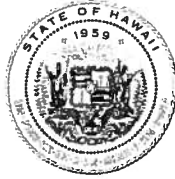


DAVID Y. IGE
GOVERNOR



RUSSELL A. SUZUKI
ATTORNEY GENERAL

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DANA O. VIOLA
FIRST DEPUTY ATTORNEY
GENERAL

October 16, 2018

Mr. John Guagliardo
Executive Director
Hawaii Loa Ridge Preserve
P.O. Box 22687
Honolulu, HI 96823

Re: Hawaii Loa Ridge Preserve Sale of Assets

Dear Mr. Guagliardo:

The Department of the Attorney General provides regulatory oversight over public benefit corporations and charitable solicitations under chapters 414D and 467B, Hawaii Revised Statutes, respectively. The Attorney General also has the authority to protect charitable assets from diversion.

Our office recently received an expression of concern from members of the public regarding the possible sale of real estate currently owned by the Hawaii Loa Ridge Preserve and described in a recent article in the Honolulu Star-Advertiser:
<http://www.staradvertiser.com/2018/10/14/hawaii-news/lee-cataluna/aina-haina-preserve-land-back-on-the-market/>.

We are writing to offer a friendly reminder that section 414D-222, Hawaii Revised Statutes, requires Hawaii public benefit corporations to provide written notice to the Attorney General 20 days before it sells, leases, exchanges, or otherwise disposes of all, or substantially all, of its property if the transaction is not in the ordinary course of its activities. Based on the information our office received, this statute may apply to Hawaii Loa Ridge Preserve. If this law applies to Hawaii Loa Ridge Preserve, please provide timely notice of the sale to our division and include the following information:

1. Hawaii Loa Ridge Preserve Articles of Incorporation
2. Hawaii Loa Ridge Preserve Bylaws
3. Sales/purchase agreement
4. Any appraisals used to determine the sales price, or if no appraisals were used, explain how the board determined the sales price

Mr. John Guagliardo
Executive Director
Hawaii Loa Ridge Preserve
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5. Meeting minutes, resolutions, or written consents documenting the board's deliberation and vote to sell the Hawaii Loa Ridge property

Please feel free to contact me at *Stacie.M.Nakamura@hawaii.gov* or (808) 586-1477 should you have any questions.

Yours truly,



Stacie M. Nakamura
Deputy Attorney General