
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 356D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§356D- Community facilities; fees; damages. (a) Each
5 unit shall be assessed a community facilities maintenance fee of
6 at least one per cent of the community facility expenses.

7 (b) If any community facility is damaged by the misconduct
8 of any tenant, the authority shall seek reimbursement for the
9 cost of repair from the tenant.

10 (c) The authority shall notify all tenants in writing of
11 any increase in the community facilities maintenance fee at
12 least thirty days prior to an increase.

13 (d) The authority shall adopt rules in accordance with
14 chapter 91 for the purposes of this section."

15 SECTION 2. Section 356D-8, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~§~~356D-8~~§~~ **Acquisition, use, and disposition of**
18 **property.** (a) The authority may acquire any real or personal



1 property or interest therein by purchase, exchange, gift, grant,
2 lease, or other means from any person or government to provide
3 public housing. Exchange of real property shall be in
4 accordance with section 171-50.

5 (b) The authority may own or hold real property. All real
6 property owned or held by the authority shall be exempt from
7 mechanics' or materialmen's liens and also from levy and sale by
8 virtue of an execution, and no execution or other judicial
9 process shall issue against the property of the authority nor
10 shall any judgment against the authority be a charge or lien
11 upon its real property; provided that this subsection shall not
12 apply to nor limit the right of obligees to foreclose or
13 otherwise enforce any mortgage of the authority or the right of
14 obligees to pursue any remedies for the enforcement of any
15 pledge or lien given by the authority on its rents, fees, or
16 revenues. The authority and its property shall be exempt from
17 all taxes and assessments.

18 (c) The authority may lease or rent all or a portion of
19 any public housing project and establish and revise the rents or
20 charges therefor[-]; provided that the authority shall:



1 (1) Establish a schedule setting forth the minimum rent
2 for state public housing units by number of bedrooms
3 and type of housing project;

4 (2) Charge no less than \$300 per month for any state
5 public housing unit; and

6 (3) Annually adjust the minimum rent by the percentage, if
7 any, by which the consumer price index for the year
8 exceeds the consumer price index for the prior year.

9 The consumer price index for any year is the average
10 of the consumer price index for all urban consumers as
11 determined by the United States Department of Labor
12 for the applicable county, or if not published for the
13 county, then for the State.

14 The authority may sell, exchange, transfer, assign, or pledge
15 any property, real or personal, or any interest therein to any
16 person or government.

17 (d) The authority may insure or provide for the insurance
18 of its property or operations against risks as it deems
19 advisable.

20 (e) The authority shall seek reimbursement from a tenant
21 for the full cost incurred in repairing damages to the tenant's
22 unit pursuant to rules adopted under chapter 91.



1 (f) If any rent schedule contemplated by subsection (c)
2 might, if effected, result in loss to the State or to any
3 special fund affected, of any federal funds, or would be in
4 violation of the Constitution or any law of the United States,
5 the authority shall suspend application of subsection (c) as
6 shall be necessary to avoid the loss of federal funds or to
7 avoid the unconstitutionality or violation."

8 SECTION 3. Section 356D-42, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§356D-42[+] **Housing; tenant selection.** Subject to the
11 following limitations and preferences, the authority shall
12 select tenants [~~upon the basis of those in greatest need~~] for
13 the particular housing. The authority may limit the tenants of
14 any state low-income housing project to classes of persons when
15 required by federal law or regulation as a term or condition of
16 obtaining assistance from the federal government. [~~Within the~~
17 ~~priorities established by the authority recognizing need,~~
18 ~~veterans~~] Veterans with a permanent disability of ten per cent
19 or more as certified by the United States Department of Veterans
20 Affairs, the dependent parents of the veteran, and the deceased
21 veteran's widow shall be given first preference."



1 SECTION 4. Section 356D-43, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Notwithstanding any other law to the contrary, the
4 authority shall fix the rates of the rentals for dwelling units
5 and other facilities in state low-income housing projects
6 provided for by this subpart, at rates that will produce
7 revenues that will be sufficient to pay all expenses of
8 management, operation, and maintenance, including the cost of
9 insurance, a proportionate share of the administrative expenses
10 of the authority to be fixed by it, and the costs of repairs,
11 equipment, and improvements, to the end that the state low-
12 income housing projects shall be and always remain self-
13 supporting[-]; provided that the rates of the rentals shall be
14 no less than the minimum rent set forth in section 356D-8. The
15 authority, in its discretion, may fix the rates in amounts as
16 will produce additional revenues (in addition to the foregoing)
17 sufficient to amortize the cost of the state low-income housing
18 project or projects, including equipment, over a period or
19 periods of time that the authority may deem advisable."

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect upon its approval.

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Report Title:

Public Housing; Community Facility Maintenance Fee; Minimum Rent; Preferences

Description:

Authorizes the Hawaii public housing authority to assess a fee to all units for community facility maintenance. Requires minimum rent schedule for housing projects and annual Consumer Price Index adjustments of minimum rent. Requires reimbursement for the cost of repairs to a unit.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

