

Honolulu, Hawaii

March 16, 2010

RE: S.B. No. 2277
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 2277, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,"

begs leave to report as follows:

The purpose of this bill is to make the Hawaii Public Housing Authority's (Authority) eviction procedure more efficient by:

- (1) Requiring the Authority to provide a tenant delinquent in rent payments with written notice in accordance with federal requirements;
- (2) Repealing most procedural requirements preliminary to an eviction hearing including, among other things, a meeting with the tenant and the provision of a sample letter for demanding a grievance hearing; and
- (3) Clarifying that eviction hearings for federal low-income housing shall be conducted by an eviction board.

The Authority and a concerned individual testified in support of this bill. The American Civil Liberties Union of Hawaii opposed this measure.



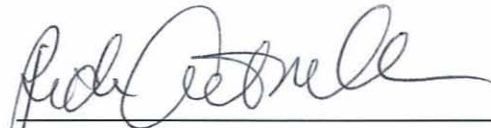
Your Committee notes that state law currently imposes requirements for eviction procedures that go above and beyond federally-mandated regulations. The current system of notices, warnings, waiting periods, and delays is duplicative and unnecessarily long, particularly given that the eviction process, in practice, does not begin until a tenant is seriously delinquent and has been uncooperative with the Authority's attempts to remedy the situation.

Your Committee has amended this bill by:

- (1) Replacing the eviction board with a hearings officer appointed by the Authority; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 S.B. No. 2277, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2277, S.D. 2, 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

HCR 765-10

Record of Votes of the Committee on Housing

Bill/Resolution No.: SB 2277, SD2	Committee Referral: HSG, JUD	Date: 3/10/10		
<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)	0			
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)	9	1		3
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; margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				