

PATHWAYS TO RECOVERY: CONSUMER PROTECTION

Frequently Asked Questions

- 1. My restaurant is on Front Street and my landlord is demanding rent or he will evict me. I cannot pay this right now as my business is shut down, what do I do?**

The Office of Consumer Protection deals with residential landlord-tenant code and does not extend to businesses. However, you are encouraged to visit <https://www.mauinuistrong.info/resource-categories/business-relief> to find out which business relief options may be available.

- 2. What is being done to help small local businesses who were impacted by the Maui wildfires?**

The Governor appropriated \$12.5 million to Maui County to help businesses; details are currently being finalized as of September 26th, 2023.

- 3. How is the Department of Business, Economic Development, and Tourism economically developing all of Hawai'i to become more self-sustainable, to reduce our dependency on tourism & importing of food?**

DBEDT is currently working with its core divisions and attached agencies, including the Agribusiness Development Corporation, the Hawai'i Technology Development Corporation (HTDC), and the Creative Industries Division, to diversify our economy and identify ways to decrease our imports and increase our exports. However, many of these initiatives come with a cost, such as acquiring land, infrastructure and labor for alternative energy sources, agriculture and other projects. The Department is looking at a model of generating revenues to help pay for these costs and to establish value-added innovation centers across the state to help scale up small business cottage industries or create new ones.

- 4. How is the Office of Consumer Protection, Department of Commerce and Consumer Affairs protecting and representing consumer interest for the people in working with Hawai'i Public Utilities Commission?**

The Consumer Advocate is charged by Statute with assisting Utility consumers. For utility assistance and other resources related to emergency relief and support for affected businesses, please visit <https://cca.hawaii.gov/dca/mauirelief/>

- 5. In order to qualify for long term (12 - 18 mos) rental assistance, can I rent from any landlord or only one whose property is listed with the state disaster housing program?**

You can rent from any landlord to qualify for long-term rental assistance.

6. If you're not allowing landlords to evict for nonpayment, what protections are afforded to home owners who will default on loans without payment? What about owners that will need to pay their mortgage and rent? Will there be a longer freeze on our mortgage?

The best source for this type of information is your individual mortgage servicer and the Division of Financial Institutions, which is a division of the Department of Commerce and Consumer Affairs.

7. Do I have to return a tenant's security deposit and rent on a unit that burnt down?

The Hawai'i Residential Landlord-Tenant Information Center can address these types of questions. Callers can access the Information Center by calling one of the numbers listed below between 8:00 AM and 12:00 Noon:

- Honolulu Office (O'ahu/Kaua'i): (808) 586-2634
- Maui Office (Maui/Moloka'i/Lāna'i): (808) 243-4648
- Hilo Office (Hawai'i Island): (808) 933-0910

8. For homeowners who have provided their short-term rentals to house displaced residents, what steps will they need to take if displaced residents refuse to leave at the end of their short-term stay?

It depends on whether this short-term rental arrangement is subject to the Landlord-Tenant Code. If it is, then the typical protections that are available to tenants would apply. Therefore, your landlord would have to give appropriate notice to the tenant to vacate the property. However, if this is a tenancy situation where the tenant cannot pay rent because of loss of job or downturn in income, the Emergency Proclamation prohibits terminating the tenancy on the basis of non-payment of rent. Terminations can be done in the following narrow situations:

- A material breach of the lease excluding non-payment of rent
- The owner sells the residence
- The landlord or their immediate family moves into the unit

9. How do you go about getting a rental with ESA (emotional support animal) pets?

There are a number of units in the Hawai'i Fire Relief Housing Program that allow pets. To view the most current list, visit <https://dbedt.hawaii.gov/hhfdc/hawaii-fire-relief-housing-program/>

10. A lot of people are interested in purchasing "tiny homes" but most of us don't have land. Is there a program or will the government give land to us survivors of the Maui wildfires?

This is in the discussion stage between the County, state agencies and landowners. For ongoing updates, please visit <https://www.mauirecovers.org/>