
A BILL FOR AN ACT

RELATING TO LAND ACQUISITION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In its final report dated January 2006, the
2 joint legislative housing and homeless task force (task force)
3 expressed concern that the inventory of affordable housing
4 rental units may be reduced. Affordable rental housing projects
5 built in part with government subsidies have been offered for
6 sale at market prices as a result of the expiration of income
7 and conveyance restrictions encumbered on the property. The
8 task force is committed to ensuring that such units remain
9 affordable to persons at certain income levels.

10 In recent months, media reports have announced several
11 affordable housing projects that may be offered for sale, such
12 as the Kukui Gardens affordable rental housing project. Kukui
13 Gardens was built in part with federal funds and its
14 affordability restrictions will expire in five years.

15 The purpose of this Act is to preserve Kukui Gardens as an
16 affordable housing project.

17 SECTION 2. The Hawaii housing finance and development
18 administration shall immediately initiate negotiations with



1 Kukui Gardens Corp. to acquire the Kukui Gardens property, and
2 may partner with private developers for acquisition of the
3 property; provided that at least fifty per cent of the housing
4 units on the property shall be retained in perpetuity as
5 affordable housing for persons and families at or below one
6 hundred forty per cent of the median family income as determined
7 by the United States Department of Housing and Urban
8 Development.

9 The Hawaii housing finance and development administration
10 shall submit a report to the legislature no later than twenty
11 days prior to the convening of the 2007 Regular Session
12 regarding its efforts to acquire Kukui Gardens and its
13 recommendations for financing the purchase of the property.

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2006-2007 for land
17 acquisition of Kukui Gardens, tax map key 17026007, owned by
18 Kukui Gardens Corp.; provided that if an agreement to acquire
19 the property is not reached by June 30, 2007, the Hawaii housing
20 finance and development administration shall exercise its power
21 of eminent domain to acquire the property.



H.B. NO. 2239

1 The sum appropriated shall be expended by the Hawaii
2 housing finance and development administration for the purposes
3 of this Act.

4 SECTION 4. This Act shall take effect on July 1, 2006.

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INTRODUCED BY: Michael P. Kalanianaʻolaha

JAN 23 2006



HB 2239

Report Title:

Kukui Gardens Acquisition

Description:

Appropriates funds to acquire the property currently known as Kukui Gardens from Kukui Gardens Corp. Authorizes eminent domain proceedings should the acquisition be unsuccessful.

