OWNER BRIEFING | NOVEMBER 2026

The Maui Election and Your Condo

Where Bill 9, Bill 88 and the hotel rezoning resolutions stand after the November 3 election, what changes on the County Council, and practical next steps for Minatoya list owners.

BILL 9 | BILL 88 | H-3 / H-4 REZONING | ELECTION | NEXT STEPS



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INFORMATION AS OF NOVEMBER 6, 2026

Aloha,

Maui voters went to the polls on November 3. If you own a vacation rental condo in an apartment-zoned building, you are probably asking one question: does the election change anything for me?

The short answer is that **Bill 9 is still the law and its deadlines have not moved.** What the election changes is who sits on the County Council that will vote, building by building, on whether a property is rezoned to one of the new hotel districts. That vote is now the main path for an apartment-zoned building to keep vacation rental use.

This briefing pulls together where things stand as of November 6, 2026, using public records and local news reporting. I have kept it to what can be confirmed. Where a date or detail is still expected rather than final, I say so.

At a Glance

- **Bill 9 (Ordinance 5909) is in effect.** Vacation rental use in A-1 and A-2 apartment-zoned condos on the Minatoya list ends after December 31, 2028 in West Maui and December 31, 2030 everywhere else.
- **Bill 88 (Ordinance 6008)** created the H-3 and H-4 hotel districts. A building must be rezoned individually to use them.
- **Mayor Richard Bissen,** who introduced and signed Bill 9, was re-elected.
- **Three new Council members** take office in early January 2027. Three of the four members who supported the most recent rezoning resolutions will not be on the new Council.
- **No court has blocked Bill 9.** Two lawsuits are pending, and no injunction has been issued.
- **Next key date:** the Planning Commission is expected to take up the 32 shoreline condos in Resolution 26-129 on November 24, 2026.

Key Dates

Nov 24, 2026	Planning Commission deadline to return the Wave 1 bills (26-110 and 26-111) to the Council. Resolution 26-129 is expected to be heard the same day; the agenda is not yet posted.
Early Jan 2027	New Council takes office.
Dec 31, 2028	Last legal guest night for apartment-zoned vacation rentals in West Maui.
Dec 31, 2030	Last legal guest night in South Maui and the rest of the county.

1 The Election Results

Results are unofficial, based on the final election-night counts reported by Civil Beat and The Maui News on November 4, 2026. Shaded rows are seats changing hands.

Race	Result	Notes
Mayor	Richard Bissen (incumbent)	Re-elected, 54.8% to 42.6% over Council Member Yuki Lei Sugimura
South Maui	Kelly King leads	Leads incumbent Tom Cook, 47.1% to 41.6%. Not yet formally called
Upcountry	Bobby Pahia (new)	Open seat; Sugimura ran for mayor
Wailuku-Waihee-Waikapu	Marvin Moniz (new)	Open seat; Council Chair Alice Lee is retiring
Makawao-Haiku-Paia	Nohelani U'u-Hodgins	Re-elected
West Maui	Tamara Paltin	Re-elected
East Maui	Shane Sinenci	Re-elected
Kahului	Kauanoe Batangan	Re-elected
Lanai	Gabe Johnson	Unopposed
Molokai	Keani Rawlins-Fernandez	Unopposed

How the Current Council Has Voted on Rezoning

Two recent votes show how close the Council is on rezoning referrals:

Council member	**Res. 26-129** Sept. 29, 2026 (passed 5-4)	**Res. 26-160 / 26-161** Oct. 23, 2026 (failed 4-5)	On the new Council?
Alice Lee (Chair)	YES	YES	No, retiring
Yuki Lei Sugimura	YES	YES	No, ran for mayor
Tom Cook	YES	YES	Trailing in South Maui
Kauanoe Batangan	YES	YES	Yes
Nohelani U'u-Hodgins	YES	NO	Yes
Tamara Paltin	NO	NO	Yes
Shane Sinenci	NO	NO	Yes
Gabe Johnson	NO	NO	Yes
Keani Rawlins-Fernandez	NO	NO	Yes

2 What the Seat Changes Mean

> **The six-vote rule is the number to watch.** When the Planning Commission recommends *against* rezoning a property, the Council needs six of its nine votes to approve it anyway. When the commission recommends approval, a simple majority of five is enough.

- **The yes votes are changing.** Lee, Sugimura and Cook provided three of the four yes votes on Resolutions 26-160 and 26-161, and three of the five yes votes on 26-129. None of the three is expected to be on the new Council.
- **The new members' votes are untested.** Pahia, Moniz and, if confirmed, King have not yet voted on any rezoning bill. Their positions will become clear as the bills come before them.
- **Timing matters.** The current Council serves until early January 2027. Whether it takes final votes on the Wave 1 bills (26-110 and 26-111) before then is the biggest near-term question for those buildings.
- **The five recommended properties are in the strongest position.** Hale Kaanapali, Kuau Plaza, Maui Schooner, Hono Koa and Hana Kai Maui received a favorable Planning Commission recommendation, so they would need five votes rather than six.

3 Bill 9 and Bill 88 in Plain Terms

Bill 9 (Ordinance 5909)

- Signed December 15, 2025.
- Ends transient vacation rental use in A-1 and A-2 apartment-zoned condos on the Minatoya list, roughly 7,000 units.
- Owners can still sell, live in the unit, use it as a second home or rent it for 180 days or more.
- Hotel- and resort-zoned condos are not affected.

Bill 88 (Ordinance 6008)

- Took effect June 22, 2026.
- Created two new hotel districts: H-3 (for A-1 properties) and H-4 (for A-2 properties).
- A building rezoned to H-3 or H-4 can keep vacation rental use.
- Rezones nothing by itself. Each property needs its own review and Council vote.

How a Building Gets Rezoned

1 — Resolution
The Council votes to refer a rezoning bill for a group of properties.

2 — Commission review
The Maui Planning Commission holds a hearing and recommends approval or denial.

3 — Committee
The bill returns to the Council's Housing and Land Use Committee.

4 — Council vote
Five votes if recommended for approval; six if recommended against.

Testimony before the Council estimated that an owner-initiated rezoning could cost $200,000 to $500,000 per property.

4 Where Each Resolution Stands

Resolution	What it covers	Status as of Nov. 6, 2026
26-110 Wave 1	Apartment-zoned properties with timeshare, leasehold, single-owner or variance status	AT COMMISSION 48 properties, about 3,400 units. On Sept. 22 the commission recommended approval for 5 and denial for 43. It has until Nov. 24 to return the bills; they are expected to go back to the Housing and Land Use Committee next.
26-111 Wave 1	Properties the county says already operate like hotels	
26-129 Wave 2	32 shoreline complexes in Maalaea, Kihei and West Maui (19 from A-1 to H-3, 13 from A-2 to H-4)	AT COMMISSION Referred 5-4 on Sept. 29. Expected before the Planning Commission on Nov. 24, per the Maui Vacation Rental Association. Agenda not yet posted.
26-130	10 Walaka Street, Kihei, and Makai Sunset Inn, Lahaina	IN COMMITTEE Heard in committee in August 2026. No Council vote reported.
26-160 / 26-161	Nohonani and Hoyochi Nikko (Lahaina); Maalaea Kai and Island Sands (Maalaea)	FAILED Both failed 4-5 on Oct. 23. These four properties have no pending rezoning proposal.

Recommended for approval

Planning Commission, Sept. 22, 2026

- **Hale Kaanapali**, 262 units (existing variance)
- **Kuau Plaza**, Paia, 30 units (existing variance)
- **Maui Schooner**, Kihei, 58 units (fully timeshare)
- **Hono Koa**, West Maui, 28 units (fully timeshare)
- **Hana Kai Maui**, Hana, 19 units (condo hotel license)

Recommended for denial (largest)

43 properties in total, including:

- Kamaole Sands, Kihei (440 units)
- Resort at Papakea, West Maui (364)
- Maui Sunset, Kihei (225)
- Maui Eldorado, Kaanapali (205)
- Kauhale Makai, Kihei (169)
- Maui Hill, Kihei (140)
- Kuleana, West Maui (118)
- Kaanapali Royal (105)
- Kanai A Nalu, Maalaea (80)

Not sure where your building stands? Call or email me and I will confirm its zoning, whether it is on the Minatoya list and which resolution, if any, includes it. You can also see each building's status in our Minatoya list by area at mauiproperty.com/minatoya-list-maui.

5 Every Minatoya List Property, by Resolution

All 101 properties on the county's apartment-district short-term occupancy list, grouped by the resolution that includes them. Being in a resolution means a property has been sent toward hotel rezoning, not that it has been rezoned. ★ = recommended for approval by the Planning Commission on Sept. 22, 2026.

26-110 Timeshare, leasehold, single-owner and variance properties — AT COMMISSION

- 1178 Uluniu Rd, Kihei
- 1194 Uluniu Rd, Kihei
- 1440 Halama St, Kihei
- 1444 Halama St, Kihei
- 1470 Halama St, Kihei
- 2131 Iliili Rd, Kihei
- Aloha Villas
- Hale Kaanapali ★
- Hale Mahina Beach
- Hono Kai
- Hono Koa ★
- Indo Lotus Beach House
- Kaanapali Royal
- Kahana Outrigger
- Kahana Village
- Kanai A Nalu
- Kapu Townhouse
- Kauhale Makai
- Kuau Plaza ★
- Kuleana
- Lahaina Beach Club
- Lauloa Maalaea
- Maui Hill
- Maui Sands I
- Maui Sands II
- Maui Schooner ★
- Maui Sunset
- Milowai-Maalaea
- Moana Villa
- My Waii Beach Cottage
- Paki Maui I and II
- Paki Maui III
- Wailea Inn
- Waiohuli Beach Duplex

26-111 Operating like hotels — AT COMMISSION

- Hana Kai Maui ★
- Kamaole Sands
- Luana Kai
- Mahina Surf
- Maui Eldorado
- Papakea
- The Palms at Wailea I
- Wailea Ekahi I
- Wailea Ekahi II
- Wailea Ekahi III
- Wailea Ekolu

26-160 / 26-161 Failed 4-5, Oct. 23

- Hoyochi Nikko
- Island Sands
- Maalaea Kai
- Nohonani

26-129 Shoreline and flood-risk condos — COMMISSION HEARING EXPECTED NOV. 24

- Hale Iliili
- Hale Kai I
- Hale Kai O'Kihei
- Hale Mahialani
- Hale Ono Loa
- Kahana Reef
- Kaleialoha
- Kamaole One
- Kanoe Apartments
- Kihei Bay Surf
- Kihei Bay Vista
- Kihei Garden Estates
- Kihei Parkshore
- Kihei Resort
- Kihei Villa
- Koa Resort II
- Lahaina Roads
- Leilani Kai
- Leinaala
- Lokelani
- Maalaea Banyans
- Mahinahina Beach
- Makani A Kai
- Makani Sands
- Noelani
- Pikake
- Polynesian Shores
- Punahoa Beach Apartments
- Puunoa Beach Estates
- Shores of Maui
- Waiohuli Beach Hale
- Waipuilani

Not in any resolution — No rezoning proposal so far

- Grand Champions Villas
- Hale Kamaole
- Haleakala Shores
- Honokowai Palms
- Kalama Terrace
- Kapalua Bay Villas
- Kapalua Golf Villas
- Keawakapu
- Kenani Kai (Molokai)
- Kihei Cove
- Lihikai Apartments
- Maui Kamaole
- Maui Kamaole II
- Maui Kamaole III
- Maui Parkshore
- Maui Vista
- Pacific Shores
- The Ridge (Kapalua)
- The Spinnaker (lost in 2023 fire)
- Wavecrest (Molokai)

Sources: Resolutions 26-110 and 26-111 from the Maui Planning Department's Sept. 22, 2026 presentation to the Planning Commission. Resolution 26-129: Kihei Bay Surf, Kihei Bay Vista, Lokelani, Hale Ono Loa, Pikake and Hale Kai I appear in the resolution text; the rest of the 32 are compiled from Council committee records and public reporting. Resolution 26-130 covers two properties not on the list (10 Walaka St. and Makai Sunset Inn). Confirm any property with the County of Maui.

6 The Lawsuits

Two main lawsuits challenge Bill 9 in Second Circuit Court:

- ***Malter v. County of Maui***, filed December 19, 2025 by owners at Kaanapali Royal.
- ***Lynam v. County of Maui***, filed December 22, 2025 as a proposed class action on behalf of Minatoya list owners.

Both argue that the phase-out takes property without just compensation. **As of early November 2026, no court has issued an injunction, so the deadlines remain in effect.** Cases like these can take years, including appeals, so owners should plan around the current deadlines rather than wait for a ruling. Ask a real estate attorney whether the class action could include you.

7 What Owners Can Do Now

1. **Confirm your building's status.** Know its zoning (A-1, A-2 or hotel), whether it is on the Minatoya list and whether it is in Resolution 26-110, 26-111, 26-129, 26-130 or none.
2. **Ask your association board for an update.** Find out whether it is pursuing rezoning, has submitted documentation to the county or is involved in litigation.
3. **Keep your paperwork in order.** Hold on to your GET and TAT filings, booking history and county registration records. They document your lawful rental history.
4. **Follow the November 24 hearing.** Written and in-person testimony becomes part of the public record. I can send you the agenda and testimony details once they are posted.
5. **Compare your options with real numbers.** Look at holding the unit as a long-term rental, using it yourself, selling, or exchanging into a hotel-zoned condo that is not affected by Bill 9.
6. **Plan for taxes before you sell.** Hawaii's HARPTA withholding is 7.25% of the sales price for nonresident sellers, and a seller completing a 1031 exchange can apply to the Hawaii Department of Taxation for a waiver or exemption. Talk with your CPA early.
7. **Avoid reacting to headlines.** Make decisions on your own timeline and goals, with current data on what units in your building are actually selling for.

How We Can Help

The Maui Property Team at Compass works with Minatoya list owners every week. We can:

- Confirm your building's zoning and rezoning status, and keep you posted as hearings are scheduled
- Prepare a free, current valuation of your condo based on recent sales in your building
- Show you hotel-zoned condos that can keep vacation rental use, including 1031 exchange options
- Connect you with local real estate attorneys and tax professionals



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For the latest on every resolution, see our Maui Bill 9 Guide at mauiproperty.com, which we update as the Council, Planning Commission and courts act.

Mahalo,

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The Maui Property Team at Compass

Sources

- Civil Beat, "Maui Election Results: Bissen Blasts Past Sugimura In Mayor's Race," Nov. 2026
- The Maui News, "Maui County Election Results," Nov. 2026
- Maui Now, "Council narrowly rejects resolutions to rezone condos as hotels," Oct. 26, 2026
- Maui Now, "Maui Council refers 32 shoreline condo complexes' hotel rezoning to Maui Planning Commission," Sept. 30, 2026
- Maui Now, Planning Commission recommendations on Resolutions 26-110 and 26-111, Sept. 29, 2026
- Maui Now, "As expected, Bill 9 challenged in court," Jan. 2, 2026
- Maui Vacation Rental Association member update, Nov. 6, 2026
- Maui Planning Department, presentation on Resolutions 26-110 and 26-111 to the Maui Planning Commission, Sept. 22, 2026
- County of Maui, Resolution 26-129 (as introduced), Ordinances 5909 and 6008, and the short-term occupancy (Minatoya) list

This briefing is general information, not legal or tax advice. Zoning status and hearing schedules change, and results are unofficial until certified. Verify any property's status with the Maui County Department of Planning and consult a qualified attorney and CPA about your situation. Compass is a licensed real estate broker, RB-23206.