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**From:** CLK Council Info  
**Sent:** Tuesday, February 8, 2022 9:10 AM  
**Subject:** Executive Matters & Legal Affairs Testimony  
**Attachments:** 20220208090946\_2022-01\_1421PensacolaResolution.docx.pdf

## Written Testimony

Name Ian Ross  
Phone  
Email ianross.hi@gmail.com  
Meeting Date 02-08-2022  
Council/PH Committee Executive Matters and Legal Affairs  
Agenda Item RES21-280  
Your position on the matter Support  
Representing Organization  
Organization Makiki/Lower Punchbowl/Tantalus Neighborhood Board  
Aloha Chair Andria Tupola,

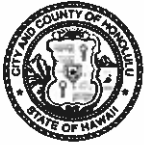
Written Testimony At our January regular meeting the Makiki/Lower Punchbowl/Tantalus Neighborhood Board No. 10 passed the attached resolution regarding 1421 Pensacola. This isn't our first resolution on this topic but I hope it will be our last. I applaud you for scheduling a hearing for this important resolution and I appreciate the work that Councilmembers Fukunaga and Say put into drafting it.

Mahalo,  
Ian Ross  
Chair, Makiki/Lower Punchbowl/Tantalus Neighborhood Board

Testimony Attachment 20220208090946\_2022-01\_1421PensacolaResolution.docx.pdf

Accept Terms and Agreement 1

IP: 192.168.200.67



## **RESOLUTION CONCERNING 1421 PENSACOLA STREET**

**WHEREAS**, for over 24 years the property located at 1421 Pensacola Street has been in violation of Honolulu's housing code<sup>1</sup>; and

**WHEREAS**, the property as of January 20, 2022 looked as follows:



**WHEREAS**, the owner of this property has accrued over \$400,000 in fines<sup>3</sup>; and

**WHEREAS**, the owner of this property no longer resides in it<sup>2</sup>; and

**WHEREAS**, a Circuit Court judge deemed the property unsafe in July of 2018<sup>5</sup>; and

**WHEREAS**, even after a clean-up of the exterior of this property by the city in August of 2018, consisting of "28 truckloads of waste weighing 45 tons", mounds of trash are again growing and providing nesting grounds for rats and mosquitoes<sup>2</sup>; and

**WHEREAS**, squatters had reportedly taken up residence in this property, running extension cords to neighboring homes and stealing items from neighboring patios<sup>3,4</sup>; and

**WHEREAS**, the fire on September 3, 2019 of a squatters' home at 1051 Kinau Street, which caused over \$1 million in damages, provides a stark example of the potential harm of this property's current status<sup>3</sup>; and

**WHEREAS**, the fire in April of 2020 at this property took over 2 hours to extinguish due to the massive amount of hoarded flammable materials within<sup>6</sup>; and

**WHEREAS**, the fire in October of 2020 at this property caused an estimated \$300,000 in damages<sup>5</sup>; and

**WHEREAS**, this property, still containing a dangerous amount of flammable material, constitutes a fire hazard not only to itself but also to its neighboring properties; and

**WHEREAS**, the Hawaii Police Department claims that it cannot act against any potential squatters without receiving a complaint from this property's owner<sup>2</sup>; and

**WHEREAS**, the city claims they could foreclose on this property but "are still hoping the owner will fix things"<sup>2</sup>; and

**WHEREAS**, Bill 52 from 2014, introduced by City Council members Carol Fukunaga and Ann Kobayashi, passed and signed into law, allows "District or Circuit Court judges [to] issue the city a warrant to enter a property and 'abate a public nuisance'"<sup>1</sup>; and

**WHEREAS**, the city has failed to take any direct actions to abate the issues of this property since a version of this resolution was last passed by the Makiki/Lower Punchbowl/Tantalus Neighborhood Board in October of 2019<sup>7</sup>; now, therefore,

**BE IT RESOLVED**, the Makiki/Lower Punchbowl/Tantalus Neighborhood Board urges the Hawaii Police Department to remove the squatters from this property when they are reported, regardless of the reporting party; and,

**BE IT FURTHER RESOLVED**, this Board urges the city to abandon any hope that this property's owner will "fix things"; and,

**BE IT FURTHER RESOLVED**, this Board urges the city to utilize the legal mechanisms granted in Bill 52 from 2014 to obtain a warrant to abate the public nuisance that is this property; and

**BE IT FURTHER RESOLVED**, this Board urges the city to remove the trash that has accumulated on this property, both inside and outside of the structure; and

**BE IT FURTHER RESOLVED**, this Board urges the city to demolish the burnt-out remains of the structure; and

**BE IT FINALLY RESOLVED**, copies of this Resolution be transmitted to the Mayor of Honolulu; the members of the Honolulu City Council; the Director of Planning and Permitting;

and the news organizations of Star Advertiser ([citydesk@staradvertiser.com](mailto:citydesk@staradvertiser.com)), Civil Beat ([news@civilbeat.org](mailto:news@civilbeat.org)), and KHON2 ([News@khon2.com](mailto:News@khon2.com)).

***Ian Ross***

IAN ROSS  
CHAIR, MAKIKI/LOWER PUNCHBOWL/  
TANTALUS NEIGHBORHOOD BOARD NO. 10

Sources:

1. <https://www.civilbeat.org/2017/10/why-its-so-difficult-to-clean-up-the-makiki-hoarder-house>
2. <https://www.hawaiinewsnow.com/2019/08/10/year-after-city-cleared-trash-hoarder-home-mess-is-back>
3. <https://www.hawaiinewsnow.com/2019/09/04/hfd-responding-alarm-house-fire-kinau-street>
4. Phone conversation on September 5, 2019 between Board Member Christopher Tipton and Junion Gayatao, who lives next to this property.
5. <https://www.staradvertiser.com/2020/10/28/hawaii-news/makiki-house-catches-fire-for-second-time-this-year>
6. <https://www.staradvertiser.com/2020/04/08/hawaii-news/honolulu-firefighters-battling-blaze-at-corner-of-pensacola-and-lunalilo-streets>
7. [https://www.honolulu.gov/rep/site/nco/nb10/resolutions/2019-10\\_Resolution\\_Regarding\\_a\\_Pensacola\\_Street\\_Property.pdf](https://www.honolulu.gov/rep/site/nco/nb10/resolutions/2019-10_Resolution_Regarding_a_Pensacola_Street_Property.pdf)