
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. The legislature finds that state public housing
2 rules prohibit anyone evicted from public housing after 1985
3 from re-applying for placement in public housing. Recognizing
4 the need to maintain an orderly housing project and the ability
5 of people to reform past behavior, an appeals process is
6 warranted under certain conditions for previously evicted
7 applicants interested in public housing.

8 The purpose of this Act is to allow persons denied
9 eligibility for public housing based on an eviction after 1985,
10 to appeal a denial for public housing after ten years following
11 the eviction.

12 SECTION 2. Section 356D-31, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) In the operation or management of federal public
15 housing projects, the authority [~~-(acting)~~, either directly or by
16 an agent or agents~~(-)~~ ~~at all times shall observe the following~~
17 ~~duties with respect to rentals and tenant selection]~~:



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



1 on an eviction that occurred ten years or more prior
2 to the application for public housing. Upon appeal,
3 the authority may reverse the eligibility denial and
4 review an application for public housing from the
5 person if the person is recommended favorably by the
6 executive director or designee; provided that the
7 person shall:

8 (A) Not be subject to any federal law prohibiting the
9 person from admission to any public housing; and

10 (B) Have written verification of responsible behavior
11 since the eviction, such as favorable landlord
12 references and completion of drug rehabilitation
13 or anger management programs, if required by a
14 competent authority."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Public Housing; Eviction

Description:

Allows a person previously evicted from a public housing to appeal a denial of eligibility for public housing based on that eviction under certain conditions. (SD1)

