

Applying for Hawaiian Home Lands

Loa'a Ka 'Aina Ho'opulapula

Aloha Kakou!

Welcome to the Hawaiian Home Lands program. The program has its roots in the Hawaiian Homes Commission Act of 1920, as amended. It provides native Hawaiians with several benefits that we hope will assist you and your 'ohana for generations to come. Entry into the program, however, depends largely upon you. In the course of applying for a homestead, you may find yourself embarking on a journey of discovery into your family's history. While it often takes time, for most people it is a process well worth the effort.

This site is designed to make your entry into the program as smooth and fruitful as possible. Like the 'ulu tree, the Hawaiian Home Lands program can provide sustenance for generations to come.

Eligibility Requirements

To be eligible to apply for a Hawaiian home lands homestead lease, you must meet two requirements:

- You must be at least 18 years of age; and
- You must be a native Hawaiian, defined as "any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778." This means, you must have a blood quantum of at least 50 percent Hawaiian. This requirement remains unchanged since the HHCA's passage in 1921.

Tracing Your Genealogy

The general rule of thumb in determining 50 percent blood quantum is to submit enough documentation tracing your genealogy to your full Hawaiian ancestor(s). Some applicants need only go back one or two generations - that is, to their grandparents.

Others may need to go back further, gathering pieces of information which eventually grow into a large family tree with roots beginning with full Hawaiian ancestors.

However, before starting your search for acceptable documents, *kuka*, or consult with your *ohana*. They are an invaluable source of information. Once you've "talked story" you should be better prepared to begin gathering the documentation needed to show eligibility for the program.

There are two categories of documents used in determining eligibility: primary and secondary.

Primary Documents

The primary documents used to show you are of age and a qualified native Hawaiian are:

- A certified copy of **Certificate of Birth**;
- A certified copy of **Certificate of Hawaiian Birth**, including testimonies; or
- A certified copy of **Certificate of Delayed Birth**.

You will need the certified birth certificates for:

- Yourself
- Your biological father; and
- Your biological mother

The state Department of Health, (DOH), Vital Records Section, records documents by island and district (geographically) and by the date of the event (chronologically).

If your biological parents' documents don't clearly prove that you have at least 50 percent Hawaiian ancestry, you will also need certified birth certificates for:

- Your biological father's parents; and
- Your biological mother's parents.

In order to process your application, DHHL utilizes information that is found only on the original *Certificate of Live Birth*, which is either black or green. This is a more complete record of your birth than the *Certification of Live Birth* (a computer-generated printout). Submitting the original *Certificate of Live Birth* will save you time and money since the computer-generated *Certification* requires additional verification by DHHL.

Please note that DOH no longer offers same day service. If you plan on picking up your certified DOH document(s), you should allow at least 10 working days for DOH to process your request(s), OR four to six weeks if you want your certified certificate(s) mailed to you.

In the event the Vital Records Section does not have a birth certificate for any of your parents or grandparents, they will issue a "No-record" certification. "No-record" certification means after searching its records, the DOH cannot find the requested birth certificates. Please submit this "No-record" certification with your other documents to DHHL.

If you are adopted, your biological birth record is probably sealed. In this instance, DHHL staff may be able to assist you in getting the ethnicity of your biological parents. Additionally, depending on your particular circumstance the Family Court may be able to help you get the information you need. If your adoption occurred in the State of Hawaii, you may be able to get a copy of your original birth certificate. Access to out of state adoption records, however, vary according to the respective jurisdiction.

Secondary Documents

There are times when the birth certificates for yourself and/or your parents or grandparents are not available and you have gotten "No-record" certifications from DOH. DHHL may accept secondary documents which assist in establishing family ties or blood quantum in place of primary documents.

The following are some of the secondary documents which may be used. The list is in the preferred order of priority:

- Certified marriage certificates for your biological parents, grandparents, etc. (If these are not available, you will need a "No-record" certification from the Department of Health.)
- Certified death certificates for your biological parents, grandparents, etc. (If these are not available, you will need a "No-record" certification from the Department of Health.)
- Family history charts and documents such as marriage, divorce and death records from the State of Hawaii Archives, state courts, public libraries or U.S. Census records;
- Official baptismal records from your church or other church documents showing your race or the race of your ancestors;
- Official records from the files of military services, schools or hospitals;
- Employment records;

- Written statement from your physician or, in the case of a relative's death, a written statement from the mortuary which handled the burial;
- Newspaper clippings from *Obituaries* and *Vital Statistics* sections;
- Affidavits, meaning sworn and notarized statements, from knowledgeable persons who can verify an individual's ancestral claims. These would primarily be from parents, grandparents and other close relatives.

Birth Certificates (Adoption)

If you are adopted, you must establish proof of your native Hawaiian ancestry through your biological parents, not your adoptive parents. In the past Family Court records regarding adoptions have been sealed. Under current Hawaii State law, however, there are procedures by which an adopted individual may obtain information contained in the sealed records. In some cases DHHL staff may be able to assist you with this process. (See Sections 578-14.5 and 578-15, Hawaii Revised Statutes.)

Inconclusive Documents

Sometimes an applicant may be confused by DHHL's request for more documentation. Usually, if a request is made for more documentation, it is because a question regarding a person's application or genealogy has been raised. For example, the document presented may refer to the applicant as "Part-Hawaiian," "Caucasian-Hawaiian," "Hawaiian-Chinese" or "Portuguese-Hawaiian." Often an applicant will interpret statements like this to mean the individual is 50 percent Hawaiian. In fact, because the percentage of Hawaiian is not specified, additional documentation will be required to identify the full-blooded Hawaiian ancestor(s). Once this ancestor(s) is identified, the blood quantum amount is brought forward to the current generation, dividing the blood quantum amount in half with each new generation. The amount of Hawaiian blood an applicant has is identified and documented through this process.

Variation in Names or Single Names

If a document shows a variation in names, such as the difference between a name on a birth certificate and a marriage certificate, more documentation will be requested to explain the difference. This also holds true if the document in question shows only a surname or a single name.

Reasonable Basis for More Documentation

DHHL staff may ask for additional documentation if, for example, a nontraditional Hawaiian surname of "Bennett" is listed with the race given as "Hawaiian". Another reason why more documentation might be requested is if the age of the applicant doesn't match the age presented on the document in question.

Where to Get Your Documents

The state Department of Health, the state Archives, and the state Bureau of Conveyances are just a few places where you can look for and obtain primary and secondary documents. Certified copies of records can be obtained for a fee.

The addresses, telephone numbers and office hours for several of these sources can be found at the end of this section.

Other sources are the state Circuit and Family Courts, the state libraries, hospitals, schools, religious organizations, and the LDS Family History Centers operated by the Mormon Church. Although personnel at the History Centers will assist in your research, they will not do your research for you.

You may also use copies of documents in DHHL's files of a relative who is a homestead lessee or applicant. However, you must obtain written permission from your relative in order for DHHL to use that relative's genealogical information for your application.

Application Processing

DHHL will return an incomplete application, along with instructions, advising the applicant to produce further evidence to verify his or her Hawaiian ancestry. If an applicant disagrees with the action taken by DHHL on his or her completed application, he or she has 30 days from receipt of the written notice to petition DHHL for an appearance before the Hawaiian Homes Commission to address the action taken on the application.

Types of Homestead Leases

Once you have your documents proving your native Hawaiian ancestry in order, you'll need to decide what kind of homestead lease you would like to receive.

There are three kinds of homestead leases: residential, agricultural, and pastoral.

You may apply for one of the following:

- One residential lot;
- One agricultural lot;
- One pastoral lot;
- One residential lot and one agricultural lot; OR
- One residential lot and one pastoral lot.

You **may not** apply for all three types of homestead leases. **Nor** may you apply for both an agricultural lot and a pastoral lot.

Although you **may apply** for leases on separate islands, you cannot hold leases on separate islands. Say, for example, the first lease you obtain is for a residential lot on Oahu. You also applied for agricultural land on Maui. At the time you are offered the agricultural lot on Maui, you will have to decide which island you are going to homestead, because you cannot have leases on two islands.

Homestead Lease Availability by Island

Island	Type of Available Homestead Lease
Hawaii	Residential, Agricultural and Pastoral
Kauai	Residential, Agricultural and Pastoral
Lanai	Residential
Maui	Residential, Agricultural and Pastoral
Molokai	Residential, Agricultural and Pastoral
Oahu	Residential and Agricultural

Available Residential Awards

The homestead program offers a range of residential awards that include, but are not limited to:

- Fully improved lots with new homes on them.

- Fully improved vacant lots.
- Vacant lots with minimal improvements.

DHHL recognizes that beneficiaries come from diverse financial backgrounds. As a result, DHHL has formed cooperative partnerships with several nonprofit and governmental organizations to provide beneficiaries with as many housing options as possible. For example, both self-help housing and Habitat for Humanity homes have been constructed on Hawaiian home lands.

If you are selected for an award and you choose not to accept it for whatever reason, please *kokua* and let DHHL know as soon as possible that you are deferring the award. This gives the next qualified applicant an opportunity to get a homestead lease.

Benefits of a Hawaiian Home Lands Homestead Lease

Perhaps you're still considering applying for a homestead lease. Here's something to think about - the advantages of being a Hawaiian homestead lessee. Among the many benefits are:

- Annual lease rent of \$1.00 per year;
- 99-year lease;
- Lease term which can be extended for an additional 100 years, allowing you to pass your homestead from generation to generation;
- Seven-year exemption from real property tax;
- Complete exemption of tax on land;
- Minimal real property tax after the first seven years (applies only to County of Kauai and City and County of Honolulu, Oahu);
- Taxing of assessed value of improvements on property (Hawaii and Maui counties only);
- Homeowner's exemption (to be filed with respective county's real property tax office);
- Low interest government loans (contact DHHL for more information); and
- Ability to use the equity in your property to obtain loans (contact DHHL for more information).

Applying for a Homestead Lease

Once you are ready to apply for a homestead lease, you may either call or go to the DHHL Application's Office in Honolulu or the DHHL District Office closest to you and ask for a homestead application packet.

The homestead application packet contains the following:

- Letter of Welcome
- Application for Lease of Hawaiian Home Lands
- Addendum to Application
- Designation of Successor to Application Rights for Homestead Lease
- Kumu `Ohana Worksheet
- Consent for Release of Information

There are two ways to submit an application. You can mail in the completed and notarized form, along with certified copies of the necessary documentation. These certified copies will be returned to you. You may also submit your application in person. Due to the increasing demand for homestead leases, an appointment is necessary.

Please call one of the six DHHL district offices listed at the end of this document to schedule an appointment, then bring in the necessary documentation to the Application's Office in Honolulu or any of the five district offices on the neighbor islands. You may have your documents notarized at any district office free of charge.

Once your application is completed and accepted, it is time stamped, signed by a DHHL representative, and filed in the order it is received. A confirmation letter with a copy of the application will be mailed to you.

Change in Applicant's Genealogical Information

Based on the information provided to DHHL, a determination may be made that an applicant meets the 50 percent blood quantum and is eligible for the Hawaiian home lands program. That applicant is then placed on the appropriate waiting list.

It has been DHHL's experience that sometimes new information becomes available after an application has been accepted. When this occurs, DHHL and the Hawaiian Homes Commission have a fiduciary responsibility to carefully examine the new information and insure that the applicant does indeed qualify for the program. Consequently, DHHL staff may ask for further documentation concerning an applicant's 50 percent blood quantum.

Designation of Successor (Application Process ONLY)

As an applicant, you are encouraged to designate a qualified successor to succeed your application rights upon your death. This is done by completing a *Designation of Successor to Application Rights for Homestead Lease* form.

It is important to give a copy of the *Designation of Successor* to your designated successor.

To qualify, your successor must meet the following requirements:

- The successor meets the minimum 50 percent blood quantum requirement (DHHL encourages applicants to provide documentation of their successors' native Hawaiian blood quantum);
- The successor is at least 18 years of age; and
- The successor is your spouse, child*, grandchild, father or mother, widow or widower of a child, brother or sister, widow or widower of a brother or sister, or niece or nephew.

*"Child Successor" as interpreted by the Office of the Attorney General for the State of Hawaii, includes:

- A legitimate, biological child; and
- A legally adopted child who has presented and established sufficient documentation which shows the child is at least 50 percent Hawaiian based on biological genealogy.

The Applicant's Responsibilities

Once you have successfully completed the application process for a homestead lease and you are on the island-wide waiting list of your choice, you're probably wondering, "Now what?" Well, as an applicant, you have some important responsibilities.

- It's very important to keep your address current with DHHL.
- If you move, immediately notify DHHL in writing so there won't be needless delays when your waiting list number comes up. It isn't enough to notify the post office of your change in address.
- Designate a qualified successor to your application and let that person know you have designated him or her as the successor to your application.

Start getting your finances and credit reference reports in order. For example, start limiting monthly expenses. Put money into a savings account on a regular basis. It may also mean delaying the purchase of a new car, television or sound system. This way you will be ready to financially qualify for a home when a homestead lease is offered to you.

Commonly Asked Questions by New Applicants

Where can I go for help with my genealogy?

At the end of this document there is a list of state agencies where you can go for help with your research. Other sources include the state libraries; the LDS Family History Centers, operated by the Mormon Church; hospitals; schools; religious organizations; and reputable genealogists.

Where may I have my application notarized?

You may have your application notarized free of charge at DHHL. There is at least one notary public in each DHHL District Office. You may also have your documents notarized at your financial institution, or if you have an attorney, he or she may have a notary public on staff.

How many applications may I submit?

You may submit applications for a maximum of two types of leases - residential and agricultural OR residential and pastoral. You cannot submit applications for both agricultural and pastoral lots.

May I submit residential/agricultural or residential/pastoral applications for each island?

No. Your application(s) should be for the island you most likely want to live on when you get your award.

How long does it take to get my lease?

Lease awards depend upon the Hawaiian Homes Commission's development goals, DHHL resources, and location and availability of lands, among other factors.

Which island has the shortest waiting list?

Lanai. However, when choosing an island you should consider employment opportunities and where you want to ultimately live, rather than making a selection based on the length of the waiting list.

Will my chances be better if I choose a shorter waiting list?

Not necessarily. It would depend on your employment opportunities on that island, the quality of available lands, and the design and construction projections for that island.

What is the difference between residential, agricultural and pastoral leases?

- A residential lease is for the home that you live in.
- An agricultural lease is primarily for farming.
- A pastoral lease is for ranching.

You may also build a house on an agricultural or pastoral lot. However, if you already have a house on your residential lot and you want to build a house on your agricultural or your pastoral lot, you must surrender or transfer one of the two leases because you may only have one residence.

How much will a residential house and lot cost?

The amount varies depending on the project.

Can you own a non-homestead home at the time you apply for a Hawaiian homestead lease?

Yes. Owning non-homestead property does not disqualify you from receiving a lease. However, should you receive a residential homestead lease, you must be the owner-occupant.

Why do I have to submit more documents than my brother (or sister) who already has an award?

In the past, fewer documents may have been required when your relatives applied. Over the years, however, DHHL's procedures have become more refined as errors and omissions surfaced. Therefore, any additional information you are asked to provide may be used to complete your relatives' files, with your authorization.

Is the 50 percent blood quantum requirement going to be lowered?

Presently, DHHL does not have plans to lower the 50 percent blood quantum. DHHL's first obligation is to those on the existing waiting list and the many qualified native Hawaiians who have yet to apply for a homestead. Any changes in the blood quantum requirement will require state legislative and congressional action.

Commonly Asked Questions by Applicants Who Are on the Waiting List

What is my number on the list?

Your number is established on the date your application is accepted by DHHL. This number changes when applicants ahead of you are removed from the list per their request or are awarded leases. Waiting lists are available for review at DHHL district offices and select branches of the state library.

Why does my number keep getting higher instead of lower?

Numbers may increase as a result of actions taken by the Hawaiian Homes Commission (HHC). The HHC is authorized to approve adjustments to the waiting lists. For example, during the Acceleration of Awards Program (1984 - 1987) DHHL awarded leases to unimproved lots. Once the lands became improved, the lessees had one year to construct a house on a residential lot. Some lessees have not been able to meet this requirement for a variety of reasons. Therefore, they have requested that the HHC rescind their leases and reinstate them back to the waiting list according to the date of their original application. An action like this may affect your number, if you are an applicant on the waiting list.

May I change (transfer) my application to a different island?

Yes, but you are placed on the island list you are transferring to as of the date your transfer request is received by DHHL and not your original application date.

How come I wasn't given an award, yet I know someone who applied after me already has a lease?

There may be a number of reasons. For example, a lessee may have received a lease as a result of a transfer from another lessee or through succession from a deceased relative.

Does DHHL make loans to applicants?

DHHL does not make loans to applicants. DHHL does, however, make loans to lessees. These loans are generally reserved for lessees who are not able to secure financing from an outside lender. For more information contact DHHL.

Joining the Ohana

As the part-Hawaiian population grows, substantiating one's eligibility requirement of proving 50 percent or more

native Hawaiian ancestry is more challenging. There are many resources available to assist you in establishing your native Hawaiian blood quantum. DHHL stands ready to help you through the application process.

New developments are being planned and "raw" land is constantly being prepared for homestead use. DHHL encourages you to become a part of the Hawaiian Home Lands' 'ohana.

DHHL DISTRICT OFFICES

Office Hours: Monday through Friday 7:45 a.m. to 4:30 p.m.

East Hawaii District Office

(808) 974-4250
160 Baker Avenue
Hilo, Hawaii 96720

West Hawaii District Office

(808) 887-6053
PO Box 125
Kamuela, Hawaii 96743

Maui District Office

(808) 760-5120
655 Kaunuali'i Street, Suite 1
Wailuku, Hawaii 96793

Molokai District Office

(808) 560-6104
PO Box 2009
Kaunakakai, Hawaii 96748

Oahu Office

Homestead Applications Branch

(808) 586-3833
PO Box 1879
Honolulu, Hawaii 96805

Kauai District Office

(808) 274-3131
3060 Eiwa Street, Room 203
Lihue, Hawaii 96766-1886

DOCUMENT RESOURCE CENTERS

Department of Health

Vital Records Section
Mailing Address:
P.O. Box 3378
Honolulu, Hawaii 96801
Street Address:
1250 Punchbowl Street, Room 103
Honolulu, Hawaii 96813
Tel: 586-4533

Hours: M-F, 7:45 AM - 2:30 PM

Hawaii State Archives

Kekauluohi Building

Iolani Palace Grounds

Honolulu, Hawaii 96813

Tel: 586-0329

Hours: M-F; 9:00 AM - 4:00 PM

(Records and Photographs retrieved until 4:00 PM.)

Bureau of Conveyances

Public Reference Room 123

1151 Punchbowl Street

Honolulu, Hawaii 96813

Tel: 587-0314

Hours: M-F, 8:15 AM - 4:15 PM

Circuit Court

Kaahumanu Hale

777 Punchbowl Street

Honolulu, Hawaii 96813

Tel: 539-4300

Legal Documents Division

Hours: M-F; 7:45 AM - 4:30 PM

File Room

Hours: M-F; 9:00 AM - 12:00 N

1:00 PM - 4:00 PM

Family Court

Kaahumanu Hale

777 Punchbowl Street

Honolulu, Hawaii 96813

Hours: M-F; 7:45 AM - 4:30 PM

Central Registry/Documents

Tel: 539-4496

Matrimonial Actions

Tel: 539-4496

Adoption Records

Tel: 539-4496

Kalaupapa Settlement

P.O. Box 4444

Kalaupapa, Hawaii 96742

Tel: 567-6320

LDS FAMILY HISTORY CENTERS

(For more center locations and information go to www.familysearch.org or call the individual centers for hours of operation.)

HAWAII**Hilo**

1373 Kilauea Avenue
Hilo, Hawaii 96720
Tel: 935-0711

Kailua-Kona

75-230 Kalani Street
Kailua-Kona, Hawaii 96745
Tel: 329-4469

KAUAI

4580 Ehiku Street
Lihue, Hawaii 96766
Tel: 246-9119

MAUI

25 West Kamehameha Avenue
Kahului, Hawaii 96732
Tel: 871-8841

MOLOKAI

35-100 Kamehameha Highway
Kalamaula, Hawaii
Tel: 553-5296

OAHU**Honolulu**

1560 S. Beretania Street
Honolulu, Hawaii 96826
Tel: 955-8910

Honolulu West

1723 Beckley Street
Honolulu, Hawaii 96819
Tel: 845-9701

Kaneohe

46-177 Halaulani Street
Kaneohe, Hawaii 96744
Tel: 247-3134

Laie

55-600 Naniloa Loop
Laie, Hawaii 96762
Tel: 293-2133

Mililani

95-1039 Meheula Parkway

Mililani, Hawaii 96789
Tel: 623-1712

Waipahu / Makakilo
94-210 Kahualii Street
Waipahu, Hawaii 96797
Tel: 678-0752