

October 17, 2023

MEMO TO: David M. Raatz, Director of Council Services

F R O M: Ellen McKinley, Legislative Analyst *EM*

SUBJECT: **“PATHWAYS TO RECOVERY: CONSUMER PROTECTION”  
WEBINAR** (PAF 23-021(21))

On September 21, 2023, the Department of Business, Economic Development and Tourism (DBEDT) hosted a webinar called “Pathways to Recovery: Consumer Protection.” It was part of a series designed to support those impacted by the August 8, 2023 wildfires. <https://dbedt.hawaii.gov/pathwaystorecovery/>

The panelists were:

- Mana Moriarty, Executive Director, Department of Commerce and Consumer Affairs, Office of Consumer Protection
- Dean Minakami, Interim Executive Director, Hawaii Housing Finance and Development Corporation
- James Kunane Tokioka, Director, DBEDT

The webinar allowed the panelists to answer questions, and some of those frequently asked were later posted online. <https://files.hawaii.gov/dbedt/pathways/2023-09-21-consumer-protection.pdf>

The Office of Consumer Protection can provide information and enforcement regarding State residential landlord-tenant law and has studied the emergency proclamations, but it cannot advocate. It has compiled resources to assist in recovery. [Consumer Advocacy – Public Utilities \(DCA\) | Maui Financial Assistance Relief \(hawaii.gov\)](#)

The Governor’s Seventh Emergency Proclamation Relating to Wildfires contains a residential and storage space rent-freeze that applies to all of Maui. It also restricts a landlord’s ability to terminate a residential tenancy, with three exceptions:

- The tenant commits a material breach of the lease, other than nonpayment of rent.
- The owner sells the residence.
- The landlord or the landlord’s immediate family moves into the unit.

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This emergency proclamation continues until November 6, 2023, unless suspended or extended.

If a landlord or tenant engages in conduct that violates consumer protection laws or the emergency proclamation, people should contact the Office of Consumer Protection. Fines for violations are \$500 to \$10,000 per day but can be avoided if the violations cease and are unintentional.

Residents may sign up for FEMA's rental-assistance program. FEMA also has a direct-lease program to help house survivors. FEMA contracts directly with landlords and connects renters with those units.

To help local businesses impacted by the wildfires, \$12.5 million has been appropriated, but DBEDT is still working on the disbursement details. A press release will be forthcoming. Resources for business relief are listed here: <https://www.mauinuistrong.info/resource-categories/business-relief>

Information is constantly changing, so those needing assistance should seek current information from the agencies' websites.

Thank you for the opportunity to attend this informative webinar. If you have any questions or need any assistance, please contact me at ext. 7661.

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cc: Richelle K. Kawasaki, Deputy Director of Council Services