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**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
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Statement of  
**Chad K. Taniguchi**  
Hawaii Public Housing Authority  
Before the

**HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT**

February 12, 2008, 2:00 p.m.  
Room 423, Hawaii State Capitol

In consideration of  
**H.B. 1982 HD1**  
**RELATING TO CUSTOMER SERVICE**

The Hawaii Public Housing Authority (HPHA) supports H.B. 1982 HD1.

HPHA is aware that it needs to better manage staff and get more productivity from each staff member. Until we develop a higher performing agency, it helps to have legislators, councilmembers, media, customers, and observers highlight where the weaknesses are, as well as confirm where we are doing good work.

HPHA's only request is that the Ombudsman discuss with management first how not to negatively affect the databases we are required to keep, and to tailor the program so as not to greatly increase the work burdens we already have.

Thank you for the opportunity to testify on this measure.



Robin K. Matsunaga  
Ombudsman

David T. Tomatani  
First Assistant

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**TESTIMONY OF ROBIN K. MATSUNAGA, OMBUDSMAN,  
ON H.B. NO. 1982, H.D. 1, A BILL FOR AN ACT  
RELATING TO CUSTOMER SERVICE**

**HOUSE COMMITTEE ON LEGISLATIVE MANAGEMENT  
FEBRUARY 12, 2008**

Chair Magaoay and Members of the Committee:

Thank you for the opportunity to present comments on H.B. No. 1982, H.D. 1. The purpose of this bill is to require the Ombudsman to develop and implement a pilot program using informed customers to investigate customer service at the Hawaii Public Housing Authority (HPHA). The bill also requires the Ombudsman to submit a report on the pilot program to the Legislature no later than 20 days before the convening of the 2009 Regular Session.

As you know, the function of the Ombudsman is to investigate complaints from the public about administrative acts of executive branch agencies. We determine whether a complaint is substantiated or not substantiated by measuring the agency's action against the standards of the statutory law; the decisional law of the courts; administrative rules and regulations; practices and procedures of the agency involved; and the principles of administrative fairness.

If we determine that an agency has acted in a mistaken, unfair, arbitrary, or illegal manner, we may make recommendations for corrective action. However, the Ombudsman has no power to enforce these recommendations or to compel an agency to take any corrective action, and instead, must rely on reasoned persuasion. Therefore, the findings, conclusions, and recommendations we make must be fair and reasonable, firmly grounded in fact, administratively sound, and in accordance with law. It is only when these conditions are met that the Ombudsman's recommendations can be effective and persuasive. The credibility and effectiveness of the office thus depends on the objectivity and high professional standards of our work.

The manner in which the HPHA delivers services to the public can be considered to fall within the definition of "administrative act" and therefore would be within the jurisdiction of the Ombudsman. However, in order to not adversely impact the credibility of the office, the proposed pilot program will need to be structured to impartially evaluate the quality and level of customer service delivered by the HPHA.

In order to not adversely affect our inquiries with HPHA on matters apart from the pilot program, and as we lack the physical office space to hire and house additional staff, sufficient funding will need to be appropriated to the office to allow us to contract a private firm to carry out the pilot program, including selecting and training persons to act as the informed customers who will be observing the HPHA. At this time, I do not know the amount of funding that would be required for such a contract.

Certain factors may adversely impact the effective execution of the proposed pilot project. These factors include, but are not limited to:

1. The passage of this bill will alert the HPHA that it will be the subject of an investigation of its delivery of services to the public, which may cause a change in the delivery of services only during the period of the investigation.
2. If the lack of adequate staffing is one of the reasons the HPHA does not deliver services in the manner or at the level desired, then conducting the investigation itself could exacerbate the problem if the informed customers engage the limited staff resources that would otherwise be available for members of the public who are applicants or recipients of HPHA's services.
3. In order to get a thorough and accurate understanding of the quality of services being delivered, which I believe is necessary before any findings and recommendations can be made, each of the HPHA offices and facilities should be observed over a period of time. Single snapshots of the HPHA's interactions with the informed customers may lead to flawed findings and recommendations that lack adequate bases.
4. The use of telephone visits will probably not be effective in testing the HPHA's response to youth, seniors, and persons with disabilities, since age and many disabilities are not discernible over the telephone, but the use of physical visits will increase the cost of the pilot program; and

5. It may be difficult to find impartial informed customers to investigate the HPHA's delivery of services to tenants of HPHA facilities since the HPHA staff know or can easily check who the tenants of an HPHA facility are. Using existing tenants, however, may introduce bias to the investigation and negatively impact the credibility of any findings or recommendations.

Before closing, I would like to add that while we would do our best to meet it, the requirement to submit a report on the pilot program to the Legislature no later than 20 days prior to the 2009 Regular Session may prove difficult to meet. As I noted previously, we will need to hire a consultant to conduct this pilot program. However, we will not be able to begin the procurement process until July 1, when the funding becomes available to the office, and based on normal timelines, we will probably not be able to award a contract until the end of August, at the very earliest. Once selected, the consultant will need to find and train the informed customers who will be observing the HPHA offices and facilities. Sufficient time must then be allotted for the informed customers to interact and observe the HPHA. Once the data is collected, it must be analyzed before appropriate recommendations can be formulated.

Thank you, again, for the opportunity to provide comments on H.B. No. 1982, H.D. 1. If you have any questions regarding my comments, I would be happy to answer them.

**Carol L. Kano**

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**From:** kuulei [kuuleikiliona@hawaii.rr.com]  
**Sent:** Monday, February 11, 2008 11:23 PM  
**To:** LMGtestimony  
**Subject:** LATE TESTIMONY for HB 1982 HD1

**TESTIMONY IN SUPPORT OF HB 1982 HD1**

TO: The House Committee on Legislative Management  
Rep. Magaoay, Chair and Rep. Tokioka, Vice Chair

FROM: Ku'u lei A. Kilonia

RE: HB 1982 HD1 Relating to Customer Service

**Hearing Date: Tuesday, February 12, 2008**

**Time: 2:00 p.m.**

Place: Conference Room 423

*5 copies + original to room 322*

Dear Committee Chairs and Committee members,

This testimony is in favor of HB 1982 HD1, appropriating funds for the Ombudsman to investigate customer service at the Hawaii Public Housing Authority. I like this bill because this idea is overdue. However, I have some concerns regarding how the bill is currently written.

First, it appears that the investigation will only cover what occurs during a few months time. If passed, the bill would go into effect this July and a report to the legislature would need to be presented at the beginning of January 2009. This leaves a very short time line for the actual work requested. The Ombudsman needs to convene a group of informed customers; train them in using the criteria and appropriate tools for gathering of the information as stated in the bill; and last, to prepare a report for the legislature. In order to have a comprehensive report for the legislature, the investigation should include at least one more year.

Second, this bill should also include the duty of interviewing a sample of people who live in the public housing sites. I suggest this because it will include historical findings, thus providing more information for the legislature as to how the Hawaii Public Housing Authority has been operating its customer service over a longer length of time instead of just a few months.

3) The bill is faulted in that it does not allow for the mention of employee names in the

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gathering of information. It appears to be set up so that no one is accountable to the legislature. Wouldn't it be appropriate to discover who is doing a superb job and who might be hindering the operations of customer service?

As the chairperson of the State Council on Mental Health, I regularly hear complaints regarding a lack of customer service at public housing sites. Mostly, I hear complaints from Maui and Kauai residents. I won't go into details here of the complaints I have heard because they are lengthy. But, I will say that residents express feelings of helplessness when trying to receive customer service that is basic to living in a home.

Thank you for the opportunity to give testimony on this measure.

Sincerely,

Ku'uilei A. Killiona  
(sent via email: [kuuleikilliona@hawaii.rr.com](mailto:kuuleikilliona@hawaii.rr.com))