

Honolulu, Hawaii

APR 29 2022

RE: S.B. No. 206
S.D. 2
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 206, S.D. 2, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to prohibit discrimination in rental transactions, including in advertisements for rental property, based on participation in a Section 8 Housing Choice Program or any permanent supportive housing program or requirements related to participation in these housing assistance programs.

Your Committee on Conference finds that housing assistance programs, like the federal Section 8 Housing Choice Voucher Program, are essential in helping to alleviate high rental costs for qualifying families. However, the Section 8 program relies on private landlords' willingness to rent to participating individuals. In an expensive and limited housing market such as Hawaii, low-

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income individuals, who are the most likely participants in housing assistance programs, experience extreme difficulty in finding affordable rentals and are often faced with discrimination based on their source of income.

Your Committee on Conference further finds that discrimination against recipients of housing assistance programs is prohibited in a number of states and the District of Columbia, as well as numerous cities and counties throughout the United States. Studies have shown that when there are laws to prevent discrimination against renters with housing vouchers, such renters are twelve percent more likely to find housing. Additionally, source of income laws do not alter or restrict standard industry practices to vet prospective renters. Your Committee on Conference further finds that the Hawaii Interagency Council on Homelessness prioritized addressing upfront barriers to accessing housing, such as source of income discrimination in rental housing, as a key priority for this legislative session. This measure is therefore necessary to prohibit discrimination based on source of income to allow supportive housing vouchers or other housing assistance programs to be implemented as intended and to further address the State's pressing housing crisis.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the provisions of this measure do not apply to landlords with ownership of less than four dwelling units in the State at the time of the alleged discriminatory rental transaction, unless the owner, whether individually or through a business entity, owns more than ten percent interest in more than four dwelling units in the State at the time of the alleged discriminatory rental transaction;
- (2) Inserting language to require the Hawaii Public Housing Authority and the Hawaii Civil Rights Commission to produce and make available informational materials for the purpose of providing notice of specific rights and obligations pursuant to the provisions of this measure and to widely publicize the prohibition against discrimination based on source of income;
- (3) Making it effective upon its approval, provided that the new statutory chapter established by this measure shall take effect on May 1, 2023; and



- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 206, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 206, S.D. 2, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

Nadine K. Nakamura

NADINE K. NAKAMURA
Co-Chair

Rosalyn H. Baker

ROSALYN H. BAKER
Chair

Lisa Kitagawa

LISA KITAGAWA
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Karl Rhoads

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