best established by submittal of professional references. Two (2) references = 4 points; Three (3) references = 6 points; Four (4) references = 8 points; Five (5) references = 10 points.

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- **(10 Points)** - Proof of written understanding and acknowledgement that proposed use is exempt from preparing an Environmental Assessment under HRS Chapter 343, per DHHL's June 30, 2015 exemption list as approved by the Environmental Council which shall demonstrate knowledge and/or personal experience in dealing with federal, state, and county regulations and other agencies governing such use. Points awarded as follows: applicant submits acknowledgement form that the business/individual understands and is aware of the State HRS Chapter 343 and the DHHL Environmental Exemption list = 5 points; Applicant Provides written statement on personal experience in dealing with government entities governing such use = 5 points

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Criterion Scoring Guide:

B) Upset minimum Rent (\$) Proposal. To meet this criterion applicant must demonstrate each of the following: (50 Points Total)

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- **(10 Points)** – Proposed upset rent

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Criterion Scoring Guide:

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- **(10 Points)** – Proposed upset rent
- **(10 Points)** – Proof of financial capability to pay rent that is consistent, and on-time based on proposed upset minimum rent. Proof of means to deposit with DHHL an amount equal to two (2) times the proposed monthly rental as a security deposit including the first month's rent payable on or before the first day of the month the permit is to be executed. Points to be awarded as follows: Tax Return info to be reviewed; maximum of 5 points to be awarded based on tax return(s) submitted – 5 points for 2 yrs of tax return filing submitted; 3 points for 1 yr of tax return filing submitted. Security Deposit amount – 5 points if Cashiers Check is submitted; 3 points if personal check is submitted

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- **(10 Points)** – Proof of procuring, and maintaining, at its own cost and expense, in full force and effect throughout the term of the permit, general liability insurance with an insurance company authorized to do business in the State of Hawaii in an amount of not less than \$1,000,000.00 for each occurrence and \$2,000,000.00 in the aggregate and name the State of Hawaii, Department of Hawaiian Home Lands as additional insured. Points to be awarded as follows: Copy of any current Certificate of Insurance for existing business/location if any = 5 points; Letter from Insurance Company that states they will issue insurance coverage to entity when required = 5 points.

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- **(20 Points)** – Proof of work experience that demonstrates in writing how applicant's proposal would benefit native Hawaiians, directly and indirectly. Points to be awarded as follows: Support letter(s) from Native Hawaiian Organizations (OHA, Civic Clubs, etc) – 5 points for two support letters; 10 points for 3 or more support letters; Current Hawaiian Homestead Lessee(s) and/or Waitlisters(s) employed by business (DHHL to verify list of names if provided; if verified) 5 points for 1-5 employees; 10 points for 6 or more employees

RP Pilot Program

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New Revocable Permit Program Scoring Criteria

APPLICANT'S NAME: _____

Date Application Received: _____

Parcel Details:

TMK No. _____

Land Area: _____

Location: _____

Upset Rent: _____

A. Establishing Proof of Necessary Experience and Ability

	Max Points	SCORE	Scoring Guideline
1. Proof of work in such capacity that will demonstrate knowledge and/or experience in the specific field/area of the use as proposed in the State of Hawaii for not less than two of the last five years. This is best established by submittal of a resume and/or current tax returns for year(s) as determined by DHHL	20		* Submit current tax return filing for the business or individual 1 yr = 5 points 2 yrs = 10 points * Updated resume for the business or individual = 10 points
2. Proof of current Certificate of Good Standing issued by the State of Hawaii Department of Commerce & Consumer Affairs. This is best established by providing a current Certificate of Good Standing copy as issued by the State of Hawaii, DCCA	10		* Copy of Current Certificate as issued by the State of Hawaii, DCCA = 10 points
3. Proof of history as excellent tenant on state and/or other private owned lands; no termination or enforcement action against applicant within the last five years. This is best established by submittal of at least five (5) professional references to receive the maximum points	10		* Two references = 4 points Three references = 6 points Four references = 8 points Five references = 10 points
4. Proof of written understanding & acknowledgement that proposed use is exempt from preparing an Environmental Assessment under HRS Chapter 343, per DHHL's June 30, 2015 exemption list as approved by the Environmental Council which shall demonstrate knowledge and/or personal experience in dealing with federal, state, and county regulations and other agencies governing such use	10		* Submit signed acknowledgement form that the business entity or individual understands and is aware of the State HRS Chapter 343 and the DHHL Environmental exemption list = 5 points * Provide written statement on personal experience in dealing with government entities governing such use = 5 points
Total Score for A			

RP Pilot Program

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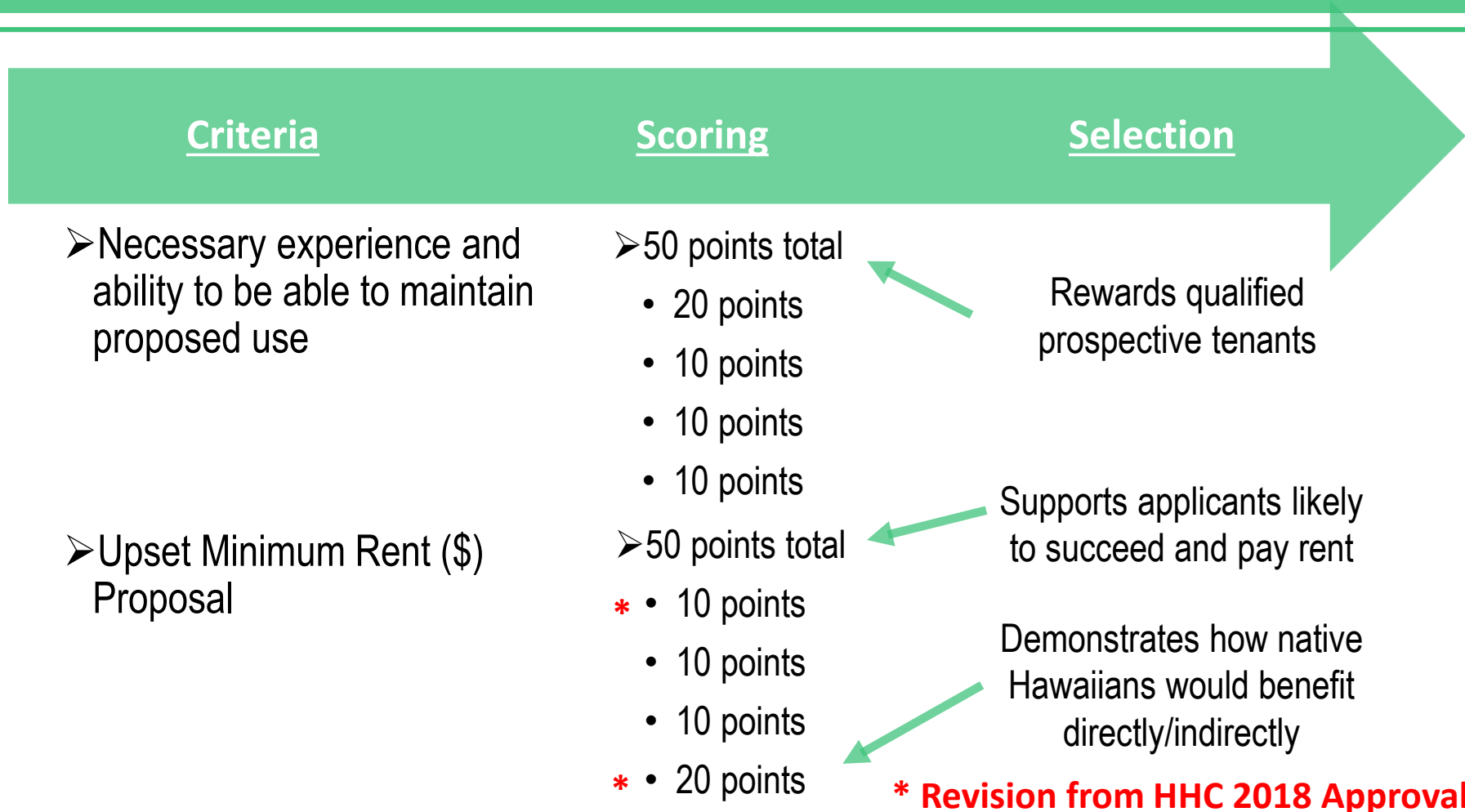
B. Establishing Proof of Financial Capability.

1. Proposed upset minimum rent *	10		* Applicant(s) bid meets proposed upset minimum rent
2. Proof of financial capability to pay rent in a manner that is consistent, and on-time based on proposed upset minimum rent Proof of means to deposit with DHHL an amount equal to two (2) times the proposed monthly rent as a security deposit including the first month's rent payable on or before the first day of the month the permit is to be executed ;	10		* Tax Return info to be reviewed; maximum of 5 points to be awarded based on tax return filing submitted = 5 points for 2 yrs of tax filing submitted = 3 points for 1 yr of tax filing submitted * Security Deposit amount equal to two (2) times the upset bid monthly rent; maximum 5 points to be awarded based on security deposit submitted = 5 points if Cashier's Check is submitted = 3 points personal check is submitted
3. Proof of procuring, and maintaining, at its own cost and expense, in full force and effect throughout the term of the permit, general liability insurance with an insurance company authorized to do business in the State of Hawaii in an amount of not less than \$1,000,000.00 for each occurrence and \$2,000,000.00 in the aggregate and name the State of Hawaii, Department of Hawaiian Home Lands as additional insured	10		* Copy of any current Certificate of Insurance coverage for existing business/location = 5 points * Letter from Insurance Company that states they will issue insurance coverage to entity when required = 5 points
4. Proof of work experience that demonstrates in writing how applicant's proposal would benefit native Hawaiians, directly and/or indirectly *	20		* maximum 20 points Support letters from Native Hawaiian Organizations (OHA, Civic Clubs, etc) = 5 points for two support letters = 10 points for three or more support letters *Current Hawaiian Homestead Lessee(s) and/or Waitlist(s) currently employed by business (DHHL to verify list of names if provided; if verified) = 5 points for 1-5 employees = 10 points for 6 or more employees
Total Score for B			

*** Revision from HHC 2018 Approval**

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Award process ensures more consistent decisions:

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- ✓ Competitive Selection

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- ✓ Competitive Selection
- ✓ Benefit to native Hawaiians as criterion

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Award process ensures more consistent decisions:

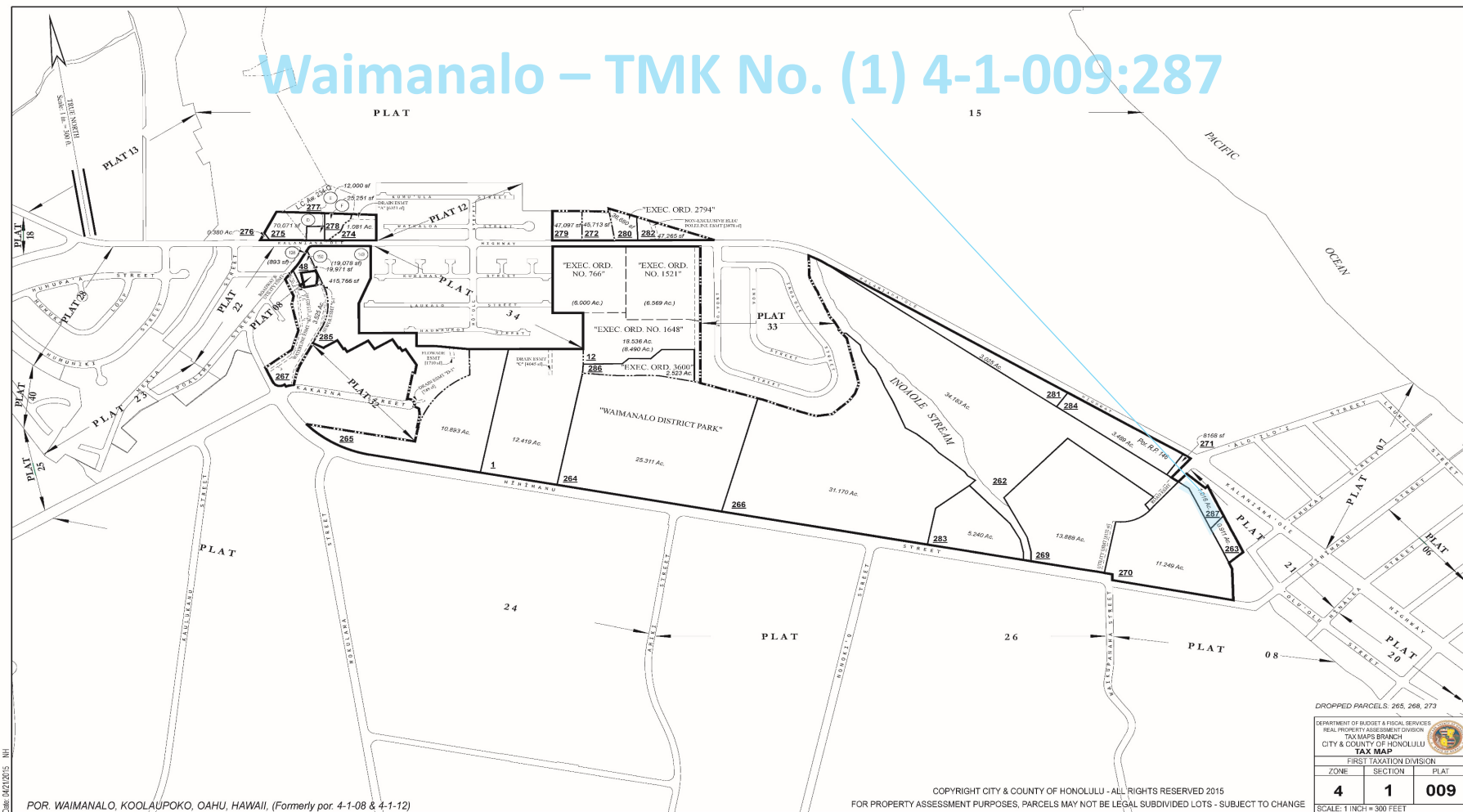
- ✓ Applicant with highest combined score (100 points max) would be awarded/issued Revocable Permit disposition
- ✓ Competitive Selection
- ✓ Benefit to native Hawaiians as criterion
- ✓ In the event of a tie, the award will be determined by a drawing of those Applicants with highest combined scores.

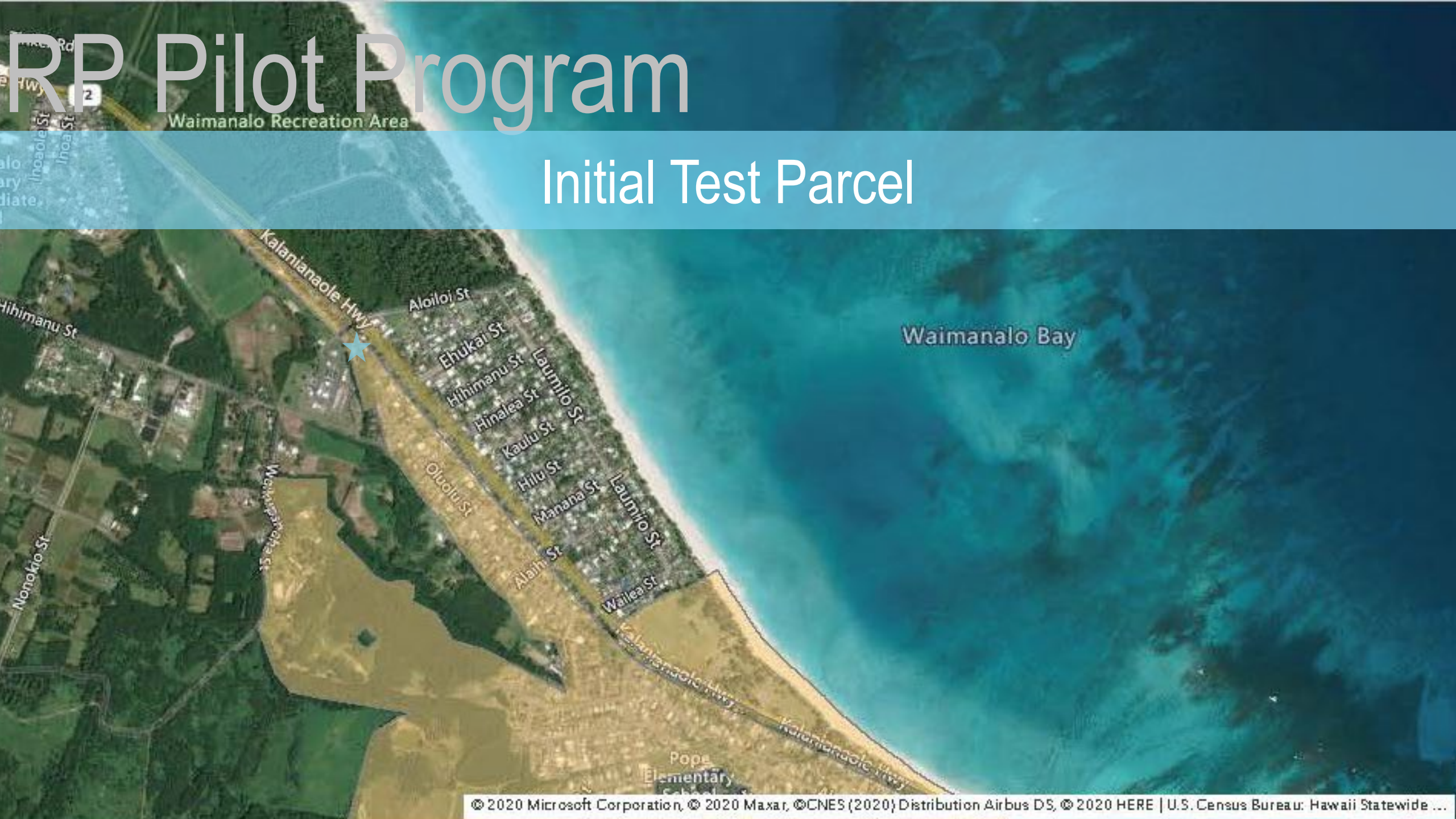
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Initial Test Parcel





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Google Earth

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Initial Test Parcel



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Initial Test Parcel



CITY AND COUNTY OF HONOLULU
Department of Budget and Fiscal Services
Real Property Assessment Division

Parcel Information

Parcel Number 410092870000
Location Address
Project Name
Legal Information
Property Class *** This year's assessment may have a pending amendment.
Land Area (approximate sq ft) 44,257
Land Area (acres) 1.0160

[Plat Map PDF](#) [GIS Parcel Map](#)

Owner Information

Owner Names
HAWAIIAN HOME LANDS Fee Owner

Any ownership changes after assessment date of October 1 will be reflected on website after assessment roll certification on or after January 31.

Assessment Information

[Show Historical Assessments](#)

Assessment Year	Property Class	Assessed Land Value	Assessed Building Value	Total Property Assessed Value	Total Net Taxable Value
2020	AGRICULTURAL	\$737,000	\$0	\$737,000	\$0

Note: *** This year's assessment may have a pending amendment.

Note: ** record has changed from the original certified value or from a previously posted value

[How to calculate real property taxes](#)

No data available for the following modules: Condominium/Apartment Unit Information, Appeal Information, Agricultural Assessment Information, Residential Improvement Information, Residential Additions, Commercial Improvement Information, Sketches, Other Building and Yard Improvements, Permit Information, Current Tax Bill Information, Historical Tax Information.

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Last Data Upload: 11/9/2020, 6:09:38 AM

Method of Rental Determination

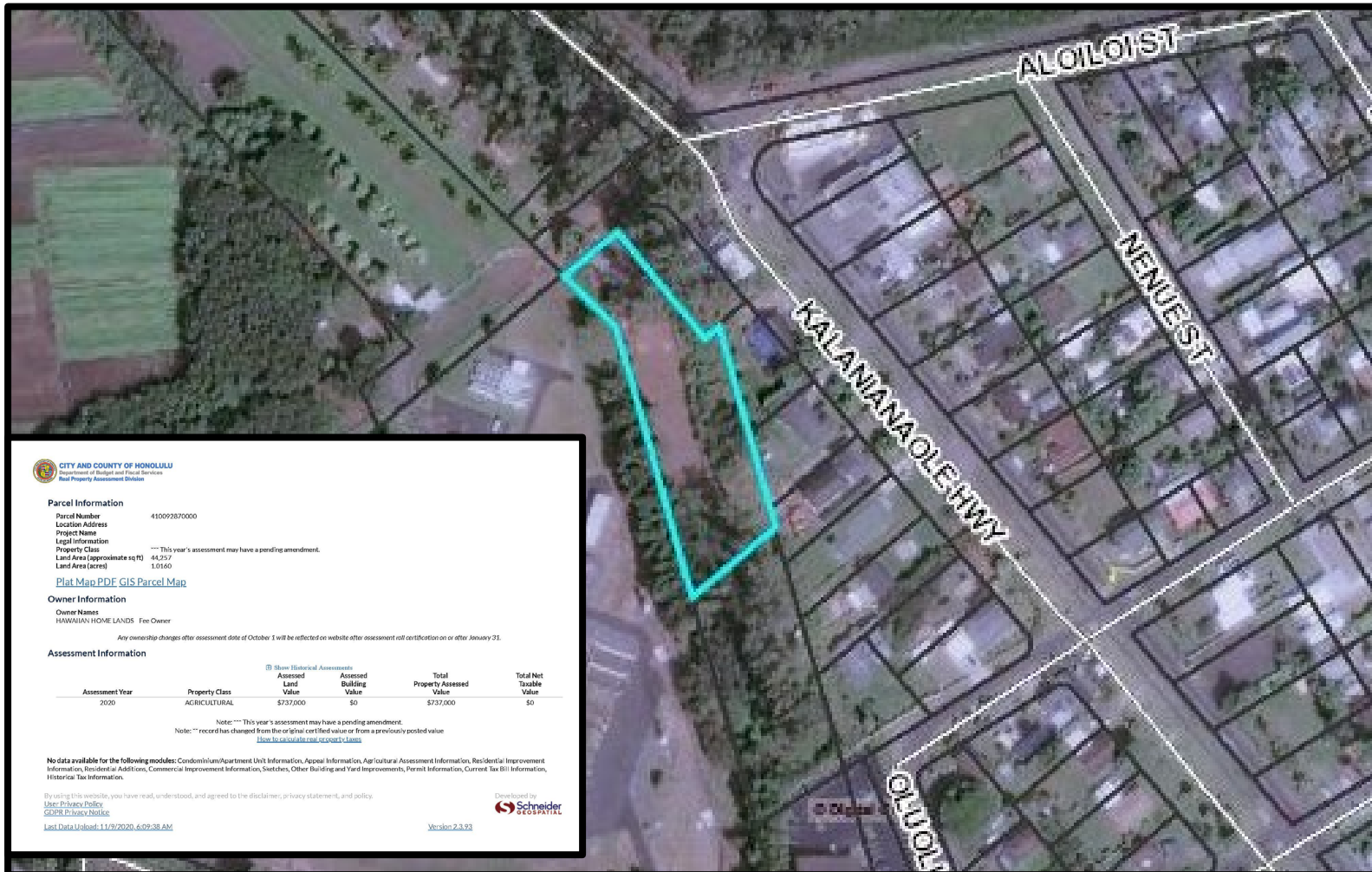
Assessed Land Value (ALV) \$737,000
Return to Land Value (RTLTV) $\times 8.0\%$
Market Annual Rent: \$58,960
Market Monthly Rent: $\$58,960/12 = \$4,913.33$
Land Area: 44,257/sf
Unit Land Value PSF: \$16.65
Unit Annual Rent PSF: $\times 0.8$ \$1.33
RTLTV = Determination?

Developed by
 Schneider
GEOSPATIAL

Version 2.3.93

RP Pilot Program

Initial Test Parcel



➤ Why this Parcel

- ✓ Current ROE Permit being surrendered
- ✓ Interested Party
- ✓ Prevent trespassing, dumping, illegal use
- ✓ 2014 – Oahu Island Plan – Figure 7.3 Waimanalo Ahupua'a Land Use Designation reflects subject parcel as General Agriculture; *Parcel Constraints*
 - Drainage
 - Flooding

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