

# HOME FOR LIFE

T A S K F O R C E

homeforlifetf@gmail.com • (808) 586-6250 • c/o 415 S. Beretania St., Rm. 220, Hon., HI 96813

January 14, 2011

Honorable Shan S. Tsutsui  
President-Elect of the Senate  
Hawai'i State Capitol  
415 S. Beretania Street  
Honolulu, Hawai'i 96813

Honorable Calvin Say  
Speaker, House of Representatives  
Hawai'i State Capitol  
415 S. Beretania Street  
Honolulu, Hawai'i 96813

Subject: Home for Life Task Force Interim Report

Mr. President-Elect and Mr. Speaker:

The Home for Life Task Force, created pursuant to SCR 7, SD1 (2009) and amended in HCR 13 (2010), submits the Interim Report of its preliminary findings and recommendations to the 2011 Legislature.

Sincerely,



Francine Wai  
Co-Chair

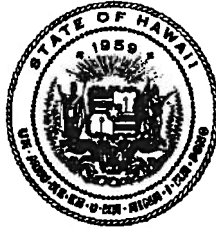
Sincerely,



Joan Riggs  
Co-Chair

Enclosure

cc: Joint Legislative Committee on Aging in Place



**INTERIM REPORT TO THE TWENTY SIXTH LEGISLATURE  
STATE OF HAWAII  
2011**

**PURSUANT TO SCR 7, SD 1**

**REQUESTING THE CREATION OF A  
HOME FOR LIFE TASK FORCE TO  
REDUCE BARRIERS TO AGING IN PLACE AND  
TO FACILITATE MULTI-GENERATIONAL LIVING**

**Prepared by the:  
Home for Life Task Force**

## TABLE OF CONTENTS

1. EXECUTIVE SUMMARY
2. INTRODUCTION & BACKGROUND
3. TASK FORCE: MANDATE AND ORGANIZATIONAL STRUCTURE
4. WORKING GROUP INTERIM REPORTS
  - Working Group on Home Modifications for Accessible Living
  - Working Group on Universal Design
  - Working Group on Assessing At-Risk Persons and Environments
  - Working Group on Codes and Laws
5. PRELIMINARY RECOMMENDATIONS

### APPENDICES

- A. SCR 7 SD1 (2009)
- B. HCR 13 (2010)
- C. List of Task Force Members
- D. Cost Estimations for Common Renovations
- E. Accessory Dwelling Units (ADUs): Overview, Background, and Benefits

## Executive Summary

- The Home for Life Task Force was created by SCR 7, SD 1 (2009) and amended in 2010 (HCR 13). As stated in the original Resolution, its purpose was to “to reduce barriers to aging in place and to facilitate multi-generational living.” An additional purpose was to encourage the use of universal design principles in new construction and renovated housing.
- Following passage of SCR 7, SD 1, the House and Senate each appointed six members to the Task Force, as required by the Resolution, but the Governor failed to do so. Thus, the Task Force was unable to convene until passage of HCR 13, which authorized the group to convene without the Governor’s appointees, which it did on June 30, 2010. At this meeting, Francine Wai and Joan Riggs were elected as Co-Chairs.
- The Task Force has met seven times between June 2010 and January 2011. Meetings were held on June 30, 2010, July 27, 2010, August 31, 2010, October 5, 2010, November 16, 2010, December 7, 2010, and January 11, 2011.
- In order to more effectively accomplish its goals, the Task Force members divided into four Working Groups, each meeting independently as needed, but reporting back to the parent body. The four groups were titled: Home Modifications for Accessible Living; Universal Design; Assessing At-Risk Persons and Environments; and Codes and Laws.
- Based on the findings and recommendations of the Working Groups, the Task Force offers the following preliminary recommendations:

### Re: Overall Functioning of the Task Force

- Seek a Legislative Resolution to extend the life of the Task Force to June 30, 2012 to allow more time to complete its activities.
- Add representatives from the four Counties who can provide input on land use, planning, and zoning issues.
- Expand the preliminary research of the Working Groups, especially the focus groups on home modifications, to be statewide. Preliminary information was gathered primarily from Oahu due to the limited time frame. Ask the Area Agencies on Aging on the Neighbor Islands to assist in carrying out this recommendation.

### Re: Information Dissemination and Education

- Develop an online resource tool which Hawaii residents can use to find appropriate local information. Explore using the Aging and Disability Resource Center (ADRC) under the Executive Office on Aging and its website as the preferred option with components to include information on products, suppliers, professionals, and best practices in universal design in residential settings, thereby using an existing structure instead of ‘reinventing the wheel.’ Seek additional funding for the Aging and Disability Resource Center, so that assessment tools and resources for home modification can be housed in one resource location.
- Develop an interdisciplinary course that brings together the appropriate professionals/experts to train architects, designers, builders, developers, draftsmen

in Universal Design principles, the value of implementing the Universal Design principles and the positive impact on the health, safety, welfare and quality of life of an individual and/or family.

Re: Additional Research

- Investigate existing model programs (national and international) that support, encourage and provide incentives to design universally thereby inspiring consumers and developers to engage in well-designed, quality environments.
- Investigate ways of educating people on the need to renovate their home to be more accessible prior, rather than waiting for, the need to arise.
- Research what Neighbor Island Zoning Codes permit as far as multi-generational homes and see if there is a trade-off in new subdivisions for increased lot size or number of lots. Explore options for zoning of Accessory Dwelling Units (ADUs) in lieu of more restrictive Ohana Dwelling Units.
- Explore public policies for builders to incentivize the construction of aging in place, multi-generational, visitable, or accessible homes. Possible incentives may be tax credits for developers through density bonuses, increased lot size or other credits.
- Explore efforts in other jurisdictions to provide support for families through providing tax deductions on personal income tax returns for construction or providing no or low interest loans or offer grants to those in need.
- Explore sources of funding to help seniors and persons with disabilities implement the preliminary recommendations of the Task Force.

## Introduction and Background

As of 2010, the population of older adults defined as individuals sixty years of age and older has increased to twenty percent of Hawaii's population. According to the Executive Office on Aging's *Hawaii State Plan on Aging, 2008-2011*, by the year 2030 more than one in four individuals is expected to be an older adult (equivalent to approximately 400,000 persons). A recent AARP housing survey also indicates that "83% of older Americans want to stay in their current home for the rest of their lives."

Recognizing the importance of these statistics and their correlation to quality living environments for all people, the impetus of this Task Force is defined in its mission statement –

*"To reduce or eliminate physical barriers in the home environment thereby empowering people to remain in their own homes for as long as possible."*

Homes designed or transformed for owner-occupants to live independently are not only the preferred method of housing for our elderly, disabled and dependent residents, but are generally a more cost-effective solution than institutionalized care. People need options.

Through education and resource development, the State of Hawaii can facilitate a proactive approach to residential design from which the general public and construction industry professionals can benefit. What goes around comes around... the State can benefit, too, with fewer residents requiring institutional, state-supported care.

The mandate then, is to encourage the development of a resource support structure and an implementation system that undergirds the Task Force's mission and reinforces personal independence. Renovation is often initiated in the "heat of the moment" – as a response to a tragic event or unexpected change in health status. Education and interdisciplinary discourse can help to recognize the many ways persons with disabilities can function in an adapted environment and to de-stigmatize the natural process of aging. In other words, education can cultivate a proactive approach (or mind-set) to residential design.

Accessible and/or multi-generational housing serves the dual purpose of facilitating the provision of support services to older adults and persons with disabilities by family caregivers while additionally providing shelter for families struggling with the scarcity of affordable housing. However, various factors including cultural influences, costs, building and zoning codes and insufficient informative resources prevent families from converting existing residences into multi-generational or accessible homes.

A resource support structure (i.e., website) would be an avenue for stakeholders (residents, family members, advocates) to access immediate assistance and guidance. This resource would also support the design and construction industry with product and contact information. An inventory of exemplary universally designed homes increase the availability of flexible housing for generations to come. Universal design features in homes will be as expected as sustainable and energy-efficient features in the not too distant future. Therefore, property values can be positively impacted as well.

As new construction projects and renovations to pre-existing structures incorporate universal design principles, they create environments that are usable by all people with little or no need for adaptation or specialized design. These projects and renovations can

ensure ongoing inventory of multi-generational and accessible living and improve the likelihood that older adults and persons with disabilities can live as independently as possible for as long as possible and maintain a high quality of life.

This interim report highlights the Task Force's research (through December 2010) and also includes a list of preliminary recommendations for the next steps the Task Force should take to develop the framework for fulfilling its mandate and honoring its mission statement.

## **Task Force: Mandate and Organizational Structure**

### **Mandate**

SCR 7, SD 1 was introduced and adopted in 2009 (see Appendix A). This Resolution requests the President of the Senate, the Speaker of the House of Representatives, and the Governor to “create a Home for Life Task Force to reduce barriers to aging in place and to facilitate multi-generational living.” To this end, SCR 7, SD 1 requested that the Task Force consider the following issues:

1. Modifications that can be made to existing homes that would allow older adults and persons with disabilities to age in place or remain in their own homes for a longer period of time.
2. The use of universal design principles in new construction projects and renovations of existing structures.
3. Mechanisms by which personnel may be trained to analyze and make recommendations for structural modifications to existing structures.
4. Building and zoning codes that present barriers to converting an existing single family dwelling into a multi-generational or accessible home.

The Task Force was also asked to aggregate its work by producing a comprehensive guide for older adults and persons with disabilities as well as a separate guide for architectural and building professionals and the public, and to consider an exhibit of best practices. However, the Task Force decided to delay consideration of those projects and the Working Groups initially established to address those tasks were placed on hold until the above-referenced issues were more thoroughly examined. The results of the Task Force’s research would lead to the content of a guide or exhibit, if appropriate, or to alternate methods of information dissemination.

Following passage of SCR 7, SD 1, the House and Senate each appointed six members to the Task Force, as required by the Resolution, but the Governor failed to do so. Thus, the Task Force was unable to convene until passage of HCR 13, which authorized the group to convene without the Governor’s appointees, which it did on June 13, 2010. At this meeting, Francine Wai and Joan Riggs were elected as Co-Chairs.

### **Organizational Structure**

The Task Force includes representation from the following categories: master-planned community developers; architects or planners who have a background in universal design or are designated as certified aging in place specialists; contractors with experience developing multi-generational or accessible homes; contractors with experience renovating existing homes to facilitate aging in place; trade or professional organizations involved in developing housing; the Hawaii chapters of the American Institute of Architects, American Society of Interior Design, the American Occupational Therapy Association and American Physical Therapy Association; the Building Industry Association; AARP Hawaii; the State Disability and Communication Access Board; county building officials; the State Building Code Council, created by Act 82, Session Laws of Hawaii 2007; educational institution administrators; the Hawaii Association of Realtors; the Healthcare Association of Hawaii;



private agencies that assist older adults and individuals with disabilities with housing issues; and members of the community who have first-hand experience with independent living environments, “aging in place” and multi-generational or accessible living (see Appendix B for a list of Task Force Members and their affiliations).

The Task Force was convened on June 30, 2010. As a full body, the Task Force has met seven times (June 30, 2010, July 27, 2010, August 31, 2010, October 5, 2010, November 16, 2010, December 7, 2010, and January 11, 2011). In order to more effectively accomplish its work, the Task Force divided into four Working Groups, each focusing on one of the four above-referenced issues and meeting independently as needed.

In order to obtain information on national trends the Task Force was able to send three representatives to the *Universal Design Summit 4: National Conference on Creating Livable Homes and Communities* on October 10-17, 2010 in St. Louis, Missouri with financial support from the national AARP.

The progress of the Working Groups’ efforts through December 31, 2010 is summarized in this Interim Report.

**Working Group Interim Reports:  
Working Group on Home Modifications for Accessible Living**

A Working Group on Home Modifications was established to examine changes that can be made to existing homes that would allow older adults and persons with disabilities to age in place or remain in their own homes for a longer period of time, and to further:

- (A) Identify the most common impairments faced by older adults and persons with disabilities that limit their ability to remain at home.
- (B) Identify structural modifications that can be made to dwelling structures to accommodate the most common impairments.
- (C) Identify the costs associated with the foregoing structural modifications.
- (D) Identify sources of funding, supplies, and voluntary labor to complete the structural modifications, including: suppliers willing to donate or provide at a reduced cost tools, equipment, and supplies; available public or private loan or grant programs that would finance the modifications; and the potential use of building industry apprentices or volunteers to provide labor for the modifications (and to further identify amendments to licensing requirements under Title 25, Hawaii Revised Statutes, that may be necessitated by the use of apprentices or volunteers).

The Working Group conducted two focus groups: one with service providers such as health or rehabilitation agencies and one with contractors to help identify those modifications that are the most often sought out by families with individuals who are disabled or aging, and to understand the unique circumstances of home modifications for individuals living in Hawaii. The focus groups assisted the Working Group understand who is usually called upon to modify homes and the special considerations in choosing a contractor the costs and the barriers to pay for modifications, and the sources of funding and the problems contractors have in obtaining needed supplies.

The findings of the Working Group include:

- (1) The most common impairments faced by older adults and persons with disabilities that limit their ability to remain at home are most often accessibility issues that require modifications. This could be a result of a chronic illness such as arthritis, Parkinson's Disease or the effects of a stroke. People with disabilities may have been disabled for many years, but are able to manage in their homes. However, with additional problems brought on by illness or age, they may need modifications to remain in their home. These impairments cause difficulty in navigating both inside and outside their home.
- (2) Accessible modifications are many and are related to the individual's disability and are customized. The most common modifications that can be made to a dwelling to accommodate the most common impairments can be clustered into several broad categories:
  - Non-structural changes. Installation of a raised toilet seat or grab bars and changing of door handles or cabinet fixtures (for individuals with limited hand movement or dexterity) will make the home more accessible.

- Widening the doorway. This is the most common internal structural change. Most homes have a doorway of 30 inches which makes moving a walker or wheelchair difficult. The minimum opening of an accessible doorway is 34 1/2 inches. At times this may be easily modified; however, in some cases the hallway is also very narrow due to being built over fifty years ago when hallways were small to maximize limited living space. Moving walls creates a number of other issues that can become a barrier to the remodel. Moving a weight bearing wall or space limits due to a kitchen or bathroom on the other side of a wall may prevent the wall from being moved.
- Bathroom renovation. The bathroom is usually small with a configuration that is sometimes difficult to work around. The bathtub is usually located at the exterior wall and the bathroom itself is usually as wide as the tub is long. The toilet and sink occupy the other wall at a 90 degree angle from the tub. Transferring someone from a wheelchair into the tub is difficult. The tub may be replaced with a curb-less shower to make it accessible to all. Other more sophisticated bathtubs are on the market that allows a door to be opened and then seals when it closes to allow the tub to fill.
- Additional first floor room(s). For some homes, the bathroom and bedroom are located on the second floor. If an individual is unable to climb those stairs a bedroom and bath are needed on the first floor. This usually requires a modification to the home which may be at a higher cost.
- Exterior ramp to entrance. Some modifications are made to the exterior of the building. These include ramps to the entryway, or zero step entry, which is often an easier alternative for slab on grade foundation homes.
- Landscape repairs. In addition to modifications of the home, often the grounds need modification or repair. Cracked sidewalks, poor lighting of walkways, or poorly differentiated steps can lead to falls. Another barrier that is more difficult to overcome is the route from the street parking area with many stairs or a hill to get to the home.

(3) There are a number of barriers faced by individuals and contractors that make Hawaii a unique place to do renovations.

- Most buildings are single wall construction or concrete block. This adds cost, as renovations will require an interior wall to be added if converting a bathtub to a roll-in or walk-in shower.
- Home lots are often small, making installation of a ramp to the entryway more difficult.
- Many homes are built on the side of a hill have long stairways. In addition, many apartment buildings are three or four story walk-ups.
- Poor lighting is a problem but often the homes do not have the electrical capacity to add more fixtures.

- Contractors are unable to purchase supplies and equipment easily. Most supplies must be ordered and shipped from other areas as they are not readily accessible here. The cost of shipping is sometimes more than the cost of the item.
  - Homes are often very old and one simple change may cost more than anticipated due to the age of a building.
- (4) The costs of the modifications vary and are often unforeseen. Appendix C provides cost ranges for some common modifications, recognizing the many variables in determining the cost in any specific situation. As the modification becomes more complex it also becomes costlier. This is due to many factors. Certainly the cost of materials and time increase; however, the type of person hired also changes. Small jobs up to \$1,000 may be done by a handy man. For jobs over \$1,000, a licensed general contractor must be hired. Adding to the cost, changes in structure may demand a blueprint be completed.

Further adding to the cost are regulations requiring that if a licensed general contractor remodels an existing residence, the contractor is required to upgrade to the current building codes. There is the cost of a building permit if structural changes are made and possibly a blueprint is needed and/or a rendering is requested so that the client can see the finished product.

As many homes were built over thirty years ago, there are additional tests of the structure to be sure there are no concerns regarding asbestos or lead-based paint (this is a new EPA regulation). If a home is tested and the person chooses to not follow through with the renovations due to the presence of asbestos or lead paint, they must report these findings when they sell the property.

- (5) There are few resources outside an individual's finances that will assist with home renovations. The Task Force is unaware of any volunteer projects to help with home modifications. Some resources listed on national websites do not operate in Hawaii. Suggested resources include the City and County of Honolulu Elderly Affairs Division renovation loans; Habitat for Humanity; Project Dana; Veterans Administration; Department of Human Services Going Home Plus Program; and personal savings or home equity loans, often taken out by children of the elderly adult. Further research needs to be done at this time.
- (6) There are non-tangible or non-quantifiable barriers to having a home modified. Some of these are unique to Hawaii and involve the people who are making the decision to make modifications.
- Often older individuals will not make renovations saying they will just "make do." They want to save their money for when they need it or to leave to their children.
  - Many older individuals and people with disabilities are overwhelmed by the process. They do not know what to do or who to turn to. There is a fear that if they do not have sufficient information they may be taken advantage of.
  - Many older individuals and people with disabilities do not want strangers in their homes or feel their lives will be disrupted by a renovation.

## **Working Group Interim Reports: Working Group on Universal Design**

A Working Group was established to examine the use of universal design principles in new construction projects and renovations of existing structures, focusing on:

- (A) Incentives that would motivate builders and developers to incorporate universal design principles.
- (B) Programs used in other states to support universal design.
- (C) The existence of industry support for creating a certification program for universal design structures, and the subsequent creation of a symbol signifying universal design certification to be used by real estate professionals and development marketers in their advertising campaigns.
- (D) Proposed amendments to existing building and zoning codes to facilitate the incorporation of universal design principles.

The short-term efforts of this Working Group focused on (B) and (C). Item (D) appeared to be a duplication of the efforts of the Working Group on Codes and Laws. Item (A) was premature, at this point. A survey was created and given to various building and design trade/professional associations as well as educational institutions to determine if they were offering courses/seminars focused on Universal Design (UD) as it relates to personal residences and the environment being adaptable for changing lifestyle requirements. This survey asked if a course existed, the scope and content of the course, the intended audience, the market or demand and whether its content could be used as a resource for the Home for Life Task Force. Institutions of Higher Education (University of Hawaii, Leeward Community College, Honolulu Community College, Windward Community College, Kapiolani Community College and Chaminade University) and professional organizations (American Institute of Architects, American Society of Interior Designers, International Interior Design Association, National Kitchen and Bath Association and Building Industry Association of Hawaii) were contacted and surveyed. The responses were not comprehensive; thus, the findings are very preliminary.

The findings of the Working Group on Universal Design include:

- (1) The term and concept of "Visitability" is complementing the term "Universal Design." This term seeks to make homes accessible to people who require the assistance of wheelchairs, walkers and scooters or who have other mobility impairments. The concept is to construct a home so that someone in a wheelchair can visit even if they do not live there. This would include the ability to arrive at, enter and freely move about the home. Promoting this term with developers and builders as well as the general public could be a positive way to promote universal design concepts and encourage homeowners to modify their existing residences. Barriers exist in incorporating these concepts into new and existing homes. The biggest barrier is cost. For some, the challenge was the cost of additional features necessary for a visitability design. For others, the cost of materials and specific equipment were the main issues. Another issue was the belief that there was little or no market or demand for the visitability concept in the design of homes.

- (2) Vermont is the only State to require comprehensive visitability in certain new single family homes built with and without public funds. Vermont requires that all homes built without a known owner have: 1) one exterior door 36 inches wide, 2) first floor interior doors to be at least 34 inches wide, 3) first floor interior doorways to be at least 32 inches wide, 4) 36 inch wide hallways, 5) accessible electrical controls, and 6) reinforced bathroom walls. Homes built by the owner or for the occupancy of a known owner are exempt. Florida has a less comprehensive scheme, known as the Florida Bathroom Law, which requires builders to design and construct accessible bathrooms in publicly funded and privately funded homes. The national AARP is drafting model legislation that will become available to the Task Force as soon as it is reviewed and released by their legal department.

A number of States and towns have initiatives to encourage voluntary visitability construction. Voluntary initiatives target both publicly and privately funded homes. These include reimbursements, tax incentives, certification procedures and public awareness. Illinois reimburses up to \$5,000 to builders if they construct at least 10% of houses in a development with four visitability features, such as one zero step 36 inch wide entry, 32 inch wide interior doors, reinforced bathroom walls, and accessible environmental controls. In addition to Georgia's mandatory visitability requirements for new publicly funded homes, the State also offers a \$500 tax credit to encourage voluntary visitability compliance in new privately funded homes. Virginia and Pennsylvania offer similar credits. Some towns certify homes that are visitable. Developers in Visalia, California, receive a "Visit-able" logo to place on new homes that comply. Albuquerque, New Mexico, has initiated a public awareness campaign providing annual awards to builders who incorporate visitability into new homes. Howard County, Maryland, has attempted to raise awareness by establishing a "Homes for Life" coalition to educate its residents.

- (3) At least one State agency and several County agencies have utilized various mechanisms to make homes safer and more accessible for frail elders and persons with disabilities of all ages. The State Department of Human Services has a demonstration grant to provide simple home modifications (less than \$10,000) for Medicaid eligible persons returning home from institutional settings. The City and County of Honolulu has a \$1.5 million Rehabilitation Loan Program for low income persons to repair their homes or make them more accessible. The maximum amount of this loan is \$75,000. The County of Hawaii utilizes National Family Care Giver Support Program funds to purchase small items, grab bars, bedside commodes and shower chairs for disabled elders. The amount expended totals \$15,000. The County of Maui's Senior Home Accessibility and Retrofit Program has used \$670,000 of federal Department of Housing and Urban Development funds to build ramps, widen doorways, do tub conversions in forty-two low income frail elder homes. Average cost of a project is \$15,000.
- (4) Education in universal design offered by building trades and associations in Hawaii would allow the building and design industry to continue their growth in the services they offer to the community and could be a resource for the Task Force. There is some knowledge of universal design being disseminated to various audiences on an annual/biannual basis or by request. The local educational training coordinator for the Building Industry Association of Hawaii has offered a course in certification of Aging in Place or CAPS and is very interested in offering universal design classes if the demand is apparent. The National Kitchen and Bath Association also is interested in offering a class as well. The target audiences include senior citizens, healthcare professionals and caregivers.

- (5) In higher education, with the exception of Chaminade's Universal Design course in the Interior Design curriculum, Universal Design courses are not offered by other colleges or universities.
- (6) At the current time, no local courses are being offered within professional organizations, although several of these organizations do have online universal design classes. These online classes are based on demand from the members of the organization and are not regularly offered.

**Working Group Interim Reports:  
Working Group on Assessing At-Risk Persons and Environments**

A Working Group was established to examine mechanisms by which personnel may be trained to analyze and make recommendations for structural modifications to existing structures, and, in particular, to pinpoint:

- (A) Agencies or individuals who currently engage in assessing homes for structural modification, and evaluating practices for assessments currently in place.
- (B) Skills necessary to conduct structural modification assessments and the feasibility of introducing training programs relating to these skills in local educational institutions.
- (C) The viability of including in the training and assessment process an evaluation team comprising of medical, architectural, and construction professionals.

The group met to discuss the task of developing and/or identifying a home assessment tool that would incorporate the medical-social needs of the consumer and the home modification needs to facilitate consumer's ability to remain functional and safe at home. In the course of our discussions, the Group reviewed resources currently available from the Disability and Communication Access Board, the Executive Office on Aging, and other states' efforts in this area. The Group focused cursory research on local professional resources looking for best practices and on the Internet to seek viable home assessment tools that could be utilized by health and building professionals and family caregivers. Additionally, the Group collectively analyzed the distinct differences in assessing a home from the perspective of functional, cognitive, and social independence capability (medical-social) as contrasted to a building professional's assessment that focuses on the structural modification needs.

The findings of the Working Group on Assessments include:

- (1) The field of information and resources is exhaustive, ever changing, and difficult to standardize except by general categories.
- (2) There is value in cross-pollinating the training of assessment professionals (medical/social professionals with design/construction professionals) to achieve an optimal service to client's desiring to remain in their homes. This is a gap in our current training programs available statewide.
- (3) There is no summary of training and certification programs for those doing assessments.
- (4) In the development of an assessment tool, the first phase should focus on making resources available to as many consumers as possible by piggybacking onto the Aging and Disability Resource Center effort underway in the Executive Office on Aging. Efforts should consolidate statewide and county "caregiver" information and resources into one Hawaii website clearinghouse. If resources are available, a company or person could be hired to develop the initial content architecture and content management system. Management of the system will need to reside and managed in an appropriate health or social management organization. Professional health and building agencies could develop a catalog or list of resources and the website would link to these resources. In addition, a blog would give any individual the opportunity to ask for help



and receive answers or solutions to their specific needs or questions. Locating the resources about aging in place in one location where it is accessible to many would provide greater benefit than redesigning existing tools. Often, families are "on their own" to navigate the various websites and physical resources that are available to assist their loved ones.

- (5) Resources vary statewide. Future efforts necessitate the extension of the committee's efforts to include feedback from neighbor island representatives from public and private agencies. The Group can continue to refine the web clearinghouse concept and gather any professional white papers and programs that address the issue of Aging in Place in Hawaii.
- (6) Continued work in the next phase should focus on a statement of work that would allow for additional funding to the Aging and Disability Resource Center effort such that assessment tools and resources for home modification are housed in one resource location. The Task Force could provide training to Executive Office on Aging if needed to lend expertise to Aging and Disability Resource Center staff.

## **Working Group Interim Reports: Working Group on Codes and Laws**

A Working Group was established to examine building and zoning codes that present barriers to converting an existing single family dwelling into a multi-generational or accessible home, and to:

- (A) Identify any previous legislative attempts to facilitate the creation of multi-generational or accessible homes.
- (B) Recommend legislation for reasonable and appropriate changes to building and zoning codes that will facilitate the creation of conversion to multi-generational or accessible homes.
- (C) Draft recommendations to submit to the State Building Code Council that will facilitate the creation of multi-generational or accessible housing.
- (D) Identify public and private entities that resist changes to the building and zoning codes which would allow multi-generational or accessible housing, and the reasons behind the resistance.

The Working Group relied upon the first-hand knowledge of member architects who have attempted, and to some extent been stymied, to construct multi-generational or accessible homes. Members' expertise was Oahu-based. Thus, the Working Group desired to broaden its knowledge base by sending a survey to the four County Planning Offices, via the respective Mayors, seeking information concerning Land Use, Zoning, and Building Code information on regulations that would impact multi-generational or accessible home modifications or construction. The Working Group separated their research into: new subdivisions, new houses on a vacant lot, existing houses, and additions to existing houses.

The findings of the Working Group include:

- (1) The current building codes and the State Building Code are minimum requirements. There is nothing preventing someone from exceeding the code minimums. The State Building Code is not a barrier to 'home for life' efforts.
- (2) Any limitations, from a code perspective, do not limit "accessibility" modifications. Rather, the limitations usually pertain to creating multi-generational homes.
- (3) The Land Use Ordinance is the biggest barrier (at least in Honolulu) to multi-generational housing as it specifically states that "there shall only be one kitchen" in a house. For truly independent living for each generation there needs to be more than one kitchen. The big fear of allowing more than one kitchen is that the multi-generational house will turn into rental apartments.
- (4) Ohana Dwelling Units have too many restrictions as compared with Recreation Rooms, which have almost none.
  - The Land Use Ordinance limits occupancy to only family. Currently a Declaration of Restrictive Covenants is required for an Ohana Permit to be issued. Limiting occupancy to relatives is counterproductive to the long term success of an aging in place program. Although Accessory Dwelling Units in this context are synonymous

with multi-generational living, even families need the flexibility to rent the accessory dwelling units to a non-related tenant from time to time. Having this flexibility can help supplement seniors' fixed retirement incomes.

- Two additional parking stalls are required for Ohana Dwelling Units.
  - The City and County of Honolulu currently requires a \$5,541 sewer connection fee for the privilege of adding a second dwelling unit. The fee does not pay for any physical trenching or underground pipe installation work. While the stated purpose of this fee is to develop new infrastructure capacity, it is also a huge deterrent to building a legal unit. Many homeowners opt instead for a recreation room that does not require a sewer connection fee.
- (5) Inadequate sewer infrastructure has been cited in many studies and articles as a barrier to numerous developments. If aged sewer lines must be replaced, they could be sized larger, with built-in surplus capacity for multi-family, multi-generational dwelling. This is an opportunity to leverage Capital Improvement Projects and federal funds to build-in surplus capacity into planned sewer lines now. Once sewer capacity is available, adding more paying customers (i.e., new multi-generational units) can help to share the cost burden among more people and help cushion the magnitude of future sewer rate increases.
- (6) Ohana Dwelling Units in the City and County of Honolulu are too heavily regulated. As a result there is a popular misconception that Honolulu no longer issues Ohana Permits. Although this is not true, the fact remains that Ohana Dwellings Units are rarely built. Of the approximately 2,000 existing Ohana Dwelling Units in Honolulu, most were built before the above restrictions. A review of the number of Ohana Dwelling Units installed over time, demonstrates that when restrictions are permissive, the private sector (without any government subsidy) will build additional housing units. Increasing the number or supply of homes helps meet the demand and improves the affordability of housing.
- (7) Accessory Dwelling Units hold enormous potential to encourage multi-generational living and aging in place, promote housing affordability and help revitalize one of the largest sectors of our local economy, the construction industry. Accessory Dwelling Units are similar, but not synonymous with Ohana Dwelling Units. Accessory Dwelling Units are similar to Ohana Dwelling Units but with less restrictions. Other names for it are "Multi-generational living," "granny units," "in-law apartments," or "ECHO (Elder Cottage Housing Opportunity) housing". One of the key differences is that the occupants of an Ohana Dwelling Units in Honolulu are limited to family, whereas Accessory Dwelling Units can be rented to anyone. An Accessory Dwelling Unit is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a residential lot. Accessory Dwelling Units offer a compromise between illegal rentals and the onerous restrictions imposed by Ohana Dwelling Units. See Appendix D for a description and discussion of Accessory Dwelling Units and for a comparison between Accessory Dwelling Units, Ohana Dwelling Units, and Recreation Rooms.
- (8) Some individuals fear that allowing Accessory Dwelling Units will overrun the streets with parked cars. However, in the absence of a regulated allowed use, many homeowners are installing recreation rooms and renting illegally. In other words, on-

street parking and creation of second units is already occurring based on market demand, whether it is allowed or not.

- (9) On-street parking is often cited by opponents of further residential development. However, under current regulations neighborhoods are in far worse jeopardy of overcrowding than if Accessory Dwelling Units were allowed as an accessory use. For example, a Recreation Room is an allowed accessory use for a single family residence and for an Ohana Dwelling Unit. Therefore, a homeowner could easily obtain a building permit to build an Ohana Dwelling Unit and install the first Recreation Room for the main house, and a second Recreation Room for the Ohana Dwelling Unit. An unscrupulous landlord would then be happy to illegally rent out each Recreation Room as a separate unit. Thus, under current regulations, a home could easily be converted into four rental units. Alternatively, Accessory Dwelling Units would serve as the accessory use and a second Recreation Room would not be allowed.
- (10) If the State Building Code adopts a requirement for fire sprinklers in all new single and two family dwellings, this may affect the availability of adequate water pressure to provide off-site fire protection to public hydrants and on-site fire sprinklers.

## Preliminary Recommendations

Because the Task Force did not begin its work until August 2010, the Task Force believes that its findings are very preliminary and that it is not yet in a position to make comprehensive, systematic recommendations or proposed legislation. After five months, the Task Force's is aware that it has only been able to 'scratch the surface' in its research, especially on the neighbor islands. Nonetheless, the Task Force offers the following recommendations for the 'next steps' of its work.

### a) Re: Overall Functioning of the Task Force

- Seek a Legislative Resolution to extend the life of the Task Force to June 30, 2012 to allow more time to complete its activities.
- Add representatives from the four Counties who can provide input on land use, planning, and zoning issues.
- Expand the preliminary research of the Working Groups, especially the focus groups on home modifications, to be statewide. Preliminary information was gathered primarily from Oahu due to the limited time frame. Ask the Area Agencies on Aging on the Neighbor Islands to assist in carrying out this recommendation.

### b) Re: Information Dissemination and Education

- Develop an online resource tool which Hawaii residents can use to find appropriate local information. Explore using the Aging and Disability Resource Center under the Executive Office on Aging and its website as the preferred option with components to include information on products, suppliers, professionals, and best practices in universal design in residential settings, thereby using an existing structure instead of 'reinventing the wheel." Seek additional funding for the Aging and Disability Resource Center, so that assessment tools and resources for home modification can be housed in one resource location.
- Develop an interdisciplinary course that brings together the appropriate professionals/experts to train architects, designers, builders, developers, draftsmen in universal design principles, the value of implementing the universal design principles and the positive impact on the health, safety, welfare and quality of life of an individual and/or family.

### c) Re: Additional Research

- Investigate existing model programs (national and international) that support, encourage and provide incentives to design universally thereby inspiring consumers and developers to engage in well-designed, quality environments.
- Investigate ways of educating people on the need to renovate their home to be more accessible prior, rather than waiting for, the need to arise.
- Research what Neighbor Island Zoning Codes permit as far as multi-generational homes and see if there is a trade-off in new subdivisions for increased lot size or number of lots. Explore options for zoning of Accessory Dwelling Units in lieu of more restrictive Ohana Dwelling Units.

- Explore public policies for builders to incentivize the construction of aging in place, multi-generational, visitable, or accessible homes. Possible incentives may be tax credits for developers through density bonuses, increased lot size or other credits.
- Explore efforts in other jurisdictions to provide support for families through providing tax deductions on personal income tax returns for construction or providing no or low interest loans or offer grants to those in need.
- Explore sources of funding to help seniors and persons with disabilities implement the preliminary recommendations of the Task Force.

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING.

1           WHEREAS, by the year 2010, the population of older adults,  
2 defined as individuals sixty years of age and older, will  
3 increase to twenty per cent of Hawaii's population, and  
4 according to the Executive Office on Aging's *Hawaii State Plan*  
5 *on Aging, 2008-2011*, by the year 2030 more than one in four  
6 individuals is expected to be an older adult; and

7  
8           WHEREAS, the growing proportion of older adults will pose  
9 significant challenges to the State's economic, physical, and  
10 social infrastructure; and

11  
12           WHEREAS, the Executive Office on Aging expects a  
13 significant increase in demand for services and housing for  
14 older adults, and has identified the need to establish more  
15 housing options and formulate flexible and creative service  
16 models to accommodate older adults and individuals with  
17 disabilities and their wide range of needs; and

18  
19           WHEREAS, the United States Administration on Aging's  
20 blueprint for long-term care systems, *Choices for Independence*,  
21 promotes the goal of enabling older adults to remain in their  
22 own homes with a high quality of life for as long as possible;  
23 and

24  
25           WHEREAS, according to United States Census Bureau, Census  
26 2000 data, over seventy-four per cent of older adults in Hawaii  
27 own their own homes; and

28  
29           WHEREAS, multigenerational housing serves the dual purpose  
30 of facilitating the provision of support services to older  
31 adults and persons with disabilities by family caregivers while

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1 additionally providing shelter for families struggling with the  
2 scarcity of affordable housing; and

3  
4 WHEREAS, various building and zoning codes prevent families  
5 from converting existing homes into multigenerational or  
6 accessible homes; and

7  
8 WHEREAS, given the high percentage of older adults who own  
9 their own homes and the expected surge of demand for housing for  
10 older adults as that population grows, it is important to  
11 identify structural modifications that will accommodate the  
12 physical limitations and needs of older adults and persons with  
13 disabilities; and

14  
15 WHEREAS, modifications to preexisting structures will  
16 require individualized assessments by architectural, medical,  
17 and construction professionals properly trained to identify  
18 limitations and medical conditions of older adults and persons  
19 with disabilities and suggest viable modifications to  
20 accommodate these limitations and medical conditions; and

21  
22 WHEREAS, if new construction projects and renovations to  
23 preexisting structures incorporate principles of universal  
24 design, which foster environments that are usable by all people  
25 without the need for adaptation or specialized design, the  
26 projects and renovations will facilitate future  
27 multigenerational or accessible living and improve the  
28 likelihood that older adults and persons with disabilities can  
29 "age in place" or remain in their own homes with a high quality  
30 of life; and

31  
32 WHEREAS, the public should be educated about the benefits  
33 of universal design and the use of universal design principles  
34 to facilitate multigenerational or accessible living and allow  
35 older adults and persons with disabilities to age in place or  
36 remain in their own homes; now, therefore,

37  
38 BE IT RESOLVED by the Senate of the Twenty-fifth  
39 Legislature of the State of Hawaii, Regular Session of 2009, the  
40 House of Representatives concurring, that pursuant to the  
41 recommendation of the Joint Legislative Committee on Aging in  
42 Place, the President of the Senate, the Speaker of the House of  
43 Representatives, and the Governor are requested to form the Home  
44 for Life Task Force to coordinate research and action to reduce

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1 barriers to aging in place and to facilitate multigenerational  
2 or accessible living; and

3  
4 BE IT FURTHER RESOLVED that the President of the Senate,  
5 the Speaker of the House of Representatives, and the Governor  
6 are requested to each appoint six individuals from the following  
7 categories to serve on the task force: master-planned community  
8 developers; architects or planners who have a background in  
9 universal design or are designated as certified aging in place  
10 specialists; contractors with experience developing  
11 multigenerational or accessible homes; contractors with  
12 experience renovating existing homes to facilitate aging in  
13 place; trade or professional organizations involved in  
14 developing housing; the Hawaii chapters of the American  
15 Institute of Architects; American Society of Interior Design,  
16 and American Physical Therapy Association; the Building Industry  
17 Association; AARP Hawaii; the State Disability and  
18 Communications Access Board; county building officials; the  
19 State Building Code Council, created by Act 82, Session Laws of  
20 Hawaii 2007; educational institution administrators; the Hawaii  
21 Association of Realtors; the Healthcare Association of Hawaii;  
22 private agencies that assist older adults and individuals with  
23 disabilities with housing issues; and members of the community  
24 who have first-hand experience with aging in place and  
25 multigenerational or accessible living; and

26  
27 BE IT FURTHER RESOLVED that the Joint Legislative Committee  
28 on Aging in Place may assist the President of the Senate, the  
29 Speaker of the House of Representatives, and the Governor, in  
30 coordinating appointments to the task force; and

31  
32 BE IT FURTHER RESOLVED that the task force may add  
33 additional members which the task force believes may contribute  
34 to the work of the task force, and shall at its first meeting  
35 select a Home for Life Task Force chairperson who shall be  
36 responsible for convening future meetings; and

37  
38 BE IT FURTHER RESOLVED that the task force is directed to  
39 examine the following issues:

- 40  
41 (1) Building and zoning codes that present barriers to  
42 converting an existing single-family dwelling into a  
43 multigenerational or accessible home, and to:  
44

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- 1 (A) Identify any previous legislative attempts to
- 2 facilitate the creation of multigenerational or
- 3 accessible homes;
- 4
- 5 (B) Recommend legislation for reasonable and
- 6 appropriate changes to building and zoning codes
- 7 that will facilitate the creation of or
- 8 conversion to multigenerational or accessible
- 9 homes;
- 10
- 11 (C) Draft recommendations to submit to the State
- 12 Building Code Council that will facilitate the
- 13 creation of multigenerational or accessible
- 14 housing; and
- 15
- 16 (D) Identify public and private entities that resist
- 17 changes to the building and zoning codes which
- 18 would allow multigenerational or accessible
- 19 housing, and the reasons behind the resistance;
- 20 and
- 21
- 22 (2) Modifications that can be made to existing homes that
- 23 would allow older adults and persons with disabilities
- 24 to age in place or remain in their own homes for a
- 25 longer period of time, and to further identify:
- 26
- 27 (A) The most common impairments faced by older adults
- 28 and persons with disabilities that limit their
- 29 ability to remain at home;
- 30
- 31 (B) Structural modifications that can be made to
- 32 dwelling structures to accommodate the most
- 33 common impairments;
- 34
- 35 (C) The costs associated with the foregoing
- 36 structural modifications; and
- 37
- 38 (D) Sources of funding, supplies, and voluntary labor
- 39 to complete the structural modifications,
- 40 including: suppliers willing to donate or
- 41 provide at a reduced cost tools, equipment, and
- 42 supplies; available public or private loan or
- 43 grant programs that would finance the
- 44 modifications; and the potential use of building

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1 industry apprentices or volunteers to provide  
 2 labor for the modifications (and to further  
 3 identify amendments to licensing requirements  
 4 under title 25, Hawaii Revised Statutes, that may  
 5 be necessitated by the use of apprentices or  
 6 volunteers); and  
 7

8 (3) Mechanisms by which personnel may be trained to  
 9 analyze and make recommendations for structural  
 10 modifications to existing structures, and, in  
 11 particular, to pinpoint:  
 12

13 (A) Agencies or individuals who currently engage in  
 14 assessing homes for structural modification, and  
 15 evaluating practices for assessments currently in  
 16 place;  
 17

18 (B) Skills necessary to conduct structural  
 19 modification assessments and the feasibility of  
 20 introducing training programs relating to these  
 21 skills in local educational institutions; and  
 22

23 (C) The viability of including in the training and  
 24 assessment process an evaluation team comprising  
 25 medical, architectural, and construction  
 26 professionals; and  
 27

28 (4) The use of universal design principles in new  
 29 construction projects and renovations of existing  
 30 structures, prioritizing the investigation of:  
 31

32 (A) Incentives that would motivate builders and  
 33 developers to incorporate universal design  
 34 principles;  
 35

36 (B) Programs used in other states to support  
 37 universal designs;  
 38

39 (C) The existence of industry support for creating a  
 40 certification program for universal design  
 41 structures, and the subsequent creation of a  
 42 symbol signifying universal design certification  
 43 to be used by real estate professionals and

1                    development marketers in their advertising  
 2                    campaigns; and  
 3  
 4                    (D) Proposed amendments to existing building and  
 5                    zoning codes to facilitate the incorporation of  
 6                    universal design principles; and  
 7

8                    BE IT FURTHER RESOLVED that the Home for Life Task Force is  
 9 directed to:

- 10  
 11                    (1) Create a comprehensive guide for older adults and  
 12                    persons with disabilities that lists resources  
 13                    available for structural modification of their homes,  
 14                    including sources of low-cost or free supplies,  
 15                    voluntary labor, and available grants or loan  
 16                    programs;  
 17  
 18                    (2) Prepare a guide to incorporating universal design  
 19                    principles into construction design and renovation, to  
 20                    be made available to architectural and building  
 21                    professionals and the public;  
 22  
 23                    (3) Collect examples of best practices in retrofitting  
 24                    existing homes, designing and building  
 25                    multigenerational or accessible housing, using  
 26                    universal design principles in both retrofitted and  
 27                    new construction, and soliciting ideas and suggestions  
 28                    from professionals and students of architecture,  
 29                    interior design, gerontology, and construction;  
 30  
 31                    (4) Encourage the Building Industry Association of Hawaii  
 32                    to include in its annual "Parade of Homes" one new  
 33                    universal design home, one home that was renovated  
 34                    using universal design principles, and one home  
 35                    adapted for multigenerational or accessible living;  
 36  
 37                    (5) Organize an exhibit of best practices to be made  
 38                    available for viewing across the State;  
 39  
 40                    (6) Solicit ideas from older adults and persons with  
 41                    disabilities relating to the designs they believe  
 42                    would facilitate comfortable continued living in their  
 43                    own homes; and  
 44

1           (7) Submit a report of its findings and recommendations to  
2           the Legislature and to the Joint Legislative Committee  
3           on Aging in Place no later than twenty days prior to  
4           the convening of the 2010 Regular Session; and  
5

6           BE IT FURTHER RESOLVED that State and county building and  
7           zoning councils, departments, and offices, including the State  
8           Building Code Council, select representatives from their  
9           respective councils, departments, and offices to assist the Home  
10          for Life Task Force in its work; and  
11

12          BE IT FURTHER RESOLVED that the Co-Chairs of the Joint  
13          Legislative Committee on Aging in Place may provide  
14          administrative assistance to the task force; and  
15

16          BE IT FURTHER RESOLVED that the University of Hawaii Center  
17          on Aging shall convene the first meeting of the Home for Life  
18          Task Force and may provide any possible assistance to the work  
19          of the Home for Life Task Force; and  
20

21          BE IT FURTHER RESOLVED that certified copies of this  
22          Concurrent Resolution be transmitted to the Governor, the  
23          President of the Senate, the Speaker of the House of  
24          Representatives, the Director of the Executive Office on Aging,  
25          the Executive Director of the Building Code Council, the  
26          Comptroller, the Director of Health, the Director of Human  
27          Services, the Executive Director of the Hawaii Housing Finance  
28          and Development Corporation, the Licensing Administrator for the  
29          Department of Commerce and Consumer Affairs Professional  
30          Licensing Division, the Executive Director of the Disability and  
31          Communication Access Board, the President of the University of  
32          Hawaii System, the Executive Director of the Legal Aid Society  
33          of Hawaii, the President of the Building Industry Association of  
34          Hawaii, and the Mayor of each county.

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## HOUSE CONCURRENT RESOLUTION

EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO  
REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING  
BARRIERS TO AGING IN PLACE AND FACILITATING  
MULTIGENERATIONAL LIVING.

1           WHEREAS, Senate Concurrent Resolution No. 7, S.D. 1, 2009,  
2 requested the President of the Senate, the Speaker of the House  
3 of Representatives, and the Governor to form the Home for Life  
4 Task Force (Task Force) to coordinate research and action to  
5 reduce barriers to aging in place and to facilitate  
6 multigenerational or accessible living, pursuant to the  
7 recommendation of the Joint Legislative Committee on Aging in  
8 Place; and

9  
10           WHEREAS, the foregoing Concurrent Resolution also requested  
11 the President of the Senate, the Speaker of the House of  
12 Representatives, and the Governor to each appoint six members of  
13 the Task Force comprising individuals from designated entities  
14 and agencies involved in providing services in furtherance of  
15 aging in place; and

16  
17           WHEREAS, the President of the Senate and the Speaker of the  
18 House of Representatives have each appointed six members,  
19 however the Governor has not appointed anyone; and

20  
21           WHEREAS, the Task Force cannot begin or complete its work  
22 until the Governor appoints six members as requested; and

23  
24           WHEREAS, the delay in the appointment of members makes  
25 necessary an extension of the reporting deadline applicable to  
26 the Task Force; now, therefore,

27  
28           BE IT RESOLVED by the House of Representatives of the  
29 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
30 of 2010, the Senate concurring, that:

31



- 1 (1) The deadline for the Home for Life Task Force to
- 2 report its findings and recommendations to the
- 3 Legislature is extended to no later than twenty days
- 4 prior to the convening of the 2011 Regular Session;
- 5 and
- 6
- 7 (2) The existing members of the Home for Life Task Force
- 8 may convene to select persons to fill any positions
- 9 still vacant due to any non-appointment by the
- 10 Governor; and
- 11

12 BE IT FURTHER RESOLVED that certified copies of this  
 13 Concurrent Resolution be transmitted to the Governor, the  
 14 President of the Senate, the Speaker of the House of  
 15 Representatives, the Director of the Executive Office on Aging,  
 16 the Executive Director of the Building Code Council, the  
 17 Comptroller, the Director of Health, the Director of Human  
 18 Services, the Executive Director of the Hawaii Housing Finance  
 19 and Development Corporation, the Licensing Administrator for the  
 20 Department of Commerce and Consumer Affairs Professional  
 21 Licensing Division, the Executive Director of the Disability and  
 22 Communication Access Board, the President of the University of  
 23 Hawaii System, the Executive Director of the Legal Aid Society  
 24 of Hawaii, the President of the Building Industry Association of  
 25 Hawaii, and the Mayor of each county.

26  
 27  
 28

OFFERED BY: Maui B. Lee  
John M. Pappas  
M. L.  
Nunimou  
Kal Abroad

JAN 20 2010



## **Appendix C**

### **Home for Life Task Force Members**

- Coral T. Andrews, Vice President  
Healthcare Association of Hawai'i
- Jacqueline Boland, AARP Associate State Director for Community Outreach  
AARP Hawai'i
- William A. Brizee, AIA, CSI, CCCA, CDP, LEED®-AP, President & CEO  
Architects Hawai'i Limited
- Karen H. Iwamoto, Government Relations Director  
Building Industry Association of Hawai'i (BIA-Hawaii)
- Curt Kiriu, CAPS, CR, CF, General Contractor, Owner/President  
CK Independent Living Builders
- Questor Lau, Architect, President  
All Kinds Drafting Services
- Lei R. Learmont,  
Retired DOE – Community Member
- Anthony Lenzer, Ph.D., Gerontologist; Professor Emeritus of Public Health  
Former Director, Center on Aging
- Lucy Lessard, MscPT, MBA  
Physical Therapist, Hawai'i Chapter of American Physical Therapy Association
- Jack Levin, Architect  
Cleve & Levin
- Amy Monk  
Retired Foreign Service Officer – Community Member
- Toby Morris, NAHB, CAPS, BBB, General Contractor, Owner  
Accessible Homes Hawai'i
- Marni Murdock, AIA, HAH, ACHA, Principal  
Architects Hawai'i Limited
- Richard Olmsted, AIA, Owner  
Environetics Hawai'i
- Richard Port  
Community Member



## **Appendix C Home for Life Task Force Members**

- Joan Riggs, ASID, IIDA, IDEC, CAPS, Owner  
Living Well Designs, and Interior Design Program Coordinator, Chaminade University
  
- Holly Boling Ruiz, ASID, IIDA, Senior Designer  
Philpotts & Associates
  
- Eudie Schick, Chair  
Policy Advisory Board for Elder Affairs
  
- Dexter Suzuki, Principal  
EOM Hawai'i
  
- Valorie E. Taylor, LBSW, Gerontology Program Director  
Child and Family Service
  
- Francine Wai, Executive Director  
Disability & Communication Access Board
  
- Hannah Y.H. Wong, AIA, LEED-AP  
Pacific Atelier International
  
- Joy Yadao, RN, Director of Advocacy  
St. Francis Healthcare System of Hawaii

## Appendix D Cost Estimations for Common Renovations

1. Zero Step Entry-a portable folding aluminum ramp- that could be used on slab on grade foundation homes. It must be ordered from mainland because no company sells them locally. <sup>i</sup>\$250 plus shipping.
2. Built ramp (for post and pier foundation home) with handrails \$3000 to \$10,000 –cost impacted by length of ramp and site conditions
3. Single Wall Construction reinforcement for grab bars – blocking would cost - \$500 inclusive of grab bar.
4. Converting a regular bathroom to an accessible bathroom can cost between \$8000 and \$20,000 (i.e., If the home has single wall construction and they need a walk in shower they'd also need an interior wall. The shower plus the interior wall would be \$8000)
5. Flooring – in older homes, there is often vinyl tile with asbestos in the material or adhesive, which requires hazardous material removal. People don't want to spend the money to take it out as it can be costly. (Varies, no cost provided)
6. Adding a bathroom and bedroom downstairs – could cost a lot because of constraints in the framing, etc. Estimate – \$200 to \$300 per square foot. (Average \$40-50,000).
7. Widen Halls and doors (if room) – hard to quantify. This cost varies but can be high.
8. Improving lighting – cost of the fixtures or the bulb unless wiring has to be changed. If electrical must be upgraded it you have to upgrade the wiring and the service – \$2,000 and up.
9. The other cost of renovations is the ability for a contractor to find equipment and supplies at an affordable cost and without a 6-8 week rate. The shipping costs for the supplies are almost as much as the cost of the supply.

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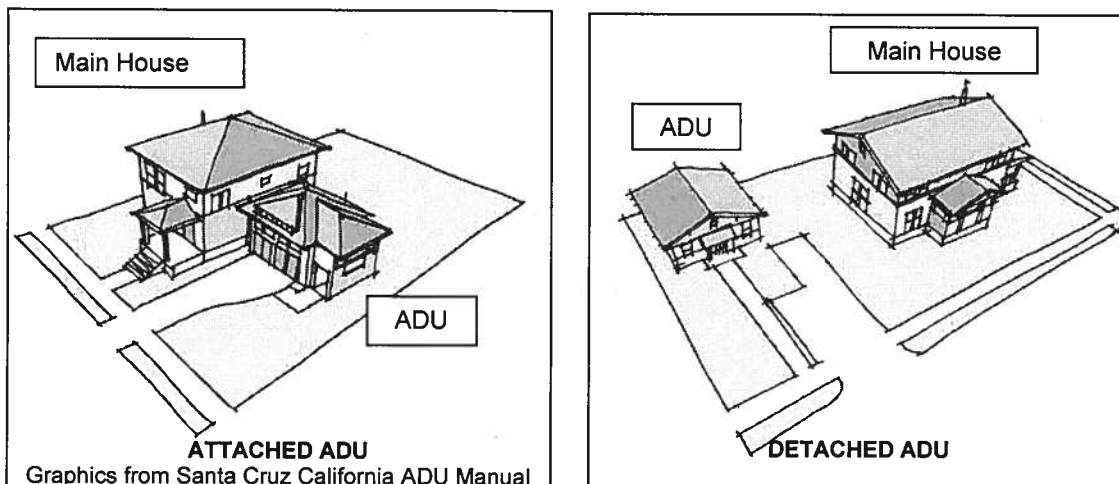
<sup>i</sup> All Figures (cost estimates) noted in this appendix are based on self-reporting information from a focus group of building industry professionals held on November 3, 2010 by the Working Group on Home Modifications for Accessible Living.

## Appendix E Accessory Dwelling Units (ADUs): Overview, Background, and Benefits

An Accessory Dwelling Unit (ADU) is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a residential lot.

ADUs are similar to Ohana Dwelling Units but with less restrictions. Other names for it are "Multigenerational Living," "Granny Units," "In-law Apartments," or "ECHO (Elder Cottage Housing Opportunity) Housing." One of the key differences is that the occupants of an Ohana Dwelling Unit (in Honolulu) are limited to family, whereas ADUs can be rented to anyone. (See Comparison Chart)

A common misconception is that ADUs are equivalent to Bed and Breakfast homes (B&Bs) or Transient Vacation Units (TVUs). They are not the same. The key difference is the tenants' length of stay. B&Bs and TVUs as defined in the Honolulu Land Use Code, provide accommodations to transient occupants for periods of less than 30 days. On the other hand, single family dwellings and ADUs are intended for long term residents and this has a stabilizing effect on neighborhoods.



ADUs offer a compromise between illegal rentals and the onerous restrictions imposed by Ohana Dwelling Units.

Organizations such as the AARP<sup>1</sup>, HUD<sup>2</sup>, EPA<sup>3</sup>, the Joint Center for Housing Studies of Harvard University<sup>4</sup> and the SmartCode<sup>5</sup> specifically name "Accessory Dwelling Units" or ADUs as a form of supportive housing for seniors and a source of affordable rental housing. Although the goal of "home for life" is to remain in one's home for as long as possible, the level of care provided at home is generally not intended to substitute for a nursing home or skilled nursing facility that provides 24-hour care.

<sup>1</sup> [http://assets.aarp.org/rgcenter/consume/d17158\\_dwelling.pdf](http://assets.aarp.org/rgcenter/consume/d17158_dwelling.pdf)

<sup>2</sup> <http://www.huduser.org/publications/PDF/adu.pdf>

<sup>3</sup> <http://www.epa.gov/aging/bhc/guide/>

<sup>4</sup> [http://www.jchs.harvard.edu/publications/seniors/lawler\\_w01-13.pdf](http://www.jchs.harvard.edu/publications/seniors/lawler_w01-13.pdf)

<sup>5</sup> <http://www.transect.org/docs/AffHousingPolicyModule.pdf>

## Background of Ohana Dwelling Units and ADUs

Multigenerational dwellings were enacted by the State Legislature in 1981 (Act 229). The term "Ohana Dwellings Units" as they are commonly known, was coined by then Honolulu Mayor Eileen Anderson. Initially, there was no restriction that occupancy be limited to "ohana." The statute only required that the counties allow a second dwelling unit by right, on any residential property that had adequate public facilities (i.e., sewer, water, roads)<sup>6</sup>.

The 1981 enabling legislation linked the importance of multigenerational living and housing affordability<sup>7</sup> – core concepts of aging in place.

Implementation of the State mandate to allow second units proved troublesome at the local level. In the early 1980s, the counties raised the objection that the law removed their ability to control residential density and direct urban growth. Thus, the State amended the law in 1989 (Act 313) to make second units optional rather than mandatory.<sup>8</sup>

Despite the objections of the counties, the 1988 Legislative Reference Bureau study indicates that none of the counties had repealed their Ohana ordinances.

Similar to Hawaii, California enacted a second dwelling unit law in 1982. California originally promoted second units primarily as a source of affordable housing in all jurisdictions. In an effort to remove barriers to affordable housing, the California law went further to state that local agencies could not create requirements "so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create second units...."<sup>9</sup>

Despite the new California state law, not all jurisdictions allowed second dwelling units. Those jurisdictions that resisted had problems with illegally built dwellings. For example, San Francisco refused to allow second units. Consequently, "in the 1980s and 1990s, many new buildings were constructed with ground floor spaces (e.g., a recreational room, a wet bar, a bathroom, and a separate entrance) that were easily convertible to a secondary unit."<sup>10</sup> In other words, in the absence of reasonable laws that permit increased density in areas of high market demand, the markets create illegal dwelling units.

The urban core of Honolulu is seeing a similar increase in the number of illegally built second dwelling units. This situation is aggravated by the fact that the core of Honolulu is essentially

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<sup>6</sup> City and County of Honolulu Department of Planning and Permitting report dated 11/3/05: <http://www4.honolulu.gov/docushare/dsweb/Get/Document-39468/0zsj5mdc.pdf>

<sup>7</sup> Legislative Reference Bureau: Ohana Zoning: A 5-Year Review (1988): <http://lrbhawaii.info/lrbpts/88/88ohana.pdf>

<sup>8</sup> The following excerpt from HRS 46-4, the section currently in effect:

**Current state law regarding second units (HRS §46-4 County zoning):**

(c) Each county **may** adopt reasonable standards to allow the construction of two single family dwelling units on any lot where a residential dwelling unit is permitted.

**Original Ohana law (as passed in 1981):**

(c) Neither this section nor any other law, county ordinance, or rule shall prohibit the construction of **two** single family dwelling units **on any lot** where a residential dwelling unit is permitted; provided:

(1) All applicable county requirements, not inconsistent with the intent of this subsection, are met, including building height, setback, maximum lot coverage, parking, and floor area requirements; and

(2) The county determines that public facilities are adequate to service the additional dwelling units permitted by this subsection.

<sup>9</sup> San Francisco Planning + Urban Research Assoc. "Building More Secondary Units: A Painless Way to Increase the Supply of Housing" (2001) [http://spur.org/publications/library/report/secondaryunits\\_080101](http://spur.org/publications/library/report/secondaryunits_080101)

<sup>10</sup> Ibid.

built-out.<sup>11</sup> Under existing laws, very little space remains to legally add additional dwellings, either single family or high-rise. The market response to strict regulation of Ohana Dwelling Units has been a strong preference for illegal rental units.<sup>12</sup>

A comparison between Ohana Dwelling Units and Recreation Rooms used as illegal rentals (see Comparison Chart) highlights why illegal rentals are so attractive. Recreation Rooms are allowed in all residential zones, can be detached from the main house, have no required parking, have no sewer connection fee, and may not have a recurring utility fee (i.e., sewer base charge). Illegal rentals use the state and county infrastructure of sewers, water, and roadways but contribute minimally to taxes and fees. The current regulations actually create strong incentives for owners to prefer an illegal rental unit to a conforming one.

### Other Jurisdictions

The Working Group on Codes and Laws is awaiting responses to requests for information from the Counties of Maui, Kauai and Hawaii. However, it is noted that the County of Maui currently allows "Accessory Dwelling Units". Maui has a maximum floor area size, requires that the Accessory Dwelling Unit have a separate entry and must not be attached to the main home. In contrast, the City and County of Honolulu's Ohana law requires the unit be attached to the main home but the Ohana maximum size is not limited. (See Comparison Chart)

The following discussion will focus on the City and County of Honolulu, as information on Ohana Dwelling Units (i.e., past studies and GIS maps) was readily available to help formulate a model for what could be expected if ADUs were to be implemented.

For example, approximately 17,000 properties are within the Ohana eligible zone. Most existing Ohana Dwelling Units and Ohana eligible properties are located within the urban core of Honolulu.<sup>13</sup> If ADUs are allowed only within the existing Ohana eligible zones, it would not increase the residential density above what would have been allowed under the Ohana Dwelling Unit scheme. In effect, allowing ADUs would mainly help to streamline the permit process.

Before the numerous restrictions, Ohana Dwelling Units were a very popular option for homeowners, but the number of Ohana Dwelling Units declined in direct proportion to the number of added restrictions.

#### Ohana Dwelling Units as a % of the total number of new dwelling permits:

- 1982-83<sup>14</sup>: 25%
- 1982 to 1990<sup>15</sup>: 11% (restrictions added)
- 2008<sup>16</sup>: 1.4% (further restrictions added in 1994)



<sup>11</sup> Primary Urban Center Development Plan (Honolulu) <http://honoluluodpp.org/planning/Puc/Puc3.pdf>

<sup>12</sup> 48% of every single family home sold in June 2010 within the metro-Honolulu region, contained a living area that was described as a second unit. <http://allkindsdrafting.blogspot.com/2010/09/case-study-48-of-homes-sold-contain-second.html>

<sup>13</sup> City and County of Honolulu Department of Planning and Permitting report dated 11/3/05: <http://www4.honolulu.gov/docushare/dsweb/Get/Document-39468/0zsj5mhc.pdf>

<sup>14</sup> Office of Information and Complaint "Ohana Housing: A Program Evaluation" (1984) [http://www.scribd.com/full/43559663?access\\_key=key-2607mkbu6vqcx63e7b6q](http://www.scribd.com/full/43559663?access_key=key-2607mkbu6vqcx63e7b6q)

<sup>15</sup> Pacific Business News: <http://www.bizjournals.com/pacific/stories/1998/01/12/focus3.html>

<sup>16</sup> Honolulu Dept. of Planning & Permitting: <http://www.honoluluodpp.org/daily/calendar/year/yearly2008.pdf>

- 2009<sup>17</sup>: 1.2%

In its first year of implementation, (1982-83) more Ohana Dwelling Units would have been built. However, up to 40% of Ohana applications were rejected because of inadequate sewers.<sup>18</sup> The very low number of Ohana permits issued in Honolulu (see chart) suggests that requirements are too restrictive. In 2008 and 2009, Ohana permits were 1.4% and 1.2% of New Dwelling permits. In fact, there were more Relocation permits than Ohana permits, meaning that people found it more desirable to haul an entire house from one property to another and spend the money to retrofit and bring it up to code rather than apply for an Ohana permit.

HONOLULU: # of Bldg Permits Issued		
	2008	2009
New Dwelling	788	856
Alt/Addn/Repair	10,291	9,532
New Ohana	11	10
Relocation	12	13

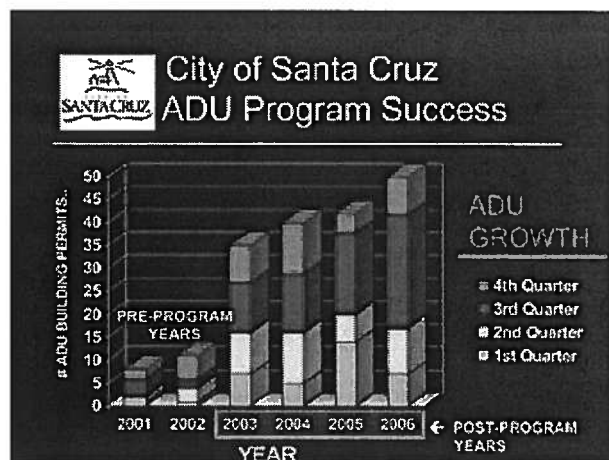
SOURCE: Honolulu Dept of Planning & Permitting website

In comparison, the County of Maui adopted "Accessory Dwellings" and does not limit occupancy to family. The County of Maui continues to enjoy a healthy rate of new ADUs.<sup>19</sup>

MAUI COUNTY: # of Bldg Permits Issued			
	2007	2008	2009
<b>Single-Family, detached</b>	1063	535	280
valuation	\$ 263,121,848	\$ 152,701,147	\$ 71,145,201
avg cost per unit	\$ 247,528	\$ 285,423	\$ 254,090
<b>Accessory Dwelling</b>	192	79	46
*valuation	\$ 12,237,820	\$ 4,846,610	\$ 2,906,004
avg cost per unit	\$ 63,739	\$ 61,349	\$ 63,174
% of Single-Family permits	18%	15%	16%

Similar to Hawaii, Santa Cruz, California, also has high real estate values and also struggles with housing affordability. In 2003, Santa Cruz streamlined their ADU law to make it easier for homeowners to get permits and financing. The table shows that from 2007-2009, the number of Accessory Dwelling permits in Santa Cruz jumped to approximately 50% of the number of single family permits issued. Comparatively:

- Santa Cruz's ADU permits = 50% of New Dwelling permits
- Maui's ADU permits = 16% of New Dwelling permits
- Honolulu's Ohana permits = 1% of New



<sup>17</sup> Honolulu Dept. of Planning & Permitting: <http://www.honoluluapp.org/daily/calendar/year/yearly2009.pdf>

<sup>18</sup> Legislative Reference Bureau: <http://lrbhawaii.info/lrb/rpts/88/88ohana.pdf>

<sup>19</sup> Data compiled from Maui County website: <http://www.maui-county.gov/DocumentCenter.ii.aspx?FID=139>

Although the chart shows declining numbers of Accessory Dwelling Permits, the overall construction industry experienced a decline and is reflected in a reduced number of permits in single family construction as well.

## Dwelling permits... we need to change!

According to a Legislative Reference Bureau study, "[Even] when used for non-family members, [Ohana units] help to alleviate the housing shortages experienced by all four counties. The family restriction works as long as there are family members who are available to occupy the Ohana Dwelling Unit. But young couples may eventually move to their own home, and elderly relatives will eventually pass on. If the unit must remain vacant because no family member is available to live there, not only is a valuable resource wasted, but the family may be caught in a financial bind if it is unable to realize any income at all from the unit to offset the payments on the debt incurred to build the unit. In a worst-case situation, this restriction could devastate the family if the loss of income from the unit that must remain vacant leads to foreclosure on the entire lot."<sup>20</sup>

### Benefits of ADUs

**Flexibility of Use:** Multifamily living allows families to save while pooling their resources, yet owners also have the option to rent if family moves out. Multigenerational living works best when there is a separation between units.

**Affordable Rentals:** ADUs also supplement the inventory of affordable rentals. ADUs rent for close to or below Department of Housing and Urban Development established rental rates. This is due in part to the requirement that ADUs require the owner to occupy either the main house or the ADU unit versus absentee owners. Landlords that live on the premises tend to be more selective of their tenant and willing to compromise on the rent for a better tenant.

**Create New Housing Units:** If Honolulu allowed ADUs and had similar adoption rates as Santa Cruz, it could expect approximately 428<sup>21</sup> new affordable housing units per year. These units would be built and managed without any government subsidy and in fact would generate reoccurring tax revenue and fees for the county and state.

**Workforce Housing:** An alternative analysis of the number of anticipated ADUs is to consider Honolulu's historical average of 1,500 new single family dwellings permitted each year x 25%<sup>22</sup> = 375 new ADUs per year (privately funded). Comparatively, Hawaii Housing Finance and Development Corporation (HHFDC) plans to deliver 380 (government subsidized) new or preserved housing units in 2010.<sup>23</sup> As the Department of Business, Economic Development, and Tourism (DBEDT) acknowledges, "market forces alone will not deliver necessary housing." Statewide, approximately 23,000 affordable and workforce housing units are needed.<sup>24</sup>

**Ease of Implementation:** ADUs will use existing infrastructure, not only utilities such as roads and sewer lines, but also personnel. Existing government policies and personnel can readily be adapted to administer ADUs with minimal changes required. Ohana zones have already been mapped to identify areas where ADUs can be added.

**Built Green:** The proposed State Building Codes will require all additions/alteration work to be energy efficient. ADUs are consistent with Smart Growth principles. Most ADUs will be located within the urban core of Honolulu, reducing commute time and congestion. Also, ADUs are

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<sup>20</sup> Legislative Reference Bureau study. <http://lrhawaii.info/lrbrpts/88/88ohana.pdf>

<sup>21</sup> According to City and County of Honolulu Dept. of Planning and Permitting website, 856 building permits were issued for new dwelling units in 2009. 50% of this amount is 428 new ADUs.

<sup>22</sup> 25% is percentage of new Ohana Dwelling Units built in first year they were legalized in 1982-83.

<sup>23</sup> DBEDT: HHFDC 2010 Yearly Activity Plan. <http://hawaii.gov/dbedt/programs/2010/yap-hhfdc.pdf>

<sup>24</sup> DBEDT: HHFDC 2009 Yearly Activity Plan. <http://hawaii.gov/dbedt/programs/2009/yap-hhfdc.pdf>

urban infill, meaning they are built within existing neighborhoods and use existing utility and roadway infrastructure. Without infill development, the only alternative is to up-zone residential to apartment density or rezoning of conservation or agricultural land, converting green fields into urban use. In 1984, the number of Ohana Dwelling Units built at that time helped reduce sprawl: "theoretically, about 45 acres of additional land would have been required had these additional units been constructed in a typical subdivision."<sup>25</sup>

**Economic Stimulus:** In a slow economy, ADUs can provide a more cost-effective option for homeowners. Interior Alterations generally cost less than building a New Addition. Also, since the ADU is built on the same property, there is no land acquisition cost. A 1984 program evaluation of Ohana housing reiterates: "It was a slow year for single family residential construction on Oahu in 1982-83. However, in the program's first year of implementation, Ohana units comprised roughly one-fourth of all single family construction. Without the Ohana zoning provisions, these units probably would not have been built."<sup>26</sup>

**Increase Government Revenue:** ADUs can help stimulate the construction industry, which will produce a ripple effect as homeowners secure financing, purchase, build and rent their homes. Increasing property taxes, permit fees, sewer fees are all byproducts of installing ADUs.

**Senior Income Supplement:** ADUs support aging in place by providing a supplemental source of (rental) income and thus enhancing a sense of independence. ADUs can also provide a companion living arrangement for security and where a reduced rent is exchanged for assistance with chores or maintenance around the home. For seniors, risk of falls and fears about neighborhood crime rates may be reduced by having someone they can trust living in the ADU.

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<sup>25</sup> Office of Information and Complaint "Ohana Housing: A Program Evaluation" (1984)  
[http://www.scribd.com/full/43559663?access\\_key=key-2607mkbu6vqcx63e7b6q](http://www.scribd.com/full/43559663?access_key=key-2607mkbu6vqcx63e7b6q)

<sup>26</sup> *ibid*



# Comparison of ADU vs Ohana Unit vs Rec Room

7/11/10

	ADU (proposed)	Ohana (currently allowed)	Rec Rooms (as illegal rental unit)
Min Lot Size req'd	R-3-5:	- Not allowed	Allowed (on any lot size)
	R-5:	5,000 sq ft	Allowed (on any lot size)
	R-7.5:	7,500 sq ft	Allowed (on any lot size)
	R-10:	10,000 sq ft	Allowed (on any lot size)
Country	1 acre	1 acre	Allowed (on any lot size)
	- Not allowed	5 acres	- Not allowed
AG-1	- Not allowed	2 acres	- Not allowed
AG-2	- Not allowed	Unlimited	1,000 sq ft "Accessory" to Main House
Max Floor Area	To be determined		
Max Lot Coverage	- 50% max lot coverage	- 50% max lot coverage, 25% in Country	- 50% max lot coverage, 25% in Country
Attached or Detached to main house?	Attached or Detached	Attached (Detached Ohana's are nonconforming)	Attached or Detached
Parking Req'd	1 stall min; 1 stall per bedroom	2 stalls min	None
Occupancy	Unrestricted	Restricted to occupants related by blood, marriage, or adoption to family living in main house	(in general: 1 stall if increasing floor area of house over 3,000 sf - As per LUO table 21-6.1) Often rented as a dwelling unit illegally.
Kitchen	Full Kitchen	Full kitchen	Bar Area only, but often illegal full kitchen
Floor Plan restrictions	none	none	Bedrms/Closets not allowed; subsequent alterations often made without a permit
Legal Forms req'd	Declaration of Restrictive Covenants	Declaration of Restrictive Covenants	Affidavit or Declaration of Restrictive Covenants
Sewer Connection Fee	\$1,146 proposed	\$5,541 approx	None
Monthly Sewer Fee	Additional \$68.39/mo for 2 <sup>nd</sup> dwelling + usage fee (if no interior connection)	Additional \$68.39/mo for 2 <sup>nd</sup> dwelling + usage fee (if no interior connection)	No additional charge
BWS 2 <sup>nd</sup> meter	Allowed (extra charges apply)	Allowed (extra charges apply)	- Not allowed
HECO 2 <sup>nd</sup> meter	Allowed (extra charges apply)	Allowed (extra charges apply)	- Not allowed
Trash	grey, blue and green bin	grey, blue and green bin	Increased use/demand, no added bins

**CONCLUSION:** Rec Rooms that are rented illegally, have all the benefits of Ohanas and ADUs, without contributing to the tax base or paying the required fees. While Ohana Units are the most restrictive and have the highest fees.