
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. Section 356D-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§~~356D-8~~§~~ **Acquisition, use, and disposition of**
4 **property.** (a) The authority may acquire any real or personal
5 property or interest therein by purchase, exchange, gift, grant,
6 lease, or other means from any person or government to provide
7 public housing. Exchange of real property shall be in
8 accordance with section 171-50.

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



1 pledge or lien given by the authority on its rents, fees, or
2 revenues. The authority and its property shall be exempt from
3 all taxes and assessments.

4 (c) The authority may lease or rent all or a portion of
5 any public housing project and establish and revise the rents or
6 charges [~~therefor.~~]; provided that the authority shall:

7 (1) Establish a schedule of minimum rents for state low-
8 income housing units by number of bedrooms and type of
9 project;

10 (2) Charge no less than \$250 per month in rent for any
11 state low-income housing unit; and

12 (3) Annually adjust the minimum rent by the same
13 percentage that the national average wage index
14 increases over the prior year, if at all. For the
15 purposes of this paragraph, the national average wage
16 index shall be the national average wage index
17 calculated by the United States Social Security
18 Administration based on wages subject to federal
19 income taxes and contributions to deferred
20 compensation plans.



1 The authority may sell, exchange, transfer, assign, or pledge
2 any property, real or personal, or any interest therein to any
3 person or government.

4 (d) The authority may insure or provide for the insurance
5 of its property or operations against risks as it deems
6 advisable.

7 (e) The authority shall seek reimbursement from a tenant
8 for any and all costs incurred by the authority to repair
9 damages to the tenant's unit.

10 (f) The minimum rent set forth in subsection (c) shall not
11 apply if its application would disqualify the authority from
12 receiving federal funds or aid."

13 SECTION 2. Section 356D-42, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§356D-42[+] **Housing; tenant selection.** (a) Subject
16 to the following limitations and preferences, the authority
17 shall select tenants [~~upon the basis of those in greatest need~~]
18 for the particular housing. The authority may limit the tenants
19 of any state low-income housing project to classes of persons
20 when required by federal law or regulation as a term or
21 condition of obtaining assistance from the federal government.

22 [~~Within the priorities established by the authority recognizing~~



1 ~~need, veterans]~~ A veteran with a permanent disability of ten per
2 cent or more as certified by the United States Department of
3 Veterans Affairs, the dependent parents of the veteran, and the
4 surviving spouse of a deceased [~~veteran's widow~~] veteran shall
5 be given first preference.

6 (b) Notwithstanding subsection (a), the authority shall
7 not establish preferences for the selection of tenants."

8 SECTION 3. Section 356D-43, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

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



H.B. NO. 754

1 will produce additional revenues (in addition to the foregoing)
 2 sufficient to amortize the cost of the state low-income housing
 3 project or projects, including equipment, over a period or
 4 periods of time that the authority may deem advisable."

5 SECTION 4. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval.
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Report Title:

Public Housing; Minimum Rent; Preferences

Description:

Requires the Hawaii public housing authority to establish a minimum rent schedule. Requires a minimum monthly rent of \$250 for state low-income housing units and annual adjustment of minimum rent based upon the national average wage index. Prohibits preferences for tenant selection.

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