

Aloha CCM Members & Supporters,

We are off and running for 2018 and it has been a superb start. The January seminar "Developing Community Leadership" featured John Carbonaro, CPA, Paul Felix, Business Consultant, and Sidney Sparkman, Business Owner. Our Moderator, Lisa Cano, brought together three Property General Managers who all gave us their unique methods for building great work teams and how to retain those workers.

Chris Porter, Esq. & Rebecca Filipovic, Esq. (CCM's new Board member) put together our February "Law Seminar- Hot Topics". The seminar covered numerous issues in Fair Housing, Construction Contracts, and Covenant Enforcement. The panel included, Catherine Piazza, Esq., Bill McKeon, Esq., and Keri Mehling, Esq. The attendees were especially active during the Q & A session all trying to get as many legal answers to their specific questions as possible.

CCM's March seminar was titled "Insurance: Risk Control & HIOSH" and the panel included Gordon Ito, Insurance Commissioner for The State of Hawaii. CCM's Della Nakamoto was the Moderator and put together the panel of experts. Frank Valenti, Michael Carvalho, Keane Muranaka, and James Sipich all spoke on different aspects of insurance and what the future might hold. As usual, the Q & A session was filled with individual property issues.

The Board of Directors wants to take time to announce that our brilliant Seminar Coordinator, Jan McGee, will be leaving us after the April Seminar. Jan & her husband are moving back to Northern California to be with Family. Jan, you will be missed by all and we cannot thank you enough for the terrific job you have done for CCM. **"May your future be as wonderful as you!"**

Please sign-up early for our April 27<sup>th</sup> Seminar "Disaster Preparedness...It Is More Than Weather." Expect to learn information you can use to make your Association a safer and better place to live. Remember that YOU, our Members and Attendees, are the reason CCM exists. If you continue to support us, then we will continue to bring you the latest information designed to help you improve your Association.

Lucky We Live Maui!!!!!!!!!!!!

**March 2018**



Visit our website  
[www.ccmmaui.org](http://www.ccmmaui.org)



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# January & February 2018 Seminars

We started off the year with a great Board Training Seminar. The focus was on leadership and developing winning teams.



Aloha & Welcome Reception



What a great panel! (Above L to R: Moderator Lisa Cano with speakers Sidney Sparkman, Paul Felix, and John Carbonaro. Right: Managers spoke about their experiences, challenges, opportunities, and advice related to HR & staffing. With 2% unemployment, recruiting and retaining team members is not an easy task for Associations.



Above: CCM President Al and Directors Rebecca and Tom take to the mic as well.



CCM Seminars are a great place to network.

Mahalo to our sponsors who provide great prizes at our seminars. CCM, our members, and all of our seminar participants appreciate the many giveaways.



In February, we had a great panel put together for by CCM Directors Chris Porter, Esq. & Rebecca Filipovic, Esq. for our Law Seminar. Seminar participants learned about various legal hot topics. The panel included Keri Mehling, Esq., Catherine Piazza, Esq., and Bill McKeon, Esq. Mahalo to all of the speakers for helping to educate our members and seminar participants.



Look at what a great time everyone's having. We invite you to join us for the fun and Education. **See page 8 for the SAVE THE DATES for the remaining 2018 seminars.**

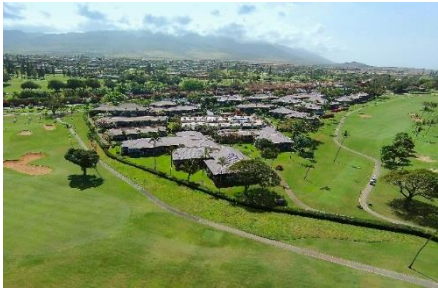


# Property Spotlight: Maui Eldorado Resort

By: Mike Sands – General Manager

*The unusual name “Maui Eldorado” was selected by the property’s developer (Ralph Hoyle) back in the late 60’s because the word “Eldorado” was often used as a metaphor to represent an ultimate prize or “Holy Grail” that one might spend their whole life seeking. While I can say with relative certainty that no gold has ever been discovered here on property, it certainly is a jewel worth discovering! The Maui Eldorado boasts an amazing location overlooking the lush fairways of the Royal Kaanapali Golf Course, Black Rock, and the most secluded section of North Beach.*

*The Maui Eldorado was built in the late sixties, and opened to sales in the early seventies. The property consists of twelve low rise buildings and three swimming pools spread over ten beautifully landscaped acres. We have 204 privately owned and very spacious studio, one, and two bedroom apartments with all but a few engaged in short term vacation rentals. Outrigger Hotels has been the on-site rental provider operating our Front Desk for the past twenty years, but the rental inventory on property has historically been pretty evenly split between the on-site managing agent, and independent vacation rentals by owners. Therefore the internet induced VRBO phenomenon really hasn’t had an adverse impact on this property’s culture. We’ve always had a strong repeat guest following that looked for*



*ways to book directly with our apartment owners. The internet just made it a more efficient process.*

Over the past few years our AOA has been focused on upgrading the property’s amenities as evident by the recent completion of a three and a half million dollar renovation of our garage structure and rooftop pool deck. Historically our Owner’s pride and joy has been their beachfront Cabana located just north of Black Rock on Kaanapali’s famed North Beach. However, since the opening of our new swimming pool and Brazilian hardwood pool deck last year they’ve now got a tougher choice to make each day!



In an effort to continually improve our stewardship of this amazing island home we’ve been blessed to be a part of, the Maui Eldorado AOA is taking significant steps towards lessening our environmental footprint. We’ve upgraded our central air conditioning plant with JCI’s Metasys Electronic Control System, and all of our pumps and cooling tower fan motors are on VFD control to run more efficiently, and only run when needed. We’re in the process of migrating all our common area and interior lighting over to more energy efficient LED bulbs, and presently in negotiations to finalize a solar thermal and PV Panels to make our domestic hot water system a net zero energy user. We’re also researching how best to modify the circuitry for our property wide common area lighting to be able to move it over to a PV powered battery bank so that it’s completely off the grid as well. We’ve replaced all the old mechanical door locks on property with a much more user and



accountability friendly RFID Electronic Lock system. We've implemented an "Opala Reduction" program to encourage more recycling, and in turn reduce our contributions to the landfill.

Taking steps to lessen a property's environmental footprint takes significant commitment, but the end result is well worth it!



**Mai Tai Alert!**

Please join the Maui Eldorado Ohana in the Lobby every Thursday from 3:00 pm - 4:00 pm for complimentary Mai Tai's

## Community Organization Spotlight Maui Ocean Center



Maui Ocean Center Marine Institute was born out of love, passion and optimism. The past two decades in Hawai'i has seen increasing environmental degradation mainly due to human behavior and its impacts to a fragile island ecosystem and ocean environment. The dedicated team at the Aquarium of Hawai'i, better known as the Maui Ocean Center, is intimately acquainted with the negative consequences from human pressures on the ocean environment through their personal care and work to share Hawai'i's unique marine life to guests from around the world.



The Maui Ocean Center has long been recognized for its efforts to educate others through fostering understanding, wonder and respect for Hawai'i's marine life. Through daily marine naturalist presentations, monthly SeaTalks with some of the world's greatest marine scientists, film screenings and more, the team at the Maui Ocean Center has worked hard to provide resources for others to know more about the responsibilities we share in caring for Hawai'i's marine environment and sea life. Nevertheless, after nearly two decades, the team acknowledged that education alone was not enough, as the situation and conditions in Hawai'i require and deserve more active efforts to safeguard and preserve this special aquatic habitat.



Thus, in April 2016, the Maui Ocean Center Marine Institute, a 501c3 corporation, was established to address the most pressing and urgent threats to Hawai'i's marine resources. Through strong collaborative relationships with State, Federal and private organizations, the Institute will focus on the preservation of rare and endemic Hawaiian corals, the rehabilitation and release of rescued endangered sea turtles and outreach and education in marine sciences. These three areas were identified, as the conditions for their long-term continuity are at stake.

In 2015, Hawai'i saw record sea temperatures resulting in forty percent bleaching of Hawai'i's coral reefs that still persist to today. Challenges from sedimentation, acidification, eutrophication, and higher than normal ocean temperatures have compounded the threat to Hawai'i's unique and exceptional corals. The Maui Ocean Center Marine Institute will provide safe haven for rare and endemic Hawaiian corals, creating a "genetic coral bank" where these corals can be propagated and grown with the goal of being transplanted back to the ocean as conditions allow. Future plans include developing additional resources and relationships to enhance and sustain Hawaii's coral reefs for future generations.

Of the five marine turtle species that can be found in Hawaiian waters, the most common are the threatened Hawaiian Green Sea Turtle and the critically endangered Hawaiian Hawksbill. Threats to sea turtles include the loss of nesting grounds due to the destruction of critical nesting habitat, boat strikes, light pollution, line entanglement due to fisheries interactions, elevated temperatures and disease to name a few.

The Institute in partnership with NOAA has implemented a Turtle Responder Network for south Maui. The ability to respond, nurse and rehabilitate injured and/or sick Hawai'i sea turtles is paramount to their long-term survival. The Institute works very closely with NOAA and University of Hawaii Maui College to respond and provide resources for sea turtles in distress. A quarantine for turtles will be



established in Ma'alaea and serve as a model for NOAA's facilities on the Hawai'i Island and Kaua'i. Future goals at the Institute include the construction of a long-term rehabilitation facility and turtle hospital where injured or sick turtles can fully recover prior to being released back to the

ocean.



Building on the Maui Ocean Center’s 20-year history of working with the UH Maui College and local elementary and high schools, the Institute will soon offer internship opportunities for those who wish to pursue a career in the marine sciences and contribute to the Institute’s conservation and preservation efforts. Whether instilling a love and appreciation for the ocean and its creatures to preschoolers or contributing to a student’s pursuit of a Master’s degree, the Institute will provide once in a lifetime opportunities to those seeking a place in the world of marine sciences and conservation. Furthermore, the Institute has begun fostering relationships with local stakeholders and members of the community in sharing the message of caring for Hawaii’s marine environment.

The Maui Ocean Center Marine Institute’s mission is to rescue, rehabilitate and release threatened and endangered Hawaiian sea turtles, maintain a repository for rare and endemic Hawaiian corals and provide educational opportunities in marine sciences and conservation at all levels. These goals are ambitious and will require collaboration, support and work of many hands. Our belief is together we, “can go as far as [we] dream, think and imagine.”<sup>1</sup> Won’t you join us? Learn more at [MOCMarineInstitute.org](http://MOCMarineInstitute.org)

<sup>1</sup> Lailah Gifty Akita, Think Great: Be Great!, (CreateSpace Independent Publishing, Ltd. USA, 2014).

## A Brush is a Brush Is Not Just a Brush!



Joni McGinnis - Ameritone Maui

You've done your homework and purchased premium quality paint with high volume solids,

100% acrylic resin and great durability. So now that you've chosen a high-quality paint, why would you skimp and purchase a cheap mediocre brush?

Professional painters understand that even the best coatings can't be expected to overcome the problems that arise from using an inferior brush. Quality brushes apply paint in a thicker, smoother film which provides maximum hiding and sheen uniformity. Lower quality brushes often leave ridges in

**Ameritone Maui**



the paint where dirt can collect and mildew can grow. But most of all it will make your job painting more difficult and with poorer results.

The basic elements of a high-quality brush are materials and craftsmanship. The two main types of paint brushes are natural bristle and synthetic filament.



**NATURAL BRISTLE** brushes are made from hog or oxen hairs. It is the best choice for oil-based paints, varnishes, shellac, alkyd enamels, oils stains and oil-based polyurethanes. The natural split ends or "flags" of the bristle allows it to carry paint effectively. The bristles are rough and scaly and provide more surface which helps pick up, carry and deliver the paint. Natural bristle brushes are not recommended for water-based paints. The bristles will absorb water from the paint causing it to flare and become limp or too soft to paint effectively. There are various bristle brushes available for different applications. The highest quality comes from mainland China. It has the softest natural tipping and flexibility, providing the smoothest finish with virtually no brushmarks. Rough surfaces will break the tips off natural bristle so it will no longer provide that smooth finish. It's best to choose a synthetic brush for painting rough surfaces - even when using oil-based paints.

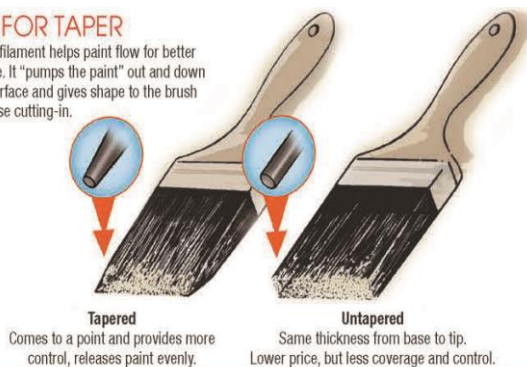
**SYNTHETIC** filament brushes were specifically designed for water-based paints. The most important part of a paintbrush is the working end. Unlike natural bristles, synthetic filaments require processing. To create a similar "flag" as the natural bristle the ends must be ground or "tipped" and split. The tipping gives the brush its ability to deliver a velvet smooth paint edge, keeping brush marks to a minimal. Performance is based on the engineering of the filament. One of the most important features of a quality paintbrush is uniform paint delivery. Tapered filament is a key factor which help lay the paint



down smooth and evenly. Tapered filament bend variably in response to pressure on the brush, allowing them to maintain uniform contact with the painted surface. Brushes made from single lengths or blends of If level filaments tend to "dump" paint at the start of a stroke and skip afterwards because they remain very stiff at the tip. Synthetic brushes are made with nylon, polyester and other filaments and can be used with all types of paint.

#### TEST FOR TAPER

Tapered filament helps paint flow for better coverage. It "pumps the paint" out and down to the surface and gives shape to the brush for precise cutting-in.



As water-based paints have come to dominate the paint industry the creation of new synthetic filament has evolved too. Chinex is a type of nylon filament developed by Dupont in the 1980s. The goal was to create a synthetic material that did not get floppy in water-based coatings, but still provided the superior



paint pickup and smooth release of natural bristle. Chinex is a unique nylon filament that is manufactured in a way that creates useful split ends, similar to natural bristle. These splits, or flags, help spread the paint smoothly and evenly across the surface you are painting. It is also constructed with a special shape that helps it maintain its stiffness better than traditional round nylon. The Chinex filament has excellent paint release, is effective with heavy-bodied paints and has superb cleanability.

**Quality brushes share the following characteristics:**

- They have split or "flagged" ends and are flexible at their tips which helps produce a finer finish.
- They are tapered such that the bristles in the center are slightly longer than those at the edge, which helps lay the paint down smoothly and evenly.
- High quality brushes are an investment. Clean all brushes after use with the proper solvent and cleaner. Don't allow brushes to soak for long periods. Allow brushes to dry properly by shaking them out. Brushes will also need to be combed through and reshaped. When the brush is almost dry, place it in its carton it came in. If possible, hang the brush or lay it flat when not in use.

## March 2018 Seminar

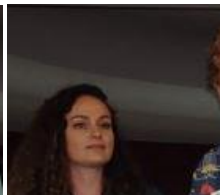


Visit our sponsors and talk story. They may have a service that your Association could benefit from. It's a win-win!

You can see Joni and her smile at our CCM Seminars. Visit her for more painting tips. (Above with past CCM Board



Director Penny Munroe.) Mahalo again to seminar moderator, CCM Director Della Nakamoto for putting an excellent panel together to educate us on insurance matters. Mahalo to our sponsors for all the prizes and giveaways!



## 2018 SAVE THE DATES

We hope to see you at the **2018 CCM seminars**. You will receive emails from CCM in advance of all seminars with instructions and reminders to register. Please be on the lookout and don't miss the deadlines.

<b>April 27</b>	Disaster Preparedness
<b>Summer Hot Topics</b>	TBD
<b>September 14</b>	Legislative Update
<b>November 16</b>	Technology

## Taking Your Reserve Study Digital

### *What is the Value and What It Means for Your Property*

By Damian J. Esparza

Did you know that spreadsheets were invented 40 years ago? It's amazing to think of the impact they have made in our lives. Back then the big idea was this concept of "electronic cells" which were considered magical and powerful. Fast forward to today, and most of us carry cell phones that have more computing power than NASA used to go to the moon in the 1960's.

As technology evolves, we now have an opportunity to apply these innovations to the reserve study. At its most basic element the reserve study tells us what we own and how much it will cost to fix. At a more sophisticated level, it's a strategic planning tool that helps directors make smarter decisions about capital spending. Both elements work together and give directors the ability to forecast into the future and avoid unforeseen expenses. No one likes to be surprised when it comes to budgeting for maintenance fees.

Traditionally, one of the great challenges of creating reserve studies has been accuracy. The reason is because of the tools available. We have been living in a 'spreadsheet' era, which works well when we are dealing with static information but is woefully inadequate when information is in a constant state of change.

If you think about a property, it's in a constant state of change. It's like a living, breathing organism. Your components are not static, whether it's the building envelope impacted by the sea, sun, or wind -- or your mechanical equipment comprised of multiple systems that are constantly running and always require maintenance.

Tracking this information is not easy, especially with multiple actors participating in the process. To compound this issue, when looking at reserve studies, they mostly lack the insights of component maintenance history, and therefore they become even less accurate when estimating life expectancy. In other words, how can you accurately forecast the life of a component if you do not know how well it's been maintained? The answer is, you cannot.

But there is good news! Properties are now leveraging new "cloud" and mobile technology that enables them to dynamically interact with ~~our~~ information. Using reserve study software allows for customized reports for reserve funding strategies, track maintenance records for more accurate reserve studies, stores files and photos for better record keeping, and collaborate with vendors for expert recommendations. All of these functions are available thanks to new technology.

Taking your property's reserve study digital will allow you to create and maintain a living history of your property when it comes to repair and maintenance. This helps to ensure that your property value is protected and prepared for future expenses.



Damian J. Esparza is the Founder of SmartProperty, Inc, a technology-enabled reserve study program. [www.smartproperty.com](http://www.smartproperty.com) or call 877-864-8955 Mr. Esparza has been working with community association since 2001 and has a professional reserve consulting firm that specializes in preparing over 1,300 reserve studies a year. He graduated from Boston College and lives in Bend, OR with his wife Danielle, two sons Oliver and Augustine, and dog Harlow.

## **SECURITY: REASONABLENESS**

From the Desk of Craig Tanaka, President, Ka'ana'ikepono, LLC

In our business world and society today, premises liability – including the hospitality and visitor industry - require the exercise of reasonable care to protect guests and tenants from reasonably foreseeable crime risks.

As the Legal Dictionary writes: “An innkeeper has an obligation to reasonably protect guests from injury while at the inn. This duty of reasonable care mandates vigilance in protection of the guests from foreseeable risks. The innkeeper must protect guests from injury at the hands of other guests and from assaults and negligent acts of his or her own employees. The obligation to protect guests is not met merely by warning them but must be coupled with a policing of the premises.”

“An innkeeper must take reasonable care regarding the safety of the guests' property and must warn guests of any hidden dangers that can be reasonably foreseen. This duty includes making inspections to ascertain that the premises are safe. The innkeeper is liable for any injuries arising from his or her failure to comply with fire regulations. Reasonably safe means of ingress and egress must be provided.”

“An innkeeper is required to use reasonable care to keep the hallways, passageways, and stairways well lighted and free from obstructions or hazards. An innkeeper who furnishes appliances or furniture for the convenience of guests must maintain them in a reasonably safe condition. Similar duties are required in connection with plumbing apparatus and swimming pools.”

“Reasonable care must be exercised by an innkeeper in the operation and maintenance of an elevator, which means that the elevator must be inspected and repaired to keep it in safe condition. The obligation to maintain the premises in a reasonably safe condition applies to windows and screens that are defective or insecurely fastened. Failure to have protective window grills or to guard air shafts located on a roof does not, however, necessarily constitute Negligence.”

### **REASONABLENESS AND NEGLIGENCE**

The term reasonable is frequently associated with liability, responsibility and care of our guests and tenants. Thus, reasonableness includes evidence (where documentation and records are key) that efforts were made to discover the likelihood of the occurrence of crime, that a reasonable effort was made to protect against crimes likely to occur, and that adequate warning was given about the existence of danger.

When you also apply OSHA's General Duty Clause, this includes an employer's efforts to “provide their employees with a place of employment that is free from recognized hazards that are causing or are likely to cause death or serious harm.”

An innkeeper or landlord may be found negligent when criminal acts and/or unsafe conditions are foreseeable, and the innkeeper's response is, in light of that foreseeability, unreasonable. *(Ka'ana'ikepono Board Approved, 4-Hour Continuing Education, Civil Liability, 2016, §463-10.5)*

## FORESEEABILITY OF CRIME AND HAZARDS

Some elements that may indicate foreseeability:

- Evidence of past crimes, incidents or reported hazardous conditions.
- Frequency of those crimes or incidents.
- Recent increase in the community crime rate or neighboring properties.
- Security or safety concerns/problems posed by the facility's design and a failure to address them.
- Repetitive reports of suspicious persons or activities in the area.
- Guest or tenant activities that tend to attract security problems and the process in addressing those problems.
- Location on the premises where alcohol is served and the training of staff in those locations.
- High occurrences of non-guest presence, especially in guest/tenant restricted areas.
- Special events.

Other considerations:

- Making excessive duplicates of keys to guest rooms.
- Maintaining a dummy camera (video camera that was not operable) which creates a false sense of security.
- Failure to regularly monitor the video system.
- Having knowledge of a lost master room key and not taking corrective measures.
- Having knowledge of non-guests or unauthorized persons(s) in/on the property and not taking appropriate actions.
- Failure to protect guests from assault or harm by intoxicated guest(s) after repeated calls for assistance.
- Failure to provide adequate security, i.e., replacement for a security officer who left early due to illness, officers constantly congregating in the office.
- Failure to render aid or call for medical assistance for injured guests.

These factors need to be considered when determining if a dedicated, professional security team is warranted for your premises to achieve the “policing of the premises.”

A trained security team can maintain consistent inspections and tours to ensure that a presence is maintained, that authorized areas are secure (including guest/tenant rooms) and potentially unsafe conditions are reported and as capable, removed or corrected. The patrol processes of *Deter, Observe, Detect, Report* (*Fundamentals of Patrolling, 8-Hour Initial Security Guard Training, State of Hawaii, §463-10.5*), is key in helping meet that requirement.

As experts have stated: “Security is far too often viewed as a huge cost – not an income generator but a cost generator - instead of an investment with a sizable return in the form of preventing losses.”<sup>1</sup>

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<sup>1</sup> Juliette Kayyem, Executive Director of the Executive Session on Domestic Preparedness (ESDP) at the John F. Kennedy School of Government; Patricia E. Chang, Research Assistant ESDP.



**SECURITY: REASONABLENESS (pages 10-11) About the Author:**

*Craig Tanaka has been working in security with the hospitality industry for thirty years, the last 21 years in the capacity of an Assistant or Director of Security/Loss Prevention. He is a State of Hawaii PVL/DCCA Board Approved Security Guard Training Instructor and President of Ka'ana'ikepono, LLC. He may be contacted at [kaanaike@gmail.com](mailto:kaanaike@gmail.com).*

## What to Do Within 24 hours of a Major Home Flood

By Greg Gaudet of Premier Restoration Hawai'i

Flood disasters happen when you least expect it. Because Maui is no stranger to flooding after heavy rains like this past December's record rainfall that left much of Kahului under water, we've got some helpful tips on what to do in the first 24 hours following a flood if your home is affected.

Whether the flooding is caused by overflowing ground water (like an overflowing nearby stream or a flooded road), heavy rains or a home water system malfunction, these tips are meant to keep you and your family safe while also providing you the best outcome to protect your home and minimize damages.

### Minimizing Additional Risks

-Before returning to your property following a flood, be sure to do a visual check of immediate property damage such as loosened foundation, and cracks or holes in the home or facility.

-TURN OFF THE POWER SUPPLY! Even if the power is completely out, it's best to find the fuse box and turn off the main power supply line. That way, if power does return, you aren't dangerously wading in water with electricity.

### Document

Be sure to take photos of the home and the damaged area before removing water or beginning repair work. You could potentially minimize coverage your insurance is willing to extend if you are able to show your insurance carrier the excess of the damages from the flood.

### Personal Protective Equipment

Personal Protective Equipment can save you from being exposed and infected by contaminated water, sewage or household chemicals.

#### PPE Check list:

-Rubber Gloves, especially helpful when removing damaged items

-Wading boots, if flood water persists in the home, be sure to wear waist-high waterproof boots or boots that allow you to walk through without touching the contaminated water.

### Call your Insurance Company

Notify your insurance carrier as soon as possible following a flood. Since floods caused by groundwater are often NOT covered by conventional homeowners insurance, you'll need to discuss with your agent the extent of coverage given what is determined to be the cause of the flood.

## Remove Water

Contact a [professional water extraction company](#) to remove standing water.

Should you decided to remove the water on your own, you can purchase a sump pump from a hardware store and or a wet vacuum.

Be sure to stimulate the natural drying out process by allowing fresh air to circulate by opening doors and windows so long as no additional water enters the property by doing so.

## Mold Mitigation

Unfortunately, right outside of the 48 hour window of water damage, microbial growth develops. Microbial growth like mold can negatively affect the health and air quality of your home. To minimize mold growth, be sure to remove wet contents, including carpeting and bedding.

While it is possible for wet items to be salvageable, it's best to consult a fully certified water damage restoration company as well as to notify your insurance company to be sure you are not affecting coverage when removing items.

## Secure the Property

If your home is deemed uninhabitable, before leaving your home, be sure to secure the property to minimize damages. Anywhere where water can enter, for example from a damaged roof, be sure to use a tarp to protect from any residual water entering the home.

Consult your insurance company to see what your options are for temporary housing while your home is being repaired.

For peace of mind at an unfortunate time and if you simply don't know where to start following a large home disaster, [Premier Restoration Hawaii](#) is here for you to provide you guidance as well as a full suite of services to help you every step of the way no matter the size or scope of your restoration needs.

**24/Hour Emergency Response:**  
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# Community Organization Spotlight

## Nisei Veterans Memorial Center



Honoring the heroism and sacrifices of WWII Nisei soldiers is an awesome and humbling responsibility and a major part of the continuing work of Maui's Nisei Veterans Memorial Center. And though it may appear that our focus is on Japanese-Americans, it is important to understand that by sharing the stories of Hawaii's WWII Nisei heroes, the NVMC believes present and future generations of all people can find the hero in themselves.

Maui County Nisei soldiers who served in the 100th Infantry Battalion during WWII impacted our community in important ways. Those who survived combat returned home to become judges, teachers, bankers, business owners, and skilled tradesmen. They married, raised families, and educated their children, thus further contributing to the fiber of Maui County. The NVMC endeavors to keep their stories alive to inspire others to emulate them for the benefit of our society. We are truly grateful for the opportunity to share their stories; after all they've made up the very DNA of our community.

Respect, kindness, gratitude, humility, perseverance, loyalty, bravery, and honor; these are the qualities that defined those young man who in spite of anti-Japanese sentiment after the bombing of Pearl Harbor on December 7, 1941, willingly sailed thousands of miles from their island home to meet head-on the gruesome reality of battlefields in Europe and Asia. And these are the qualities of character the NVMC encourages through educational programs, speakers' series, exhibits and community outreach to all people regardless of race, ethnicity, veteran status, age, gender, or national origin.

In 1952, "Club 100" members (men who served in the 100th Infantry Battalion in Europe during WWII) adopted "*For Continuing Service*" as their slogan. Having served their nation in war, these veterans sought to continue the tradition of service to their communities, state and country. While in combat in 1944, the men began a collection so that one day they could build a center where they could share their stories. "*For Continuing Service*" was one of the inspirations for building the Nisei Veterans Memorial Center on Maui in 2013 as a living memorial providing service to the community in perpetuity. And it was the Maui's Sons and Daughters of the Nisei Veterans who worked tirelessly with the community to ensure that their fathers' and their families' sacrifices would never be forgotten.

NVMC's stated vision is "A community where all people act selflessly for the greater good." It not only seeks to perpetuate what was noble about the past, but also to engage in the transformation and renewal of



our society, using as models and inspiration the achievements and character of the Nisei soldiers. Whether it is a veteran, family member, school group or passerby who comes through the doors at the NVMC, each person is welcomed with respect, kindness and gratitude.

Although its traditional base of support, the WWII Japanese-American generation, is gradually passing, the NVMC continues to attract interest and sponsors to help fund the operation of its Education/Exhibit Center as well as its management of one of Hawaii's only inter-generational facilities, the Kansha Preschool and Maui Adult Day Care Center Oceanview location.



Research shows that Intergenerational programs promote the transmission of cultural traditions and values from older to younger generations, helping to build a sense of personal and societal identity while encouraging tolerance. To see this happening first-hand is truly inspiring. Every day the children from Kansha have some interactive activity with the elders at MADCC. These activities provide an opportunity for both to learn new skills, have a sense of purpose and share stories. Long-term results include more tolerant, understanding and compassionate young adults as well as a longer and better quality of life for the seniors.

NVMC's Education/Exhibit Center safeguards over 200 special collections of Maui's Nisei (and some Sansei) veterans' records and artifacts.

One never knows when something very special will happen at the Center. Recently a woman in her late 90's visited the Center. She said her brother had been a Nisei soldier and that he was killed in action when she was a very young girl. NVMC Research Archivist Melanie Agrabante recognized the name and went into the archives to look for the box of the woman's late brother's items.

Just finding and seeing the box caused great emotion in the woman, but nothing compared to what happened when she opened it. There inside was a stack of letters addressed to her, letters her brother had written to her during the war but for whatever reason she had never received until that day. There wasn't a dry eye in the Center that afternoon. The archive not only is a bridge between past, present and future, but on many occasions it gives closure to those who lost loved ones so many years ago.

The Nisei Veterans Memorial Center is a non-profit organization, that aspires to a world where people act selflessly for the greater good. NVMC owns and manages and intergenerational campus on *Go For Broke Place* in Kahului that serves as a home for Kansha Preschool, Maui Adult Day Care Center's Oceanview facility, the Stanley Izumigawa Pavilion and the NVMC Education Center. To learn more, visit [www.nvmc.org](http://www.nvmc.org). For more information contact: Deidre Tegarden Office: 808/ 244-6862 [deidre@nvmc.org](mailto:deidre@nvmc.org) or visit [www.nvmc.org](http://www.nvmc.org)



# Building Ordinance Coverage for Community Associations

By: Elaine Panlilio, CIC, CISR, Atlas Insurance Agency

For those of you that live in or own a condominium unit, have you ever looked around your building and wondered if some of the more dated features are still up to code? Are you aware that acquiring insurance coverage to make your building current with today's building codes is a requirement under the state's 514B condominium statute?

Under HI Rev Stat §514B-143 (2013) Insurance: (a) Unless otherwise provided in the declaration or bylaws, the association shall purchase and at all times maintain the following: (1) Property insurance... (C) In a total amount of not less than the full insurable replacement cost of the insured property, less deductibles, but including coverage for the increased costs of construction due to building code requirements, at the time the insurance is purchased and at each renewal date.<sup>1</sup>

Over the years we have seen many changes on the building codes and ordinances. When a building is constructed it would have to meet all the current building codes. We see situations where a building that was built up to code at the construction date may not be in compliance anymore at a later date because of the frequency and changes in building codes and ordinances.

The different sources of building ordinances and laws are federal, state and local. The most common example of a federal construction code impacting community associations is the American with Disabilities Act (ADA), this requires buildings to provide the proper additions to accommodate people with disabilities. Another example is the hurricane clips requirement on frame structures that was mandated by all counties in Hawaii after Hurricane Iniki (1992).

In the event of a loss, the association's Property Policy will only cover the actual physical damage to the building from a covered peril to return the building to its condition right before the loss occurred. The property policy will not cover the increased costs of construction to get the building up to the current code. This is where the Building Ordinance Coverage (also known as Ordinance or Law Coverage) steps in to fill the gap in coverage in the Property Policy.

## ABCs of Building Ordinance Coverage

### Coverage A: Coverage for Loss to the Undamaged Portion of a Building

For partial losses, if the undamaged portion of the building is condemned by an ordinance or rendered unsuitable for use, then the whole building would have to be torn down. The association's property policy will only cover the damaged portion and will not cover the undamaged portion. This gap in coverage will be addressed by adding Building Ordinance Coverage A to the association's property policy. This coverage would pay the value of the undamaged portion of the building that would have to be torn down.

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<sup>1</sup> Reference: <https://cca.hawaii.gov/reb/files/2013/09/514B-CPR-WEB.pdf>

## **Coverage B: Coverage for the Cost of Demolition**

Coverage B pays the cost to demolish the undamaged portion of the building while the property policy covers demolition and debris removal of the damaged portion of the building.

Demolition costs can range from thousands of dollars and in the worst case up to 50% of the value of the building. The factors affecting the cost of demolition include: local construction demolition costs, special handling and disposal for hazardous materials like asbestos insulation found in some popcorn ceilings, and the amount of the undamaged portion of the building.

## **Coverage C: Coverage for the Increased Costs of Construction**

Since the Association's Property Policy only cover the building per construction specifications right before the time of loss, adding Ordinance or Law Coverage C covers that gap by paying for the additional costs related to making the building compliant with the current building codes.

This is one of the most important coverages your association will need to have and this is the coverage required by statute. If we go by the 514B Hawaii statute definition of full replacement cost, insuring your building to be rebuilt as it once was is not enough. Full replacement cost, therefore includes the additional costs to make your building up to date with the current building codes.

In the aftermath of a severe or catastrophic property loss, the first shock is in seeing the extent of the damage to your building or structure. The next shock usually comes after learning that rebuilding a damaged building or structure so that it complies with the latest building codes can add up to 50% or more to the rebuilding cost.

To properly protect your community association, Building Ordinance or Law Coverage can be added to your Association's Property Policy as an endorsement or a rider. A properly planned policy with the appropriate coverage limits and endorsements can help you and your association to get back on your feet with the least amount of financial burden and stress. Please consult with your insurance professional to make sure your community association is properly protected.



**Elaine Panlilio, CIC, CISR**  
Atlas Insurance Agency Inc.



### **About the Author**

Elaine Panlilio, CIC, CISR is an Account Executive in the AOA Unit at Atlas Insurance Agency. She holds the Certified Insurance Counselor and Certified Insurance Service Representative professional designations and is working on completing the Certified Risk Manager Program this year. She can be reached at (808)533-8766 and at [epanlilio@atlasinsurance.com](mailto:epanlilio@atlasinsurance.com)

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# SAVE THE DATE

**April 27, 2018**

King Kamehameha Golf Club

Registration and Platinum Sponsor Mixer at 8:00 am to 9:00 am

Seminar 9:00 am to 12:00 pm

Lunch 12:00 pm to 1:00 pm

Community Council of Maui presents

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Kenton Beal, Executive Vice President, ENPRO Environmental

Danielle Kornfeind, Environmental Professional, ENPRO Environmental

Anthony Nelson, Premier Restoration Hawaii

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# A Hui Hou Jan!

We bid farewell and Good Luck to Jan McGee, our trusty CCM Seminar Coordinator for the last 2 years. Mahalo for your contributions to the CCM



organization. Please see her message: *My husband Tim and I are retiring and moving back to our home town of Yuba City CA in northern CA. We just purchased a house and see a few DIY projects in our immediate future. Our two youngest sons and their families live there along with our 2 grand daughters and grand dogs! In addition to our family, we have many longtime friends that we are anxious to see again.*

*Becoming a member of the CCM Team has been a wonderful experience. I've enjoyed working with the Board of Directors and getting to know some of our members. I love this organization and wish everyone every success for the future.*

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