
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-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " [†] **§356D-8** [†] **Acquisition, use, and disposition of**
4 **property.** (a) The authority may acquire any real or personal
5 property or interest therein by purchase, exchange, gift, grant,
6 lease, or other means from any person or government to provide
7 public housing. Exchange of real property shall be in
8 accordance with section 171-50.

9 (b) The authority may own or hold real property. All real
10 property owned or held by the authority shall be exempt from
11 mechanics' or materialmen's liens and also from levy and sale by
12 virtue of an execution, and no execution or other judicial
13 process shall issue against the property of the authority nor
14 shall any judgment against the authority be a charge or lien
15 upon its real property; provided that this subsection shall not
16 apply to nor limit the right of obligees to foreclose or
17 otherwise enforce any mortgage of the authority or the right of
18 obligees to pursue any remedies for the enforcement of any



1 pledge or lien given by the authority on its rents, fees, or
2 revenues. The authority and its property shall be exempt from
3 all taxes and assessments.

4 (c) The authority may lease or rent all or a portion of
5 any public housing project and establish and revise the rents or
6 charges therefor[-]; provided that the authority shall:

7 (1) Establish a schedule setting forth the minimum rent
8 for state public housing units by number of bedrooms
9 and type of project;

10 (2) Charge no less than \$ _____ per month for any state
11 public housing unit; and

12 (3) Annually adjust the minimum rent by the percentage, if
13 any, by which the consumer price index for the year
14 exceeds the consumer price index for the prior year.
15 The consumer price index for any year is the average
16 of the consumer price index for all urban consumers as
17 determined by the United States Department of Labor
18 for the applicable county, or if not published for the
19 county, then for the state.

20 The authority may sell, exchange, transfer, assign, or pledge
21 any property, real or personal, or any interest therein to any
22 person or government.



1 (d) The authority may insure or provide for the insurance
2 of its property or operations against risks as it deems
3 advisable.

4 (e) The authority shall seek reimbursement from tenants
5 for the full cost incurred in repairing damages to a tenant's
6 unit.

7 (f) The minimum rent set forth in subsection (c) shall not
8 apply whenever its application will disqualify the authority
9 from receiving federal funds or aid."

10 SECTION 2. Section 356D-42, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[~~+~~§356D-42[~~+~~] **Housing; tenant selection.** (a) Subject
13 to the following limitations and preferences, the authority
14 shall select tenants [~~upon the basis of those in greatest need~~]
15 for the particular housing. The authority may limit the tenants
16 of any state low-income housing project to classes of persons
17 when required by federal law or regulation as a term or
18 condition of obtaining assistance from the federal government.
19 [~~Within the priorities established by the authority recognizing~~
20 ~~need, veterans~~] Veterans with a permanent disability of ten per
21 cent or more as certified by the United States Department of



1 Veterans Affairs, the dependent parents of the veteran, and the
2 deceased veteran's widow shall be given first preference.

3 (b) The authority shall not establish preferences for the
4 selection of tenants."

5 SECTION 3. Section 356D-43, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) Notwithstanding any other law to the contrary, the
8 authority shall fix the rates of the rentals for dwelling units
9 and other facilities in state low-income housing projects
10 provided for by this subpart, at rates that will produce
11 revenues that will be sufficient to pay all expenses of
12 management, operation, and maintenance, including the cost of
13 insurance, a proportionate share of the administrative expenses
14 of the authority to be fixed by it, and the costs of repairs,
15 equipment, and improvements, to the end that the state low-
16 income housing projects shall be and always remain self-
17 supporting[-]; provided that the rates of the rentals shall be
18 no less than the minimum rent set forth in section 356D-8. The
19 authority, in its discretion, may fix the rates in amounts as
20 will produce additional revenues (in addition to the foregoing)
21 sufficient to amortize the cost of the state low-income housing



1 project or projects, including equipment, over a period or
2 periods of time that the authority may deem advisable."

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

5 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Public Housing; Minimum Rent; Preferences

Description:

Requires the Hawaii public housing authority to establish a minimum rent schedule. Requires a minimum monthly rent for state public housing units and annual Consumer Price Index adjustment of minimum rent. Prohibits preferences for tenant selection. (HB1694 HD2)

