



STATE OF HAWAII

DEPARTMENT OF HUMAN SERVICES
HAWAII PUBLIC HOUSING AUTHORITY
1002 NORTH SCHOOL STREET
POST OFFICE BOX 17907
Honolulu, Hawaii 96817

Statement of
Chad K. Taniguchi
Hawaii Public Housing Authority
Before the

HOUSE COMMITTEE ON HUMAN SERVICES & HOUSING

February 5, 2008, 9:00 a.m.
Room 329, Hawaii State Capitol

In consideration of
H.B. 2762
RELATING TO DOMESTIC VIOLENCE

The Hawaii Public Housing Authority (HPHA) provides comments on this measure:

HPHA complies with the 2006 amendments to the federal Violence Against Women Act (VAWA) of 1998 prohibiting public housing agencies from terminating a lease due to the tenant being a victim of incidents related to domestic violence, dating violence, or stalking. HPHA is currently in the process of implementing the following policies in support of VAWA:

- Screening of public housing applicants in order to provide a preference for victims of domestic violence;
- Removal of domestic violence perpetrator from the household;
- Issuance and enforcement of a "No Trespass Warning" to domestic violence perpetrators;
- Offer of emergency transfer for victims seeking to flee from an abuser;
- Training for managers conducted by the Hawaii State Coalition Against Domestic Violence; and
- Providing residents that are victims with contact information to service providers and law enforcement entities.

HPHA will continue to monitor that its policies and practices to ensure that it is in compliance with federal law.

Please note that HPHA is concerned that it not be prohibited from evicting tenants in arrears or who have already committed lease violations that independently warrant eviction.

Thank you for the opportunity to testify on this measure.



House Committee on Human Services
& Public Housing
Tues, Feb 5, 2008
9:00 am
Deliver 5 copies to Rm 326

2600 Campus Rd. QLCSS #211
Honolulu, HI 96822
Phone: (808) 956-8059
Fax: (808) 956-9314

Hawai'i Women
Work! Board of
Directors

Sarah Hodell
President

Teresa Bill
Secretary

Catherine Wehrman
Treasurer

Date: February 2, 2008

TO: HOUSE COMMITTEE on HUMAN SERVICES & HOUSING
Rep. Maile Shimabukuro, Chair
Rep. Karl Rhodes, Vice Chair

From: Teresa Bill

RE: **SUPPORT** HB 2762, Relating to Domestic Violence

Tues. Feb. 5, 2008 9:00 a.m.
State Capitol Conference Room 329

I am Teresa Bill, testifying **in support of HB 2762** on behalf of Hawai'i WomenWork! which is a member of the Welfare Employment Rights Coalition and the Women•s Coalition.

As we know, victims of domestic violence span the economic and social strata of our state. In addition to the need for advocacy and legal services, victims are concerned about where they will live. Having fled a violent situation, they now need to focus on where they will live. HB2762 addresses a number of concerns of women fleeing domestic violence. It includes provisions that the woman may leave the lease without penalty. It also includes the important provision that landlords may not discriminate against renting to a woman because of her domestic violence status. These are both immensely important options for women rebuilding their lives.

I know landlords will want to maintain as much of their ability to restrict who they rent their unit to. However, the need of victims of domestic violence to also have options to either leave a lease or to establish a new lease are paramount. HB 2762 includes many provisions to ensure that the landlord is paid appropriately for releasing a tenant from the lease.

Please support HB 2762 and address a real need domestic violence victims have once they have fled their abuser.

Thank you for the opportunity to testify.

George J. Zweibel, Esq.
President, Board of Directors

Charles K. Greenfield, Esq.
Executive Director

TESTIMONY IN SUPPORT OF HB2762 -
Relating to Domestic Violence

February 5, 2008 at 9:00 a.m.

The Legal Aid Society of Hawai'i ("Legal Aid") hereby provides testimony to the Committee on Human Services and Public Housing **in support of** HB2762, Relating to Domestic Violence which provides added protections for victims of domestic violence in rental housing.

I apologize that I am not available to testify in person as I'm traveling on the mainland on business, but am available for questions via telephone.

Legal Aid is the largest non-profit, private legal services organization in the State. We provide legal services for domestic violence victims and is one of the only legal service organizations to have a unit dedicated housing.

We are in strong support of this bill as it is critical for victims of domestic violence to be able to either secure their homes after an incident of domestic violence by changing the locks or have the ability to terminate a lease without penalty in order to seek a safer housing situation.

Being able to change the locks on their home or terminate a lease can be critical to ensuring safety for a victim of domestic violence. A 1990 Ford Foundation study found that 50% of homeless women and children were fleeing abuse.¹ In 1998, a study of 777 homeless parents (the majority of whom were mothers) in ten U.S. cities, 22% said they had left their last place of residence because of domestic violence.² A 2003 survey of 100 homeless mothers in 10 locations around the country found that 25% of the women had been physically abused in the last year.³ In addition, 50% of the 24 cities surveyed by the U.S. Conference of Mayors identified domestic violence as a primary cause of homelessness.⁴

Thank you for this opportunity to testify.

Sincerely,

Nalani Fujimori, Deputy Director
(808)527-8014

¹ Zorza, Joan, "Woman Battering: A Major cause of Homelessness", Clearing House Review, Vol. 25, No. 4, 1991.

² Homes for the Homeless, "Ten Cities 1997-1998: A Snapshot of Family Homelessness Across America," (1998). Available from Homes for the Homeless & Institute for Children and Poverty.

³ American Civil Liberties Union, "Domestic Violence Project" (2004); available at www.aclu.org.

⁴ U.S. Conference of Mayors, "A Status Report on Hunger and Homelessness in America's Cities": 2005.

HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

Hearing date and time: February 5, 2008 at 9:00a.m., Committees on Human Services and Housing

RE: H.B. 2762, RELATING TO DOMESTIC VIOLENCE

TO: Chair Shimabukuro, Vice Chair Rhoads and members of the Committee on Human Services and Housing;

FROM: Ana Maring, Hawaii State Coalition Against Domestic Violence

Aloha, my name is Ana Maring and I represent the Hawaii State Coalition Against Domestic Violence (HSCADV). HSCADV is a private non-profit agency which serves as a touchstone agency for the majority of domestic violence programs throughout the state. For many years HSCADV has worked with the Hawaii Legislature by serving as an educational resource and representing the many voices of domestic violence programs and survivors of domestic violence.

HSCADV strongly supports HB2762.

In a 1998 study, 22 percent of 777 individuals surveyed stated that they had fled their home because of domestic violence¹. It is imperative that victims of domestic violence be able to exercise many different options for their safety and the safety of their children. This may include changing the locks on their current home or breaking a lease to flee for safety.

Often victims of domestic violence flee with little or money. If she seeks emergency shelter and fails to pay her rent and/or breaks her lease - it can destroy her rental and credit history. Studies have shown that victims and survivors of domestic violence have trouble finding apartments because they may have poor credit, rental, and employment histories as a result of their abuse². By allowing women to end their leases early if needed they can locate another place to live away from their batterer.

Hawaii continues to work to bring about many solutions to the issues impacting victims of domestic violence. HB2762 is an important part of the puzzle that will assist victims in their journey to safety.

Thank you for the opportunity to testify.

¹ *Ten Cities 1997-1998: A Snapshot of Family Homelessness Across America*. Homes for the Homeless. Retrieved January

² Susan A. Reif and Lisa J. Krisher. 2000. "Subsidized Housing and the Unique Needs of Domestic Violence Victim." *Clearing House Review*. National Center on Poverty Law. Chicago, IL.

NA LOIO

Immigrant Rights and Public Interest Law Center
810 N. Vineyard Blvd.
Honolulu, Hawaii 96817
Telephone: (808)847-8828
FAX: (808)842-0055
Email: info@naloio.org

February 4, 2008

Hearing date and time: February 5, 2008 at 9:00a.m., Committees on Human Services and Housing

RE: H.B. 2762, RELATING TO DOMESTIC VIOLENCE

TO: Chair Shimabukuro, Vice Chair Rhoads and members of the Committee on Human Services and Housing

FROM: Calleen Ching, Attorney, Na Loio

Na Loio *supports this bill*, to protect domestic violence victims in rental housing.

Na Loio is a statewide private, nonprofit agency providing immigration legal services to indigent immigrants. Assisting immigrant victims of domestic violence and sexual assault is a top priority for Na Loio.

Safe housing is very important to domestic violence victims. While many domestic violence victims may be able immediately flee to an emergency shelter for safety, their stay at the shelter is temporary and they must leave after a short period of time. Safe and stable housing is necessary for them to end the abusive relationship and leave their abuser.

There is a strong connection between domestic violence and homelessness. According to the National Alliance to End Homelessness, domestic violence is the most cited reason for the cause of homelessness in families. (National Alliance to End Homelessness, June 2007). The National Network to End Domestic Violence found that on a daily basis 1,740 victims could not be provided emergency shelter and 1,422 could not be provided transitional shelter. (National Network to End Domestic Violence, 2004). With nowhere to go victims may choose to return to the abusive relationship. Our community should provide a safety net for them.

This bill would allow specific protections to domestic violence victims to find and/or keep safe housing. Na Loio encourages the bill's approval. Thank you for allowing us to testify.



TO: Chair Maile Shimabukuro
Vice Chair Karl Rhoads
Members of the Committee on Human Services and Housing

FR: Nanci Kreidman, M.A.
Executive Director

RE: H.B. 2762

Aloha. We are in support of H.B. 2762 and would ask your support of this important measure for victims of domestic violence, which ultimately prevents homelessness, creates safety and permits decision-making based on economic factors.

As a community we must work together, putting into place policies, practices, training, and resources that match the philosophical conviction we have embraced. Victims need services, choices, access and the right to live free from violence. Abuse is the responsibility of the person who chooses to use it, and accountability belongs with the abuser.

Victims and their children need homes. They deserve the right to remain in their homes without suffering punishment resulting from the abuser's conduct.

If on the other hand, a victim decides it is in the family's best interest to depart their dwelling, it is wise for the community (landlord) to allow for such escape. Either economics or safety are driving that decision to depart, and we must provide the opportunity for the victim to exercise options for the continued wellbeing of herself and the other members of her family.

Thank you for inviting input about this issue through the hearing of H.B. 2762.



**Hawaii
Association of
REALTORS®**
www.hawaiiirealtors.com

The REALTOR® Building
1136 12th Avenue, Suite 220
Honolulu, Hawaii 96816

Phone: (808) 733-7060
Fax: (808) 737-4977
Neighbor Islands: (888) 737-9070
Email: har@hawaiiirealtors.com

February 5, 2008

The Honorable Maile S. L. Shimabukuro, Chair
House Committee on Human Services & Housing
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: H.B. 2762 Relating to Domestic Violence
Hearing Date: February 5, 2008 @ 9:00 a.m., Room 325

Dear Chair Shimabukuro and members of the House Committee on Human Services & Housing,

On behalf of our 10,000 members in Hawaii, the Hawaii Association of REALTORS® (HAR) submits comments on H.B. 2762.

HAR wholeheartedly agrees that there are serious cases of domestic violence and that those who commit these offenses are subject to certain types of protective orders. Domestic violence is a national problem, not only one that is confined to Hawaii. This is a serious social issue that requires vigilant intervention by local police, the court system, and social services to establish truly effective means of addressing this problem.

Historically, incidents have shown that the levels of violence in these abusive relationships tend to escalate up to and including loss of life. Even more onerous is the fact that, historically, levels of violence in these abusive relationships tends to escalate and can include harm and loss of life not just to the victim but to innocent individuals in neighboring units, homes, or communities. These innocent ones, and not only the victim, expect and deserve quiet and secure enjoyment of the immediate and surrounding areas of their home.

HAR believes that this bill does not solve the need for a better transitional opportunity into the community and that protection through existing law enforcement (police and courts) and better programs that key in on the health and welfare for the victims may be a better alternative.

Mahalo for the opportunity to testify.

From: Lurline Johnson (R) [mailto:lur@pixi.com]
Sent: Monday, February 04, 2008 12:52 PM
To: HSHtestimony
Subject: FW: H.B. 2762 Relating to Domestic Violence - Hearing Date: Feb 5, 2008 @ 9:00am, Room 325
Importance: High



NARPM – Oahu Chapter
2131 S. Beretania Street, Suite 204
Honolulu, HI 96826

February 5, 2008

The Honorable Maile S. L. Shimabukuro, Chair
House Committee on Human Services & Housing
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: H.B. 2762 Relating to Domestic Violence
Hearing Date: February 5, 2008 @ 9:00 a.m., Room 325

On behalf of the Oahu Chapter of the National Association of Residential Property Managers (NARPM), who is a group of professional property managers conducting property management on the island of Oahu, we are strongly opposed to S.B. 2762.

NARPM agrees that domestic violence is a grievous problem not only in Hawaii but across the nation. Recent incidents here on Oahu have brought this issue to the forefront of our minds and have stoked the fire for better solutions to this ultimately deadly problem.

The problem needs to be addressed closer to the core through education and combined efforts of social services agencies and law enforcement. The cycle of violence perpetuates itself from generation to generation and the solution may be better addressed within the cooperation of law enforcement and social programs that will educate and mentor these victims and perpetrators.

Having victims of domestic violence protected while placing neighbors at risk seems questionable. Everyone is entitled to peaceful enjoyment of their home and the safety and security that comes along with that. We don't have the solution for the problem but as landlords we need to be aware of how tenants residing in our units – and the individuals they attract – affect not only their neighbors but the community as a whole.

Thank you for the opportunity to testify

Jeanne Y. Ohta
1016 A Hind Iuka Drive
Honolulu, HI 96821

February 5, 2008

To: Rep. Maile Shimabukuro, Chair
Rep. Karl Rhoads, Vice Chair and
Members of the Committee on Human Services and Housing

Re: HB2762 Relating to Domestic Violence
Hearing: February 5, 2008, 9:00 a.m., Room 329

Position: Strong Support

Good morning Chair Shimabukuro, Vice Chair Rhoads, and members of the Committee on Human Services and Housing. I am testifying today in strong support of HB2762 Relating to Domestic Violence which would provide protections for victims of domestic violence.

Victims of domestic violence have a right to be safe and to have housing stability. Sometimes, to ensure their safety, they need to move and cannot wait until the end of their lease. Having to pay a penalty for terminating a lease can be a huge barrier to their safety and many cannot afford such a penalty. This measure protects them from having to pay such a penalty and assists them in finding a safer situation without having to wait.

This bill also requires that landlords change or allow door locks to be changed at the renter's cost. Obviously, it is important that the victim have control over who has keys to her home. Changing door locks allows her to exclude previous household members who are no longer permitted in her home and who may pose a danger to her.

I urge you to pass this bill to provide practical solutions to domestic violence victims who are trying to find safety for themselves and their children. Thank you for this opportunity to testify.