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# 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 impacted by a state low-income housing  
 8 project, as defined in section 350D-51, for the  
 9 housing's initial residents; and  
 10 ~~(3)~~ (4) Subject to any limitations set by federal law or  
 11 regulation, the authority shall not select as a  
 12 tenant, and may terminate the tenancy of, any person  
 13 if the person or any household member owns or acquires  
 14 a home within the State."

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

17 "**§356D-71 Resident selection; dwelling units; rentals.** In  
 18 the administration of elder or elderly housing, the authority  
 19 shall observe the following with regard to resident selection,  
 20 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 impacted by elder or  
5 elderly housing for the housing's initial residents;

6 ~~[(2)]~~ (3) It may accept as residents in any dwelling unit  
7 one or more persons, related or unrelated by blood or  
8 marriage. It may also accept as a resident in any  
9 dwelling unit or in any housing project, in the case  
10 of illness or other disability of an elder who is a  
11 resident in the dwelling unit or in the project, a  
12 person designated by the elder as the elder's live-in  
13 aide whose qualifications as a live-in aide are  
14 verified by the authority, although the person is not  
15 an elder; provided that the person shall cease to be a  
16 resident therein upon the recovery of, or removal from  
17 the project of, the elder;

18 ~~[(3)]~~ (4) It may rent or lease to an elder a dwelling unit  
19 consisting of any number of rooms as the authority  
20 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 upon its approval.



**Report Title:**

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

**Description:**

Authorizes the Hawaii Public Housing Authority to give preference to persons impacted by a low-income or elder housing project is constructed for the housing project's initial tenants or residents. Effective on approval. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

