

DAVID Y. IGE
GOVERNOR



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Statement of
Hakim Ouansafi
Hawaii Public Housing Authority
Before the

HOUSE COMMITTEE ON HOUSING

Tuesday, January 31, 2017
9:30AM
Room 423, Hawaii State Capitol

In consideration of
HB 396
RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY

Honorable Chair Brower and Members of the House Committee on Housing, thank you for the opportunity to provide testimony regarding House Bill 396, relating to the Hawaii Public Housing Authority.

The Hawaii Public Housing Authority (HPHA) supports HB 396, which allows the HPHA to evict a tenant if the tenant has been convicted of a misdemeanor or felony related to the Authority's property or funds.

One of the HPHA's greatest concerns and priorities is the safety and well-being of its tenants and its properties. When a tenant commits a felony related to the HPHA's properties or funds, he/she not only abuses their privilege as a tenant, but undermines the peaceful enjoyment of all the other law abiding public housing tenants and wastes tax payers' money that could be used to house the most vulnerable of our population. It is in everyone's best interests that tenants convicted of felonies or misdemeanors related to the HPHA's property or funds not be allowed to continue as resident at any of our properties.

The HPHA appreciates the opportunity to provide the House Committee on Housing with the HPHA's position regarding HB 396. We thank you very much for your dedicated support.

HSGtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 29, 2017 11:43 PM
To: HSGtestimony
Cc: kananisouza@yahoo.com
Subject: Submitted testimony for HB396 on Jan 31, 2017 09:30AM

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HB396

Submitted on: 1/29/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Kanani Souza	Individual	Support	No

Comments: I am Kanani Souza and I support HB 396, relating to public housing, because last year the Hawaii Supreme Court reversed a State housing eviction, because the Supreme Court stated that Public Housing did not have law which would allow for the eviction. Now the convict is suing the state of Hawaii for damages for an illegal eviction, although he was legally convicted for fraud. THAT IS WHY WE NEED THIS BILL TO PASS INTO LAW - to protect the state from illegal evictions from public housing and from convicts suing the state. Below are the facts of the case. Public Housing officials are finding that it's harder to evict a man for theft than to convict him of the crime. Back in 2012, Fetu Kolio, the former president of the Mayor Wright Homes Tenant Association, pleaded guilty to stealing \$1,400 from the project. He was later evicted for engaging in criminal activity, which is barred under his rental agreement. But in 2015, the state Supreme Court overturned the eviction, saying the rental agreement only refers to criminal activity that threatens the health and safety at the project. Kolio's lawyer said the Supreme Court got it right. Attorney Philip Miyoshi said the rules on criminal activity were specifically designed to deal with drug dealing and gang violence in the projects, not "white collar crimes." Even "Mr. Kolio admits that he made a wrong decision. He paid for that decision but clearly that was not a basis for evicting under the lease agreement," he said. Miyoshi attorney said he will ask the state to allow Kolio to return to Mayor Wright. He's also considering a lawsuit for damages. The 49 year-old Kolio is a longtime tenant and a former resident activist at Mayor Wright. According to court records, Kolio pleaded guilty to stealing money meant to be used for tenant vocational programs and other training programs. He served a 30-day jail sentence and was ordered to pay back the money. The Hawaii Public Housing Authority, which oversees Mayor Wright, then evicted Kolio for violating his rental agreement that bars criminal activity. But in its ruling, the high court ruled that the HPHA failed to show how the theft threatened the health and safety at Mayor Wright. This bill would place in law the enforcement right for the public housing authority to legally evict a convict. Thank you for your kind consideration in support of HB396.

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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Cc: smith808143@yahoo.com
Subject: Submitted testimony for HB396 on Jan 31, 2017 09:30AM

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HB396

Submitted on: 1/29/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Smith	Individual	Support	No

Comments: I support HB396, because the current law does not have theft of housing funds as a reason to evict a convict. This has occurred at a Public Housing Unit in Honolulu, Hawaii. Therefore, this bill is important to enforce such a policy. The Hawaii Supreme Court overturned an eviction of a convict, because the court asserted that stealing housing funds was not cover in current statute. For those reasons, I support HB396. Thank you.

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nakamura1 - Natalie

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 10:35 PM
To: HSGtestimony
Cc: lytm75@gmail.com
Subject: *Submitted testimony for HB396 on Jan 31, 2017 09:30AM*

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HB396

Submitted on: 1/30/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn McDonald	Individual	Support	No

Comments:

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nakamura1 - Natalie

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 8:38 PM
To: HSGtestimony
Cc: mmcdonald.nhb@gmail.com
Subject: Submitted testimony for HB396 on Jan 31, 2017 09:30AM

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HB396

Submitted on: 1/30/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Michael McDonald	Individual	Support	No

Comments: I am in support of HB 396. Residents need to abide to the requirements and laws of the Hawaii Public Housing Authority (HPHA). The HPHA needs the power to evict those who violate the laws the tenant signed to conform upon.

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nakamura1 - Natalie

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From: Darlene Palma <dpalma28@hawaiiintel.net>
Sent: Monday, January 30, 2017 7:54 PM
To: HSGtestimony
Subject: HB396

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Aloha,

My name is Darlene Palma and I am a resident on Ahonui Street. I support HB396, relating to public housing, because last year the Hawaii Supreme Court reversed a state housing eviction because the Supreme Court stated that public housing did not have a law which would allow for the eviction. This bill would provide enforcement ability for the public housing authority to legally evict a convict. Thank you for your kind consideration in support of HB396.

Mahalo,
Darlene Palma

Sent from my iPad



From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 6:35 PM
To: HSGtestimony
Cc: loriepias@hotmail.com
Subject: Submitted testimony for HB396 on Jan 31, 2017 09:30AM

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HB396

Submitted on: 1/30/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lorie Pias	Individual	Support	No

Comments: I support HB 396, relating to public housing because last year the Hawaii Supreme Court reversed a State housing eviction, because the Supreme Court stated that Public Housing did not have law which would allow the eviction.. This bill is very necessary as it would provide the necessary enforcement ability for the public housing authority to legally evict a convict. Thank you in advance for your kind consideration in support of HB396

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nakamura1 - Natalie

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To: HSGtestimony
Cc: ruan2017fq@gmail.com
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HB396

Submitted on: 1/30/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Fuquan Ruan	Individual	Support	No

Comments: I support HB 396, relating to public Housing, because last year the Hawaii Supreme Court reversed a State housing eviction, because the Supreme Court stated that public Housing did not have law which allow for the eviction. This bill would provide enforcement ability for the public Housing authority to legally evict a convict. Thank you for your kind consideration in support of HB396

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To: HSGtestimony
Cc: estrellavea@yahoo.com
Subject: Submitted testimony for HB396 on Jan 31, 2017 09:30AM

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HB396

Submitted on: 1/30/2017

Testimony for HSG on Jan 31, 2017 09:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Estrella M. Vea	Individual	Comments Only	No

Comments: I support HB 396, relating to public housing, because last year the Hawaii Supreme Court reversed a state housing eviction, because the Supreme Court state that public housing did not have law for the eviction. This bill would provide enforcement ability for the public housing authority to evict a convict. Thank you for your consideration in support of HB396.

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