

STAND. COM. REP. NO. 107

Honolulu, Hawaii

Feb 10, 2009

RE: H.B. No. 1440
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 1440 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose of this bill is to simplify and shorten the currently lengthy and complex eviction process for public housing projects by:

- (1) Eliminating most procedural requirements preliminary to hearings for evictions of tenants of public housing projects; and
- (2) Providing that hearings officers appointed by the Hawaii Public Housing Authority (HPHA), instead of the eviction board, will conduct eviction hearings.

A concerned individual testified in support of this bill. HPHA supported the intent of this measure. The American Civil Liberties Union of Hawaii, Legal Aid Society of Hawaii, and a concerned individual opposed this bill.

Upon careful consideration and to ensure eviction procedures comply with federal law, your Committee has amended this bill by mandating that HPHA provide tenants who have been delinquent in payment of their rent with written notice in accordance with the

HB1440 HD1 HSCR HSG HMS 2009-1799



requirements imposed under federal law, instead of at least 10 business days from the date of the delinquency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1440, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1440, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Housing,



RIDA CABANILLA, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

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Record of Votes of the Committee on Housing

Bill/Resolution No.: HB 1440	Committee Referral: HSG, JUD	Date: 2-4-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida (C)	X			
2. CHONG, Pono (VC)	X			
3. CHANG, Jerry L.	X			
4. COFFMAN, Denny	X			
5. HAR, Sharon E.	X			
6. HERKES, Robert N.				X
7. ITO, Ken	X			
8. LEE, Chris	X			
9. LUKE, Sylvia	X			
10. MORITA, Hermina M.				X
11. SAGUM, Roland D., III	X			
12. CHING, Corinne W.L.	X			
13. THIELEN, Cynthia	X			
TOTAL (13)	4			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: 1.5em; font-weight: bold;">[Signature]</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				