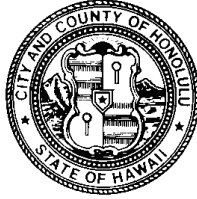


DEPARTMENT OF COMMUNITY SERVICES
CITY AND COUNTY OF HONOLULU

715 SOUTH KING STREET, SUITE 311 • HONOLULU, HAWAII 96813 • AREA CODE 808 • PHONE: 768-7762 • FAX: 768-7792



KIRK CALDWELL
MAYOR

GARY K. NAKATA
DIRECTOR

SUSAN L. FERNANDEZO
DEPUTY DIRECTOR

TESTIMONY OF GARY K. NAKATA, DIRECTOR
DEPARTMENT OF COMMUNITY SERVICES
BEFORE THE HOUSE COMMITTEE ON HOUSING
Tuesday, March 14, 2017, 10:00 a.m.
State Capitol, Conference Room 423

LATE

Senate Bill 99, SD1, RELATING TO THE HOUSING CHOICE VOUCHER PROGRAM

TO: The Honorable Tom Brower, Chair
The Honorable Nadine K. Nakamura, Vice Chair
and Members of the Committee on Housing

Senate Bill No. 99, SD1 prohibits a county from disqualifying a legal nonconforming dwelling unit from the housing choice voucher program if the unit meets zoning and building code requirements and other program standards such as health and safety standards.

Current City and County of Honolulu administrative rules provide that the Housing Choice Voucher (HCV) program defers to the county's zoning for any property proposed for lease to a HCV tenant. The City Department of Community Services confirms with the Department of Planning and Permitting (DPP) that the unit meets the definition of a legal nonconforming unit before allowing the unit to be leased by a HCV assisted family. We will work with DPP to expedite the determination as much as possible to assist our tenants. We would not want a family to incur the expense of moving only to be later told the unit is not legally permitted and therefore the family must vacate the unit.

We understand the bill's intent to maximize the use of available housing stock and note that we already allow for legal nonconforming units to be a part of the housing inventory.

Thank you for the opportunity to testify on this bill. Should you have any questions or concerns, please feel free to contact me at 768-7760.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 12:03 PM
To: HSGtestimony
Cc: maileshimabukuro@yahoo.com
Subject: Submitted testimony for SB99 on Mar 14, 2017 10:00AM

SB99

Submitted on: 3/13/2017

Testimony for HSG on Mar 14, 2017 10:00AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Boyd Akase	Individual	Support	No

Comments: Re: Testimony in Support of HB82 / SB 99 My name is Boyd Akase. I am a landlord that rents privately owned housing units to Section 8 tenants, and I am testifying in support of House Bill 82 / Senate Bill 99. The bill helps to eliminate artificial impediments to a landlord renting out multiple units to multiple Section 8 tenants if those units are on one lot, i.e., duplexes and triplexes. My situation is probably one that is fairly common. I recently inherited a parcel of land where the structure is "legal nonconforming (grandfathered)". This is a situation where an additional structure or enclosure was built, most likely years ago, but not properly permitted. Rather than call for the destruction of the unit or enclosure, the respective county sometimes classifies the structure as "legal nonconforming" for permitting purposes and taxes the improvement accordingly. Thus, if you physically enter the property, you would see two or three livable units that would individually pass a Section 8 quality inspection. However, if you were to check real property tax records, the records would show only one unit, albeit, a legal nonconforming one. Because the law allows that a landlord can only rent a "unit" to one Section 8 tenant, the legal nonconforming units can only be occupied by one Section 8 tenant. Put another way, the legal nonconforming structure can only house one Section 8 renter despite the fact that there may be two or three units on the lot that would otherwise pass a Section 8 inspection. This legal fiction prevents private landlords, like myself, from renting to multiple section 8 tenants. If landlords are inclined to do so, we should be allowed to do so. If any of you have further questions, I can be reached at the email address below. Thank you for your time and support of this measure. ~ Sincerely, Boyd Akase boydakase@hawaiiantel.net

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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