**Project Overview**

The “Kauai Condos” project is a condominium development located on the island of Kauai, Hawaii. It consists of 279 residential units—including two-, three-, and four-bedroom layouts—spread across 30 three-story buildings. The first phase, consisting of four buildings, has already entered the vertical construction stage. The developer has completed initial capital investment, and the project currently requires an infusion of EB-5 funds to ensure smooth progress through land grading and vertical construction phases.

Although the previous Form I-956F was approved in August 2024, the fundraising effort encountered significant market resistance due to the structure's lack of market appeal. This led to insufficient EB-5 capital inflow, causing serious delays in overall construction. To prevent further setbacks and mitigate growing financial losses, the developer proactively restructured the project by partnering with a more market-experienced and independent regional center and new NCE (New Commercial Enterprise), and has refiled the Form I-956F.

**Comparison of Pre- and Post-Restructuring**

| **Item** | **Original 956F** | **New 956F** | **Reason for Adjustment** |
| --- | --- | --- | --- |
| Structure | NCE Manager Thomas S. Dreyer was also an employee of the regional center Smith Hawaii Regional Center, meaning the NCE and the regional center were not fully independent. | The new NCE and regional center are both fully independent third parties. | Ensures that the NCE represents EB-5 investors' interests independently. |
| Capital Structure | The original structure included an intermediate entity (Investment Vehicle), making the fund flow unclear and difficult for investors to understand. | The new NCE directly lends senior debt to the JCE (Job Creating Entity). The simplified structure is easier for investors to understand and ensures clear bond-based capital entry into the JCE. | The original structure was poorly received by the market, impeding fundraising. |
| Construction Timeline | Initially planned to start in early 2024. | Delayed to mid-2024 or later. | Fundraising obstacles caused cash flow issues and delays. |
| Number of Investors | 188 | 131 | The EB-5 capital requirement was recalculated for a more reasonable investment amount to reduce risk and improve capital efficiency. |
| Job Creation | 2,481 jobs | Increased to 2,824 jobs | The new model projects higher employment impact, increasing public benefit. |

**Expedited Processing Request: Justification and Urgency**

**(1) Financial Loss**

The project was originally scheduled to begin construction by the end of 2024. However, due to capital shortfalls, fundraising has stagnated over the past year and construction has not begun as planned. This has not only delayed the start of the project but has also pushed the originally expected mid-2027 completion to April 2029—severely disrupting the project timeline.

To cope with these delays and financing gaps, the developer will incur over $5 million in additional costs, including interest. More urgently, the current bank loan matures at the end of 2025. If EB-5 funds are not secured in time, the developer may default on the loan, putting core project assets at risk of irreversible foreclosure by the bank.

Construction has partially begun, but its progress is highly dependent on the timely arrival of EB-5 funds. From March 2024 to July 2025, the developer relied on the original regional center and NCE for fundraising, but EB-5 investments never materialized. This forced a structural overhaul and the appointment of more capable partners.

With the new structure in place, potential investors have completed due diligence and prepared funds, pending approval of the new Form I-956F. Expedited approval will immediately ease the funding bottleneck, restore construction momentum, and prevent further financial losses for the developer.

**(2) Government Interests & Public Benefit**

Hawaii faces longstanding challenges in housing shortages, lagging construction, and insufficient employment opportunities. The project is located in a state-designated VDA (Visitor Destination Area), where short-term rentals are legal. In the past five years, only one comparable new short-term rental project has been completed, reflecting an extremely limited market supply.

“Kauai Condos,” a new generation of high-end, short-term rental-eligible housing, is far more attractive than the aging pre-2000 inventory. Its development will stimulate the tourism economy, generate local employment, and significantly boost tax revenues. The project already has full construction permits, land use approvals, and a completed community impact assessment, making it ready for immediate advancement.

A timely launch will restore market confidence. Current delays have already shaken investor trust. Further stagnation will hurt local economic vitality and jeopardize future development phases (Phases 2–4), negatively affecting homebuyers and EB-5 investors alike. Accelerated approval of Form I-956F will stabilize expectations, reassure stakeholders, and protect the region’s development pace and government credibility.

**Important Note:**  
This re-submission of Form I-956F is entirely due to urgent project needs and market-optimized structural adjustments—not because of missed deadlines or failure to respond to previous requests. Given the severe financial loss and significant public interest at stake, we respectfully request expedited processing of this application to ensure the project can resume construction promptly, safeguard the interests of EB-5 investors and the developer, and support regional economic recovery.