



**CASTLE & COOKE HOMES HAWAII, INC.  
WAIOHA II AT KOA RIDGE – PHASE III  
INSTRUCTIONS FOR THE OWNER-OCCUPANT AFFIDAVIT PACKET**

<u>When</u>	<u>What</u>	<u>Where</u>
<b>Sunday, September 15, 2024</b>	Owner-Occupant Affidavit Packet (OOA Packet)	Download on-line: <a href="http://www.WaiohaIIAtKoaRidge.com">www.WaiohaIIAtKoaRidge.com</a> Or pick-up at the Koa Ridge Sales Office
<b>Tuesday, October 15, 2024</b>	Completed OOA Packet Deadline	Contact a Castle & Cooke Sales Agent

Your Completed Packet must be submitted to a Castle & Cooke Sales Representative.

Only Applicants that have submitted a Completed Owner Occupant Affidavit can reserve a unit.

**Note: NO PHOTO COPY OR PHOTO IMAGES OF THE PACKET WILL BE ACCEPTED.**

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This Owner-Occupant Affidavit Packet includes the following:

1. Unit Reservation Form - To be completed and submitted
2. Owner-Occupant Affidavit (pursuant to Section 514B of the Hawaii Revised Statutes) - To be notarized and submitted

You may view the Prices, Floor plans, Site Map and the Developer's Public Report on-line at: [www.WaiohaIIAtKoaRidge.com](http://www.WaiohaIIAtKoaRidge.com)

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What to submit:

1. Unit Reservation Form – Signed and Completed.
2. Owner-Occupant Affidavit – To be Notarized and Original to be Submitted.
  - a. Option: Remote Online Notarization is also acceptable in Hawaii and typically offered at a higher service fee than traditional notary for the added convenience. You may search for online notary services at the Hawaii Department of the Attorney General web page: <https://notary.ehawaii.gov/notary/public/publicsearch.html>
  - b. Your Remote Online Notarized Affidavit serves as your original.
3. Pre-Approval Letter from a Designated Lender. The Designated Lenders are: American Savings Bank, Bank of Hawaii, Central Pacific Bank and First Hawaiian Bank.
4. Deposit Check for \$15,000 made payable to Title Guaranty Escrow Services (TGES).

**Note: NO PHOTO COPY OR PHOTO IMAGES OF THE PACKET WILL BE ACCEPTED.**

Please contact a Castle & Cooke Homes Hawaii, Inc. Sales Agent to submit a completed packet

Koa Ridge Sales Office is located at 94-1052 Haleulula'au Street, Waipahu, HI 96797 (by appointment), (808) 548-2931.

**CASTLE & COOKE HOMES HAWAII, INC.  
UNIT RESERVATION FORM**

**PROJECT:** \_\_\_\_\_

Date: \_\_\_\_\_

CCHHI Sales Agent: \_\_\_\_\_

Applicant(s): A. \_\_\_\_\_  
Provide FULL name: First, Middle, and Last Name Marital Status and desired Tenancy

Co-Applicant(s): B. \_\_\_\_\_

Address: A. \_\_\_\_\_  
B. \_\_\_\_\_

Telephone: A. Primary \_\_\_\_\_ Alternate \_\_\_\_\_  
B. Primary \_\_\_\_\_ Alternate \_\_\_\_\_

E-mail Address: A. \_\_\_\_\_  
Please print legibly, please do not use cursive  
B. \_\_\_\_\_

If represented by an Outside Broker, a Broker Referral Form must be submitted with this Unit Reservation Form, please contact a Castle & Cooke Homes Hawaii, Inc. Sales Agent at (808) 548-2931 for more information. **NO BROKER REFERRAL FORMS WILL BE ACCEPTED AFTER A UNIT RESERVATION FORM HAS BEEN SUBMITTED**

In order to reserve a unit, Applicants must complete the Unit Reservation Form and submit with the Unit Reservation Form, a Deposit Check, and a Pre-approval Letter from any of our designated lenders. The designated lenders for this project will be: American Savings Bank, Bank of Hawaii, Central Pacific Bank and First Hawaiian Bank.

This Unit Reservation Form is not a Sales Contract. Castle & Cooke Homes Hawaii, Inc. shall agree to reserve a unit for the Applicants, subject to the following conditions:

1. Applicants must be pre-approved by a designated lender. The pre-approval will include a verification of income, credit history, and monies needed to close. Applicants will be pre-approved at prevailing rate at the time of pre-approval for a conventional loan. Applicants has no obligation to obtain a loan from the designated lenders provided however, if Applicants choose to utilize the services of a lender other than the designated lenders, Applicants will be charged an additional escrow fee and will be responsible for any additional charges by Applicants lender. The designated lenders for this project will be: American Savings Bank, Bank of Hawaii, Central Pacific Bank, and First Hawaiian Bank.
2. No contingencies, including sale of home, other than mortgage financing will be accepted.
3. Applicants may cancel this Unit Reservation Form at any time with written notice.
4. **Applicants must execute a Sales Contract within forty eight (48) hours of reserving a unit, or this Unit Reservation Form becomes null and void.**

\_\_\_\_\_  
Signature Applicant Date

\_\_\_\_\_  
Signature Applicant Date

\_\_\_\_\_  
Signature Co-Applicant Date

\_\_\_\_\_  
Signature Co-Applicant Date

Acknowledged by:  
Castle & Cooke Homes Hawaii, Inc. \_\_\_\_\_ Date \_\_\_\_\_  
2.20.24

FOR DEVELOPER'S USE (chronological system):	
COMPLETED AFFIDAVIT SUBMITTED	DATE: _____
	TIME: _____
EARNEST MONEY DEPOSIT SUBMITTED	DATE: _____
(if required by developer)	TIME: _____

NOTICE TO ALL PERSONS SIGNING THE AFFIDAVIT: This Affidavit is being provided to you pursuant to Part V.B. of the Condominium Property Act (Chapter 514B of the Hawaii Revised Statutes). Part V.B. is referred to as the "Owner-Occupant Law" in this Affidavit, and various sections of Part V.B. are referenced in this Affidavit. This Affidavit is a legal document that contains promises which are binding on you. If these promises are broken you could be subject to various penalties that are described in the Owner-Occupant Law and in this Affidavit. Therefore, it is strongly recommended that you seek the advice of an attorney or the Developer's representatives if you do not understand anything contained in the Affidavit, or have questions about anything contained in this Affidavit, or do not understand the references to the Owner-Occupant Law or other provisions of the Condominium Property Act which are contained in this Affidavit.

**AFFIDAVIT**

**OF INTENT TO PURCHASE AND RESIDE IN AN**

**OWNER-OCCUPANT DESIGNATED CONDOMINIUM RESIDENTIAL UNIT**

We, the undersigned "owner-occupants," on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, do hereby declare that it is our intention to purchase and reside in a condominium residential unit designated for an "owner-occupant" in the WAIOHA II AT KOA RIDGE – PHASE III condominium project ("Project") proposed by Castle & Cooke Homes Hawaii, Inc. ("Developer").

We understand, affirm, represent and agree by signing this Affidavit that:

1. It is our intent to reserve and purchase an owner-occupant designated residential unit (“designated unit”) pursuant to section 514B-96 of the Owner-Occupant Law, and upon closing escrow, to reside in the designated unit as our principal residence for 365 consecutive days.
2. The term “owner-occupant” as used herein is defined in section 514B-95 of the Owner-Occupant Law as:  
  
“ . . . any individual in whose name sole or joint legal title is held in a residential unit that, simultaneous to such ownership, serves as the individual’s principal residence, as defined by the department of taxation, for a period of not less than three hundred and sixty-five consecutive days; provided that the individual shall retain complete possessory control of the premises of the residential unit during this period. An individual shall not be deemed to have complete possessory control of the premises if the individual rents, leases or assigns the premises for any period of time to any other person in whose name legal title is not held; except that an individual shall be deemed to have complete possessory control even when the individual conveys or transfers the unit into a trust for estate planning purposes and continues in the use of the premises as the individual’s principal residence during this period.” (Emphasis added).
3. We understand that if two or more prospective owner-occupants intend to reside jointly in the same designated unit, only one owner-occupant’s name shall be placed on the reservation list if the chronological system is used or entered into the lottery if the lottery system is used.
4. At any time after executing this Affidavit until the expiration of this Affidavit (365 days after recordation of the instrument conveying the designated unit to us), we shall notify the Real Estate Commission immediately upon any decision to cease being an owner-occupant of the designated unit. In addition, if we decide

that we will not be owner-occupants prior to the closing of escrow, we will notify the Developer immediately and acknowledge that the Developer, at its option, shall have the right to cancel the sales contract for the unit.

5. We have personally executed this Affidavit and we are all of the prospective owner-occupants for the designated unit. This Affidavit shall not be executed by an attorney-in-fact.
6. We shall not sell or offer to sell, lease or offer to lease, rent or offer to rent, assign or offer to assign, or convey the unit until at least 365 consecutive days have elapsed since the recordation of the purchase; provided that a person who continues in the use of the premises as the individual's principal residence during this period may convey or transfer the unit into a trust for estate planning purposes. Furthermore, we understand that we have the burden of proving our compliance with the law.
7. We understand that no developer, employee or agent of a developer, or real estate licensee shall violate or aid any other person in violating the Owner-Occupant Law.
8. The Real Estate Commission may require verification of our owner-occupant status and if we fail to submit such verification, we may be subject to a fine in an amount equal to the profit made from the sale, lease, assignment or transfer of the unit.
9. Any false statement in this Affidavit or violation of the Owner-Occupant Law shall subject us to a misdemeanor charge with a fine not to exceed \$2,000, or by



STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
before me personally appeared \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

to me known, who, being by me duly sworn or affirmed, did say that such person(s) executed this 5-page Affidavit of Intent to Purchase and Reside in an Owner-Occupant Designated Condominium Residential Unit dated \_\_\_\_\_, 20\_\_\_\_\_, in the First Circuit of the State of Hawaii, as the free act and deed of such person(s), and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

\_\_\_\_\_  
Name:  
Notary Public, State of Hawaii

My commission expires: \_\_\_\_\_