

STAND. COM. REP. NO.

120

Honolulu, Hawaii

, 2021

FEB 10

RE: H.B. No. 981

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 981
entitled:

"A BILL FOR AN ACT RELATING TO RENTAL DISCRIMINATION,"

begs leave to report as follows:

The purpose of this measure is to prohibit discrimination,
including in advertisements for rental property, in rental
transactions based on participation in a housing assistance
program or requirements related to participation in a housing
assistance program.

Your Committee received testimony in support of this measure
from the Governor's Coordinator on Homelessness, Department of
Human Services, Hawai'i State Commission on the Status of Women,
Hawai'i Civil Rights Commission, Hawaii Public Housing Authority,
League of Women Voters of Hawaii, Imua Alliance, American Civil
Liberties Union of Hawai'i, Hawaii Children's Action Network
Speaks!, Hawaii Appleseed Center for Law & Economic Justice, and
Planned Parenthood Votes Northwest and Hawaii. Your Committee
received testimony in opposition to this measure from the Hawai'i
Association of REALTORS and one individual.

Your Committee finds that studies have shown that when there
are laws that prevent discrimination against renters with housing
assistance vouchers, renters are more likely to find housing. In

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2017, the American Bar Association adopted a resolution that urges federal, state, local, tribal, and territorial governments to enact legislation prohibiting discrimination in housing on the basis of lawful source of income. Your Committee further finds that the federal Fair Housing Act does not prohibit source of income discrimination; however, states and localities have passed laws that prohibit housing discrimination on the basis of source of income.

Your Committee encourages Hawaii Public Housing Authority to continue its efforts to streamline the tenancy application and approval process and work with the Hawai'i Association of REALTORS and landlord organizations to educate them on the processes involved in housing assistance programs. Your Committee also encourages the Hawaii Association of REALTORS and landlord organizations to increase the pre-approved list of landlords that will accept Section 8 and other permanent supportive housing program voucher recipients.

Your Committee has amended this measure by:

- (1) Amending the definition of "housing assistance program" to apply to the Section 8 Housing Choice Voucher Program or to any permanent supportive housing program;
- (2) Reducing the damages a court may order to a person who brings an action for unlawful discriminatory practice by a landlord to \$2,500;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 981, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 981, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Housing,



NADINE K. NAKAMURA, Chair



