
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. Section 356D-92, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsections (b) and (c) to read:

4 "(b) When any tenant [~~has been delinquent in payment of~~
5 ~~rent,~~] is in noncompliance with any of the provisions in
6 subsection (a) (2) to (5), the authority, either directly or
7 through its managing agent, shall provide the tenant with a
8 written notice no later than [~~forty-five~~] five days from the
9 date of delinquency that shall inform the tenant of the
10 delinquency and schedule a meeting between the tenant and the
11 authority or its agent. The written notice shall:

12 (1) Inform the tenant that continued [~~delinquency~~]
13 noncompliance shall result in the tenant's eviction;

14 [~~(2) Inform the tenant of the tenant's right to apply for~~
15 ~~an interim adjustment in rent;~~]

16 [~~(3)~~] (2) Explain to the tenant the steps of the grievance
17 and eviction processes and how the processes protect
18 the tenant;



1 ~~[(4)]~~ (3) Provide the tenant with a sample letter for
2 demanding a grievance hearing;

3 ~~[(5)]~~ (4) Set forth the location, date, and time, which
4 shall be no earlier than ~~[fourteen]~~ five days from the
5 date of the written notice, at which the tenant may
6 meet with the authority or its agent to discuss ~~[the~~
7 ~~delinquency in rent;]~~ noncompliance with any provision
8 in subsection (a) (2) to (5); and

9 ~~[(6)]~~ (5) Inform the tenant that the tenant shall either
10 attend the meeting or, if applicable, contact the
11 authority or the authority's agent before the meeting
12 time to reschedule the meeting.

13 (c) At the meeting described in subsection (b), the
14 authority or its agent shall:

15 (1) Inquire into the cause of the tenant's ~~[delinquency]~~
16 noncompliance and offer suggestions, if any, ~~[that the~~
17 ~~authority may feel appropriate to address the causes~~
18 ~~of delinquency;]~~ as the authority deems necessary to
19 cure the noncompliance; and

20 ~~[(2)]~~ ~~Consider whether a reasonable payment plan is~~
21 ~~appropriate for the tenant's situation and, if~~
22 ~~appropriate, offer a payment plan to the tenant; and]~~

1 [~~(3)~~] (2) Inform the tenant of and explain the issues as
2 required under subsection (b)(1), (2), and (3)."

3 2. By amending subsections (e) and (f) to read as follows:

4 "(e) If the tenant fails to attend or reschedule the
5 meeting provided for in subsection (b), the authority shall
6 provide the tenant with a second written notice. The notice
7 shall inform the tenant that:

8 (1) The authority shall proceed to terminate the tenant's
9 tenancy because of the tenant's [~~outstanding rent~~
10 ~~delinquency~~] noncompliance with any of the provisions
11 in subsection (a)(2) to (5) and the tenant's failure
12 to respond to the authority's written notice issued
13 pursuant to subsection (b);

14 (2) The tenant has [~~ten~~] five business days from receipt
15 of the second written notice to request a grievance
16 hearing; and

17 (3) If the tenant fails to request a grievance hearing
18 within [~~ten~~] five business days, the authority has the
19 right to proceed with the eviction hearing pursuant to
20 section 356D-93.

21 (f) If the tenant meets with the authority as provided for
22 in subsection (b), the authority shall decide, based upon the



1 facts discussed at the meeting, what action is appropriate to
2 address the tenant's case. The authority shall notify the
3 tenant of its decision in writing. If the authority decides to
4 proceed with an action to terminate the tenancy, the authority
5 shall further inform the tenant in the same written notice that:

6 (1) The tenant has [~~ten~~] five business days from receipt
7 of this notice to request a grievance hearing; and

8 (2) If the tenant fails to request a grievance hearing
9 within [~~ten~~] five business days, the authority has the
10 right to proceed with the eviction hearing pursuant to
11 section 356D-93."

12 SECTION 2. Section 356D-94, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) If it is proven to the satisfaction of the eviction
15 board that there is cause to terminate a lease or rental
16 agreement and evict the tenant, the authority shall provide the
17 tenant with a written notice of the authority's decision to
18 terminate the tenancy. The notice shall inform the tenant that
19 a writ of possession may be issued by the authority within [~~ten~~]
20 five business days. The notice shall also inform the tenant
21 whether the grounds for eviction are considered curable and, if
22 so, what the tenant must do to remedy the grounds, by when it



1 must be done, and what the tenant must do to document for the
2 authority that the grounds have been remedied."

3 SECTION 3. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun, before its effective date.

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Public Housing; Evictions

Description:

Shortens time for notice, meeting, and grievance requirements for violations with rental agreements, leases, violation of rules, or maintenance in public housing. Streamlines eviction process in public housing.

