



Robin K. Matsunaga
Ombudsman

Melissa Chee
First Assistant

**OFFICE OF THE OMBUDSMAN
STATE OF HAWAII**

465 South King Street, 4th Floor
Honolulu, Hawaii 96813
Tel: 808-587-0770 Fax: 808-587-0773 TTY: 808-587-0774
complaints@ombudsman.hawaii.gov

**TESTIMONY OF ROBIN K. MATSUNAGA, OMBUDSMAN,
ON S.B. NO. 10, A BILL FOR AN ACT
RELATING TO HOUSING**

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS
SENATE COMMITTEE ON HOUSING**

FEBRUARY 14, 2019

Chair Thielen, Chair Chang, and Members:

Thank you for the opportunity to present comments on S.B. No. 10, which would establish an Office of the Affordable Housing Ombudsman. I offer these comments not to criticize the bill, but to help ensure that you are able to make an informed decision on any action you will take.

As you know, my office, the first classical ombudsman office to be established in the United States, functions as an independent, impartial investigator of administrative acts by State executive branch and county agencies. When we determine through our investigation that corrective or other action is warranted, we cannot reverse the administrative act or compel the agency to make changes. Instead, we can recommend action by the agency and rely on reasoned persuasion to get the agency to accept and implement the recommendation.

Based on the duties described in lines 3 through 16 on page 2 of the bill, it appears the proposed affordable housing ombudsman is intended to function more as an advocate than as an independent, impartial investigator. If the intent is to create an advocate for affordable housing, I would request consideration of renaming the office and its director by replacing the term "ombudsman" with the term "advocate."

If the intent is to establish an independent and impartial ombudsman for affordable housing, I would suggest consideration of amending the bill to ensure that the office possesses the essential characteristics recommended by the United States Ombudsman Association (USOA): independence, impartiality, confidentiality, and a credible review process. (The USOA is the nation's oldest and largest association for governmental ombudsman practitioners, and is recognized by the American Bar Association and national and international ombudsman organizations as a relevant resource for the governmental ombudsman profession.) These essential characteristics are critical to the effectiveness and credibility of an ombudsman.

It is difficult to briefly identify, and explain the reasons for, the various provisions that are needed to revise the current draft of S.B. No. 10 to conform it to the USOA model. Therefore, I would be happy to meet with Senate staff to draft amendments.

Thank you, again, for allowing me to provide comments on S.B. No. 10.

SB-10

Submitted on: 2/10/2019 8:29:06 AM

Testimony for GVO on 2/14/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Gilbreath	Testifying for Hawaiian Community Assets	Support	No

Comments:



**TESTIMONY TO THE SENATE COMMITTEES ON GOVERNMENT OPERATIONS, AND
HOUSING
State Capitol, Conference Room 225
415 South Beretania Street
1:15 PM**

February 14, 2019

RE: SENATE BILL NO. 10, RELATING TO HOUSING

Chairs Thielen and Chang, Vice Chairs Inouye and Kanuha, and members of the committees:

My name is Gladys Quinto Marrone, CEO of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii provides the following **comments** on S.B. 10, which proposes to establish the Office of the Affordable Housing Ombudsman to monitor and comment on the state's production of affordable housing units, develop affordable housing, and to investigate and resolve complaints from tenants or homeowners in publicly-subsidized affordable or public housing.

The State of Hawaii is in a severe housing crisis. The Department of Business, Economic Development and Tourism (DBEDT) forecasted demand for additional housing units by county is 25,847 units for Honolulu, 19,610 for Hawaii, 13,949 for Maui, and 5,287 for Kauai during the 2015-2025 period (DBEDT Report—Measuring Housing Demand in Hawaii, 2015-2025, April 2015).

The state has numerous initiatives which are intended to increase the supply of housing on state-owned lands. Part of the problem is that there is no true advocate for housing within state government. There needs to be a position in the Governor's office similar to the Homeless Coordinator, who will be an advocate for housing. This new housing advocate (a housing czar) would be able to identify and prioritize state owned lands suitable for housing and/or mixed use development similar to the Alder Street project, which combined an affordable rental project with a juvenile counseling facility.

There is an immediate need to focus the states' limited resources on increasing the supply of housing at all price points on using state-owned lands. We believe that creating a housing advocate/czar in the Office of the Governor would help to solve the housing problem in our state.

We appreciate the opportunity to express our views on S.B. 10.

SB-10

Submitted on: 2/13/2019 10:33:06 AM

Testimony for GVO on 2/14/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: