

NEIL ABERCROMBIE
GOVERNOR



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EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
HAWAII PUBLIC HOUSING AUTHORITY
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Statement of
Denise M. Wise
Hawaii Public Housing Authority
Before the

SENATE COMMITTEE ON HUMAN SERVICES

February 3, 2011 1:15 P.M.
Room 016, Hawaii State Capitol

In consideration of
S.B. 109
RELATING TO HOUSING

Madam Chair and Members of the Senate Committee on Human Services, thank you for the opportunity to provide you with comments regarding Senate Bill 109, relating to housing.

The Hawaii Public Housing Authority (HPHA) appreciates the intent of this measure; however, we **oppose** enactment of the measure since it would be duplicative of existing HPHA policy. While the HPHA appreciates legislative support of elder public housing residents that care for their grandchildren during times of family crisis, the HPHA has already addressed this issue through our own procedures and have amended our visitor's policy to accommodate this crisis situation. For your reference we have attached a copy of this procedure. The HPHA allows a child in need to stay with a grandparent for a limited time until more appropriate accommodations can be found, while ensuring that public elderly housing remains available for those who meet the criterion of age 62 or older.

The HPHA appreciates the opportunity to provide the House Committee on Housing with the agency's position opposing S.B. 109. We respectfully request the Committee to hold this measure.

HAWAII PUBLIC HOUSING AUTHORITY
STATE ELDERLY PUBLIC HOUSING - VISITOR REQUEST PROCEDURE

This memo outlines how the lease provisions regarding visitors will be applied by project managers. It is not meant to modify the provisions of the lease, only to establish a standard interpretation and standard procedures for enforcement of the lease.

Lease Provisions

Section 4(b): Guests and Visitors:

(1) Tenant may accommodate tenant's guests and visitors without prior written management consent on a limited basis not to exceed one (1) night. For periods exceeding one (1) night, prior written management consent is required.

(2) Tenant shall be fully responsible for the conduct of tenant's guests and visitors while they are on the project premises.

(c) Tenant's failure to obtain prior consent of management as required by this section for use and occupancy of dwelling unit may result in termination of this agreement.

Section 8: Tenant Obligations: tenant shall at all times during the term of this rental agreement perform the following obligations....

(c) Not permit any person to occupy the dwelling unit other than persons listed on the most current household composition form(s), except that with the prior written consent of management a foster child/adult or a live-in aide may reside in the unit.

Procedures

1. Residents may accommodate guests and visitors without prior written management consent for one (1) night on condition that the visitor complies with all laws, lease provisions and house rules.
2. Residents may, upon approval of Management, accommodate visitors for up to two (2) weeks if it will not result in overcrowding of the unit. To obtain Management approval the tenant must complete and submit a Guest Permit Request form no later than the day after the guest's arrival. Management will review the form and if additional information is required in order to apply this policy, request such information from the tenant as soon as possible. Management will normally respond to the request within 24 hours of receiving required information.

3. Tenant's visitors may stay in tenant's unit beyond one night while Management is making a determination on the request if:
 - a. The Guest Permit Request has been submitted but not yet responded to,
 - b. Any follow-up information requested is being provided to Management, and
 - c. The visitor(s) is complying with all laws, house rules and lease provisions.
4. Once a determination on the Guest Permit Request has been made by Management, it will be signed by the manager or authorized person and a copy delivered to the requesting tenant.
5. Management will use the following considerations in approving Guest Permit Requests:
 - a. The number of visitors must not result in overcrowding of the unit by exceeding two persons per bedroom, with the living room counting as a bedroom.
 - b. The request will not be approved if the visitor has previously engaged in violent or disruptive behavior at the project. Management reserves the right to deny permission for any guest who would not be eligible for residency in public housing due to conviction for sex offenses or manufacture of methamphetamines.
 - c. If the tenant has failed to be responsible for the behavior of visitors in the past, including exercising appropriate control of children, Management may deny or put conditions on approving the request.
 - d. Special considerations for minor grandchildren in crisis situations: when the tenant's visitor request is for tenant's minor grandchildren who have been placed with tenant due to a temporary family crisis (as defined below), management will permit a stay for up to one month if certain conditions are met.
 - A Family Crisis must exist that prevents the minor grandchild(ren) from being cared for by their previous caretaker or by any other suitable relative. "Family Crisis" is limited to the following:
 1. Imprisonment or arrest of the person who was caring for the minor grandchild; or
 2. The person who previously cared for the child has been admitted to a psychiatric facility or civil commitment; or
 3. The minor is abused or neglected, as defined by Hawaii law, and the minor has been removed under authority of law from the care of the previous caretaker; or
 4. Abandonment of the minor by the parent and the absence of other relatives able or willing to care for the minor; or
 5. Other circumstances as defined by the Hawaii Public Housing Authority.

- The number of minor grandchildren must not result in overcrowding of the tenant's unit. The number of persons in the unit cannot exceed two per bedroom, with a living room counting as a bedroom.
- Tenant must be physically and mentally capable of caring for and exercising appropriate control of the grandchild(ren). If in the judgment of management the tenant does not exercise appropriate control over the grandchild(ren), the guest permit will be revoked.
- The guest permit may be extended for up to 2 (two) additional months if Tenant is making a good faith effort to resolve the living situation. They should be receiving services from the Child Welfare Services Division of the Department of Human Services to seek a permanent living situation for the grandchild(ren) outside of the elderly public housing unit, or requesting a transfer to family housing. Failure of the tenant to cooperate with Child Welfare Services in seeking placement of the grandchild(ren) outside of elderly public housing will result in revocation of the guest permit.

6. Failure of guests to abide by state law, house rules and the terms of the lease will result in cancellation of the guest permit.
-

ChunOakland2 - Tyrell

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 31, 2011 12:28 PM
To: HMS Testimony
Cc: manis1350@gmail.com
Subject: Testimony for SB109 on 2/3/2011 1:15:00 PM

Testimony for HMS 2/3/2011 1:15:00 PM SB109

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Laura G. Manis
Organization: Kokua Council
Address: 1350 Ala Moana Blvd honolulu, HI 96814
Phone: 808-597-8838
E-mail: manis1350@gmail.com
Submitted on: 1/31/2011

Comments:

Kokua Council supports this bill because it is the humane thing to do. In the past we have had grandparents evicted and becoming homeless when parents of the children for differing reasons are suddenly removed from the household.

ChunOakland2 - Tyrell

From: Duddy, Mary [mary_duddy@rcchawaii.org]
Sent: Tuesday, February 01, 2011 8:54 AM
To: HMS Testimony
Subject: support bills

Categories: Red Category

Congress:

I am writing in support of bills S.B. 897; 947; 904; and 109.

All these deal with housing and homelessness, which is of great concern to me.

Thank you.

Mary Duddy

Mary L. Duddy
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ChunOakland2 - Tyrell

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 31, 2011 10:00 PM
To: HMS Testimony
Cc: jtt.hew@gmail.com
Subject: Testimony for SB109 on 2/3/2011 1:15:00 PM

Testimony for HMS 2/3/2011 1:15:00 PM SB109

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Janeel Hew
Organization: Individual
Address: Maunaloa Rd. MAUNALOA
Phone: 8085522821
E-mail: jtt.hew@gmail.com
Submitted on: 1/31/2011

Comments: