

REVERE & ASSOCIATES, LLLC
A LIMITED LIABILITY LAW COMPANY
PALI PALMS PLAZA, 970 NORTH KALAHEO AVENUE, SUITE A301
KAILUA, HAWAII 96734

TELEPHONE: (808) 791-9550
FACSIMILE: (808) 791-9551

MAGDALENA BAJON
AMANDA L. DUTCHER
CLARISSE M. KOBASHIGAWA
TERRANCE M. REVERE
PAUL SMITH
MAUREEN WILKOM

June 1, 2020

Commission Chair Lawrence Carnicelli
Planning Commission of the County of Maui
2200 Main Street
One Main Plaza, Suite 315
Wailuku, Hawaii 96793

RE: Resolution No. 20-27 and related documents

Aloha Chair Carnicelli, Vice-Chair Tackett, and Members of the Commission:

We represent the Maui Vacation Rental Association (MVRA). On behalf of MVRA we submit our strong opposition to the semi-secret plans to phase out short term rental homes (“STRHs”) and lower the caps recently proposed by Council Member Tamara Paltin’s Resolution No. 20-27.

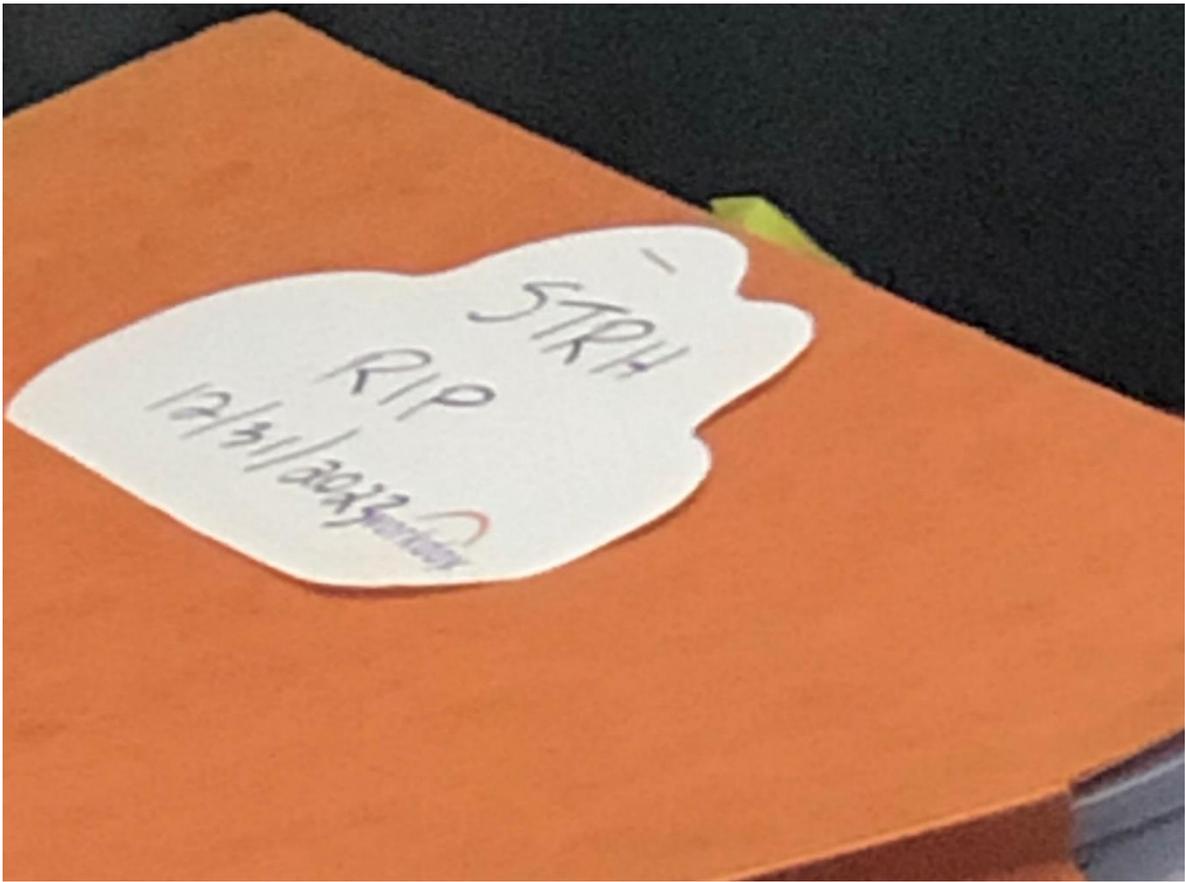
The intent of the program was to get illegal operators into compliance and regulation. If caps are lowered to the existing permittees only, that pathway is effectively barred.

Furthermore, the risks of changing the already restrictive law based on the hypotheticals that have not come to pass like short term rentals vacation rentals changing the character of neighborhoods and affecting affordable housing is too dire. MVRA is sensitive to this type of change and feels that it would hamper not only the program but the recognized pre-existing property rights.

It is without a doubt that short-term rentals represent economic benefits to the County of Maui in terms of jobs, tax revenues, and diversification of the visitor accommodations industry. For MVRA, short-term rentals are the livelihood, of some members and important sources of income that allow some of our members to continue to own their Maui homes. Short term rental homes also provide income for landscapers, realtors, cleaners and numerous others. Even before the Coronavirus pandemic, Hawaii’s economy was at a standstill facing serious headwinds due in part to the uncertainty created by overly punitive short-term rental regulations. As we are now experiencing this unprecedented blow to the economy under the stay at home order, we cannot afford to take another blow.

MVRA believes there is a better path forward and remains ready and willing to work with local lawmakers and community leaders. But, MVRA must challenge current attempts to whittle away at a program that creates balance, and one that STRH owners have relied upon. Planning Commission members and the County will be risking personal liability for trying to destroy property rights that have been in place for years. Votes cast to change current, agreed upon caps simply spawn numerous lawsuits for folks who relied upon the County and the present caps in good faith.

Also, MVRA is wary that the Planning Department is beholden to special interest groups and a personal agenda and window dressing of public forums aside, and it will attempt to force this drastic change to regulations despite strident local opposition. Indeed, we were shocked and appalled to see a note written by a Planning staff member on a folder that she brought to a meeting that says "STRH- RIP (see photo)." If the Planning Department goal is "killing off" STRH's, and it very much seems to be the case, the County should be up front about its intentions. The flippant caustic note should result in the resignation or termination of the employees involved and the Director. It seriously undermines the public's trust in officials when public meetings are held, strident opposition is voiced, and yet it all appears to be a joke because the Director's goal is killing off short term rentals no matter what the public's feedback actually is. Please note that the MVRA does not plan on resting in peace while its members property values are flippantly destroyed and will stand against unconstitutional attempts to take away vested property rights.



Our Board would very much appreciate the opportunity to meet with the Mayor on these issues and trust that cooler heads will prevail over those with personal agendas in the Planning Department.

Thank you for your attention to this matter.

Very truly yours,



TERRANCE M. REVERE
Revere & Associates, LLC

cc: Council of the County of Maui
MVRA