

NEIL ABERCROMBIE  
GOVERNOR



HAKIM OUANSAFI  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
HAWAII PUBLIC HOUSING AUTHORITY  
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BARBARA E. ARASHIRO  
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Statement of  
**Hakim Ouansafi**  
Hawaii Public Housing Authority  
Before the

**HOUSE COMMITTEE ON JUDICIARY**

February 7, 2012 2:00 P.M.  
Room 325, Hawaii State Capitol

In consideration of  
**House Bill No. 755, House Draft 1**  
**Relating to Public Housing**

Honorable Chair and Members of the House Committee on Judiciary, thank you for the opportunity to provide you with comments regarding House Bill No. 755 as amended by House Draft 1, relating to public housing.

The Hawaii Public Housing Authority (HPHA) supports enactment of the measure, with amendments to Section 2 of the bill. This legislation would revise Section 356D-92, Hawaii Revised Statutes (HRS), to allow the HPHA to conform eviction procedures to federal law. It would further modify Section 356D-93, HRS, to require the HPHA to appoint hearings officers to conduct eviction hearings in consultation with the Department of Human Services (DHS).

This measure, as well as H.B. No. 2049, would assist the HPHA in streamlining eviction procedures that are utilized to remove lease violators from Federal Low Income Public Housing administered by our agency. It is important to note that, while the measure removes a number of statutory provisions, it does not dilute or eliminate any required due process protections available to tenants in public housing. Evictions from Federal public housing would remain subject to the duly adopted protections afforded by 24 C.F.R. Part 966 as well as Chapter 17-2020, Hawaii Administrative Rules (HAR). 24 C.F.R. Part 966 is a regulation of the U.S. Department of Housing and Urban Development that details evictions procedures that must apply to all public housing nationwide. Chapter 17-2020, HAR follows the current statutory language of Section 356D-92, and would remain in force until amended by the HPHA in consultation with residents, the Attorney General, and other important stakeholders.

Section 2 of the bill would require eviction hearings to be decided by hearings officers, instead of the current evictions boards consisting of at least three persons, with at least one resident member. The HPHA, however, would like to bring to your attention that the multi-member board and resident member provide an element of fairness and an opportunity for a tenant facing eviction to benefit from the multi-member board. Therefore, the HPHA strongly recommends that Section 2 be amended as follows:

“(b) Hearings shall be conducted by an eviction board appointed by the authority. **The eviction board shall consist of not fewer than ~~[three persons, of which one member shall be a tenant.] one person, and no more than three persons.~~** At least one eviction board shall be ~~[established]~~ appointed in each county of the State. The findings, conclusions, decision, and order of the eviction board shall be final unless an appeal is taken as hereinafter provided.”

These suggested amendments would enable the HPHA to conduct hearings with less than three members if the HPHA encounters difficulty establishing quorum.

The HPHA appreciates the opportunity to provide the House Committee on Judiciary with the agency's position regarding H.B. No. 755, H.D. 1. We respectfully request the Committee to pass this measure favorably after making the requested amendments to Section 2 of the bill, and we thank you very much for your dedicated support.

Testimony for HB755 on 2/7/2012 2:00:00 PM

**Testimony for HB755 on 2/7/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Monday, February 06, 2012 6:46 PM

**To:** JUDtestimony

**Cc:** fetu\_taua\_kolio@yahoo.com

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Testimony for JUD 2/7/2012 2:00:00 PM HB755

Conference room: 325

Testifier position: Comments Only

Testifier will be present: Yes

Submitted by: FETU KOLIO

Organization: Individual

E-mail: fetu\_taua\_kolio@yahoo.com

Submitted on: 2/6/2012

**Comments:**

My Comments Are That: State Public Housing, Eviction can only be helpful if favoritism by the housing authority mangerment that don't evict family, and friends that reside at public housing.