

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of State Parks  
Honolulu, Hawaii 96813

August 26, 2022

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Kaua'i

Forfeiture of General Lease No. SP0186, Anthony Locricchio, Lot 82, Pu'u  
Ka Pele Park Lots, Waimea, Kona, Kaua'i, Hawai'i, TMK: (4)1-4-002:079

PURPOSE:

Forfeiture of General Lease No. SP0186, Anthony Locricchio, Lessee.

LEGAL REFERENCE:

Section 171-39, Hawaii Revised Statutes, as amended.

LOCATION:

Government lands of Lot 82, Pu'u Ka Pele Park Lots, Waimea, Kona, Kaua'i,  
Hawai'i, Tax Map Key: (4)1-4-002:01, as shown on the attached map labeled  
Exhibit A.

AREA:

1.11 acres, more or less.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CHARACTER OF USE:

Recreation residence purposes.

ITEM E-3

TERM OF LEASE:

Twenty (20) years, commencing January 1, 2009, and expiring on December 31, 2028.

ANNUAL RENTAL:

\$9,500.00 due annually on January 1 of each year.

REMARKS:

Pursuant to the authority granted the Chairperson by the Board of Land and Natural Resources at its meeting of July 25, 2008, and the breach provision contained in General Lease SP0186, Anthony Locricchio, Lessee, was served a Notice of Default (NOD) on numerous occasions since 2011.

As of August 11, 2022, Lessee has not contacted Staff to make payment. A last notice to vacate was posted on July 15, 2022. All letters sent to the lessee and of interest were certified mail return request receipt. Below is the breakdown of the history of the lessee:

May 26, 2011	Notice of Default (NOD) for failure to pay rent and water charges and late fees. Lessee has cured the default.
April 11, 2012	NOD for failure to pay rent and water charges and late fees. Lessee has cured the default.
June 1, 2017	NOD for failure to pay rent and water charges and late fees. Failure to provide liability insurance, unauthorized improvements and subletting. Lessee has cured the default.
March 22, 2019	NOD for failure to pay rent and water charges. Lessee has cured the default.
June 8, 2020	NOD for failure to pay rent and water charges. Failure to provide liability insurance.
October 19, 2021	NOD for failure to pay rent and water charges. Failure to provide liability insurance. Lessee was given 30 days for cure.
January 3, 2022	NOD failure to pay rent and water charges and late fees.

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Failure to provide liability insurance. Lessee was given 30 days to cure.

July 15, 2022 Notice to vacate was posted by Staff.

Staff's recommendation is to terminate the current Lease with Mr. Locricchio.

RECOMMENDATION:

That the Board:

1. Authorize the cancellation of General Lease No. SP0186, in the manner specified by law;
2. Authorize the retention of all sums heretofore paid or pledged under General Lease No. SP0186 to be applied to any past due amounts;
3. Terminate the lease and all rights of Lessee and all obligations of the Lessor effective as of August 26, 2022, provided that any and all obligations of the Lessee which have accrued up to said effective date or which are stated in the lease to survive termination shall endure past such termination date until duly fulfilled, and further provided that Lessor reserves all other rights and claims allowed by law; and
4. Authorize the Department of the Attorney General, the Department of Land and Natural Resources, or their agents to collect all monies due the State of Hawaii under General Lease No. SP0186 and to pursue all other rights and remedies as appropriate.

Respectfully Submitted,



CURT A. COTTRELL  
Administrator  
Division of State Parks

BLNR – Forfeiture of General Lease  
SP0186 Anthony Locricchio

August 26, 2022

APPROVED FOR SUBMITTAL:

*Suzanne D. Case*

SUZANNE D. CASE  
Chairperson  
Board of Land and Natural Resources

ATTACHMENTS:

EXHIBIT A – Location

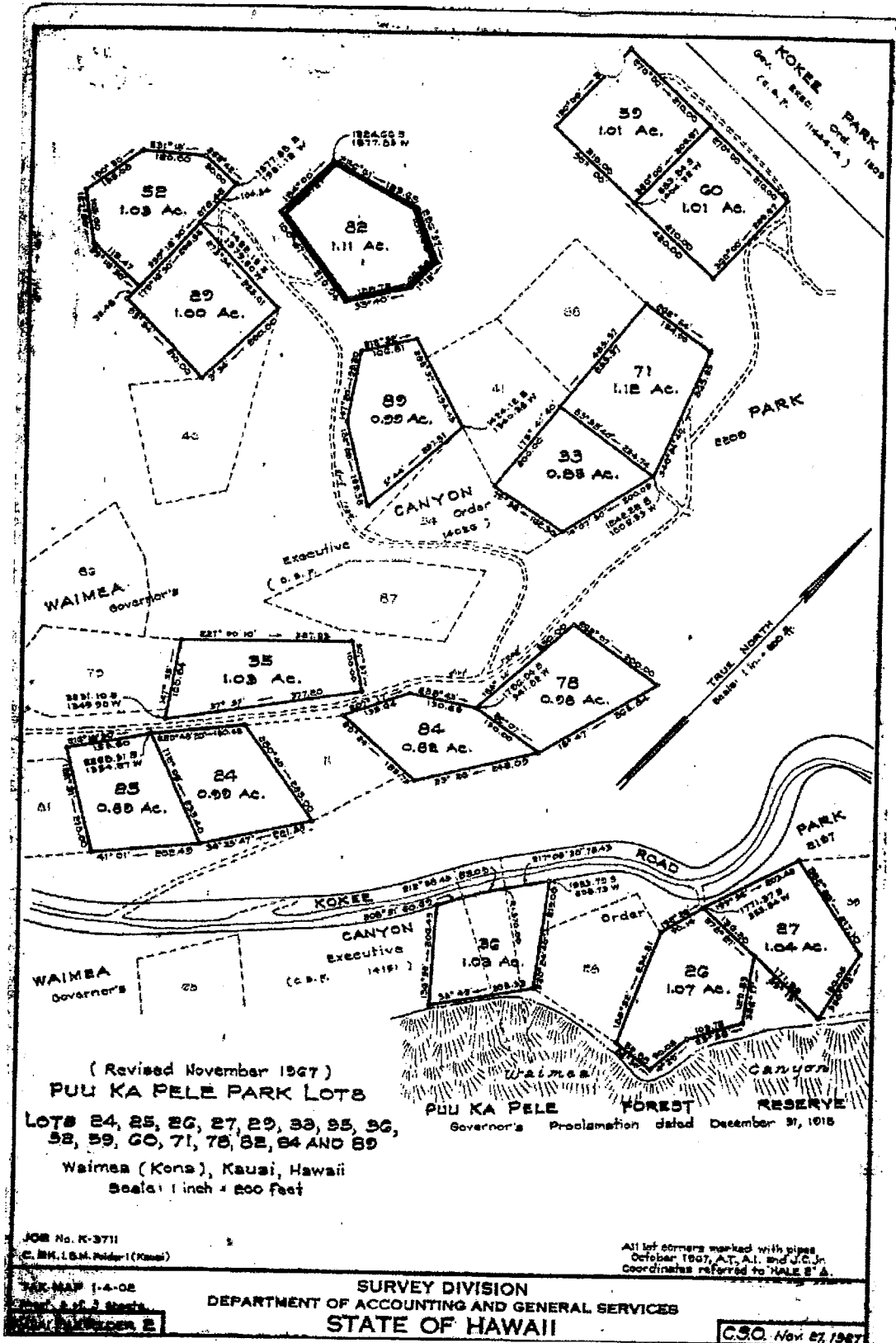


EXHIBIT A