

lawyers for equal justice

a hawaii non-profit corporation

P. O. Box 37952
Honolulu, Hawai'i 96837-0952
(808) 587-7605



LATE TESTIMONY

BOARD OF DIRECTORS:

Kathy Fujimori
Naomi C. Fujimoto, Secretary
Patrick Gardner
Jim Libby
Galen Nakamura
Calvin Pang
Melissa Teves Pavlicek, Vice President
David J. Reber, President
Steven Booth Songstad, Treasurer
George J. Zweibel

Testimony in Support of SB 1294; Relating to Hawai'i Public Housing Authority Hearing: 2/9/09, Conference Room 225 at 1:15 p.m.

Aloha Chair Sakamoto, Vice Chair Kidani, and Members of the Committee on Education And Housing:

We write in strong support of SB 1294.

Lawyers for Equal Justice (LEJ) is a non-profit law firm that advocates on behalf of low-income individuals and families in Hawai'i on civil legal issues of statewide importance. In December 2008, LEJ filed state and federal class action lawsuits against the Hawai'i Public Housing Authority (HPHA) and others regarding the hazardous conditions and discriminatory obstacles at Kuhio Park Terrace and Kuhio Homes.

All public housing units owned or operated by HPHA must be brought into compliance with state and federal laws requiring accessibility for persons with disabilities. Federal laws require, for example, a minimum of 5% of total dwelling units accessible to persons with mobility impairments. An additional 2% of the units must be accessible for persons with hearing or vision impairments. These accessible units should be distributed throughout projects and sites and be available in a sufficient range of sizes and amenities, so that qualified individuals with disabilities have a choice of living arrangements comparable to that of other persons eligible for housing assistance. See 24 C.F.R. § 8.22, § 8.23, § 8.26. Numerous other housing standards apply to assure that persons with disabilities are not denied accessible housing.

HPHA's own data shows that it has repeatedly been in violation of these requirements. SB 1294 will address these unlawful actions by assuring adequate funds to facilitate compliance. Compliance is essential for the safety and dignity of persons with disabilities. Compliance now will save the state substantial additional costs by avoiding more lawsuits, accompanied by the risk of hefty fines and attorneys' fees awards, which will otherwise be required to bring the state into compliance.

Mahalo for this opportunity to testify in support of SB 1294.

Elizabeth M. Dunne
Senior Staff Attorney