
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. Section 356D-42, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The authority shall select tenants upon the basis of
4 those in greatest need for the particular housing, subject to
5 the following limitations and preferences:

6 (1) The authority may limit the tenants of any state low-
7 income housing project to classes of persons when
8 required by federal law or regulation as a term or
9 condition of obtaining assistance from the federal
10 government; provided that not less than fifty per cent
11 of available units shall be for applicants without
12 preference and up to fifty per cent of available units
13 shall be for applicants with preference;

14 (2) Within the priorities established by the authority
15 recognizing need, veterans with a permanent disability
16 of ten per cent or more, as certified by the United
17 States Department of Veterans Affairs, and their



1 dependent parents, if any. The deceased veteran's
2 widow or widower shall be given first preference.

3 Parents of veterans shall not use the veteran status
4 of their adult child as a basis for preference; [and]

5 (3) Within the priorities established by the authority
6 recognizing need, the authority may give preference to
7 persons residing in the zip code in which a state low-
8 income housing project, as defined in section 350D-51,
9 is constructed for the housing project's initial
10 tenants; and

11 [~~3~~] (4) Subject to any limitations set by federal law or
12 regulation, the authority shall not select as a
13 tenant, and may terminate the tenancy of, any person
14 if the person or any household member owns or acquires
15 a home within the State."

16 SECTION 2. Section 356D-71, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§356D-71 Resident selection; dwelling units; rentals.** In
19 the administration of elder or elderly housing, the authority
20 shall observe the following with regard to resident selection,
21 dwelling units, and rentals:



1 (1) Except as provided in this section, the authority
2 shall accept elder or elderly households as residents
3 in the housing projects;

4 (2) It may give preference to persons residing in the zip
5 code in which elder or elderly housing is constructed
6 for the housing's initial residents;

7 ~~[(2)]~~ (3) It may accept as residents in any dwelling unit
8 one or more persons, related or unrelated by blood or
9 marriage. It may also accept as a resident in any
10 dwelling unit or in any housing project, in the case
11 of illness or other disability of an elder who is a
12 resident in the dwelling unit or in the project, a
13 person designated by the elder as the elder's live-in
14 aide whose qualifications as a live-in aide are
15 verified by the authority, although the person is not
16 an elder; provided that the person shall cease to be a
17 resident therein upon the recovery of, or removal from
18 the project of, the elder;

19 ~~[(3)]~~ (4) It may rent or lease to an elder a dwelling unit
20 consisting of any number of rooms as the authority
21 deems necessary or advisable to provide safe and



1 sanitary accommodations to the proposed resident or
 2 residents without overcrowding; and
 3 ~~[(4)]~~ (5) Notwithstanding that the elder has no written
 4 rental agreement or that the agreement has expired,
 5 during hospitalization of the elder due to illness or
 6 other disability so long as the elder continues to
 7 tender the usual rent to the authority or proceeds to
 8 tender receipts for rent lawfully withheld, no action
 9 or proceeding to recover possession of the dwelling
 10 unit may be maintained against the elder, nor shall
 11 the authority otherwise cause the elder to quit the
 12 dwelling unit involuntarily, demand an increase in
 13 rent from the elder, or decrease the services to which
 14 the elder has been entitled."

15 SECTION 3. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2020.

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INTRODUCED BY:

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JAN 14 2020



H.B. NO. 1679

Report Title:

HPHA; Low-Income Housing; Housing for Elders; Preference

Description:

Authorizes the Hawaii Public Housing Authority to give preference to persons residing in the zip code in which a low-income or elder housing project is constructed for the housing project's initial tenants or residents.

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