

Honolulu, Hawaii

FEB - 7 2013

RE: S.B. No. 939

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Human Services and Commerce and Consumer Protection, to which was referred S.B. No. 939 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Hawaii Public Housing Authority to process terminations of tenancy or evictions from the federal low-income public housing program pursuant to the residential landlord-tenant code rather than by providing a grievance hearing, when permitted by the federal government.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committees received testimony in opposition to this measure from the American Civil Liberties Union of Hawaii.

Your Committees find that state law requires the Hawaii Public Housing Authority to provide a grievance hearing in all eviction actions involving the Authority's federal low-income housing program. This requirement is generally consistent with the United States Department of Housing and Urban Development regulations, although federal regulations provide exceptions that permit proceeding with the eviction directly in certain limited circumstances. Your Committees further find that there have been numerous occasions where tenants have committed criminal acts that have put the health, safety, and lives of other tenants and non-tenants at risk. Domestic violence, including the use of guns, has occurred multiple times at the Authority's asset management



projects. The Authority believes that these, and other serious criminal actions, do not need grievance hearings when executing eviction actions.

As affirmed by the records of votes of the members of your Committees on Human Services and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 939 and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Commerce and Consumer
Protection,



ROSALYN H. BAKER, Chair



SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 939	Committee Referral: HMS/CPN, JDL	Date: 1/31/13		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	✓			
GREEN, Josh (VC)				✓
KIDANI, Michelle N.				✓
TANIGUCHI, Brian T.	✓			
SLOM, Sam	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

