

Honolulu, Hawaii

FEB 15 2011

RE: S.B. No. 909  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 909 entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit discrimination that is based on the use of a lawful source of income in real estate transactions, including advertisements for available rental units.

Your Committee received testimony in support of this measure from Hawaii Public Housing Authority. Your Committee received testimony in opposition to this measure from Hawai'i Association of Realtors; Oahu Chapter of the National Association of Residential Property Managers; RE/MAX Kai Lani; Property Profiles, Inc.; Mark DeCastro Realty & Associates, LLC; Bev's Rentals & Sales; Lui & Young Realty, Inc.; Woodstock Properties, Inc.; Kapolei Realty, Inc.; South Shore Realty, Inc.; Marie Hansen Properties; West Oahu Realty, Inc.; Cornerstone Properties; Harry Z. Kiyabu Realty, LLC; Ainalani Realty, LLC; B.Y. Realty Management & Sales; and four individuals. Your Committee received comments on this measure from Hawai'i Civil Rights Commission.

Your Committee finds that low-income individuals have an extremely difficult time finding affordable rentals in Hawaii. This situation is made more frustrating when housing vacancy advertisements discourage people from applying by advertising "no Section 8 accepted".



Your Committee also finds that Hawaii's laws currently do not prohibit discrimination that is based on the use of a lawful source of income in real estate transactions. However, a number of other states, including California and Oregon, have prohibited lawful income based discrimination. Renters who participate in government assistance programs, such as the federal Housing Choice Voucher Program, also known as Section 8 Housing, should have an equal opportunity to find housing.

Your Committee has heard the concerns regarding the delay, costs, added time, and complications associated with Section 8 Housing. Your Committee has also heard the concerns regarding the complexities and economic costs this measure may impose on small landlords. Accordingly, your Committee believes those concerns merit further discussion by the Committee on Judiciary and Labor.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to allow for further discussion of this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 909, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 909, S.D. 1, and be referred to the Committee on Judiciary and Labor.

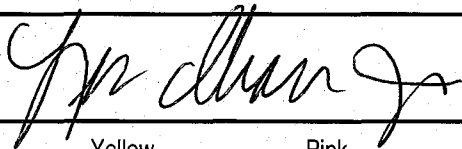
Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
SUZANNE CHUN OAKLAND, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:* <b>SB 909</b>	Committee Referral: <b>HMS, JDL</b>	Date: <b>2-3-11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes