
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. The existing rules regarding public housing
2 state that anyone evicted from public housing after 1985 shall
3 never be eligible for placement in public housing in the future.
4 Recognizing both the need to keep out bad tenants and the
5 ability of people to change their ways, the State needs to offer
6 the possibility of a second chance, through an appeal process,
7 for applicants previously evicted to become eligible again for
8 public housing.

9 The purpose of this Act is to allow persons denied
10 eligibility for public housing based upon an eviction after
11 1985, but not less than ten years prior to the current
12 application, the right to appeal the denial.

13 SECTION 2. Section 201G-32, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) In the operation or management of a public housing
16 project, the administration (acting directly or by an agent or
17 agents) shall at all times, observe the following duties with
18 respect to rentals and tenant selections:



- 1 (1) It may establish maximum limits of annual net income
2 for tenant selection in any public housing project,
3 less such exemptions as may be authorized by federal
4 regulations pertaining to public housing. The
5 administration may agree to conditions as to tenant
6 eligibility or preference required by the federal
7 government pursuant to federal law in any contract for
8 financial assistance with the administration;
- 9 (2) It may rent or lease the dwelling accommodations
10 therein only at rentals within the financial reach of
11 persons who lack the amount of income which it
12 determines to be necessary in order to obtain safe,
13 sanitary, and uncongested dwelling accommodations
14 within the area of operation of the administration and
15 to provide an adequate standard of living; ~~and~~
- 16 (3) It may rent or lease to a tenant a dwelling consisting
17 of the number of rooms (but no greater number) which
18 it deems necessary to provide safe and sanitary
19 accommodations to the proposed occupants thereof,
20 without overcrowding ~~[]~~; and
- 21 (4) It shall allow any person to appeal to the
22 administration a denial of eligibility for public



1 housing based on an eviction that occurred ten years
2 or more prior to the current application for public
3 housing. Upon appeal, the administration may reverse
4 the earlier denial and may allow admittance to public
5 housing at its discretion following the recommendation
6 of the executive director, provided that the person
7 shall:

8 (A) Not be subject to any prohibition under federal
9 law against admission to public housing;

10 (B) Not have any outstanding liability for unpaid
11 rent or damages; and

12 (C) Have written verification of responsible behavior
13 since the eviction, including but not limited to
14 favorable landlord references and completion of
15 drug rehabilitation or anger management when
16 required by a competent authority."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

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

Report Title:
Public Housing

Description:

Allows any person to appeal a denial of eligibility for public housing that is based on an eviction which occurred more than ten years prior to the current application for public housing, subject to conditions. (SD1)

