

LINDA LINGLE
GOVERNOR



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DEPARTMENT OF HUMAN SERVICES
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Statement of
Denise M. Wise
Hawaii Public Housing Authority
Before the

HOUSE COMMITTEE ON FINANCE

March 25, 2010 12:30 P.M.
Room 308, Hawaii State Capitol

In consideration of
S.B. 2473, S.D. 1, H.D. 1
RELATING TO HOUSING

The Hawaii Public Housing Authority (HPHA) opposes S.B. 2473, SD1, HD1, which would require HPHA to allow children to reside with a grandparent in state elderly housing projects in certain defined situations. While HPHA is keenly aware of the number of children who need to be placed in the care of a relative because of family crisis, we do not believe that this bill is the best or only solution. The better solution is to find other ways to provide the grandparents with the means to find appropriate housing in which to raise their grandchildren.

While the current version of this bill places a 3 month time limit on the grandchildren living in elderly housing, the fact remains that the grandparents are in state elderly housing because they cannot afford to rent in the open market, and they will be even less able to afford to rent housing to accommodate children. This bill does nothing to change that fact. For the majority of situations, it will ultimately result in the grandparent and children being evicted from state elderly housing at the end of 3 months. There will be a continually changing group of children going into and being evicted from the senior high rises. This will be bad for the children, the grandparents and the other elderly residents of the building

It must also be understood that there is insufficient room in almost all senior housing units for children to live. The units are studio apartments, along with some small one-bedroom units, in high rise buildings not designed to accommodate children. They do not include special features for children, have no play areas, and rarely have supportive services to help with the multiple barriers these families often encounter.

HPHA would like to be able to transfer the grandparent and children to state family housing, as envisioned by the SD1 version of the bill; however, there are far fewer vacancies in family housing than the number of families that this bill will create in elderly housing. There are 4 state elderly housing sites containing 576 apartments, all on Oahu. State family housing has 2 sites on Oahu and another 4 on Neighbor Islands. The state family housing projects on Oahu have few vacancies each month to absorb transfers from elderly housing; for the last 6 months, available units have ranged from none to 4. Few of the grandparents at the 6 elderly housing sites who take in their grandchildren will have the opportunity to transfer to family housing, and

will be evicted at the 3 month time limit. In addition, Hawaii Revised Statutes 356D-42 gives veterans and their families first preference on the waiting list for state public housing. Since this bill does not modify that, grandparents will not be able to transfer whenever a veteran is on the state family housing waiting list, and no one except veterans and grandparent families is likely to ever be placed in state family housing. There are more than 8000 families and individuals on the public housing waiting lists.

This bill also requires HPHA to verify that there is a family crisis, that the grandparent is "competent," and places responsibility on the agency to determine if situations other than those listed in the bill constitute a valid reason for admitting children to the elderly high-rise building. HPHA has neither staff nor funding to carry out these responsibilities. Federal public housing funding cannot be used for this purpose, and state general funds have not been appropriated for it.

Previous versions of this bill did not contain the 3 month limit on children in elderly high rises. As we testified on those versions, the Legislature must consider whether the state runs the risk of losing state elderly housing as it now exists by requiring HPHA to allow an unknown number of children into state elderly housing; there is no limit on, nor means to control the number of grandchildren who will move in with grandparents. Elderly housing exists as an exception to the federal Fair Housing Act's general rule that discrimination against families is prohibited. In order to continue to fall under that exception, the state must meet certain admission and resident population requirements, and demonstrate an intent to limit the elderly housing to elderly households. It is our view that a bill that opens elderly housing to children will result in litigation to contest whether we continue to meet the requirements of the Fair Housing exception. The probability of a legal challenge would increase if the 3 month limit was increased to 6, or if there were no time limit in the bill.

We are proud to offer kupuna housing and believe we have an obligation to our current residents to retain housing for seniors as promoted and as funded; grandchildren residing in our state elderly housing would eliminate the program as it now exists and betray the promise of elderly housing.



SB 2473 SD1 HD1
RELATING TO HOUSING
House Committee on Finance

March 25, 2010

12:30 p.m.

Room: 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB 2473 SD1 HD1, which would allow grandparents residing in elderly housing projects to temporarily raise their mo'opuna in their units based on certain family crisis situations, and to afford the opportunity to allow elderly residents who have been evicted from their units for raising their mo'opuna to return back to their units and be placed on priority status.

Native Hawaiians believe that one of the most treasured relationships is between a kupuna and their mo'opuna. The importance of this relationship is illustrated through the Hawaiian proverb "Pipili no ka pīlali i ke kumu kukui," which translates to "the Pīlali gum sticks to the kukui tree." This 'ōlelo no'eau is used to describe one who remains close to a loved one all the time, as a child may cling to the grandparent he loves ('Ōlelo No'eau 2662).

Unfortunately, this treasured relationship is being strained by certain elderly housing project restrictions. We have received reports of situations in which kūpuna were discouraged from allowing their mo'opuna to live with them, particularly in times when the children were in need of family support. Kūpuna should not be penalized or forced out of their housing units for aiding a loved one. We believe that SB 2473 SD1 HD1 would help remedy this.

Therefore, OHA urges the Committee to PASS SB 2473 SD1 HD1. Mahalo for the opportunity to testify.



CORRECTED AND FINAL VERSION

Via web @ www.hawaii.gov/emailtestimony
Hearing on: March 25, 2010 @ 12:30 (Agenda #3)
Conference Room 308
2 Copies Needed

DATE: March 23, 2010

TO: House Committee on Finance
Rep. Marcus Oshiro, Chair
Rep. Marilyn Lee, Vice Chair

FROM: Dennis Arakaki, Executive Director

RE: Strong Support for SB 2473 SD1, HD1 Relating to Housing

Honorable Chair Oshiro, Vice Chair Lee and members of the House Committee on Finance, I am Dennis Arakaki, representing both the Hawaii Family Forum and the Hawaii Catholic Conference.

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of over 250 Christian churches. The Hawaii Catholic Conference is the public policy arm of the Roman Catholic Church in Hawaii, which under the leadership of Bishop Larry Silva, represents over 220,000 Catholics in Hawaii.

We are in strong support for this measure that provides a safety net for children when their parent or parents are not able to provide a safe home and a nurturing environment. In cases where a child is exposed to high risk situations of domestic abuse, child abuse, mental illness, drug abuse, financial instability and chronic homeless, grandparents not only provide a option for safe shelter but also a nurturing and loving relationship. Even if it is only to provide respite for the parent who is troubled, it may be a worthwhile investment to have the child stay with a grandparent.

As a parent of single mother struggling to raise a child, it is important that the child knows that there is family that can be there for them. It may not always be the case where the grandparent will welcome the grandchild into a peaceful home and quiet existence, but I am sure that many would prefer taking in the child than having to give them up to foster care or continue to live in a harmful environment. During these difficult economic times, temporary measures like these are valuable in providing options to families. I urge you to pass this measure.

Thank you for allowing me to testify and share my mana'o regarding this very important measure.

IN SUPPORT, Providing Testimony for the Record

TO: Committee on FINANCE: Representative Marcus Oshiro; Representative Marilyn Lee, Vice Chair; Representatives Henry Aquino, Karen Awana, Tom Brower, Isaac Choy, Denny Coffman, Sharon Har, Gilbert Keith-Agaran, Chris Lee, Scott Nishimoto, Roland Sagum, III, James Kunane Tokioka, Jessica Wooley, Kyle Yamashita, Lynn Finnegan, Gene Ward.

FROM: Patricia Urieff, MSW, Licensed Social Worker with thirty years of experience working with children and their families; parent; grandparent, Co-Chair for Legislative Appointed *Grandparents Raising Grandchildren Task Force, August 2008 through December 2009*. Cell # 808.291.0979.

For Hearing on Thur., March 25 12:30 PM, Room 308, State Capitol, 415 South Beretania Street.

SB 2473, SD1, HD1, (hscr854-10) RELATING TO HOUSING Allows grandchildren of elderly housing project residents to temporarily reside with the residents in certain family crisis situations. Affords residents evicted for raising grandchildren-in-crisis in their housing project units, priority status to return to project housing. **THIS OPTION DOES NOT COST TAXPAYERS MONEY.**

Seniors deemed financially Eligible for Low Income Rent and is Occupant of a Unit when a family crisis happens and a grandchild needs care become a senior in crisis when managers [WHO RECEIVE GOVERNMENT MONEY] send Eviction Notices resulting in no time for assessment of options or to find appropriate housing; and results in COST TO TAXPAYERS: (1) when grandparents are forced to let grandchild go to State Foster Care at \$527.00 per month per child or (2) When grandparents want to care for grandchild so is forced to enter the "Homeless Population".

Child Protective Services Assessments frequently support that children stay/live with caring relatives, many of whom live in high risk condominiums with House Rules about keeping children safe.

Grandparents Raising Grandchildren Task Force 2009. Reports received showed that on all islands in Hawaii State, managers of public senior housing send *Eviction Notices* to eligible residents who through no fault of their own gets grandchildren-in-crisis who need care and the grandparents want to provide care.

Research Finding from Committee, Grandparents Raising Grandchildren Task Force 2009

Federal housing discrimination laws (24 CFR 100.300 et. seq.) exempt certain senior housing projects from familial status protections. This means that managers of qualified senior housing may choose to evict a grandparent who takes in a grandchild(ren)-in-crisis. Under federal guidelines, qualified senior housing projects have options (1) to evict a grandparent who gets a grandchild-in-crisis who needs care without any repercussions; or (2) managers can legally change policy and House Rules to allow the senior with grandchild-in-crisis to remain for a reasonable time to find new housing.

March 2009, GRGTF Focus Group: participants learned that a grandfather (eligible and living in senior public housing) had received an *Eviction Notice*, so he lives in his car with his grand-daughter.

GRGTF Report to the Legislature June 2009, Recommendation. Housing:

The 2010 Legislature is strongly encouraged to support legislation whereby managers for all Public Senior Housing and managers of all senior housing in Hawaii State that receive government funds change Policy/House Rules, stop sending *Eviction Notices*, provide waivers that allow eligible seniors [who get a grandchild (ren)-in-crisis who needs care] to remain in their unit for a reasonable time needed to find new appropriate housing.

To: Rep. Marcus R. Oshiro, Chair; Rep. Marilyn B. Lee, Vice Chair; and members of the House.

From: Michael A. Ortiz

Date: March 24th, 2010

Subject: Support of SB 2473, Maintaining Housing for Grandparents Caring for their Grandchildren

My name is Michael A. Ortiz, and I am a Master of Social Work student at the University of Hawaii at Manoa. I have come before you in support of SB 2473.

Everyone whom is present today has gone through their share of turbulent times, and more often than not, support of the family has been key to aiding us out of those trenches. My work with children, families and the homeless populations has allowed me to see first hand a crisis paired with not having a place to stay makes things seem impossible. If it weren't for the assistance of my grandparents when my mother was going through a crisis, I would not be here testifying to you today.

Evicting grandparents for helping their family by opening their home will only make the problem worse, cause the state more money due to more children relying on the state for assistance, and make it that much harder for families to restore their lives. By passing this bill and allowing grandparents to house their grandchildren without the risk of becoming evicted from their homes, we can prevent many of these families from entering more dire situations. Thank you for this opportunity to testify.

Michael A. Ortiz

Myron B. Thompson School of Social Work
University of Hawaii at Manoa