

JAN 22 2010

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 \$250 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 (d) The authority may [~~sell,~~] exchange, transfer, assign,
21 or pledge any property, real or personal, or any interest
22 therein to any person or government.



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

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

7 (g) 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-43, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) Notwithstanding any other law to the contrary, the
13 authority shall fix the rates of the rentals for dwelling units
14 and other facilities in state low-income housing projects
15 provided for by this subpart, at rates that will produce
16 revenues that will be sufficient to pay all expenses of
17 management, operation, and maintenance, including the cost of
18 insurance, a proportionate share of the administrative expenses
19 of the authority to be fixed by it, and the costs of repairs,
20 equipment, and improvements, to the end that the state low-
21 income housing projects shall be and always remain self-
22 supporting[-]; provided that the rates of the rentals shall be



1 no less than the minimum rent set forth in section 356D-8. The
2 authority, in its discretion, may fix the rates in amounts as
3 will produce additional revenues (in addition to the foregoing)
4 sufficient to amortize the cost of the state low-income housing
5 project or projects, including equipment, over a period or
6 periods of time that the authority may deem advisable."

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 Statutory material to be repealed is bracketed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

9 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Noma Sabany



Report Title:

Public Housing; Minimum Rent

Description:

Requires the Hawaii public housing authority to establish minimum rent for state public housing units and annual consumer price index adjustments of minimum rent. Requires authority to seek the full cost to repair damage to a unit.

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