



**DEPARTMENT OF THE ATTORNEY GENERAL**  
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**STATE OF HAWAI'I FILES LEGAL ACTION AGAINST NORTH SHORE  
HOMEOWNER AFTER PART OF HOME COLLAPSES INTO THE OCEAN**

**FOR IMMEDIATE RELEASE**

September 25, 2024

**HONOLULU** – The state of Hawai'i filed a complaint for declaratory and injunctive relief in the Circuit Court of the First Circuit on O'ahu and is pursuing a temporary restraining order against a North Shore property owner after part of a beachfront home collapsed onto state land and into the ocean.

According to the complaint, on or about September 24, 2024, the Department of Land and Natural Resources' (DLNR) Office of Conservation and Coastal Lands (OCCL) received reports that a dwelling located in Hale'iwa was being destroyed by the ocean swell and solid material fell from the property onto the state land. DLNR's Division of Conservation and Resource Enforcement officers responded and observed large parts of the structure on state land, as well as debris washing into the ocean.

The DLNR has jurisdiction over land makai of the shoreline. The subject property is located in the state conservation district. The state owns the land up to the highest wash of the waves.

The complaint details the state's request for injunctive relief to have all unauthorized solid materials including unauthorized erosion control devices and debris removed from the state land. It also requests an order from the Court that provides the state owns the land clear of interest or claim by the defendant and requests a permanent injunction preventing the defendant from allowing any structures, solid materials, or debris of any kind on state property. The complaint also asks that the Court award damages to the state for repairing the natural resources affected by the defendants' illegal actions.

"The state has a duty to protect the environment, prevent further degradation of state conservation land, and ensure shoreline and beach preservation for future generations," said Attorney General Anne Lopez.

“Private landowners take a risk when they allow structures to be so close to the shoreline,” said Deputy Attorney General Danica Swenson, who is the lead attorney for the state on the case. “The people of Hawai‘i are now confronted with the consequences of property owners’ failures to take heed of the ocean’s warning signs of erosion.”

DLNR’s OCCL Administrator Michael Cain says, “The Office of Conservation and Coastal Lands is coordinating with the City and County Department of Parks and Recreation to remove the debris from the shoreline.”

A copy of Complaint for Declaratory and Injunctive Relief can be found [here](#).

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