

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



CATHY BETTS  
DIRECTOR  
KA LUNA HO'OKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELAWE KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 22, 2023

TO: The Honorable Representative Kyle T. Yamashita, Chair  
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: [HB 1439 HD2](#) – RELATING TO EVICTION MEDIATION.

Hearing: February 24, 2023, 10:00 a.m.  
Conference Room 308 & Via Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure and defers to the Judiciary and the Hawaii Public Housing Authority.

**PURPOSE:** This bill establishes and appropriates funds for a pre-litigation mediation pilot program. Requires landlords to participate in mediation before filing an action for summary possession. Creates and appropriates funds for an emergency rent relief program. Effective 6/30/3000. (HD2)

The Committee on Housing amended the measure by:

- (1) Changing the appropriation for the Judiciary to contract for mediation services to an unspecified amount;
- (2) Specifying that participants in the Emergency Rent Relief Program are limited to a maximum of \$5,000 under the program;
- (3) Clarifying that participants in the Emergency Rent Relief Program may choose to receive rent relief either as a lump sum payment of \$3,000 plus four monthly payments of \$500 or ten monthly payments of \$500;
- (4) Increasing the yearly cap of payments allowed under the Emergency Rent Relief Program to \$11,250,000;

- (5) Clarifying that the requirements for the Hawaii Public Housing authority to establish rules and qualification standards apply to the Emergency Rent Relief Program and its participants, rather than the Pre-Litigation Mediation Pilot Program;
- (6) Expanding the authorized uses of the appropriation for the Emergency Rent Relief Program to be used to cover administrative costs of the program;
- (7) Making the Pre-Litigation Mediation Pilot Program effective on September 1, 2023;
- (8) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on Commerce & Consumer Protection further amended the measure by:

- (1) Clarifying that the rules for the Emergency Rent Relief Program shall prohibit a tenant from participating in the Program more than once; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

DHS appreciates the Legislature's effort to incorporate the pre-litigation mediation program temporarily established by Act 57, Session Laws of Hawaii 2021. Mediation assisted many low-income renters in avoiding eviction or allowed a negotiated move-out that avoided further judicial proceedings and judgments. The program also gave assurance to landlords that payment was forthcoming. Preventing eviction allows families, especially with children, to remain in stable housing, allows children to continue to attend their community schools, and maintains their community social connections. Conversely, housing instability can result in long-term health outcomes, school and employment disruption, and increased family stress.

Lastly, providing funds for an emergency rent relief program will help families who are back on their rent as the federal pandemic rental subsidies end.

Thank you for the opportunity to provide comments on this measure.



*The Judiciary, State of Hawai'i*

**Testimony to the Thirty-Second State Legislature, 2023 Regular Session**

**House Committee on Finance**  
Representative Kyle T. Yamashita, Chair  
Representative Lisa Kitagawa, Vice Chair

Wednesday, February 24, 2023, 10:00 a.m.  
Conference Room 308 & Via Videoconference

by:

Judge Melanie May  
Deputy Chief Judge  
District Court of the First Circuit

Judge Blaine J. Kobayashi  
Deputy Chief Judge  
District Court of the Second Circuit

Judge Michelle K. Laubach  
Deputy Chief Judge  
District Court of the Third Circuit

Judge Michael K. Soong  
Deputy Chief Judge  
District Court of the Fifth Circuit

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** House Bill No. 1439, H.D. 2, Relating to Eviction Mediation

**Purpose:** Establishes and appropriates funds for a pre-litigation mediation pilot program. Requires landlords to participate in mediation before filing an action for summary possession. Creates and appropriates funds for an emergency rent relief program. Effective 6/30/3000. (HD2)

### **Judiciary's Position:**

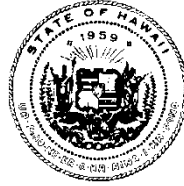
The Judiciary SUPPORTS this measure. When the COVID-19 pandemic began, there were predictions that thousands of evictions would flood the court system. The enactment and implementation of Act 57, Session Laws of Hawai'i 2021, helped to avert the anticipated crisis. Act 57 modified the notice requirements for residential summary possession cases, mandated pre-filing mediation, and made funding available for pre-filing mediation services and rent relief. Under Act 57, 85% of the 1,660 cases mediated statewide settled without litigation. Moreover, in the First Circuit, 85% of these settlements resulted in tenants remaining in their homes.

The Judiciary joins the Committee on Housing's respectful request, in its committee report, for consideration of an appropriation amount of \$1,250,000 for the Judiciary to contract for mediation services to implement this measure.

The Judiciary respectfully requests that any appropriations for this bill not supplant the Judiciary's existing funding and current budget requests.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.  
GOVERNOR



HAKIM OUANSAFI  
EXECUTIVE DIRECTOR

BARBARA E. ARASHIRO  
EXECUTIVE ASSISTANT

**STATE OF HAWAII**  
HAWAII PUBLIC HOUSING AUTHORITY  
1002 NORTH SCHOOL STREET  
POST OFFICE BOX 17907  
HONOLULU, HAWAII 96817

IN REPLY, PLEASE REFER TO:

Statement of  
**Hakim Ouansafi, Executive Director**  
**Hawaii Public Housing Authority**

Before the  
**HOUSE COMMITTEE ON FINANCE**

10:00 a.m., February 24, 2023  
Hawaii State Capitol  
Room 308

In consideration of  
**HB 1439, HD2**  
**RELATING TO EVICTION MEDIATION**

Honorable Chair Yamashita and members of the House Committee on Finance, thank you for the opportunity to provide testimony concerning House Bill (HB) 1439, HD2, relating to eviction mediation.

The Hawaii Public Housing Authority (HPHA) **supports** the enactment of HB 1439, HD2, which would establish a pre-litigation mediation pilot program and an emergency rent relief program, the latter of which would be administered by the HPHA.

The HPHA's mission is to provide Hawaii's residents with adequate and affordable housing, economic opportunity, and suitable living environments that are free from discrimination through both its public housing and rental assistance programs. The HPHA serves our state's most disadvantaged populations, including families earning less than thirty percent of the Area Median Income (AMI), the disabled, and the elderly.

Act 57, Session Laws of Hawaii (SLH) 2021, demonstrated how the combination of a robust pre-litigation mediation process with rental relief led to significantly better outcomes for local families struggling to make ends meet. In its October 2022 report on Act 57, the Hawaii

Appleseed Center for Law & Economic Justice found that the Tenant-Landlord Mediation Program resulted in a much higher rate of successful mediation results when compared to similar programs which held mediation post-filing of an eviction action. Tenants were also much more likely to remain in their unit.

The HPHA appreciates the opportunity to provide the committee with its testimony regarding HB 1439, HD2. We thank you very much for your dedicated and continued support.

**HB-1439-HD-2**

Submitted on: 2/22/2023 3:35:58 PM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Abbey Seitz	Planning for Community LLC	Support	In Person

Comments:



**Testimony of the Hawai'i Housing Affordability Coalition**

**SUPPORTING HB1439 HD2**– Relating to Housing

Conference Room 308 & Videoconference

Friday February 24th, 2023 at 10:00AM

HB1439 - Relating to Eviction Mediation

Aloha Chair Yamashita, Vice Chair Kitagawa, and members of the House Committee of Finance,

The Hawai'i Housing Affordability Coalition is submitting testimony in **overwhelming support of HB1439 HD2**, which will establish an emergency rental assistance and landlord-tenant pre-litigation mediation program patterned off the extraordinarily successful programs Hawai'i adopted in response to the COVID-19 pandemic.

Since the beginning of the COVID-19 pandemic in early 2020, Hawai'i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions and slow the spread of the COVID-19 virus. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.

Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. According to recent research by Hawai'i Appleseed Center for Law and Economic Justice, there are an estimated 2,500 evictions filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can lead to homelessness. The cost of eviction on individuals and households include, but is not limited to: interrupted employment and school leading to a loss of wages; negative health impacts, such as anxiety and depression, and; impaired legal records which make it harder to find future housing.

Evictions also create large public costs. According to estimates provided by the "Eviction Cost Calculator", developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai'i's estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai'i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.



Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439** to help prevent evictions and keep our island residents housed.

Mahalo for the opportunity to testify.

HiHAC

**HB-1439-HD-2**

Submitted on: 2/22/2023 10:21:11 PM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angelina Mercado	Hawaii State Coalition Against Domestic Violence	Support	Written Testimony Only

Comments:

The Hawaii State Coalition Against Domestic Violence supports this measure.

Sincerely,

Angelina Mercado, Executive Director



*Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: House Committee on Finance

Re: **HB 1439, HD2 - Relating to Eviction Mediation**  
Hawai'i State Capitol & Via Videoconference  
February 24, 2023, 10:00 AM

Dear Chair Yamashita, Vice Chair Kitagawa, and Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of HB 1439, HD2**, relating to eviction mediation. This bill establishes and appropriates funds for a pre-litigation mediation pilot program, requires landlords to participate in mediation before filing an action for summary possession, and creates and appropriates funds for an emergency rent relief program.

**HCAN Speaks! Board  
of Directors**

Liza Ryan Gill  
*President*

Nick Kacprowski, J.D.  
*Treasurer*

Mandy Fernandes  
*Secretary*

Teri Keliipuleole  
Jasmine Slovak  
Erica Yamauchi

A similar program that combined mediation and rent relief during the height of the pandemic proved highly successful and was credited with preventing hundreds of tenants in our state from being evicted.<sup>1</sup> We should build on that success and use the lessons learned to create a new mediation and rent relief program.

About 111,000 children in our state live in families that spend more than 30% of their income on housing, which is considered a high housing cost burden. This equates to 37% of all children in our state, ranking Hawai'i a concerning 48<sup>th</sup> among the states for housing affordability.<sup>2</sup>

It is well established that housing instability has harmful effects on children's health and educational outcomes<sup>3</sup> and that the stresses of childhood poverty have both immediate and long-term effects on keiki's physical and mental health, behavioral self-control, academic achievement, and earnings as adults.<sup>4</sup>

While the threat of evictions was especially dire when our unemployment rate was high, Hawai'i had a housing affordability and homelessness crisis before the pandemic, and we will still have it after it ends. That's why this type of program is so important.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo  
Director of Research and Economic Policy

<sup>1</sup> <https://www.hawaiipublicradio.org/local-news/2022-10-19/report-mandatory-mediation-saved-hundreds-of-tenants-from-eviction>

<sup>2</sup> [https://www.hawaii-can.org/kids\\_count\\_2022\\_hawaii\\_profile](https://www.hawaii-can.org/kids_count_2022_hawaii_profile)

<sup>3</sup> <https://housingmatters.urban.org/articles/how-housing-affects-childrens-outcomes>

<sup>4</sup> <https://www.apa.org/pi/ses/resources/indicator/2014/06/childhood-poverty>



Papa Ola Lokahi  
Nana I Ka Pono Na Ma

894 Queen Street  
Honolulu, Hawaii 96813  
Phone: 808.597.6550  
www.papaolalokahi.org

**House Committee on Finance**  
Representative Kyle T. Yamashita, Chair  
Representative Lisa Kitagawa, Vice Chair

**Friday, February 24, 2023, 10:00 AM, Conference Room 308 via Videoconference**

**RE: HB 1439 HD 2 – RELATING TO EVICTION MEDIATION**  
**Position: IN SUPPORT**

Dear Chair Yamashita, Vice-Chair Kitagawa, and the Members of the Committee on Finance,

Papa Ola Lokahi testifies **IN SUPPORT** of HB 1439 HD 2, which will establish and fund a pre-litigation mediation pilot program and supplementary emergency rent relief program. During the pandemic, the state's temporary versions of these programs helped prevent evictions. This measure, which would help build a bridge towards more permanent rental assistance and mediation programs in the future, is critical to ensuring housing stability for our communities.

While the pandemic is evolving, funding for pandemic impacts and their sequelae has largely ended. Rent assistance provides one of the most direct and immediate components in a multi-pronged strategy to stabilize families. The increase in prices for housing across the state is unsustainable for all, especially for kupuna and those dependent on fixed incomes. Data collected prior to 2020 indicate that locals have been leaving Hawaii for the continental United States to achieve better economic opportunity and stability, which has significant implications for communities and our workforce. Those who choose not to or cannot leave face serious challenges and may ultimately end up homeless without robust social supports, such as those proposed in HB 1439 HD 2, to stay housed in Hawaii's housing market.

Of particular concern is the over-representation of Native Hawaiians and Pacific Islanders (NHPIs) in the homeless population. According to the [2022 Point In Time Count Report](#) (PIT Count), NHPIs, and multiracial people made up the largest percentages of the unhoused population: 52% of people included in the count identified NHPI as either their only race or part of their multiracial identity, and 81% of multiracial individuals identified NHPI as part of their racial background. In addition, the report highlighted that NHPIs were 265% more likely to represent individuals in the PIT Count compared to the general population of Oahu.

Addressing the social determinants of health – i.e., the nonmedical factors that influence health outcomes, including our physical environment – requires investment. Papa Ola Lokahi **supports HB 1439 HD 2**, which creates one of the many vehicles needed to bolster the ability of local families to remain safely housed, healthy, and connected to Hawaii.

Thank you for the opportunity to provide testimony **IN SUPPORT** of this critical legislation.

*Papa Ola Lōkahi, the Native Hawaiian Health Board, authorized by the federal Native Hawaiian Health Care Improvement Act, is charged with raising the health status of Native Hawaiians to the highest possible level, which we achieve through strategic partnerships, programs, and public policy.*



# HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai‘i Appleseed Center for Law and Economic Justice  
**Support for H.B. 1439 HD2 – Relating to Eviction Mediation**  
House Committee on Finance  
Friday, February 24, 2023, at 10:00AM, Conf. Rm. 308 and via Videoconference

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Dear Chair Yamashita, Vice Chair Kitagawa, and members of the Committee on Finance:

Thank you for the opportunity to express our **STRONG SUPPORT for H.B. 1439 HD2**, which will establish a pre-litigation mediation and rent relief program that has the potential to help prevent thousands of evictions. We also offer suggested amendments to provide additional flexibility with the rent relief portion of the bill.

Everyone benefits from housing stability. Around 2,500 evictions are filed every year in Hawai‘i. Evictions are harmful to the landlords who rely on rent payments, to the tenants who lose their homes, and to our community—which incurs an estimated \$30 million in costs for public and emergency services needed as a result of evictions. We estimate that for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.<sup>1</sup>

Hawai‘i created one of the most successful eviction-prevention programs in the nation during the pandemic when it adopted two key tools for preserving housing stability—emergency rent relief and pre-litigation mediation (Act 57). Having both tools available for landlords and tenants who went through mediation resulted in 87 percent of eviction cases settling, compared to the norm of 47 percent. Most importantly, 85 percent of settlements resulted in tenants remaining in the home, relative to the more typical 11 percent rate pre-Act 57.

The rent relief & pre-litigation mediation programs Hawai‘i put into place during the pandemic taught us important lessons:

- Rent relief and pre-litigation mediation are each helpful, but most powerful when combined.
- Keep it simple. Securing rent relief was challenging for many tenants and landlords because of onerous documentation requirements to show that tenants qualified. As a result, some households that needed assistance weren’t able to access it, and administration of the program was more time-consuming and costly than it needed to be.
- Outreach and support services are key. Tenants who are intimidated by the prospect of eviction, are hopeless about their situation, or are worried about falling victim to scams may need additional assurances that the pre-litigation mediation and rent relief options available to them

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<sup>1</sup> According to estimates generated by the "Eviction Cost Calculator" (<https://law.arizona.edu/eviction-calculator>), developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai‘i’s estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention.

are real and effective. They often will need time and support getting back on track to housing stability.

### **How Rent Relief & Pre-Litigation Mediation Under HB1439/SB1439 Will Work**

HB1439/SB1439 incorporates the lessons learned from the pandemic into a streamlined rent relief & mediation program. Under the program, before an eviction for non-payment of rent can be filed with the court, the tenant must be offered pre-litigation mediation. Participants in pre-litigation mediation will have exclusive access to a rent relief fund that can be used to help pay arrears and provide a shallow rent subsidy of \$500 a month for a few months, buying the tenant time to get back to a more stable financial situation.

The benefits of this approach include the following:

- Limiting the rent relief to a relatively low amount (e.g., \$5,000 to \$8,000) mitigates the need for income qualifications and the corresponding onerous documentation requirements. Not only are the households that face eviction typically lower-income, people with high-cost rentals are unlikely to be able to use the subsidy to preserve high cost housing because the amount they could receive is limited.
- Making rent relief available only to pre-litigation mediation participants:
  - Stretches the dollars committed to rent relief by making it a program of last resort;
  - Helps mitigate the potential of cannibalizing funding from federally-subsidized rent relief programs that are harder to qualify for and access; and
  - Mitigates the likelihood of fraud in the program. The requirement that people show up in person or via video-conference and engage in mediation make it far less likely that people will be able to take unfair advantage of the program.

### **Recommendations to Strengthen HB1439**

Based on our research of the pandemic rent relief and mediation programs, supported by the Urban Institute,<sup>2</sup> we make the following recommendations:

- **Increase the cap on the total amount of rent relief available to a household at \$8,000—up to \$5,000 for arrears plus up to \$3,000 for an ongoing shallow rent subsidy of \$500 per month for six months.** These figures are based on average distributions of pandemic rent relief that ranged between \$2,250 and \$6,000 depending on the program and county. \$5,000 of available rent relief should assist a household of four with nearly two months of back rent, covering enough of the arrears that a tenant is likely to be able to remain an ongoing tenant. Having a shallow rent subsidy of \$500 for six months is key to give the tenant time to get back on track financially or explore other options.

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<sup>2</sup> *Eviction Prevention Through Hawai'i's Tenant-Landlord Mediation Program*, Hawai'i Appleseed, Oct. 2022 (available at <https://hiappleseed.org/publications/eviction-prevention-mediation-hawai'i>).

An appropriation of \$11.25 million per year for rent relief could cover up to 2,250 households with an average payout of \$5,000. Setting the cap at \$8,000 provides flexibility for when a higher amount is warranted, but most households will likely receive less.

- **Allocate sufficient resources for administration of the rent relief, mediation, outreach, financial education/navigation services and data collection.** Even with a streamlined program, there's a cost associated with administering the rent relief program that will need to be covered.

During the pandemic, the mediation programs were able to conduct mediations for a cost of about \$250 to administer the process for each case, plus \$250 for each mediation session with up to two mediations being required. \$1.25 million would cover 2,500 mediations at \$500 per mediation.

Funding for outreach, financial counseling and navigation services is also critical. We know from the pandemic that tenants need assurances that programs similar to what's proposed are legitimate and offer a true opportunity for preserving their housing. And many tenants will likely need assistance during the six months of additional rent assistance to assess their ongoing financial stability, and identify other options or resources they can access for long-term sustainability.

It will also be important to allocate resources for data collection and analysis of the program. We know from the pandemic that rent relief and pre-litigation mediation is effective, but a small amount of support for analyzing the program can go far toward improving its efficiency, increasing its impact, and ensuring the program is successfully mitigating houselessness.

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439 HD2**, and consider the suggestions above, to help prevent evictions and keep our island residents housed.

Mahalo for the opportunity to testify.

February 24, 2023

**The Honorable Kyle T. Yamashita, Chair**

House Committee on Finance

State Capitol, Conference Room 308 & Videoconference

**RE: House Bill 1439, HD2, Relating to Eviction Mediation**

**HEARING: Friday, February 24, 2023, at 10:00 a.m.**

Aloha Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i and its over 11,000 members. HAR provides **comments** with suggested amendments on House Bill 1439, HD2, which establishes and appropriates funds for a pre-litigation mediation pilot program. Requires landlords to participate in mediation before filing an action for summary possession. Creates and appropriates funds for an emergency rent relief program. Effective 6/30/3000.

HAR appreciates the intent of this measure and supports emergency rent relief as it helps both tenants struggling to make their rent payments as well as housing providers who may have mortgage payments. We also believe that if mediation is to occur to resolve disputes that it be conducted by trained professionals to ensure that the process is conducted efficiently and effectively for all parties. Finally, we are supportive of the sunset date of June 30, 2025 in this measure in order to be able to evaluate its impact.

We respectfully request an effective date of November 1st, to allow our organization time to update our Rental Agreement Standard Form and to educate our members on the required changes. November is the timing for the next batch of updates to all our Standard Forms which are utilized by the entire industry.

Thank you for your consideration of our comments. Mahalo for the opportunity to testify.



**HB-1439-HD-2**

Submitted on: 2/23/2023 10:34:48 AM

Testimony for FIN on 2/24/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Edmonds	Permanently Affordable Living Kaua'i	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Kitagawa, and fellow committee members,

My name is Jim Edmonds, Kaua'i resident and Executive Director of Permanently Affordable Living Kaua'i. On behalf of our non-profit affordable housing organization, I am writing to express **overwhelming support of HB1439, which establishes and funds a pre-litigation mediation pilot program and supplementary emergency rent relief program.**

As our state faces a housing crisis due to the scarcity of affordable housing, it is imperative that we do whatever we can to keep people housed. Since 2020, these temporary emergency rental assistance and landlord-tenant mediation programs have kept tens of thousands of families stably housed.

According to recent research by Hawai'i Appleseed Center for Law and Economic Justice, there are an estimated 2,500 evictions filed each year across the state. When families are evicted it is extremely hard for them to find housing due to housing supply shortages and many are forced to leave Hawai'i or become houseless living on the street or out of their cars. Evictions are also expensive. According to estimates provided by the "Eviction Cost Calculator", developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai'i's estimated 2,500 annual evictions led to over \$30 million in public costs. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs that avoid these costs. According to research by Hawai'i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.

I urge you to please **PASS HB1439**. The people of Hawai'i deserve support as they are having to cope with a flawed housing system. We need to keep people housed until we can rectify our housing supply issues.

Mahalo for the opportunity to testify.

Jim Edmonds  
Executive Director  
Permanently Affordable Living Kaua'i

**HB-1439-HD-2**

Submitted on: 2/23/2023 11:36:27 AM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sergio Alcubilla	Hawaii Workers Center	Support	Written Testimony Only

Comments:

February 23, 2023

Hawaii State House of Representatives  
Committee on Finance  
Rep. Kyle T. Yamashita, Chair  
Rep. Lisa Kitagawa, Vice Chair

RE: Strong Support for H.B. 1439 RELATING TO EVICTION MEDIATION

Dear Chair Rep. Yamashita, Vice-Chair Rep. Kitagawa, and Members of the Committee on Finance:

The Hawaii Workers Center envisions a Hawaii in which all workers are empowered to exercise their right to organize for their social, economic and political well-being. It is a resource of information, education, training and organizing for Hawaii's low-wage and immigrant workers.

The Hawaii Workers Center stands in strong support for H.B. 1439, creating an emergency rental assistance and landlord-tenant pre-litigation mediation program.

One of the major concerns of working class communities is maintaining a roof over their heads and providing housing for their families. Landlord-tenant issues often discourage workers from speaking up against their employers in fear of losing their livelihoods and being unable to avoid rent. More often than not, landlords may also take advantage of tenants who face language and cultural barriers. A pre-litigation program will help level the playing field for these communities.

Passing H.B. 1439 and continuing the success of elements of the eviction moratorium that the Legislature enacted at the height of the pandemic would help many working families across Hawaii. The Hawaii Workers Center urges this committee to pass. H.B. 1439.

Sincerely,

Sergio J. Alcubilla  
Executive Director



Housing Hawaii's Future  
PO Box 3043  
Honolulu, HI 96802-3043

February 23, 2023

Dear Chair Yamashita, Vice Chair Kitagawa, and Finance Committee members,

**On behalf of Housing Hawai'i's Future, I write in support of HB1439, which establishes and appropriates funds for a pre-litigation mediation pilot program.**

Housing Hawai'i's Future is a movement led by young locals who will create opportunities for Hawai'i's next generation by ending the workforce housing shortage.

We believe that pro-supply and pro-tenant policies can coexist, as outlined by Shane Phillips in his excellent book *The Affordable City: Strategies for Putting Housing Within Reach (and Keeping it There)*.

HB1439 helps address the asymmetry that exists between renters and landlords. It will help to prevent evictions, which have disastrous consequences for renters (especially when families with children are put out onto the street).

**Please support HB1439.**

Thank you,

A handwritten signature in black ink that reads "Sterling Higa".

Sterling Higa  
Executive Director  
Housing Hawai'i's Future

[sterling@hawaiisfuture.org](mailto:sterling@hawaiisfuture.org)

+1 (808) 782-7868

**HB-1439-HD-2**

Submitted on: 2/22/2023 11:29:38 AM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christy MacPherson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamane, Vice Chair Kitagawa and members of the House Committee on Finance,

I am in **STRONG** support of HB1439 HD2. This is *absolutely* necessary in order to prevent homelessness in our state.

Mahalo for your consideration.

**HB-1439-HD-2**

Submitted on: 2/22/2023 4:42:54 PM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Arjuna	Individual	Support	Written Testimony Only

Comments:

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions.

We should extend the benefits of Act 57 and support our residents by continuing the landlord tenant mediation program with rental assistance. Please support HB1439

**HB-1439-HD-2**

Submitted on: 2/22/2023 8:06:34 PM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

Many Hawai‘i residents continue to face challenges in paying their rent and are faced with the prospect of eviction. Act 57 (2021) encouraged communication and facilitated mediation between landlords and tenants to help reduce summary possession cases.

Research from Hawai‘i Appleseed Center indicates that the mediation procedures created by Act 57 were widely successful in substantially increasing the number of disputes that were settled without a court case, and without resulting in eviction.

This program was highly successful, and Hawai‘i should continue to make use of this system. Please pass HB1439 HD2.

**HB-1439-HD-2**

Submitted on: 2/22/2023 8:59:23 PM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Summer-Lee Yadao	Individual	Support	Written Testimony Only

Comments:

**Hearing Date: Friday, February 24, 2023**

**House Committee on Finance**

**Submitted by Summer-Lee K. Yadao**

**HB1439 - Relating to Eviction Mediation**

**To: Chair Yamashita, Vice Chair Kitagawa, and fellow committee members,**

**Summer-Lee Yadao is submitting testimony in overwhelming support of HB1439,**

**which establishes and funds a pre-litigation mediation pilot program and supplementary emergency rent relief program.**

**We have a nationally recognized houselessness issue, therefore those in legislation making decisions that affect the people of Hawai`i need to do as much as humanly possible to address it. Having a program to prevent evictions and keep people housed is a vital need for every person living in Hawai`i right now.**

**Since the beginning of the COVID-19 pandemic in early 2020, Hawai`i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions and slow the spread of the COVID-19 virus. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.**

**Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. According to recent research by Hawai`i Appleseed Center for Law and Economic Justice, there an estimated 2,500 evictions filed each year across the state.**

**Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can led to homelessness. The cost of eviction on individuals and households include, but is not limited to: interrupted employment and**



**school leading to a loss of wages; negative health impacts, such as anxiety and depression, and; impaired legal records which make it harder to find future housing.**

**Evictions also create large public costs. According to estimates provided by the “Eviction “Cost Calculator”, developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai‘i’s estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai‘i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.**

**Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions.**

**Please PASS HB1439 to help prevent evictions and keep our island residents housed.**

**Mahalo for the opportunity to testify,**

**Summer-Lee K. Yadao**

**HB-1439-HD-2**

Submitted on: 2/22/2023 9:40:44 PM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shantell Calarruda	Individual	Support	Written Testimony Only

Comments:

I support this bill.

**HB-1439-HD-2**

Submitted on: 2/23/2023 5:55:13 AM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

Support

## **HOUSE FINANCE COMMITTEE**

**Rep. Kyle T. Yamashita, Chair**

**Rep. Lisa Kitagawa, Vice Chair**

**Hearing Date: Thursday, February 23, 2023, 1:30 p.m**

**Re: [HB 1439, HD2](#) - RELATING TO EVICTION MEDIATION.**

**Aloha Chair Yamashita and Committee Members.**

**My name is Linda Dorset, a resident of Wailuku, Maui. I thank you for the opportunity to submit written testimony regarding the above referenced legislation. I strongly support HB1439 which extends the period for a notice of termination of the rental agreement from five business days to ten calendar days; requires landlords to engage in mediation; and creates an emergency rent relief program.**

**Hawai'i already established these programs in the beginning of the COVID-19 pandemic in early 2020, and they have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.**

**Evictions are harmful to the landlords who rely on rent payments and are especially harmful to the individual or family losing their home. The cost of eviction includes: interrupted employment and school, loss of wages, negative health impacts, and impaired legal records which make it harder to find future housing.**

**Hawai'i's estimated 2,500 annual evictions led to over \$30 million in public costs such as: the need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai'i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.**

**Please PASS HB1439 to help prevent evictions and keep our island residents housed.**

**Linda Dorset**

**Wailuku Resident**

**HB-1439-HD-2**

Submitted on: 2/23/2023 9:53:13 AM

Testimony for FIN on 2/24/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephen K Hanohano	Individual	Support	Written Testimony Only

Comments:

Aloha House Committee on Finance To: Chair Yamashita, Vice Chair Kitagawa, and fellow committee members,

Hi House Committee on Finance! My name is Stephen Hanohano, I'm a member of Hawaii Clubhouse Advocacy Coalition and member of the Diamond Head Clubhouse. I'm strongly support for HB1439 as written testimony!

Thank you and Mahalo!