



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

February 4, 2020

TO: The Honorable Representative Joy A. San Buenaventura, Chair
House Committee on Human Services & Homelessness

The Honorable Representative Tom Brower, Chair
House Committee on Housing

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: HB2073 – RELATING TO AFFORDABLE TEMPORARY HOUSING

Hearing: Tuesday, February 4, 2020, 9:00 a.m.
Conference Room 423, State Capitol

POSITION: The Governor's Coordinator on Homelessness respectfully opposes this measure and offers comments.

The Coordinator is concerned that this bill may result in the formal establishment of homeless encampments, and defers to the counties in regard to the impact and feasibility of the exemption to county zoning ordinances.

PURPOSE: The purpose of the bill is to allow property owners to temporarily lease space to individuals to camp or otherwise occupy space on the property, so long as no health and safety ordinances are violated.

The Coordinator serves as the chair of the Hawaii Interagency Council on Homelessness (HICH). In 2012, the HICH was tasked with determining the feasibility of establishing formal homeless encampments and concluded that “[c]reating camping areas for homeless individuals in our parks and in our public buildings . . . is unworkable, is not advisable, and should not be pursued.”¹ The U.S. Interagency Council on Homelessness (USICH) has also issued written

¹ HICH (2012). *Act 105, Section 4, SLH 2012 Evening Conversion of Public Facilities to Homeless Shelters*. Retrieved from: <http://humanservices.hawaii.gov/wp-content/uploads/2013/01/2012-Act-105-Section-4-SLH-2012-Evening-Conversion-of-Public-Fa%E2%80%A6.pdf>

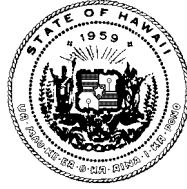
guidance to local communities urging caution when considering “sanctioned encampments” or “safe zones” as part of a formal strategy to address homelessness. In particular, USICH cautioned that “creating these environments may make it look and feel like the community is taking action to end homelessness on the surface – but, by themselves, they have little impact on reducing homelessness.”²

The HICH supports a housing-focused strategy, which emphasizes placements into permanent housing and increasing the availability of permanent housing beds. The Coordinator notes that the HICH’s housing-focused approach to addressing homelessness has contributed to a 73% increase in individuals exiting homeless services to permanent housing between 2016 and 2019 – an increase from an average of 357 per month to an average of 616 per month.

Thank you for the opportunity to testify on this bill.

² USICH (2018). *Caution is Needed When Considering “Sanctioned Encampments” or “Safe Zones.”* Retrieved from: https://www.usich.gov/resources/uploads/asset_library/Caution_Sanctioned_Encampments_Safe_Zones_052318.pdf

DAVID Y. IGE
GOVERNOR



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STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 2, 2020

TO: The Honorable Representative Joy A. San Buenaventura, Chair
House Committee on Human Services & Homelessness

The Honorable Representative Tom Brower, Chair
House Committee on Housing

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2073 – RELATING TO AFFORDABLE HOUSING**

Hearing: February 4, 2020, 9:00 a.m.
Conference Room 423, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) understands the intent of this measure, however DHS respectfully opposes this measure, and provides comments. DHS defers to the counties and other health and safety regulators.

PURPOSE: The purpose of this bill is to allow property owners to temporarily lease space to individuals to camp or otherwise occupy space on the property, so long as no health and safety ordinances are violated.

DHS is concerned that this measure will create formal homeless encampments on private property. The best strategy to end homelessness is to find people safe and affordable housing. Placing homeless individuals into permanent housing through programs like Housing First is evidence-based and best practice. Housing First is an approach that emphasizes stable permanent housing as a strategy for ending homelessness.

This measure is like safe zones or tent cities, which is discouraged by the U.S. Department of Housing and Urban Development and the U.S. Interagency Council on Homelessness. Communities that have tried this approach have been unsuccessful in reducing

homelessness. Furthermore, this measure would move people from public spaces and private property to different communities instead of solving the issue of homelessness.

Regarding Section 2, DHS defers to counties and other health and safety regulators. There is concern that no minimum square footage is described to receive an exemption from zoning ordinances. Allowing owners to lease yard or driveway space may appear as an opportunity for owners to make additional money without regard to reasonable capacity, and may become a nuisance and impact communities that already have limited space for parking.

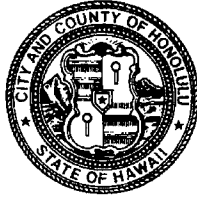
Additionally, DHS request that if this bill moves forward, amendments should address sanitation, water usage, electricity, fire, garbage, and other residential health and safety issues, and identify procedures to respond to neighborhood complaints.

Thank you for the opportunity to provide testimony of this bill.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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February 4, 2020

The Honorable Joy A. San Buenaventura, Chair
and Members of the Committee on Human Services
and Homelessness

The Honorable Tom Brower, Chair
and Members of the Committee on Housing
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs San Buenaventura and Brower, and Committee Members:

**Subject: House Bill No. 2073
Relating to Affordable Temporary Housing**

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 2073, which would allow property owners to lease yard space or driveway space for temporary residential purposes.

While we agree that there is a shortage of affordable rental units on this island, we cannot agree that creating exemptions to county zoning ordinances is the answer. This measure would allow property owners to erect a temporary structure in a yard or driveway, but the Bill is silent on the types of structures that will be allowed, how long these structures will be allowed to be used, or whether they will be required to obtain building permits. Will these units have to be hooked up to sewers? Will they require electrical permits? This Bill does not specify that these temporary units will be limited to residential-zoned lots. As written, any owner of any lot would be authorized to lease space for temporary residential use and would be exempt from county ordinances.

The DPP is concerned that these units may be used as transient vacation rentals, rather than to house homeless individuals, because the Bill does not define "temporary residential purposes." We have made progress in addressing illegal vacation rentals on Oahu, and allowing property owners to set up temporary rental units with no ability for the counties to regulate them under the zoning and building codes will be a step backwards, especially since they will be impossible to enforce.

The Honorable Joy San Buenaventura, Chair
and Members of the Committee on Human Services
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House Bill No. 2073

February 4, 2020

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The City and County of Honolulu continues to address affordable housing, most notably with the adoption of Ordinance 18-10, which sets forth an affordable housing requirement, and through the Accessory Dwelling Unit (ADU) program. The latter allows homeowners who meet certain requirements to build a second dwelling unit on their property. For health and safety reasons, these units must meet infrastructure requirements, such as sewer capacity, as well as obtain a building permit. Since the program began in September 2015, we have approved 887 ADU building permits and have another 175 applications under review.

In addition to enforcement issues, to allow unregulated temporary structures and camping vehicles to proliferate in residential areas could lead to tension among neighbors, create a visual blight in communities, and lead to overcrowded and unsanitary conditions.

For the reasons stated above, we ask that House Bill No. 2073 be held in committee.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Sokugawa", written in a cursive style.

Kathy K. Sokugawa
Acting Director

HB-2073

Submitted on: 1/30/2020 11:32:21 PM

Testimony for HSH on 2/4/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Goodman	Individual	Support	Yes

Comments:

This is a good common sense idea. It costs the Sate nothing. It allows homeowners who need some extra income, to rent out what might otherwise be unrentable space, to people who are in desparate need of a cheap place to live. It also reduces the demand on traditional housing, lowering costs for everyone. It's a tripple win.

HB-2073

Submitted on: 2/3/2020 3:03:14 AM

Testimony for HSH on 2/4/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

We will need to establish ordinance of behaviors to be specifically outlined in these leases. We must also require the same leasing process, however it can be under different circumstances.

While I support this bill, I also think of the issues that may arise with surrounding neighbors, such as that crazy guy in Diamond Head. Please keep in mind that homeless people are often disenfranchised and usually live in a mental state of fight or flight, for they often lack sleep, in order to remain safe.

HB-2073

Submitted on: 2/2/2020 7:10:24 PM

Testimony for HSH on 2/4/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wendi M Okazaki	Individual	Support	No

Comments:

I support allowing people to camp on another person's property.