



PREPARING FOR NATURAL DISASTERS

Hurricanes, or tropical cyclones, are well known in our Hawaiian Islands. Many of them pass by without any major damage, but some, like Hurricane Iwa (1982) and Hurricane Iniki (1992) cause havoc to our homes and businesses. Here are some ways homeowners and businesses can protect themselves before and after the storm.

This is a printable version of the DCCA Preparing For Natural Disasters checklist found at:

<http://cca.hawaii.gov/preparing-for-natural-disasters/>

Check items off the list as you complete them

BEFORE THE STORM

- Make plans to secure your property (install hurricane clips and storm shutters, cut overlying branches, clear rain gutters, turn off water, gas and electricity, and lock all entry points).
- Review your insurance coverage. Make a copy of your insurance policy in case you need to file a claim. Make copies of your important papers (identification cards, insurance policies, prescription medication).
- Create your emergency financial first aid kit. Make an inventory of your personal property (home, car, jewelry, computer, appliances, furniture). Photos and videos are a good way of documenting your property.
- Make sure you have a 7-day supply of rations (bottled water, non-perishable food items, medication).
- Make an emergency kit (battery powered radio, first aid kit, blankets, clothing, personal hygiene supplies, a small amount of cash).
- Make a plan for your pet (not all shelters welcome pets). Have enough food and medication for your pet and don't forget their ID tags, collar and leash.



TIPS FOR AFTER THE STORM

1. Continue to listen for the latest updates, wait for authorities to cancel any warnings, be aware of debris and other dangers on the road, and have your home or business inspected if there is the possibility of structural damage.
2. When repairing your home or business, make sure you hire a licensed contractor. Call the DCCA Consumer Resource Center at (808) 587-4272 to check whether the contractor has a valid license and if they have any prior complaints.
3. When purchasing vital consumer goods like food and water, be aware that price increases are prohibited during a state disaster. Some exceptions apply. See Price Increase Prohibition (FAQs) below for more information.
4. If you live in an affected area, rent increases are prohibited unless the rent increases are in writing, signed by the tenant prior to the disaster declaration. Some disaster related expenses may be passed on. The Price Increase Prohibition (FAQs) below will help to answer some questions.
5. Check with your local water utility office for water quality and whether water treatment is necessary. State law prohibits sellers from making misleading claims about water treatment devices or about the safety of the water supply.
6. Disaster victims may see an increase in door-to-door sales. Any contract you sign may be legally binding. If there is anything you don't understand in the contract, don't sign it! Under Hawaii's "cooling off" law, you have three business days to cancel in-home purchases of \$25 or more.
7. When shopping for a loan to make your repairs, beware of guarantees, 1-900 numbers and a request for money upfront. Legitimate lenders may charge a processing fee, but don't guarantee in advance that you will qualify for a loan.
8. If you are having difficulty paying your bills after a disaster, be sure to contact your creditors and explain your situation. They can discuss the situation and work with you on creating a plan.
9. Protect yourself after a disaster. Beware of those taking advantage of disaster victims. Shop around for the best deal. If it sounds too good to be true it probably is. Call the DCCA Consumer Resource Center at (808) 587-4272 for more information about scams in your area.
10. Beware of donation scams after a disaster. Many charitable organizations pop up after a disaster to ask for donations to assist those that have been affected. Make sure you know who you're donating to.



PRICE INCREASE PROHIBITION (FAQs)

Q: When does the price increase prohibition or price cap begin?

A: An Emergency Declaration will trigger a statutory price cap on selling prices at pre-emergency levels for all goods/commodities in the areas covered by the declaration. See Section 127A-30, HRS http://www.capitol.hawaii.gov/hrscurrent/Vol03_Ch0121-0200D/HRS0127A/HRS_0127A-0030.htm for more information on what state law says about the prohibition against price increases.

UNLESS: Section 127A-30 is suspended in the proclamation.

Q: What kinds of goods/commodities does the Emergency Declaration apply to?

A: The law prohibits price increases on goods/commodities. This includes, but is not limited to:

- Food
- Water
- Ice
- Gasoline
- Cooking Fuel
- Batteries and Generators
- Chemicals
- Construction Materials

If the merchant incurs additional expenses because of the disaster, and can document those expenses, price increases commensurate with those expenses are permitted.

Q: If a merchant ends a sale on a commodity that was in place prior to the Emergency Declaration, is that considered a price increase?

A: No, a price increase is an increase above the retail price of the commodity prior to the effective date of the Emergency Proclamation.

Q: If a merchant unknowingly raises prices during this prohibition period, what can they do to avoid a violation?

A: Merchants can roll back prices to the appropriate level and put in a restitution program to return any excessive payments resulting from the illegal price increase to consumers.

Q: Does the price cap include rent increases or termination of a tenancy of a residential dwelling unit?

A: Yes, rent increases or termination of a tenancy in affected areas are PROHIBITED unless it was agreed to in writing by the tenant prior to the Emergency Declaration. However, a landlord may give 45-days written notice of termination of a residential dwelling unit if the unit is sold to a bona fide purchaser for value or an immediate family member of the landlord will occupy the unit.



Q: Can the merchant or landlord add on additional operating expenses due to the emergency, disaster or severe weather?

A: Yes, any additional operating expenses may be passed on to the customer or tenant if the merchant or landlord can document the costs.

Q: Does the prohibition on increasing rents or evicting tenants apply to commercial leases?

A: No.

Q: When will the price increase prohibition be lifted?

A: Price increase prohibition will be removed at the later of two dates:

- A date specified by the governor in the declaration; or
- Ninety-six hours after the effective date and time of the declaration

UNLESS: The prohibition is continued by a supplementary declaration issued by the governor or mayor.

Q: What should consumers do if they believe they paid increased prices for commodities after the Emergency Declaration?

A: Consumers should keep their receipts and/or other records of the sale and report any instances of price gouging by emailing ocp@dcca.hawaii.gov with the following information:

- 1) Name of business
- 2) Location of the business (island, city, area)
- 3) Item purchased (any specific information about the product)
- 4) Name and contact number of the consumer

During normal business hours, consumers can call the DCCA Consumer Resource Center (CRC) between 7:45 am and 4:30 pm Monday through Friday at 587-4272 or 587-3295 from Oahu. Residents on the neighbor islands can call the following numbers:

Kauai 274-3141 ext. 74272

Maui 984-2400 ext. 74272

Hawaii 974-4000 ext. 74272

Lanai & Molokai 1-800-468-4644 (toll free)

Q: What are the consequences if a merchant violates the law?

A: Violation of the price increase prohibition is an unfair method of competition, and an unfair deceptive act or practice under **Haw. Rev. Stat. § 480-2**, subject to civil penalties as provided for in **Haw. Rev. Stat. § 480-3.1**. Each item sold in violation of the law is a separate violation. Fines of **\$500, up to \$10,000**, per day, per violation, are possible.

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DCCA Website -- <http://cca.hawaii.gov>