



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

No. 25 - 135

RESOLUTION

TO AUTHORIZE THE DEPARTMENT OF THE CORPORATION COUNSEL TO INITIATE FORECLOSURE ACTION AGAINST THE REVOCABLE LIVING TRUST OF DIANA TSUI HUNG LEE AND DIANA TSUI HUNG LEE TO COLLECT CIVIL FINES

WHEREAS, the Revocable Living Trust of Diana Tsui Hung Lee ("Trust") owns the property located at 2154 Aulii Street, Honolulu, Hawai'i 96817 (TMK No. 1-8-035:036) ("Property"); and

WHEREAS, Diana Tsui Hung Lee is the Trustee ("Trustee") of the Revocable Living Trust of Diana Tsui Hung Lee; and

WHEREAS, on May 25, 2021, DPP issued Notice of Violation No. 2021/NOV-05-059 and Notice of Order No. 2021/NOO-230 to the Trust for recurring violations of Section 21-5_(d)(2)(D) of Ord. No. 19-18 by advertising the Property for rent as an unpermitted short-term rental; and

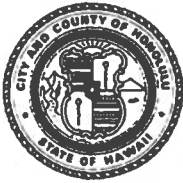
WHEREAS, Notice of Order No. 2021/NOO-230 imposed a civil fine of \$10,000.00 per day and the fines imposed by Notice of Order No. 2021/NOO-230 are unpaid and due and owing to the City; and

WHEREAS, on May 25, 2021, DPP issued Notice of Violation No. 2020/NOV-03-070 and Notice of Order No. 2020/NOO-087 for violating Section 21-5_(d)(2)(D) of Ord. No. 19-18 by advertising the Property for rent as an unpermitted short-term rental; and

WHEREAS, Notice of Order No. 2020/NOO-087 imposed a civil fine of \$10,000.00 per day and the fines imposed by Notice of Order No. 2020/NOO-087 are unpaid and due and owing to the City; and

WHEREAS, on June 9, 2021, DPP CITY issued Notice of Violation No. 2021/NOV-06-024 to the Trust for violating ROH Sections 21-3.70-1 and 21-4.110-1 by using the Property to operate an unpermitted transient vacation rental; and

WHEREAS, On June 28, 2021, the City issued Notice of Order No. 2021/NOO-260 to the Trust and imposed a fine of \$10,000.00 per day for the violation; and



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CITY AND COUNTY OF HONOLULU

No. 25 - 135

RESOLUTION

WHEREAS, the fines imposed by Notice of Order No. 2021/NOO-260 are unpaid and owing to the City; and

WHEREAS, on April 14, 2020, the Department of Planning and Permitting ("DPP") issued Notice of Violation No. 2020/NOV-03-101 to the Trust for a violation of Section 18-3.1 ("Construction of a wooden deck with steps and guardrail above 30" inches from the grade without first obtaining a building permit") of the ROH, 1990 (as amended); and

WHEREAS, on June 29, 2021, DPP City issued Notice of Order No. 2021/NOO-032 to the Trust and ordered the Trust to pay a daily fine of \$50.00 until their violation is corrected; and

WHEREAS, this violation remains uncorrected and the civil fines are unpaid; and

WHEREAS, On September 8, 2021, DPP issued Notice of Violation No. 2021/NOV-09-012 to the Trust for violating ROH Sections 21-3.70-1 and 21-4.110-1 by using the Property as an unpermitted bed and breakfast home or transient vacation rental; and

WHEREAS, on September 17, 2021, the City issued Notice of Order No. 2021/NOO-423 to the Trust and imposed a fine of \$10,000.00 per day for the violation; and

WHEREAS, the fines imposed by Notice of Order No. 2021/NOO-423 are unpaid and owing to the City; and

WHEREAS, on February 25, 2022, DPP issued Notice of Violation No. 2022/NOV-02-104 and Notice of Order No. 2022/NOO-048 to the Trust for violating ROH Section 21-5.730(d)(2)(D) by advertising the Property as an unpermitted bed and breakfast home or transient vacation unit; and

WHEREAS, the Notice of Order No. 2022/NOO-048 imposed a fine of \$10,000.00 per day; and

WHEREAS, the fines imposed by Notice of Order No. 2022/NOO-048 are unpaid and due and owing to the City; and



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CITY AND COUNTY OF HONOLULU

No. 25 - 135

RESOLUTION

WHEREAS, the Department of Planning and Permitting recorded Certificates of County Civil Fine Lien against the Property in the (land court or bureau of conveyances) on October 7, 2022, March 13, 2023, and January 21, 2025, to secure the City's interest in the above-described fines; and

WHEREAS, the Department of Planning and Permitting has made good and lawful demands to the Trust for payment of the civil fines described in this Resolution; and

WHEREAS, the trust has failed to pay the fines owed to the City after such demands; and

WHEREAS, the filing of a complaint for foreclosure is necessary to collect the fines owed to the City and County of Honolulu ("City"); and

WHEREAS, Section 2-3.2(b), Revised Ordinances of Honolulu 1990, as amended, requires that the Corporation Counsel obtain the consent and approval of the City Council before bringing legal action against private persons; now therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

Pursuant to Section 2-3.2(b), Revised Ordinances of Honolulu 1990, as amended, the Corporation Counsel is authorized to initiate legal action against the Trust and the Trustee to collect the outstanding civil fines imposed by the above-referenced notices of order and obtain other and additional remedies appropriate to the City, whether at law or in equity; and



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CITY AND COUNTY OF HONOLULU

No. 25 - 135

RESOLUTION

BE IT FINALLY RESOLVED by the Council that the Clerk be and hereby is directed to transmit copies of this Resolution to the Department of the Corporation Counsel.

INTRODUCED BY:



(br)

DATE OF INTRODUCTION:

APR 30 2025
Honolulu, Hawai'i

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 25-135

Introduced: 04/30/25 By: SCOTT Y. NISHIMOTO - BY REQUEST Committee: INTERNATIONAL & LEGAL AFFAIRS (ILA)

Title: TO AUTHORIZE THE DEPARTMENT OF THE CORPORATION COUNSEL TO INITIATE FORECLOSURE ACTION AGAINST THE REVOCABLE LIVING TRUST OF DIANA TSUI HUNG LEE AND DIANA TSUI HUNG LEE TO COLLECT CIVIL FINES.

Voting Legend: * = Aye w/Reservations

04/30/25	ILA	Reported out for adoption. CR-171 8 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, WATERS, WEYER 1 ABSENT: TUPOLA
04/30/25	INTRO	Introduced.
05/14/25	CCL	Committee report and Resolution were adopted. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



 GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER