



Hawai'i Home Advocates

"Understanding Makes All the Difference."™

NATIVE HAWAIIAN HOMEOWNER

Land, Rights & Resources

A plain-English guide for Native Hawaiian homeowners on Hawaiian Home Lands and the open market.

"Understanding Makes All the Difference."™

ONE MISSION · THREE GOALS

One Mission: To educate homeowners.

Three Goals: To help Hawai'i homeowners —

1. Understand their situation,
2. Learn their rights and options, and
3. Navigate toward the best possible outcome.

Everything here is free. Nothing is required.

And every path leads to your best interest.

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A NOTE FROM BARBARA

Native Hawaiian homeownership involves a unique set of legal, historical, and cultural circumstances that deserve to be treated with care and accuracy. I've done my best to compile current, reliable information from official sources — DHHL (Department of Hawaiian Home Lands), OHA (Office of Hawaiian Affairs), and the Native Hawaiian Legal Corporation (NHLC). Where this guide ends, those organizations begin. You can reach them directly on your own — or if you'd like my help getting connected, I'm here. ■

I'm not Native Hawaiian, and I'm not a DHHL legal expert — but I am committed to making sure you walk into any conversation already informed.

DHHL — DEPARTMENT OF HAWAIIAN HOME LANDS

Your Homestead Lease — What It Means & How It Protects You

The DHHL administers the Hawaiian Homes Commission Act of 1920 — one of the most unique land programs in the United States. If you are a DHHL lessee or on the waitlist, your homeownership situation is fundamentally different from any conventional homeowner.

What Is a DHHL Homestead Lease?

- ✓ DHHL provides 99-year homestead leases at \$1/year for residential, agricultural, or pastoral purposes
- ✓ Leases may be extended for an aggregate term not to exceed 199 years
- ✓ You own the home — but the land is held in trust by the State of Hawaii
- ✓ Standard foreclosure rules do not apply the same way — the land cannot be sold to non-Native Hawaiians
- ✓ Eligibility requires at least 50% Hawaiian blood quantum — verified through birth certificates and genealogical records
- ✓ DHHL manages over 200,000 acres across Oahu, Maui, Molokai, Lanai, Hawaii Island, and Kauai

If You're Facing Financial Hardship on DHHL Land

- ✓ DHHL has a HOAP (Home Owner Assistance Program) specifically for lessees in financial distress — call 808-586-3800
- ✓ DHHL can offer direct loans, insured loans, or loan guarantees for home repair or replacement
- ✓ NHLC (Native Hawaiian Legal Corporation) provides free legal representation for DHHL lessees facing housing issues

■ **Standard foreclosure cannot transfer your lease to a non-Native Hawaiian — the lease must revert to DHHL or transfer to an eligible successor.**

Losing your lease means losing your place on the waitlist. Contact DHHL and NHLC before missing any payments.

THE WAITLIST & SECTION 184A LOANS

Options for Waitlisters & Native Hawaiians on the Open Market

The DHHL Waitlist

The DHHL currently has roughly 29,000 people on its waitlist — with wait times spanning decades. If you are on the waitlist and facing housing distress, you have options that don't require waiting:

- ✓ DHHL's RWOTP (Rent-With-Option-to-Purchase) program — launched on Hawaii Island — allows waitlisters to rent for 15 years and then purchase
- ✓ You may be eligible for Native Hawaiian-specific loan programs even while on the waitlist
- ✓ Your waitlist position is a valuable asset — protect it by maintaining your eligibility documentation

Section 184A Loans — For Native Hawaiian Families

Section 184A is a federally guaranteed home loan program specifically for Native Hawaiian families — including those on DHHL land and in the general housing market.

- ✓ Low down payment — as little as 2.25% for loans over \$50,000
 - ✓ Competitive interest rates — comparable to conventional loans
 - ✓ Can be used on Hawaiian Home Lands or fee simple property
 - ✓ No monthly mortgage insurance premium required
 - ✓ Available for purchase, refinance, or rehabilitation
- Borrower must be an enrolled member of a federally recognized tribe or Native Hawaiian family eligible for the DHHL program
- Administered through HUD (U.S. Dept. of Housing & Urban Development) — hud.gov/section184a

OHA — OFFICE OF HAWAIIAN AFFAIRS

Financial Assistance, Advocacy & Education

OHA AHO Program — Affordable Housing Opportunities

- ✓ OHA's AHO (Affordable Housing Opportunities) program helps Native Hawaiian families access affordable homeownership
 - ✓ Down payment assistance, homebuyer education, and financial counseling available
 - ✓ Free native Hawaiian housing advocates who can guide you through the process
- Contact OHA at 808-594-1888 or oha.org for current program availability

■ OHA also has a legal advocacy function — if your housing rights as a Native Hawaiian are being violated, OHA can connect you with legal resources and advocacy support. Contact OHA's community advocate office directly.

LEASE SUCCESSION & INHERITANCE

Protecting Your DHHL Lease for Future Generations

One of the most important — and most overlooked — aspects of DHHL homeownership is lease succession. What happens to your lease when you pass away matters enormously for your family.

Who Can Inherit a DHHL Lease?

- ✓ Surviving spouse — regardless of Hawaiian blood quantum
 - ✓ Children or grandchildren with 25%+ Hawaiian blood quantum
 - ✓ Other family members with 25%+ Hawaiian blood quantum as designated successors
- If no eligible successor exists, the lease reverts to DHHL — it cannot pass to a non-eligible heir

■ **If you have not filed a Designation of Successor form with DHHL, your family may face uncertainty about the lease at the time of your death. File this form now — it is free and available from DHHL at 808-586-3800.**

NATIVE HAWAIIANS ON THE OPEN MARKET

You Have the Same Options — Plus More Resources

If you own your home in fee simple (not on DHHL land), you have all the same options as any Hawaiⁱⁱ homeowner — plus access to Native Hawaiian-specific programs that other homeowners cannot use.

- ✓ Section 184A loan program — available for open market purchases and refinances
- ✓ OHA AHO (Affordable Housing Opportunities) program — down payment assistance and homebuyer education
- ✓ NHLC (Native Hawaiian Legal Corporation) — free legal advice on property disputes
- ✓ State and county first-time homebuyer programs — available to all Hawaiⁱⁱ residents
- ✓ HARPTA (Hawaiⁱⁱ Real Property Tax Act) exemptions — same as all Hawaiⁱⁱ residents

For housing legal help, contact:

Volunteer Legal Services: 808-528-7046 (O'ahu) | vlsh.org

HSBA Lawyer Referral (free consult): 808-537-9140

YOUR ACTION PLAN

Native Hawaiian Homeowner — What to Do Right Now

1

If on DHHL land and facing hardship — contact DHHL before missing a payment.

DHHL has a HOAP (Home Owner Assistance Program) specifically for lessees in distress. Call 808-586-3800 immediately. Losing your lease means losing your waitlist position — act early.

2

File your Designation of Successor form with DHHL if you haven't already.

This free form ensures your lease passes to an eligible family member at your death. Available from DHHL at 808-586-3800. Do not leave your family without this protection.

3

Contact NHLC for free legal representation on any DHHL issue.

The Native Hawaiian Legal Corporation specializes in DHHL and Native Hawaiian land rights. Free legal representation for qualifying situations. 808-521-2302 or nhlc.org

4

If on the waitlist — maintain your eligibility and explore current programs.

Contact DHHL to confirm your waitlist status and ask about current RWOTP (Rent-With-Option-to-Purchase) and other waitlister programs. Your position is a valuable asset.

5

Explore Section 184A loans for purchase, refinance, or rehabilitation.

If you are considering buying, refinancing, or repairing your home, Section 184A loans offer competitive rates with low down payment requirements specifically for Native Hawaiian families.

6

Contact OHA for housing assistance and advocacy.

OHA's AHO (Affordable Housing Opportunities) program and community advocates can connect you with resources specific to your situation. 808-594-1888 or oha.org

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Do not sign any real estate document without consulting NHLC or a Hawaii attorney first.

DHHL leases have unique legal protections that standard real estate documents may not account for. Any document that affects your lease or home requires legal review first.

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Contact Barbara.

NHLC, OHA, and all the resources in this guide are yours to contact directly. If you'd like company navigating any of it, I'm here. 808-781-6951

FREE RESOURCES

About free legal help in Hawai'i: Free legal representation for housing matters is very limited. Most free resources provide information or referrals, not an attorney who will represent you.

DHHL — Dept. of Hawaiian Home Lands

HOAP financial assistance, lease succession forms, waitlist information, and direct loans for lessees.
808-586-3800 | dhhl.hawaii.gov

Native Hawaiian Legal Corporation (NHLC)

Free legal advocacy on Native Hawaiian land rights, DHHL matters, and property issues.
808-521-2302 | nativehawaiianlegalcorp.org

Volunteer Legal Services Hawai'i

Free civil legal help for qualifying low-income residents — housing, landlord-tenant, bankruptcy, and more. Apply online or call for intake.
808-528-7046 (O'ahu) | 1-800-839-5200 (Neighbor Islands) | vlsh.org

Hawai'i State Bar — Lawyer Referral Service

Get matched with a licensed Hawai'i attorney. Many offer a free or reduced-fee first consultation. Available Mon–Fri 8:30 a.m.–4:30 p.m.
808-537-9140 | hawaiilawyerreferral.com

Legal Aid Society of Hawai'i — Elder Law Services Only (age 60+)

Confirmed services: Advance Health Care Directive, Power of Attorney, and Simple Wills for residents 60+. Does not cover DHHL or property matters.
808-536-4302 | legalaidthawaii.org

Hawai'i HomeOwnership Center (HHOC)

HUD-approved free housing counseling statewide.
808-523-9500 | hihomeownership.org

Ready to talk through your options?

Barbara Coote is here to help — free, no pressure,
no obligation.

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“Understanding Makes All the Difference.”™



Barbara Coote

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Military Relocation Professional (MRP)

"When God closes a door, He opens a window."

I want to be that window for you.

*"Informed Decisions are the Best Decisions."*TM

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Free. No sign-up. No obligation. Ever.