

Honolulu, Hawaii
FEB 08, 2022

RE: H.B. No. 1752
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 1752 entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit negative advertising relating to source of income for available rental or lease dwelling units;
- (2) Provide potential tenants with remedies against a landlord for a violation of the negative advertising source of income prohibition;
- (3) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords to participate in the Tenant-based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937, and appropriate funds for incentives under the program;
- (4) Require Hawaii Public Housing Authority to adopt rules that require inspection of leased dwelling units under the Section 8 Housing Choice Voucher Program within



fifteen days after receipt of an owner's or landlord's inspection request; and

- (5) Establish Hawaii Public Housing Authority positions and appropriate funds for inspections and other aspects related to dwelling units that are the subject of applications for the Section 8 Housing Choice Voucher Program.

Your Committee received testimony in support of this measure from Hawaii Public Housing Authority and Hawaii Health & Harm Reduction Center. Your Committee received testimony in opposition to this measure from the Hawaii Association of REALTORS and Hawaii Appleseed Center for Law & Economic Justice. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, Hawaii Civil Rights Commission, State Council on Developmental Disabilities, Catholic Charities Hawaii, Partners In Care, HOPE Services Hawaii, and three individuals.

Your Committee recognizes that low-income individuals experience great difficulty in finding affordable rentals, particularly in Hawaii's tight housing market. This measure seeks to address the challenges faced by individuals who participate in the Section 8 Housing Choice Voucher Program in obtaining rental housing and individuals based on source of income.

Based on the testimony on this measure, your Committee notes that this measure addresses only the negative advertising aspect of rental discrimination based on source of income or participation in a housing assistance program. Your Committee also notes that focusing primarily on the negative advertising aspects of rental housing discrimination may have unintended adverse impacts and place greater hardship on individuals seeking rental housing. Your Committee finds that while negative advertising would be prohibited under this measure, prospective tenants would still be unable to secure housing due to discriminatory practices.

Accordingly, your Committee has amended this measure by:

- (1) Deleting provisions prohibiting negative advertising relating to source of income for available rental or lease dwelling units;



- (2) Deleting provisions that provide remedies to potential tenants against landlords for violating the negative advertising source of income prohibition;
- (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. 1752, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1752, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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



NADINE K. NAKAMURA, Chair



