

SB757

Linda Lingle
GOVERNOR



KAREN SEDDON
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
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Honolulu, Hawaii 96813
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IN REPLY REFER TO

Statement of
Karen Seddon
Hawaii Housing Finance and Development Corporation
Before the
SENATE COMMITTEE ON EDUCATION AND HOUSING

February 9, 2009 1:15 p.m.
Room 225, State Capitol

In consideration of
S.B. 757
RELATING TO HOUSING.

The Hawaii Housing Finance and Development Corporation (HHFDC) acknowledges the merits of S.B. 757 which would provide temporary housing payments assistance for those at risk of losing their homes due to job loss or reduction in work hours. However, given the current fiscal difficulties, it would not be prudent to pursue enactment of this measure at this time.

We would like to point out that the Hawaii Public Housing Authority has in place the State Homeless Emergency Loan and Grant Program which is an emergency financial assistance program for homeless and at-risk homeless families and individuals. The rules for this program are found in Chapter 17-2026, Hawaii Administrative Rules. Program assistance funds may be used for housing or shelter, including but not limited to rental deposits and rent, and for mortgage payments except where equity exists for the residence. While funding for this program is limited, the HPHA may receive program funds from the state and other governments, or from non-governmental sources.

Thank you for the opportunity to testify.



HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL

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February 9, 2009

Senator Norman Sakamoto, Chair
Senator Michelle Kidani, Vice Chair
Committee on Education and Housing
Monday, February 9, 2009
Time: 1:15 pm
Conference Room 225 State Capitol
EDHTestimony@Capitol.hawaii.gov

IN SUPPORT: SB 757 - Relating to Housing (Shelter in Place pilot program)

HCEOC is the oldest non-profit agency on the Big Island with varied programs to support family self sufficiency island-wide. As part of our mission, we counsel families how to attain and maintain decent, affordable housing. **HCEOC supports SB 757 to provide temporary subsidy to keep families in their homes, a measure appropriate for families whose housing (whether owned or rented) is now under threat due to job loss or loss of work hours.**

- We support this pilot Shelter in Place program because keeping families in their homes is very important for family and community stability. The kids get to stay in their schools, parents are better able to function, community ties and family support networks are kept intact, and families are, thus, in a better position to take care of their children and to find another job. This bill supports families and communities in a time when as much as possible needs to be done to limit the damage of the current economic crisis.
- We are reminded of the stories old-timers have told us of the Great Depression when it was not unusual for fathers, particularly, driven by despair over economic losses took their own lives, leaving behind families even more bereft.
- Last year Hawaii received not one dime of federal anti-foreclosure money because when Congress appropriated HUD anti-foreclosure program, Hawaii appeared to have not much of a foreclosure problem. Now, it's clear our families are indeed in trouble, it just took a little more time to manifest here. Last spring the Federal Home Loan Bank of San Francisco held a meeting with island lenders, government and housing non-profits to warn of the coming "tsunami" of foreclosures anticipated. They told us in Hawaii County expect problems in Puna, Ka'u and North Kona, the districts with the greatest number of sub-prime and predatory loans. All last year, we heard of neighborhoods where houses lie empty.

Please support SB 757.

Mahalo for the opportunity to testify on this matter. If there are any questions, please contact Mary Finley at 961-2681 Extension 413 or email hceocy@hawaii.rr.com.

George Yokoyama, Executive Director



Housing Hawaii
Advocating Creating Maintaining Affordable Housing

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Executive Director

Nani Medeiros

February 9, 2009

The Honorable Norman Sakamoto, Chair
Senate Committee on Education and Housing
Hawaii State Capitol, Room 230
Honolulu, HI 96813

Dear Chair Sakamoto and Members:

RE: SB 757, RELATING TO HOUSING

I am Nani Medeiros, Executive Director of Housing Hawaii, testifying in support of Senate Bill 757, Relating to Housing. This bill directs the Hawaii Housing Finance and Development Corporation to create and administer a shelter in place pilot program to help keep people in their homes.

Housing Hawaii **supports the intent** of this measure. We offer the following information:

- (1) Hawaii will be receiving additional Neighborhood Stabilization Program (NSP) monies and consideration should be given on how to best utilize these monies to satisfy the purposes in this bill; and
- (2) Further consideration should be given to the appropriate state agency administering this program if only general funds are appropriated.

Thank you for the opportunity to comment.

Nani Medeiros
Executive Director

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Sierra Club Hawai'i Chapter

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SENATE COMMITTEE ON EDUCATION AND HOUSING SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS

February 9, 2009, 1:15 P.M.

(Testimony is 3 page long)

TESTIMONY IN **OPPOSITION TO SB 737**

Chair Cabanilla and members of the Committees:

The Sierra Club, Hawai'i Chapter, with 5500 dues paying members statewide, vigorously opposes SB 737, which attempts to expedite project review for affordable housing. While the Sierra Club strongly supports increasing the availability of affordable housing, we are concerned that the misapplied concept of "automatic approval" undermines this bill's goals.

First, it should be noted that the simplest way to increase affordable housing in Hawai'i is to follow the lead of the County of Maui, which recently required fifty percent of all proposed housing projects to meet affordability requirements. *See, e.g., SB 758.* This solution, assuming it was enforced, would directly solve the needs of Hawai'i's homelessness without engaging in poor community planning.

Second, the "automatic approval" of any permit is simply poor policy. Permits should be granted on their merits, not by mistake or governmental inefficiency. *No community should suffer because government failed to perform.*

Automatic approvals are completely antithetical to smart, sustainable planning. Consider:

1. What happens when additional information is required by the department or agency and the deadline passes?

2. What happens when there are complex environmental assessments and impact statements that need to be completed pursuant to chapter 343, HRS, and the deadline passes?
3. What happens when a contested case hearing is requested pursuant to chapter 91, HRS, and for any other period for administrative appeals and review and the deadline passes?
4. What happens when health, welfare, or safety concerns (such as compliance with building codes) are not properly addressed in due course? Do we believe the underprivileged should be forced to live in unsafe facilities?
5. Is it ever appropriate to automatically approve a permit that will irreparably damage the environment or native Hawaiian rights? Doesn't that violate protections provided by the state constitution?

What happens with a tie vote? A tie vote on a board or committee usually signals that the measure or proposal didn't garner enough supporting votes. Under the current law, a tie vote means inaction and therefore automatic approval if the deadline passes.

What happens when there is a lack of a majority? Under current law, if a commission has a quorum to take a valid vote but there is not the required majority vote to approve or deny, the permit is approved by default if a deadline passes. For example, if a 6-member board votes 3-2 AGAINST a project, but a majority (4) is required to ratify any action, the project may be automatically approved.

The above situations turn logic on its head. An applicant could be approved by:

1. an affirmative majority vote (the appropriate route);
2. a tie vote with time lapsing; or
3. a less than majority vote with time lapsing.

Logically, if an applicant can't get a majority of commission or board members to support the application, the application should not be approved.

Third, we note the definition of "Mixed-use housing" is so broad, it could include a commercial facility the size of Ala Moana Shopping Center, so long as "twenty per cent of the housing units . . . meet the affordable income threshold under section 201H-202(e)(2)." In other words, *any* project that includes at least one affordable house, regardless of size or impacts on the environment, would fit this definition. Plainly this is not the intent?

To this end, it should also be noted that most counties now require proposed housing developments to include an affordable housing component as a condition of approval.

SB 737 would, therefore, have the effect of making *all* housing development projects in these counties eligible for automatic approval. Such a bold step should not be imposed on the counties or agencies without some further analysis?

Again, we understand and appreciate the intent of SB 737. If the legislature prefers not to require an affordable housing component in all construction projects, perhaps other incentives besides “automatic approval” could be considered. For example, the State could create an ombudsman program that assists in expediting projects that offer affordable housing and serve a particular community. Or the State could consider an annual report from all agencies on the status of the review process (with a focus on affordable housing) and make informed decisions on how to make government more efficient.

Thank you for the opportunity to testify.

From: [Joel Fischer](#)
To: [EDH Testimony](#)
Subject: SB757; EDH; 2/9/09;1:15PM; Rm 225
Date: Wednesday, February 04, 2009 12:58:41 PM
Importance: High

SB757, Relating to Housing
EDH; Chair, Sen Sakamoto

PLEASE PASS THIS BILL!

Once again, I want to thank Sen Sakamoto for introducing this bill and holding this hearing.

This bill, along with its companion bills, SB188 and SB1294, are clear examples of a compassionate Legislature doing whatever is possible to preserve the safety net. We are going to see a huge outpouring of need over the next 2 years, and we should do everything possible to help our people with their most basic needs, especially housing. We are going to see a huge number of people in danger of losing their homes over the next 2 years; this bill shows a huge amount of fore-thought in trying to anticipate and help prevent, real human catastrophes!

Thank you so much.

Aloha, joel

Dr. Joel Fischer, ACSW
President, 19-3, Democratic Party

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University of Hawai'i, School of Social Work
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"It is reasonable that everyone who asks justice should DO justice."
Thomas Jefferson

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because one's conscience tells one that it is right."

Dr. Martin Luther King, Jr.

"Never, never, never quit."
Winston Churchill