



LAND USE COMMISSION

Komikina Ho'ohana 'Āina

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Ka 'Oihana Ho'omōhala Pā'oihana, 'Imi Wai wai a Ho'omāka'ika'i

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June 27, 2024

Shan Tsutsui, Chief Operation Officer
MP East B, EEC
2200 Main Street
Wailuku, Hawaii 96793

SUBJECT: LUC Docket A90-657 A&B Properties. Inc. - Kuau Residential– Delinquent Annual Reports

Dear Mr. Tsutsui:

Please be apprised that according to our records, the required annual reports for 2019 - 2023 have not been filed with the Land Use Commission ("Commission"). The annual report is required to be filed with the Commission pursuant to Condition No. 16 of the Findings of Fact, Conclusions of Law, and Decision and Order issued on December 19, 1990 (the "D&O"). Annual reports are due prior to or on December 19th of each year.

You are hereby informed that unless we receive your annual report covering the Docket mentioned above by, September 9, 2024, or the Petitioner will be required to appear before the Commission to provide a status report regarding the status of the development proposed under the subject docket.

The format of the annual report should be composed of two sections. The first section should briefly discuss the general progress of the project, including any regulatory approvals pending/obtained. The second section should state verbatim all conditions imposed by the Commission, followed by a brief report on all efforts to comply with each stated condition.

Please include, when possible, the dates of any required regulatory approval obtained or expected, the specific areas of the redistricted lands to which the compliance activity relates, and any other new information regarding the project (i.e., photos, future plans, etc.). In compliance with representations made to the Commission, the Petitioner should specify:

- 1) The sales prices of the "affordably priced units" in relation to the 120% of County of Maui median family income category

A90-657 A&B Properties

June 27, 2024

Page 2

- 2) The sales prices of the “other units” in relation to the 140% of County of Maui median family income category
- 3) Indicate the number of Affordable Housing units that have been created, and the number of occupied units.

We require that one original and one electronic copy of the annual report be filed with the Commission. The electronic copy must be ADA compliant, upon filing. We also note that the D&O requires the annual report to be served upon County of Maui Planning Department and the Office of Planning and Sustainable Development.

Should you have any questions, please contact Name, at (808) 587-3822 or via email at dbedt.luc.web@hawaii.gov.

Sincerely,



Daniel Orodener
Executive Officer
Land Use Commission
State of Hawai'i