

# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

Tuesday, April 5, 2022  
Via Videoconference, 2:30 p.m.  
Conference room 308

To: The Honorable Sylvia Luke, Chair  
The Honorable Kyle T. Yamashita., Vice Chair  
Members of the House Committee on Finance

From: Liann Ebesugawa, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

## **Re: S.B. No. 206, S.D.2, H.D.1**

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

**The HCRC supports S.B. No. 206, S.D.2, H.D.1, but must raise concern over two of the H.D.1 amendments that would diminish the efficacy of the new law to meaningfully address the problem it is meant to remedy.**

This bill would amend the HRS to add a new chapter to prohibit housing discrimination against persons based on their source of income, including participation in a housing assistance program or requirements related to participation in a housing assistance program. While this new protection is different in kind from the protected bases under fair housing law, there is some

correlation between the protected bases under federal and state fair housing law and those who receive rental assistance and other sources of income from government programs – many are people living with disabilities, families with children, single female heads of household, and members of racial minority groups.

In recent years a number of states and municipalities have enacted laws prohibiting discrimination in housing based on lawful source of income, including Section 8 vouchers as a source of income. Courts have held that these state and local laws are not preempted by federal Section 8 law (which states that participation in the Section 8 program is voluntary), and that the burden of participating in the Section 8 program is not onerous.

As the COVID-19 pandemic winds down, its economic repercussions affect income and housing. In this crisis, it is even more important to prohibit discrimination based on source of income.

The HCRC has both supported and raised concerns about similar bills in the past, and S.B. 206, S.D.2, addressed those concerns, placing the new prohibited practice in a new chapter of the HRS, with enforcement through direct civil action, with limited remedies including injunctive relief and attorney's fees

**S.B. 206, S.D.2, H.D.1, amends the bill in two respects that raise substantial concerns:**

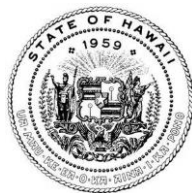
**1) it exempts “mom and pop” landlords from prohibition against discrimination based on source of income, the exemption applying to landlords who own (> 10% ownership interest) more than six units; and it eliminates the award of attorney’s fees from the remedies that a district court can order in a civil action when an injunction is issued to enjoin violation of the statute.** The H.D.1 also reduces the \$5000 fine that a district court can assess for a violation to a maximum civil penalty of \$2,000 for a first violation, and \$2,500 for a subsequent violation.

The legislature may choose to exempt “mom and pop” landlords from coverage of the

statute, as the H.D.1 also does for landlords in “close living” situations (for a building that contains two housing accommodations, if the owner lives in one of them, and also for rental of a room in a house if the owner lives in the house). **However, the H.D.1 exemption creates a barrier for those who encounter prohibited discrimination based on source of income that will keep them from trying to enforce their rights under the law – simply put, there is no way for a person who is subjected to discrimination to know if a landlord owns more than six units.** The impact of the new protection on “mom and pop” landlords is better addressed, without undermining the purpose of the new law, by the § \_\_\_-3(3) exemption that allows a landlord to discriminate on the basis of source of income if source of income approval, including inspection of a unit, is not completed within 21 days.

The elimination of the award of attorney’s fees will limit access to the courts to seek legal remedy for violations, for these reasons: **Many of those who are affected by the prohibited discrimination will, by definition be low-income Section 8 voucher holders, and will as a class be unable to afford and retain an attorney to represent them; the absence of monetary damages as a remedy eliminates the possibility of contingency fee agreements as a means of retaining an attorney. If a victim of discrimination cannot afford an attorney, their only access to court may be pursuing a case on a *pro se* basis.** Where many, if not most, landlords will be represented by counsel, the law will create a built-in imbalance of power between pro se complainants and represented landlords, weighing against those seeking relief from prohibited discrimination.

**The HCRC supports the bill, with these concerns about the two H.D.1 amendments that would undermine the intent of the bill and limit the access to legal remedy for violations, and urges the Committee to reconsider the concerning exemption and restore the award of attorney’s fees when a district court issues an injunction.**



EXECUTIVE CHAMBERS  
HONOLULU

April 5, 2022

TO: The Honorable Representative Sylvia Luke, Chair  
House Committee on Finance

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: **SB 206 SD2 HD1 – RELATING TO RENTAL DISCRIMINATION**

Hearing: April 5, 2022, 2:30 p.m.  
VIA VIDEO CONFERENCE  
Hawaii State Capitol, Conference Room 308

**POSITION:** The Governor's Coordinator on Homelessness supports the intent of this measure and prefers the language in the SD2.

If this measure proceeds, the Coordinator respectfully requests that the SD2 language be restored and agrees with suggested amendments by the Department of Human Services (DHS) to insert a sunset date to evaluate the effectiveness of source of income protections.

**PURPOSE:** The purpose of the bill is to prohibit discrimination, including in advertisements for rental property, in rental transactions based on participation in the section 8 housing choice voucher program or any permanent supportive housing program or requirements related to participation in these housing assistance programs.

The House Committee on Housing amended this bill by:

- (1) Removing provisions related to blockbusting and other discrimination in real estate transactions based on participation in a housing assistance program or requirements related to participation in housing assistance programs;
- (2) Deleting the requirement that the Executive Director of the Hawaii Civil Rights Commission produce and publicize materials related to source of income discrimination in housing;
- (3) Narrowing the scope of rental discrimination based on source of income in the measure;

- (4) Establishing exemptions and amending the available remedies related to discriminatory practices in a rental transaction based on source of income;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Coordinator prefers the language in the SD2, which provides stronger protections and penalties related to source of income discrimination. As currently drafted, the bill specifies a number of exemptions and reduces the penalty for a violation from \$5,000 to no more than \$2,000 for the first violation and \$2,500 for any subsequent violation. Additionally, the current language in the bill would not prohibit discrimination against tenants who receive housing assistance through the State rent supplement program, federal Emergency Rental Assistance (ERA) from the U.S. Treasury, or other housing subsidies such as HOME Tenant Based Rental Assistance (TBRA). If this measure proceeds, the Coordinator respectfully requests that the Legislature restore the language in the SD2.

Source of income discrimination protections for renters is a priority of the Hawaii Interagency Council on Homelessness (HICH) for the 2022 legislative session. Strong source of income discrimination protections will address a key barrier to housing for many low-income and homeless individuals and families throughout the state, such as former foster youth, single mothers with minor children, veterans, individuals fleeing domestic violence, and the elderly. During the ongoing COVID-19 pandemic, reluctance to rent to clients in housing assistance programs has adversely impacted the utilization of new federal resources, such as U.S. Department of Housing and Urban Development Emergency Housing Vouchers (EHVs) and U.S. Department of Treasury Emergency Rental Assistance (ERA).

For example, per a [February 2022 article in the Honolulu Star-Advertiser](#), the number of unused Section 8 vouchers issued by the Hawaii Public Housing Authority (HPHA) increased from only 10 in 2017 to 68 in 2021. With limited search periods to "lease up" with a voucher of normally 60- or 90-days, refusal to accept a housing voucher results in individuals losing their rental assistance and prolongs situations of housing insecurity and homelessness.

Data from other communities demonstrate that housing voucher utilization increases when source of income discrimination or housing voucher discrimination policies are adopted.

For example, a 2011 U.S. Department of Housing and Urban Development policy brief, [\*The Impact of Source of Income Laws on Voucher Utilization and Locational Outcomes\*](#), found voucher utilization rates increased by between 4 to 11% in communities with source of income discrimination policies compared to communities that did not have these policies. A more recent [2018 study by the Urban Institute](#) found dramatically lower rates of discrimination against households receiving housing choice vouchers in two areas – New Jersey and Washington, D.C. – that have strong source of income protections.<sup>1</sup>

Locally, homeless service providers have reported that many landlords are reluctant to rent to individuals who receive housing assistance through a Section 8 Housing Choice Voucher or other subsidies such as permanent supportive housing or ‘Housing First’ programs. A number of advertisements for housing specifically state “No Section 8” or “No Vouchers.” The stories and feedback related to source of income discrimination and challenges related to finding landlords open to housing assistance are captured online in interviews with landlords, service providers, and homeless individuals at: <https://homelessness.hawaii.gov/landlord-engagement>. One potential tenant experiencing homelessness on Hawaii island reported being unable to locate a landlord willing to accept her housing voucher despite actively searching for a rental unit over a nine-month period.

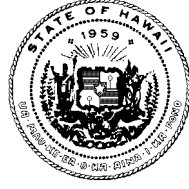
The Coordinator understands that addressing ‘source of income’ discrimination is just one piece of a more comprehensive effort to address homelessness and housing instability. In addition to prioritizing the reduction of upfront housing barriers, the HICH advocates for low-income housing development for individuals transitioning out of homelessness, supports landlord incentive programs, and supports expanding programs that assist key homeless sub-populations (e.g., unsheltered youth, adults with severe mental illness, etc.). For more information about the 2022 HICH policy priorities, please visit <http://homelessness.hawaii.gov/wp-content/uploads/2022/01/GCH-Legislative-Priorities-2022-Overview.pdf>.

Thank you for the opportunity to testify on this bill.

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<sup>1</sup> Report available at: <https://www.urban.org/research/publication/pilot-study-landlord-acceptance-housing-choice-vouchers>

DAVID Y. IGE  
GOVERNOR



CATHY BETTS  
DIRECTOR

JOSEPH CAMPOS II  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**

P. O. Box 339  
Honolulu, Hawaii 96809-0339

April 4, 2022

TO: The Honorable Representative Sylvia Luke, Chair  
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: **SB 206 SD2 HD1 – RELATING TO RENTAL DISCRIMINATION.**

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the measure's intent but respectfully opposes the current draft. The Department prefers the SD2 as it includes more sources of income and consumer protections; DHS respectfully suggests that the Legislature restore the SD2 and, as a compromise, add a sunset date to see if the measure adversely impacts landlords, as the opposition surmised.

**PURPOSE:** The purpose of the bill is to prohibit discrimination, including in advertisements for rental property, in rental transactions 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. Effective 7/1/2050. (HD1)

The SD1 amended the measure by:

- (1) Amending section 1 to further clarify this measure's importance;
- (2) Increasing the maximum penalty from \$500 to \$5,000; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

The SD2 amended the measure by inserting additional findings to further clarify this measure's importance.

The HD1 amended the measure by

- (1) Removing provisions related to blockbusting and other discrimination in real estate transactions based on participation in a housing assistance program or requirements related to participation in housing assistance programs;
- (2) Deleting the requirement that the Executive Director of the Hawaii Civil Rights Commission produce and publicize materials related to source of income discrimination in housing;
- (3) Narrowing the scope of rental discrimination based on source of income in the measure;
- (4) Establishing exemptions and amending the available remedies related to discriminatory practices in a rental transaction based on source of income;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Department opposes the HD1 amendments as it: removes relevant justifications and references to the impact and experience of COVID-19 on the rental market; it reduces the sources of income that the measure will cover; it significantly waters down the sections on discriminatory practices and tenant remedies; it adds a new section on exemptions that includes a limit of a landlord's liability to one violation.

The HD1 (in brown) revised the definition of "Housing assistance program" as follows:

"Housing\_ assistance program" means ~~any government assistance, grant, loan, or rental assistance program, including low-income~~ section 8 housing assistance certificates and vouchers under the United States Housing Act of 1937, as amended choice voucher program or any permanent supportive housing program.

Though the bill's two opponents voiced concerns about the difficulty of working with Section 8 vouchers, the HD1 struck other income sources, left Section 8 vouchers, and added permanent supportive housing programs as applicable assistance programs. As drafted, the proposed measure would not protect residents who receive federal emergency rental and utility assistance or any other housing program assistance. For example, the HD1 would not apply to rental assistance recipients currently issued by the Hawaii Public Housing Authority or First To



Work participants if HB2233/ SB2130 becomes law.<sup>1</sup> The Legislature needs to support low-income residents to weather the continuing pandemic conditions and strengthen communities; renters should not face barriers to securing housing based on their source of income.

While paragraphs (a) through (c) of the new section on remedies are more than the current state of the law, paragraphs (d) through (f) go too far:

- (d) No landlord shall be fined more than once for the same violation under this section.
- (e) No party shall be awarded attorney's fees or costs in any action under this section.
- (f) All fines collected under this section shall be deposited into general fund."

Paragraph (d) limits a landlord's liability to the first occurrence – this is a shield and not a deterrent to future behavior; attorneys fees and costs are a remedy often used by landlords and are prohibited here in paragraph (e); directing the fines collected to the general fund would not compensate the tenant for having suffered the discriminatory behavior.

There are numerous reports on the negative impacts of housing instability on the health and well-being of individuals and families. Housing instability also interferes with individuals' and families' ability to maintain employment and succeed in school. Notably, a 2016 study found, amongst other things, that,

"moving to a lower-poverty neighborhood significantly improves college attendance rates and earnings for children who were young (below age 13) when their families moved. These children also live in better neighborhoods themselves as adults and are less likely to become single parents," and "that offering low-income families housing vouchers and assistance in moving to lower-poverty neighborhoods has substantial benefits for the families themselves and for taxpayers. It appears important to target such housing vouchers to families with young children – perhaps even at birth – to maximize the benefits."<sup>2</sup>

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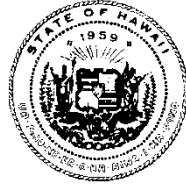
<sup>1</sup> HB2233 and SB2130 Relating To Temporary Assistance For Needy Families proposes to authorize the DHS to provide housing assistance subsidies of up to \$500 per month to Temporary Assistance for Needing Families and Temporary Assistance for Other Needing Families program participants participating in the First-To-Work program.

<sup>2</sup> Chetty, Raj, Nathaniel Hendren, and Lawrence Katz. 2016. "[The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Project.](https://scholar.harvard.edu/files/hendren/files/mto_paper.pdf)" American Economic Review 106 (4), found at [https://scholar.harvard.edu/files/hendren/files/mto\\_paper.pdf](https://scholar.harvard.edu/files/hendren/files/mto_paper.pdf)

The SD2 is a preferable draft as low-income individuals and families need additional consumer protections and rental subsidies to maintain housing stability that strengthens families and communities.

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

DAVID Y. IGE  
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

Statement of  
**Hakim Ouansafi**  
Hawaii Public Housing Authority  
Before the

### HOUSE COMMITTEE ON FINANCE

**Tuesday, April 5, 2022**  
**2:30 PM – Videoconference – Room 308, Hawaii State Capitol**

In consideration of  
**SB 206, SD2, HD1**  
**RELATING TO RENTAL DISCRIMINATION**

Honorable Chair Luke, and Members of the House Committee on Finance, thank you for the opportunity to provide testimony concerning Senate Bill (SB) 206, SD2, HD1, relating to rental discrimination.

The Hawaii Public Housing Authority (HPHA) **supports the intent and offers comments** on SB 206, SD2, HD1, which prohibits discrimination, including in advertisements for rental property, in rental transactions 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.

The Section 8 Housing Choice Voucher (HCV) program is a major federal program assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market, including single-family homes, townhouses, and apartments. It is an important part of the State's efforts in addressing the affordable housing needs of our low-income families. This program currently brings \$44.70 million dollars a year primarily on the island of Oahu, supports over 3,200 families and over 11,200 individuals. All families go through a criminal background, sex offender screening, and Homeland Security screening before being given a voucher to pursue a rental unit.

Because of the much-anticipated appropriation of additional federal funding currently being negotiated in Congress, and the overwhelming need in our community to assist our low-income families, we are hopeful that with the passage of this measure, our current and future Section 8

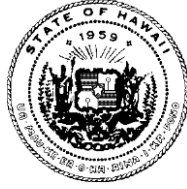
HCV participants will be considered as tenants and given a chance to apply for vacant rental units in the private market.

In the last few years, the HPHA received feedback that many landlords advertise “No Section 8” and refuse to consider Section 8 participants because they believe that they will not be good tenants. After launching a “lease in place” preference at the end of 2020, we were surprised to learn that many landlords did not want to participate in the Section 8 program even though their current renters had been with them for many years. We discovered that many landlords prefer cash payments for tax purposes. While some landlords that currently participate in the Section 8 program have legitimate concerns that we’ve addressed, other landlords still refuse to consider Section 8 participants because of the stigma that they are not good tenants, and/or they prefer, due to cash advantages, cash payments instead of receiving the 1099 that we are required to send.

Please know that this measure affects all poor families and individuals participating in the Section 8 program, while only affecting a few realtors/landlords, and the effects of discrimination are not proportionate when you have women and children sleeping on the streets while most landlords are sleeping in the comfort of their home waiting for a check that will be in an amount that is retroactive from the date of the lease being signed. Section 8 applicants have nothing to do with the fact that the Federal government imposes certain rules to protect taxpayer dollars, and those issues should be specifically addressed with Hawaii’s Congressional delegation to request to amend them.

Additionally, the HPHA believes that no one should be exempt from discriminating against anyone, landlords who owns 6 units should not be categorized as a “mom and pop” operation, and we would hope that the language from the SD2 version could be re-inserted going forward.

The HPHA appreciates the opportunity to provide the Committee with the HPHA’s testimony. We thank you very much for your dedicated support.



‘O kēia ‘ōlelo hō’ike no ke  
**Komikina Kūlana Olakino o Nā Wāhine**

Testimony on behalf of the  
**Hawai‘i State Commission on the Status of  
Women**

Support with Amendments for S.B. 206 SD2 HD1  
April 5, 2022

Aloha Chair Luke, Vice Chair Yamashita, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports S.B. 206 SD2 HD1 but opposes the HD1 amendments to reduce the penalty, eliminate attorney’s fees, and exempt certain landlords will neutralize any positive effect of this bill. The fine should be set at \$5000 minimum.

SB206 would create an individual direct cause of action to prohibit landlords from discriminating against renters based on their source of rent money such as emergency rental assistance during COVID-19 and Housing Choice Vouchers/Section 8, which are tenant-based vouchers awarded to low-income households that assume responsibility for finding themselves appropriate units to rent in the private market.

SB206 can bring about greater gender equality because source of income discrimination is a veiled form of illegal forms of discrimination, especially sex and family discrimination. Discrimination against women and children can be hidden by using voucher discrimination as a pretext. [An astounding 83 percent of households participating in the Section 8 Housing Choice Voucher Program are led by women.](#) Section 8 blanket bans further limit access to housing as a result of the economic shocks of the COVID-19 pandemic.

Please fight for housing for single mothers and restore attorney’s fees, raise the penalty for violators, and expand coverage to all landlords.

Mahalo,

Khara Jabola-Carolus

**SB-206-HD-1**

Submitted on: 4/1/2022 2:00:13 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Golojuch Jr	Stonewall Caucus of the Democratic Party of Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai'i (formerly the LGBT Caucus) Hawai'i's oldest and largest policy and political LGBTQIA+ focused organization fully supports SB 206 SD 2 HD 1.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.  
Chair and SCC Representative  
Stonewall Caucus for the DPH

**SB-206-HD-1**

Submitted on: 4/1/2022 9:32:02 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mike Golojuch, Sr.	Rainbow Family 808	Support	Written Testimony Only

Comments:

Rainbow Family supports SB206. Please pass this bill. Thanks.

Mike Golojuch, Sr., Secretary/Board Member, Rainbow Family 808



## CATHOLIC CHARITIES HAWAII

### COMMENTS on SB 206, SD2, HD1: RELATING TO RENTAL DISCRIMINATION

TO: House Committee on Finance  
FROM: Rob Van Tassell, President and CEO, Catholic Charities Hawai'i  
Hearing: **Tuesday, April 5, 2023, 2:30 PM; via videoconference**

Chair Luke, Vice Chair Yamashita, and Members, Committee on Finance:

Thank you for the opportunity to provide **Comments on SB 206, SD2, HD1**, which prohibits discrimination in rental transactions based on participation in Section 8 or any permanent supportive housing program or requirements of these programs. I am Rob Van Tassell, with Catholic Charities Hawai'i. We are also a member of Partners In Care (PIC).

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 75 years. CCH has programs serving elders, children, families, homeless, and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i. Catholic Charities Hawai'i has a long history of working in the areas of affordable housing and homelessness.

**Catholic Charities Hawaii strongly urges you to pass a bill that is clear and straightforward for both tenants and landlords to understand this critical issue of discrimination. While we support previous drafts of this bill, the exemptions added in HD1 would dilute the impact of the protections. We prefer the language in SB 206, SD2.** The exemptions in HD1 would make it very difficult for applicants to know if a landlord is actually exempt or is illegally discriminating against them. Without allowing attorney's fees to be paid, few tenants could afford to go to court, where the larger landlords would be represented by lawyers.

The narrow definition of "housing assistance program" in HD1 could lose state and federal dollars. HD1 only applies to HCV/section 8 and those in permanent supportive housing. Other subsidies would not be protected. For example, the Legislature is now considering the urgent need to address elders' needs for rental assistance via the HPHA Rent Supplement Program. Landlords could discriminate against these elders facing homelessness, making it difficult to utilize these new state funds to help the elderly. **We urge that this bill address the need for rental housing in Hawaii to be open for all applicants to be considered, no matter what type of monthly rental assistance they may receive.**

HD1 would allow discrimination to continue, resulting in the loss of federal dollars. Section 8 is one of the most successful programs to reduce poverty and stabilize families. It brings tens of millions of dollars into our state. But if vouchers are not used, these federal dollars can be lost. HPHA has had a growing increase in unused vouchers, from 10 unused in 2017, to 68 in 2021. The Center on Budget and Policy Priorities recently reported (3/21/22) that higher costs for both rents and utilities add urgency to federal proposals to add more Housing Choice Vouchers. **This Center found that nationally, rents in February 2022 were 17% higher than the year before, with more surge in prices coming.** They found that the voucher program is the "federal housing program that is best suited to deliver large-scale assistance to renters during the current cost surge". President Biden also recently released his proposed budget with \$4.7 billion more than last year (total of \$32.1 billion) for the Housing Choice Voucher program. What a tragedy





if Hawaii's citizens were unable to utilize these valuable resources to prevent homelessness and stabilize families!

To end homelessness, to give our elders or veterans, or single women with children a chance for safe and decent housing, to enable ALICE families who have Section 8 a chance to remain in Hawaii, for these and so many others who need a rental unit, **we urge you to amend this bill with language from SB 206, SD2. We urge that you add:**

1) the full prohibition of discrimination based on an applicant's receipt of any type of rental assistance, and

2) the enforcement via private civil action in court with damages that are high enough to dissuade the practice, including compensation for legal fees.

Catholic Charities Hawai'i helps many struggling families, elders, veterans and people who are homeless or struggling on the edge to find housing. When our clients obtain a Section 8 voucher it is like winning the lottery! Finally, they have hope to live in housing where they only have to pay 30% of their income on rent. Now they would have enough money for food, or medications, or helping their children to be educated and live a stable life. Unfortunately, many currently find that they cannot use the rental subsidy which could give them safe and decent housing.

This bill could be a critical step forward in enabling Hawaii residents to have a fair chance to obtain affordable long-term housing. Landlords could continue to screen applicants based on their ability to pay rent, credit worthiness, etc. The current industry standards for evaluation of all applications would remain in place. But rental applicants should have a chance to tell both a big or small landlord about themselves and the benefits that come with these programs.

We urge your support to amend this bill which is so critical to help house our vulnerable populations and struggling families. Please contact our Legislative Liaison, Betty Lou Larson at (808) 373-0356 or [alohabettylou@hotmail.com](mailto:alohabettylou@hotmail.com) if you have any questions.

# PARTNERS IN CARE

*Oahu's Continuum of Care*

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*Our mission is to eliminate homelessness through open and inclusive participation and the coordination of integrated responses.*

## COMMENTS for SB 206, SD2, HD1: RELATING TO RENTAL DISCRIMINATION

TO: House Committee on Finance.  
FROM: Partners In Care (PIC)  
Hearing: **Tuesday, 4/5/22; 2:30 PM; via videoconference**

Chair Luke, Vice Chair Yamashita, and Members, Committee on Finance:

Thank you for the opportunity to provide **Comments on SB 206, SD2, HD1** which would prohibit discrimination, based on participation in a Section 8 or permanent supportive housing program or requirements related to these programs. Partners In Care works with landlords in our Housing Now program. We have successfully placed over 300 families into permanent housing, many utilizing rental assistance programs. We have seen the benefits both to stabilize rents for the formerly homeless tenants and the landlords. However, families can search for months without finding a landlord willing to consider their voucher.

Partners In Care strongly supports prohibiting discrimination by landlords of rental housing based on applicants' participation in any rental assistance program. **Honolulu remains one of the largest metropolitan areas in the United States that does not have a state or local prohibition on this practice, which may inadvertently be contributing to our high levels of housing insecurity.** We ask that you give families a fair shot at finding housing.

**PIC strongly supports earlier drafts of this bill. However, SB 206 HD1 has loopholes that would make it ineffective and difficult to hold landlords accountable for discrimination.** We request that you amend this bill to **restore the language of SB 206 SD2 to:**

- 1) Fully prohibit discrimination based on an applicant's housing voucher status or receipt of any other government rental assistance, and,
- 2) Provide enforcement of this prohibition through private civil action in court with damages high enough to dissuade this practice, including compensation for legal fees.

HD1 would allow continued discrimination just as the federal government proposes to increase funding for Housing Choice Vouchers. President Biden's proposed budget includes an additional \$4.7 billion for vouchers, and \$56 million for HUD-VASH vouchers for veterans. If landlords will not give people with vouchers a chance for housing, these federal dollars could be lost.

This bill should enable households with any type of government housing assistance to apply for rentals and be judged on the same tenancy qualifications as other applicants instead of being judged only on their housing voucher. It would not change the current standards of the industry and would allow landlords to verify income sources and evaluate prospective tenants like they would other tenants, including based on creditworthiness.

The State must encourage greater participation in comprehensive housing programs that stabilize our local families and address Hawai'i's housing challenges. We urge you to amend SB 206, HD1.



# HAWAI' APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

**Testimony of the Hawai'i Appleseed Center for Law and Economic Justice**  
**SUPPORT** – SB206 SD2, HD1 RELATING TO RENTAL DISCRIMINATION

Conference Room 423 & Videoconference

Tuesday April 5, 2022 at 2:30 PM

Aloha Chair Luke and committee members,

Mahalo for the opportunity to testify in **support of SB206 SD2, HD1 with comments.**

Hawaii Appleseed applauds the legislature in this effort to join 16 other states which do not allow discrimination based solely on a person's source of income. The use of a housing choice voucher to pay for rent should not automatically disqualify a person from being a tenant. To discriminate against someone only because they use a voucher is both unfair to our residents who need assistance with rent and increases our rates of houselessness and overcrowding. Too many recipients of vouchers or rent assistance cannot find a place to use their assistance.

While we understand that many landlords have legitimate concerns about drawbacks to using federal housing choice vouchers (HCV), the pathway forward is to address those concerns through landlord incentives and not to simply disqualify an entire group of renters.

We are grateful to the work of Vice Chair Hashimoto and others in creating a landlord incentive bill, HB1752, and hope this will make the HCV program more appealing and competitive. However, **in addition to reducing any financial impact on landlords from using the voucher program, we should also do everything we can to reduce the stigma against people with vouchers. This includes passing SB206 SD2, which is the stronger version of source of income protections for this bill.** It starts with ending voucher discrimination and making it clear that a person with a voucher deserves the same opportunity as anyone else.

This bill does not require a landlord to rent to a voucher holder, it simply requires that they use the same criteria to judge a Section 8 tenant as they would anyone else: Are they a good tenant? Do they have good references and can they be counted on for rent payment? These are fair questions which all tenants expect to answer. In fact, our voucher holders can be counted on to pay the rent because the federal government guarantees it. If they are responsible tenants, we should not deny them housing simply because they use a government program.

We strongly recommend passage of SB206 SD2.

Mahalo.



**HAWAI' APPLESEED**  
CENTER FOR LAW & ECONOMIC JUSTICE

**Testimony of the Hawai'i Appleseed Center for Law and Economic Justice**  
**SUPPORT** – SB206 SD2, HD1 RELATING TO RENTAL DISCRIMINATION  
Conference Room 423 & Videoconference  
Tuesday April 5, 2022 at 2:30 PM



## ELIZABETH KAHANU HAWAIIAN CIVIC CLUB

P.O. Box 1811 | Honolulu, HI 96805

April 5, 2022

### TESTIMONY IN SUPPORT OF SB 206, SD2, HD1 RELATING TO RENTAL DISCRIMINATION COMITTEE ON FINANCE

Aloha Chair Luke, Vice Chair Yamashita, and members of the Committee:

The Elizabeth Kahanu Hawaiian Civic Club **supports** SB 206, which confirms which prohibits discrimination by landlords against tenants who participate in the Section 8 Housing Choice Program and other similar programs.

It is already difficult to find affordable rental housing in Hawai'i, and this challenge is exacerbated when landlords discriminate against low-income households that rely on government support programs for rent payment assistance. Discrimination against families who participate in these programs may cause these families to live in other units that may have limited access to work opportunities, schools, and transit and transportation, thereby resulting in other socio-economic challenges. Measures like this, when adopted in other jurisdictions, have proven to reduce incidences of discrimination and improve access to affordable housing.

We respectfully ask that your committee consider adopting the language reflected in the Senate Draft 2. The exemptions introduced in the House Draft 1 may weaken the protections against discrimination.

The Elizabeth Kahanu Hawaiian Civic Club hosts a forum for education, learning, and exchange of information to advance our understanding of government, politics, civic processes, and matters of importance to Hawai'i and the Native Hawaiian community. We appreciate your favorable consideration of our testimony. If you have any questions, please contact Dre Kalili, our club president, at EKahanu.HCC@gmail.com.



Hawaii  
**Children's Action Network Speaks!**  
Building a unified voice for Hawaii's children

*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 Consumer Protection & Commerce

Re: **SB 206, SD2, HD1 - Relating to rental discrimination**  
Hawai'i State Capitol, via Videoconference, Conference Room 308  
April 5, 2022, 2:30 PM

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

**On behalf of Hawai'i Children's Action Network Speaks!, I am submitting COMMENTS on SB 206, SD2, HD1 relating to rental discrimination.** This bill would prohibit discrimination, including in advertisements for available real 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.

**We respectfully request that you restore the language of SB 206, SD2, as the narrowing of definitions and exemptions that were added to it would weaken the effectiveness of this bill's renters' protections.**

It is well known that Hawai'i has the highest housing costs in the nation. According to the National Low-Income Housing Coalition, the "housing wage" needed to afford a one-bedroom apartment in Hawai'i in 2021 was \$28.86. Meanwhile, the average renter's wage didn't even come close, at \$17.56 per hour.<sup>1</sup>

That's why housing vouchers are arguably more important in Hawai'i than in any other state. Housing vouchers help low-income renters – especially families with children – afford housing by providing vouchers that they can spend on rent. But many landlords discriminate against housing voucher holders by refusing to rent to them.

It is also well established that housing instability has harmful effects on children's health and educational outcomes.<sup>2</sup> In other words, housing voucher discrimination is not just a contributing factor to Hawai'i's homelessness and housing affordability crises, but it also has long-term effects on our keiki's future success.

For the reasons above, HCAN Speaks! believes that our state should join the growing number of jurisdictions across the country have prohibited housing voucher discrimination, with a strong law that has effective protections for renters.<sup>3</sup> That would mean restoring this bill to the language of SB 206, SD2.

Mahalo for the opportunity to provide this testimony.

Thank you,  
Nicole Woo, Director of Research and Economic Policy

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<sup>1</sup> <https://reports.nlihc.org/oor/hawaii>

<sup>2</sup> <https://housingmatters.urban.org/articles/how-housing-affects-childrens-outcomes>

<sup>3</sup> <https://www.cbpp.org/research/housing/prohibiting-discrimination-against-renters-using-housing-vouchers-improves-results>



## KO`OLAUPOKO HAWAIIAN CIVIC CLUB

April 4, 2022

Rep. Sylvia Luke, Chair, House Finance Committee and Members of the House Finance Committee  
Hawaii State Capitol  
Honolulu, HI 96813

Re: SB 206 RELATING TO RENTAL DISCRIMINATION.

Prohibits discrimination, including in advertisements for rental property, in rental transactions 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. (HD1)

Aloha Chair Luke and Committee Members,

The Ko`olaupoko Hawaiian Civic Club strongly supports legal prohibition of discrimination by **all landlords** based on participation in supportive housing programs. For this reason we emphatically prefer SB 206, SD1 to HD1.

Finding decent affordable housing for an 'ohana becomes an even greater crisis when the help that is offered to them through programs such as Section 8 and TANF/TAONF cannot be used. This prohibition of discrimination must apply to all landlords if we truly are concerned about the growing houselessness situation in Hawaii. A huge portion of the available rental homes are owned by individuals with a handful of units. The prohibition must apply to all of them as well.

It makes no sense for Hawaii to receive federal funds to support rental housing for those in need and then leave it unused because renters cannot utilize it. For all of the above reasons we urge you to retain the measures in SB206, SD1.

Mahalo nui,

Cheryl Prince  
Secretary  
Ko`olaupoko Hawaiian Civic Club

*The Ko`olaupoko Hawaiian Civic Club was established in 1937 and is one of the largest in the Association of Hawaiian Civic Clubs nationwide. Ko`olaupoko HCC is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians and providing leadership and scholarships. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart."*

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April 5, 2022

**The Honorable Sylvia Luke, Chair**

House Committee on Finance

Via Videoconference

**RE: Senate Bill 206, SD2, HD1, Relating to Rental Discrimination**

**HEARING: Tuesday, April 5, 2022, at 2:30 p.m.**

Aloha Chair Luke, Vice Chair Yamashita, and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, 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. Hawai'i REALTORS® believes that government subsidized housing assistance programs, such as Section 8, are an important part of our community's social safety net, but **opposes** Senate Bill 206, SD2,HD1. HAR would note that government assistance housing programs were created to be optional to participate in by both the housing provider and the tenant. As such, the focus should be on how we can make this program on par or even better than a regular market rental.

For example, the section 8 process mandates additional paperwork, inspections and processes, which is not required by other non-section 8 applicants. As a result, housing providers participating in section 8 often forfeit their first month's rent in addition to having to wait up to 3 months or longer for a subsequent rental check. As housing providers may have mortgages and maintenance fees on their rentals, they may not be able to afford section 8 that long, both the loss in rent as well as delay in payment.

By removing these barriers, section 8 applicants are not competitively disadvantaged in the application process due to governmental red tape and more likely to find a place to call home more quickly. Senate Bill 2504, SD2, HD1 helps to address many of those challenges and should be considered first in lieu of this measure.

Mahalo for the opportunity to testify.





Hawai'i

Committees: House Committee on Finance  
Hearing Date/Time: Tuesday, April 5, 2022 2:30 p.m.  
Place: Via Videoconference / Conference Room 308  
Re: Testimony of the ACLU of Hawai'i with Comments on S.B. 206, S.D. 2, H.D. 1, Relating to Rental Discrimination

Dear Chair Luke, Vice Chair Yamashita, and members of the Committee:

The American Civil Liberties Union of Hawai'i writes **with comments on S.B. 206, S.D. 2, H.D. 1**. The ACLU of Hawai'i supports the intent of this measure, **but strongly urges the Committee to incorporate amendments which would return the bill to the language used in its prior version, S.B. 206, S.D. 2.**

This bill prohibits discrimination in certain rental transactions based on an individual's participation in a housing assistance program. If passed, S.B. 206, S.D. 2, H.D. 1 would serve as a baseline step forward in the source-of-income discrimination realm for Hawai'i. However, the current draft as written **removed several features of the original bill that are critical to implementing meaningful reform**, including:

- 1) Comprehensive prohibitions on discriminatory practices: S.B. 206, S.D. 2 delineated specific circumstances and conduct that is disallowed in a much more detailed, comprehensive manner. This included, for example, provisions on source-of-income discrimination in negotiation (S.B. 206, S.D. 2 § 2(a)(4)), representation (§ 2(a)(5)), retaliation against individuals for their exercise of the right (§ 4(1)), intimidation (§ 4(5)), interference (§ 4(3)), and blockbusting (§ 3). This level of detail is **necessary to ensure that source-of-income discrimination is prohibited in all shapes and forms, both explicit and implicit—not just in limited circumstances**. It also provides more clarity to interested parties about what specific type of conduct is prohibited.
- 2) Effective remedies: S.B. 206, S.D. 2 included a higher monetary penalty of \$5,000. Critically, it also included allowance for reasonable attorney's fees in an action brought under the bill's provisions (§ 5). By contrast, as written S.B. 206, S.D. 2, H.D. 1 caps the penalty amount at \$2,000 for the first violation and \$2,500 for subsequent violations (§ 4(a-b)). It also affirmatively **prohibits the award of attorney's fees** (§ 4(b)(e)). This change is important. Individuals affected by this type of discrimination—i.e., persons receiving housing assistance—usually have no ability to pay attorney's fees out of their own pocket. This prohibition could thus have the practical effect of barring many attempts to enforce this law. The resulting lack of a meaningful ability to enforce the measure could render it ineffective.

The bill as written also includes a **number of exceptions that severely limit the scope of the prohibition on discrimination. Particularly concerning is § 3(2)**, which exempts landlords with ownership of “no more than six dwelling units in the State at the time of the alleged discriminatory rental transaction.” While it appears this amendment was intended as a “Mom and Pop” exception, this overly broad language **will have the effect of exempting a majority of individual landlords from the law**—allowing them to continue to discriminate in advertising and all other rental transactions.

As written, S.B. 206, S.D. 2, H.D. 1 would provide a step forward by explicitly prohibiting source-of-income discrimination in our state. The current draft also introduces some worthy provisions promoting fairness—for example, by prohibiting a landlord from being fined more than once for the same violation (§ 4(d)). **However, ensuring that the bill includes detailed prohibitions on a wide range of discriminatory conduct, that it enables individuals to adequately enforce it, and that it does not exempt the majority of landlords from its provisions, is of paramount importance in passing meaningful reform.**

The State of Hawai‘i continues to struggle with one of the highest rates of homelessness in the country, at over 2.5 times the national average.<sup>1</sup> This is due, in large part, to the high cost of living and lack of affordable housing in the state.<sup>2</sup> Housing assistance programs like the federal Housing Choice Voucher program (“Section 8”) are an essential means of alleviating high rental costs for struggling families—and in turn fighting our state’s housing crisis. In 2016, a federal Department of Housing and Urban Development (“HUD”) study found that compared to other means of intervention, long-term rental subsidies that enabled families to offset the cost of a unit in the private market led to the **best outcomes for reducing family homelessness “by far.”**<sup>3</sup>

However, programs like Section 8 depend on private landlords’ willingness to rent to participating individuals. Unfortunately, discrimination based on “source of income” is well-documented in housing markets across the country—and **there is no general federal law that protects against it.**<sup>4</sup> As a result, many landlords flat out refuse, often including declarations that say “No Section 8” in their advertisements for available rentals. This prolongs the housing search for many renters, makes it extremely difficult to find habitable, safe housing, and can ultimately lead to the expiration of a voucher if certain time limits run out.

To combat this problem and allow housing assistance programs to serve their intended function, numerous states, cities, and counties have already adopted laws prohibiting source of income

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<sup>1</sup> *State of Homelessness: 2020 Edition*, NAT’L ALL. TO END HOMELESSNESS, available at <https://endhomelessness.org/homelessness-in-america/homelessness-statistics/state-of-homelessness-2020/> (HUD’s 2019 Annual Point-in-Time Count found a national average of 17 homeless individuals per 10,000 people in the general population; Hawai‘i had a rate of 45.1 homeless individuals per 10,000).

<sup>2</sup> *Hawaii’s Affordable Housing Crisis*, HAWAI‘I APPLESEED CTR. FOR LAW & ECON. JUSTICE, at 3–4 (July 2014), available at <http://www.hiappleseed.org/sites/default/files/Hi%20Appleseed%20Housing%20Crisis%20Report.pdf>.

<sup>3</sup> *Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families, Summary Report*, U.S. DEP’T OF HOUS. & URBAN DEV., OFFICE OF POLICY DEV. & RESEARCH, at 4 (2016).

<sup>4</sup> Mary K. Cunningham, Martha Galvez, Claudia L. Aranda, Robert Santos, Doug Wissoker, Alyse Oneto, Rob Pitingolo, James Crawford, *A Pilot Study of Landlord Acceptance of Housing Choice Vouchers: Executive Summary*, U.S. DEP’T OF HOUS. & URBAN DEV., OFFICE OF POLICY DEV. & RESEARCH, at 3–4 (2018); Alison Bell, Barbara Sard, Becky Koepnick, *Prohibiting Discrimination Against Renters Using Housing Vouchers Improves Results: Lessons From Cities and States That Have Enacted Source of Income Laws*, CTR. ON BUDGET & POLICY PRIORITIES, at 1–2 (2018).

Chair Luke and Members of the House Committee on Finance  
April 5, 2022  
Page 3 of 3

discrimination.<sup>5</sup> Several studies have found that people living in areas with these non-discrimination laws are **more likely to succeed in securing a unit using a housing voucher.**<sup>6</sup> Given their success, it is time for Hawai‘i to join this growing list of locales as they break down a critical barrier to affordable housing and improve geographic mobility for low-income families.

Importantly, discrimination based on source of income **often also functions as discrimination against women and children** in reality. One 2016 report noted that 83% of households participating in the Section 8 voucher program were led by women, and 43% of participating households contained children.<sup>7</sup> Property owners and landlords in Hawai‘i should not be permitted to engage in behavior that is tantamount to sex or familial status discrimination under the pretense that they do not accept certain sources of income.

S.B. 206, S.D. 2, H.D. 1 prohibits source-of-income discrimination in certain circumstances. However—while the ACLU of Hawai‘i supports the intent of S.B. 206, S.D. 2, H.D. 1.—we **strongly urge the Committee to incorporate amendments which would return the bill to the language used in its prior version, S.B. 206, S.D. 2, to ensure meaningful reform.** Thank you for the opportunity to testify.

Sincerely,



Hope Kerpelman  
Legal and Legislative Fellow  
ACLU of Hawai‘i

*The mission of the ACLU of Hawai‘i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai‘i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai‘i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai‘i has been serving Hawai‘i for over 50 years.*

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<sup>5</sup> Solomon Greene, Patrick Spauster, Martha Galvez, Daniel Teles, Philip Tegeler, *State and Local Voucher Protection Laws*, THE URBAN INST., at 3 (2020).

<sup>6</sup> Alison Bell, Barbara Sard, Becky Koepnick, *Prohibiting Discrimination Against Renters Using Housing Vouchers Improves Results: Lessons From Cities and States That Have Enacted Source of Income Laws*, CTR. ON BUDGET & POLICY PRIORITIES, at 1, 5–6 (2018).

<sup>7</sup> Gail Quets, Áine Duggan, Gail Cooper, *A Gender Lens on Affordable Housing*, RE:GENDER, at 7 (2016).

American Civil Liberties Union of Hawai‘i  
P.O. Box 3410  
Honolulu, Hawai‘i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

**TESTIMONY IN SUPPORT OF HB 206 (SD2, HD1) –**  
**RELATING TO RENTAL DISCRIMINATION**

House Committee on Finance – Room 308 Via Videoconference

Representative Sylvia Luke, Chair  
Representative Kyle T. Yamashita, Vice Chair

Tuesday, April 5, 2022 at 2:30 p.m.

The Legal Aid Society of Hawai`i (Legal Aid) submits testimony in support of SB 206 (SD2, HD1) – Relating to Rental Discrimination (“SB206”). There is an SD2 and HD1 version of the bill. We are including a consolidated version to reconcile both versions in a manner consistent with the low income population that we serve, marked to show the changes. The included, combined version of SB206 (Exhibit A) will have no financial impact since there will not be a fine that needs to be administered or enforced by the State. Rather the consolidated version will allow for private enforcement, without the need for any State agency, other than bringing a private action in court.

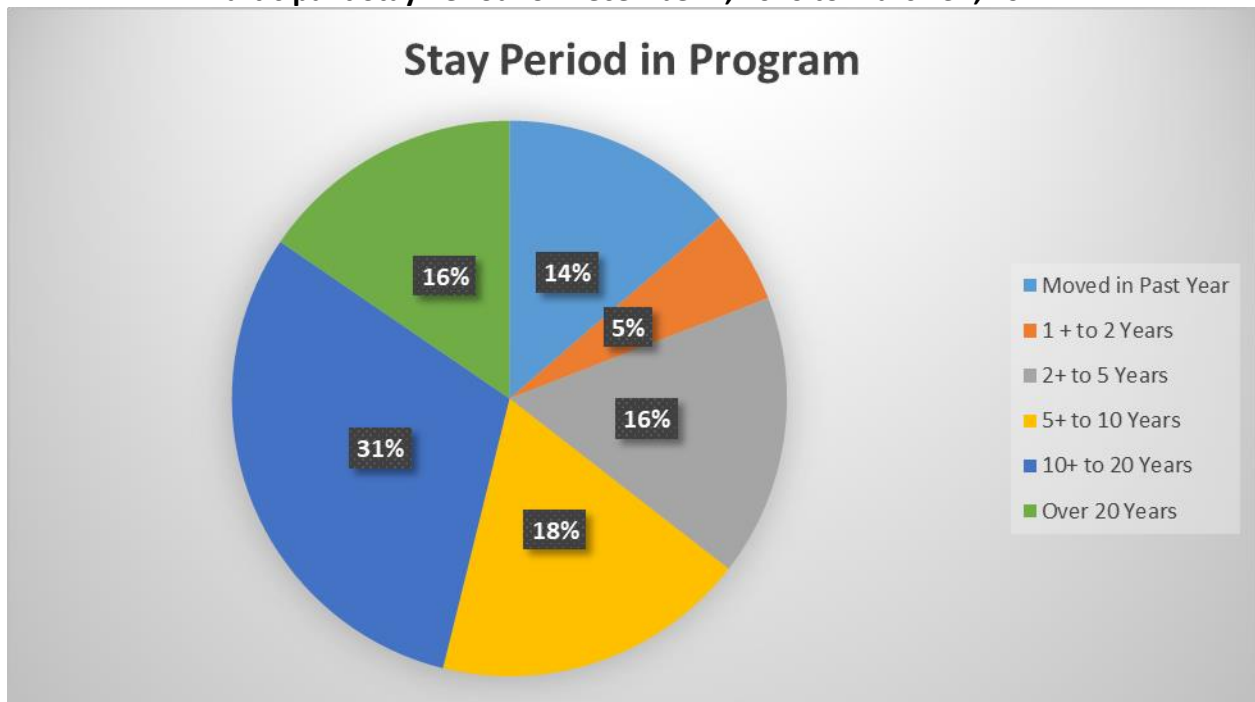
For Legal Aid, this testimony is submitted by Dan O’Meara, the Managing Attorney of Legal Aid’s Housing and Consumer Unit, a unit that provides legal assistance on landlord/tenant and housing matters, as well as consumer issues. Since the start of the pandemic, our caseload for landlord/tenant matters has more than doubled. We represent as many subsidized housing tenants as is feasible, including tenants with HUD Section 8 Housing Choice Vouchers (“Section 8). In our practice, with the population of tenants we serve, a constant issue is the lack of availability of housing that will accept Section 8 throughout the State of Hawaii and with availability particularly acute on Oahu, Maui (very problematic) and Hawaii Island, particularly the Kona-side.

SB206, in whatever version, is one tool that will have a positive impact on availability of housing that for which a landlord will accept a housing subsidy, including Section 8. There are other solutions and pending legislation that are intended to increase the inventory through construction or addition of further affordable rental housing and legislation to provide monetary incentives to landlords to accept tenants with Section 8.

Normalizing the perception (or misperceptions) of Section 8 tenants in SB206 is consistent with publicly available data from the City and County of Honolulu Section 8 program

that shows that the vast majority of Section 8 tenants “stay period” in the program is over 5 years (65%):

**City and County of Honolulu Section 8 Housing Choice Voucher Program  
Participant Stay Period for December 1, 2020 to March 31, 2022**



Moved in Past Year- 14%	551
1 + to 2 Years- 5%	218
2+ to 5 Years- 16%	659
5+ to 10 Years -18%	738
10+ to 20 years- 31%	1234
Over 20 Years -16%	622
Total	4,022

**OVER 5 YEARS – 65%**

**2 TO 5 YEARS – 18%**

**0 to 2 YEARS – 19%**

Further, as noted in prior testimony, more availability for housing for Section 8 tenants will mean that more of the subsidized housing funds available through HUD will be utilized and stay in the State.

SB206 is intended to provide more housing options to tenants with Section 8 so that their choices are not limited by landlords who will not consider renting to Section 8 tenants. As noted in prior testimony by the Hawaii Civil Rights Commission (“HCRC”), SB206 is creating a new

chapter that allows tenants to go to court if they have been discriminated against because of their source of income to pay rent. Under SB206, the remedy does not fall on HCRC, but falls on a tenant seeking a remedy.

If the HD1 version is adopted, consistent with HCRC's previous testimony about the need for a safe harbor is not needed given the ability of a landlord to make business judgments under § -3(1) of SB206, together with the 21-day timeline for approval of the tenant's source of income in § -3(3) of SB206. HCRC noted that the ability to make business judgments is meaningful protection to landlords. If the exemption is still considered necessary, one suggestion to clarify the safe harbor exemption in § -3(2) of SB206 is to make the changes indicated in **red** to make the safe harbor consistent with Federal Fair Housing law regarding an exemption for 4-units as follows:

§ -3 (2) Landlords with ownership **or management** of no more than ~~six~~ **four** dwelling units in the State at the time of the alleged discriminatory rental transaction; provided that this paragraph shall not apply if an owner, whether individually or through a business entity, owns, **or manages property, with** more than a ten per cent interest in more than ~~six~~ **four** dwelling units in the State at the time of the alleged discriminatory rental transaction;

This change will target and protect the "mom & pop" landlords, consistent with current discrimination law.

### **Consolidating and Reconciling SD2 and HD1**

Attached as Exhibit A to this testimony is a "track-change" version of a consolidation of SD2 and HD1 that provides the protection to low income tenants, consistent with the population served by Legal Aid. The adjustments are noted in comments on Exhibit A, and include:

- Add the protections to the HRS Chapter 521, the Landlord Tenant Code, which already defines several of the otherwise undefined terms;
- Focus on the source of income protection rather than steering;
- Using the SD2 definition of Housing Assistance Program as more inclusive of the types of assistance noted by other agencies in their testimony;
- Some addition of prohibited practices that are broader in SD2;
- Suggestion to eliminate safe harbor exemption consistent with testimony from HCRC, or modify the language consistent with Federal Fair Housing law; and

- Change the fine/penalty to damages so that enforcement will be undertaken privately in court rather than requiring a State agency to be involved and potentially need to make deposits to the general fund. That is, eliminate the financial impact on State agencies and make the protection subject to private enforcement.

SB206 will be a valuable tool that will work together with the other efforts going on throughout the State and legislature to address the shortage of affordable housing. Thank you for this opportunity to provide testimony – if oral testimony is appropriate or permitted, I am available. Legal Aid supports SB206.

Sincerely,

/s/ Daniel J. O'Meara

Daniel J. O'Meara, Esq.

Managing Attorney Housing and Consumer Unit

Legal Aid Society of Hawai'i

*The Legal Aid Society of Hawai'i is the only legal service provider with offices on every island in the state. In 2021, we received over 19,000 requests for assistance and were able to provide legal help in a little over 8,200 cases in legal areas ranging from family, housing, consumer, foreclosure, public benefits, elder law, homelessness, immigration, language access, and child welfare. In 2021, over 30% of our clients were homeless or at risk for homelessness, over 17% experienced domestic violence and over 11% spoke a language other than English. Our mission is to achieve fairness and justice through legal advocacy, outreach, and education for those in need.*

# EXHIBIT A



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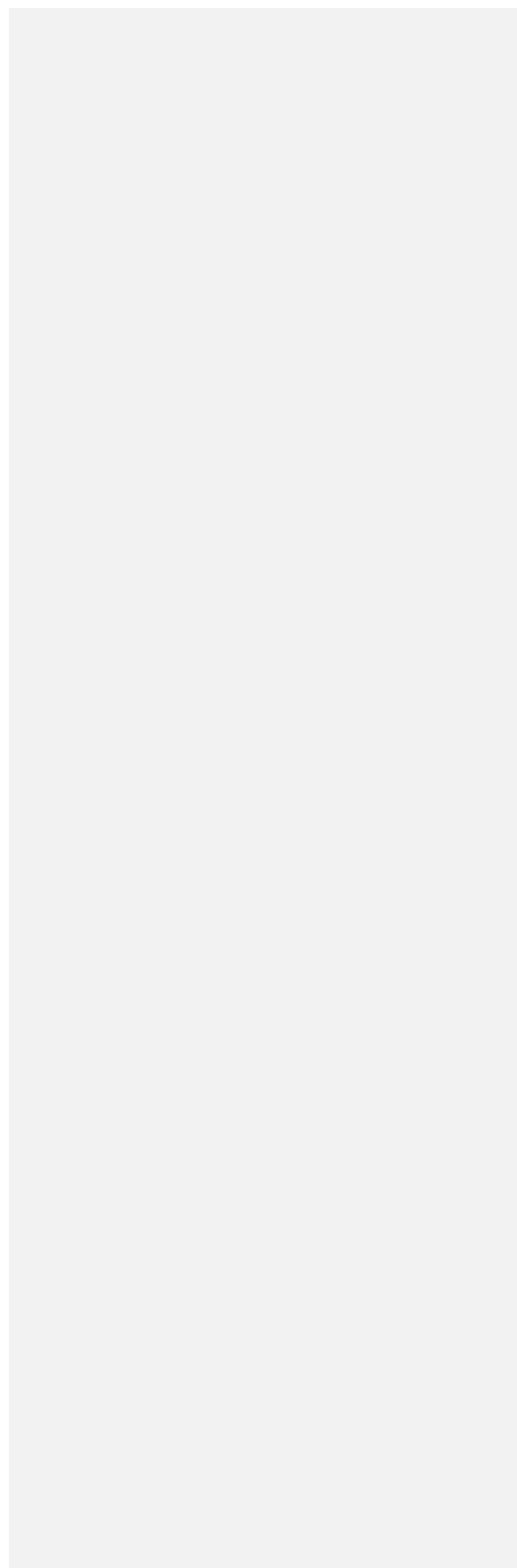
## A BILL FOR AN ACT

RELATING TO RENTAL DISCRIMINATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the federal housing  
2 choice voucher program, also known as section 8 of the United  
3 States Housing Act of 1937, as amended, provides federally-  
4 funded, tenant-based vouchers to low-income households who are  
5 responsible for finding appropriate rental units in the private  
6 market. Once a household receives a section 8 voucher, the  
7 challenge is finding a landlord who is willing to accept the  
8 voucher. The legislature believes that renters who participate  
9 in housing assistance programs, such as section 8, should have  
10 an equal opportunity to find housing and should not be  
11 discriminated against because their source of income includes  
12 funds from housing assistance programs.

13           Studies have shown that when there are laws that prevent  
14 discrimination against renters with housing assistance vouchers,  
15 these renters are twelve per cent more likely to find housing.  
16 The American Bar Association adopted a resolution in 2017 that  
17 called for the enactment of laws that ban housing discrimination



1 based on lawful sources of income. The legislature notes that  
2 source of income discrimination laws do not alter or restrict  
3 standard industry practices to vet prospective renters. Rather,  
4 these laws prohibit landlords from rejecting prospective renters  
5 who receive section 8 vouchers or other housing assistance  
6 simply because of the voucher or assistance.

7 The purpose of this Act is to prohibit discrimination,  
8 including in advertisements for rental property, in rental  
9 transactions based on participation in a section 8 housing  
10 choice voucher program or any permanent supportive housing  
11 program or requirements related to participation in these  
12 housing assistance programs.

13 SECTION 2. The Hawaii Revised Statutes is amended by  
14 adding a new chapter to be appropriately designated and to read  
15 as follows:

**"CHAPTER**

**RENTAL DISCRIMINATION BASED ON SOURCE OF INCOME**

18 § -1 **Definitions.** As used in this chapter, unless the  
19 context clearly requires otherwise:

**Commented [D01]:** The suggestion is that the provisions of this bill be added to Chapter 521, the Landlord Tenant Code since other terms, such as Landlord, are already defined in HRS Section 521-8



"Housing assistance program" means any government assistance, grant, loan, or rental assistance program, including low-income housing assistance certificates and vouchers under the United States Housing Act of 1937, as amended.

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~~1 a section 8 housing~~

~~2 choice voucher program or any permanent supportive housing~~

~~3 program.~~

Commented [D02]: This definition from SD2 is more inclusive of subsidies that may be available from groups such as Partners in Care that may last many months or up to 2 years, but are not necessarily "permanent", consistent with testimony from the State Homeless office.

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41 "Rental transaction" means any part of the process for the  
52 rental or lease of a premises for residential purposes.

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63 § -2 Discriminatory practices in a rental transaction

74 based on source of income. (a) It shall be a discriminatory

85 practice for a landlord to:

96 (1) Indicate in any manner used to advertise the  
availability of a rental property that the landlord  
11 will not rent a property to a person participating in  
12 a housing assistance program;

13 (2) Discourage in any manner a person from seeking to  
14 engage in a rental transaction based on the person's  
15 participation in a housing assistance program;

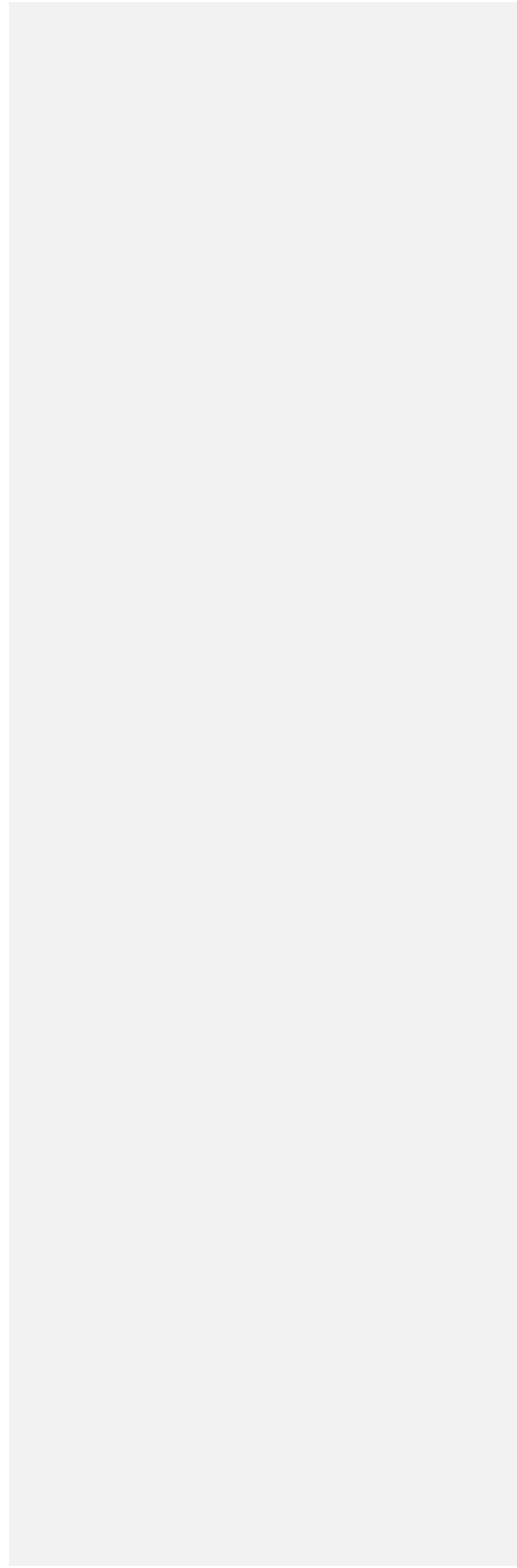
16 (3) Refuse to engage in, or negotiate with respect to, a  
rental transaction with a person

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17 because of the person's participation in a housing  
18 assistance program or requirements related to

participation in a housing assistance program; [en](#)

2022-2333 SB206 HD1 HMSO



1 (4) Require rental conditions that are ~~different~~ less  
2 favorable from  
3 those required for a person not participating in a  
housing assistance program.

(5) Threaten, intimidate, or interfere with persons in their  
enjoyment of a housing accommodation because of participation in  
a housing assistance program or requirements related to  
participation in a housing assistance program; or

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3 (6) Print, circulate, post, or mail, or cause to be published  
a statement, advertisement, or sign, or to use a form of  
application for a real estate transaction, or to make a record  
or inquiry in connection with a prospective real estate  
transaction that indicates, directly or indirectly, an intent to  
make a limitation or specification, or to discriminate because  
of participation in a housing assistance program or requirements  
related to participation in a housing assistance program

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spacing: Double, No bullets or numbering

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Formatted: Line spacing: Double

4 § 11

5 (1) 12

6

7

8

9

10

~~-3~~ ~~-3 Exemptions.~~ Section ~~-2~~ shall not apply to:  
~~Exempti~~ (1) Landlords who are determining in a commercially  
~~ons.~~ reasonable manner the ability of a potential tenant to  
~~Section~~ pay rent by:  
~~\_\_\_\_\_~~ (A) Verifying the source and amount of income of the  
~~-2 shall~~ potential tenant; or  
~~not~~ (B) Evaluating the stability, security, and  
~~apply~~ creditworthiness of the potential tenant or any  
~~to:~~ source of income of the potential tenant;

~~13 \_\_\_\_\_~~ (2) Landlords with ownership of no more than six dwelling  
~~14 \_\_\_\_\_~~ units in the State at the time of the alleged  
~~15 \_\_\_\_\_~~ discriminatory rental transaction; provided that this  
~~16 \_\_\_\_\_~~ paragraph shall not apply if an owner, whether  
~~17 \_\_\_\_\_~~ individually or through a business entity, owns more  
~~18 \_\_\_\_\_~~ than a ten per cent interest in more than six dwelling  
~~19 \_\_\_\_\_~~ units in the State at the time of the alleged  
~~20 \_\_\_\_\_~~ discriminatory rental ~~transaction~~;

(2) Landlords with ownership or management of no more than six four dwelling units in the State at the time of the alleged discriminatory rental transaction; provided that this paragraph shall not apply if an owner, whether individually or through a business entity, owns, or manages property, with more than a ten per cent interest in more than six four dwelling units in the State at the time of the alleged discriminatory rental transaction.

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**Commented [D03]:** This safe harbor may be unnecessary given the protection to landlords in (1) regarding commercially reasonable decisions. HCRC has previously testified that the ability of a landlord to make business judgments under § -3(1) of SB206, together with the 21-day timeline for approval of the tenant's source of income in § -3(3) of SB206 provides meaningful protection to landlords. One suggestion to clarify the safe harbor exemption, if it is deemed necessary, in § -3(2) of SB206 is to make the changes indicated to make the safe harbor consistent with Federal Fair Housing law regarding an exemption for 4-units

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1 (3) Landlords in a case where a source of income is not  
2 approved within twenty-one days of a person's  
3 submission of a good faith request for tenancy  
4 approval, which shall include the inspection of a  
5 unit;

6 (4) The rental of any housing accommodation in a building  
7 that contains housing accommodations for no more than  
8 two families living independently of each other if the  
9 owner or lessor resides in one of the housing  
10 accommodations;

11 (5) The rental of a room or up to four rooms in a housing  
12 accommodation by an owner or lessor if the owner or  
13 lessor resides in the housing accommodation; and

14 (6) The rental of an affordable housing project subsidized  
15 by public funds or lands.

16 § **-4 Remedies.** (a) A landlord that violates any  
17 provisions of this chapter may be subject to ~~a civil penalty in~~  
18 ~~damages to the aggrieved party in~~  
19 an amount not to exceed \$2,000 if determined by the court to  
20 have violated this chapter for the first time within one year of  
the occurrence of the alleged violation.

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1 (b) The court may impose ~~a damages up \$2,500 penalty~~  
against a  
2 landlord for any subsequent violation of this chapter by the  
3 landlord.

4 (c) The court may also order any injunctive or other  
5 equitable relief as it deems proper.

6 (d) No landlord shall be ~~fin~~~~ed~~ ~~subject to damages~~ more than  
once for the same  
7 violation under this section ~~for the same property for the same~~  
~~rental period.~~

8 ~~(e) No party shall be awarded attorney's fees or costs in~~  
9 ~~any action under this section.~~

10 ~~(f) All fines collected under this section shall be~~  
11 ~~deposited into general fund."~~

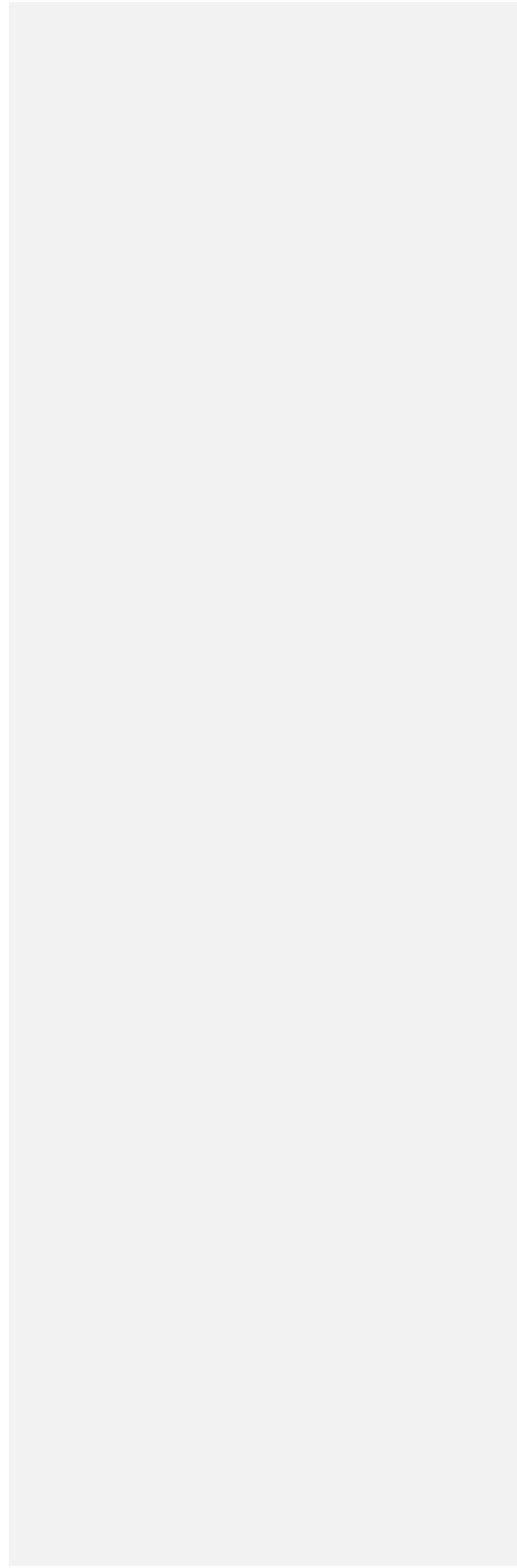
128 SECTION 4. This Act does not affect rights and duties that  
139 matured, penalties that were incurred, and proceedings that were  
1410 begun before its effective date.

1511 SECTION 5. This Act shall take effect on July 1, 2050.

**Commented [D04]:** This provision is to make clear that a landlord who violates this protection will not be liable for damages to a series of tenant applicants, although injunctive relief will still be available. It is a policy decision whether attorney fees should be available as provided in SD2.

**Commented [D05]:** The change to remedies is so that a potential tenant can bring the claim for the violation in court, including district court and receive up to \$2,000 in damages for a first offense. Eliminating the fine or penalty will mean that the State does not have to undertake enforcement or allocate moneys to enforce or deposit in the general fund. The protection will be enforced by the aggrieved party.

2022-2333 SB206 HD1 HMSO



**S.B. NO.** 206  
S.D.2  
H.D. 1

**Report Title:**

Rental Discrimination; Source of Income; Prohibited Practices;  
Housing Assistance Program; Section 8 Housing Choice Vouchers

**Description:**

Prohibits discrimination, including in advertisements for rental property, in rental transactions 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. Effective 7/1/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*





*Building strength and stability through shelter*

House Committee on Finance  
Tuesday, April 5, 2022  
Video Conference, 10:30 a.m.

**SB206 SD2, HD1 – SUPPORT with comments**

Aloha Committee Chair Luke, Vice-Chair Yamashita and members,

I am submitting testimony in my capacity as Program Manager of Hawaii Habitat for Humanity Association (HHFHA), a nonprofit community development financial institution and Affiliate Support Organization for the direct service Habitat for Humanity organizations across the state to **SUPPORT HB2512 HD2, SD1 with comments.**

Hawaii Habitat applauds the legislature in this effort to join 16 other states which do not allow discrimination based solely on a person's source of income. The use of a housing choice voucher to pay for rent should not automatically disqualify a person from being a tenant. To discriminate against someone only because they use a voucher is both unfair to our residents who need assistance with rent and increases our rates of homelessness and overcrowding. Too many recipients of vouchers or rent assistance cannot find a place to use their assistance.

While we understand that many landlords have legitimate concerns about drawbacks to using federal housing choice vouchers (HCV), the pathway forward is to address those concerns through landlord incentives and not to simply disqualify an entire group of renters.

We are grateful to the work of Vice Chair Hashimoto and others in creating a landlord incentive bill, HB1752, and hope this will make the HCV program more appealing and competitive. However, **in addition to reducing any financial impact on landlords from using the voucher program, we should also do everything we can to reduce the stigma against people with vouchers. This includes passing SB206 SD2, which is the stronger version of source of income protections for this bill.** It starts with ending voucher discrimination and making it clear that a person with a voucher deserves the same opportunity as anyone else.

This bill does not require a landlord to rent to a voucher holder, it simply requires that they use the same criteria to judge a Section 8 tenant as they would anyone else: Are they a good tenant? Do they have good references and can they be counted on for rent payment? These are fair questions which all tenants expect to answer. In fact, our voucher holders can be counted on to pay the rent because the federal government guarantees it. If they are responsible tenants, we should not deny them housing simply because they use a government program. We strongly recommend passage of SB206 SD2.

Mahalo for your time, leadership and consideration. Please contact me directly at 425.829.8231 or [susan@hawaiihabitat.org](mailto:susan@hawaiihabitat.org) should you have any questions or need additional information.

Sincerely,

*Susan Le*

Susan Le  
Program Manager



House Committee on Finance

*'Apelila 5, 2022*

*Via Wikiō*

*Ke Kapikala Moku 'āina*

415 South Beretānia Street, Lumi 308

Re: SB 206 - RELATING TO RENTAL DISCRIMINATION

*Aloha Luna Ho 'omalu* Luke, *Hope Luna Ho 'omalu* Yamashita and members of the House Committee on Finance:

The Association of Hawaiian Civic Clubs **SUPPORTS** SB 206, which confirms which prohibits discrimination by landlords against tenants who participate in the Section 8 Housing Choice Program and other similar programs.

At its 62nd Annual Convention, the Association adopted Resolution 2021-42, URGING LEGISLATION AGAINST RENTAL HOUSING SOURCE OF INCOME DISCRIMINATION. It is already difficult to find affordable rental housing in Hawai'i, and this challenge is exacerbated when landlords discriminate against low-income households that rely on government support programs for rent payment assistance. Discrimination against families who participate in these programs may cause these families to live in other units that may have limited access to work opportunities, schools, and transit and transportation, thereby resulting in other socio-economic challenges. Measures like this, when adopted in other jurisdictions, have proven to reduce incidences of discrimination and improve access to affordable housing.

We respectfully ask that your committee consider adopting the language reflected in the Senate Draft 2. The exemptions introduced in the House Draft 1 may weaken the protections against discrimination.

:

Thus, the Association respectfully urges the committee to **PASS** SB 206.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalanianaʻole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawaiʻi and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

*Mahalo* for allowing us to share our *mana ʻo*.

*Me ka ʻoia ʻi ʻo,*

Hailama Farden  
*Pelekikena*

**SB-206-HD-1**

Submitted on: 4/1/2022 2:51:41 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

Any assistance in the area of affordable housing is good for Hawai'i.

**SB-206-HD-1**

Submitted on: 4/2/2022 12:39:25 AM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

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

As a former homeless provider who assisted families in finding housing for over a decade, I am in **STRONG SUPPORT** of SB206 SD2 HD1. It is hard enough for families to secure housing without all of the inexcusable barriers that they need to overcome. Let's eliminate as many of those barriers as possible. This bill is important.

Mahalo for your consideration.



**SB-206-HD-1**

Submitted on: 4/2/2022 8:13:19 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

I'm writing in strong support of SB206. In addition to reducing any financial impact on landlords from using the voucher program, we should also do everything we can to reduce the stigma against people with vouchers. This includes passing SB206 SD2, which is the stronger version of source of income protections for this bill. It starts with ending voucher discrimination and making it clear that a person with a voucher deserves the same opportunity as anyone else.

This bill does not require a landlord to rent to a voucher holder, it simply requires that they use the same criteria to judge a Section 8 tenant as they would anyone else: Are they a good tenant? Do they have good references and can they be counted on for rent payment? These are fair questions which all tenants expect to answer. In fact, our voucher holders can be counted on to pay the rent because the federal government guarantees it. If they are responsible tenants, we should not deny them housing simply because they use a government program.

**SB-206-HD-1**

Submitted on: 4/3/2022 10:31:37 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

Aloha Chair Luke and committee members,

Mahalo for the opportunity to testify in support of SB206 SD2, HD1 with comments.

I appreciate and applaud the legislature in this effort to prohibit discrimination based solely on a person's source of income. The use of a housing choice voucher to pay for rent should not automatically disqualify a person from being a tenant. To discriminate against someone only because they use a voucher is both unfair to our residents who need assistance with rent and increases our rates of houselessness and overcrowding. Too many recipients of vouchers or rent assistance cannot find a place to use their assistance.

I have talked with members of the Kaua'i community who have vouchers but have not been able to secure housing. While I understand that many landlords have legitimate concerns about drawbacks to using federal housing choice vouchers (HCV), the pathway forward is to address those concerns through landlord incentives and not to simply disqualify an entire group of renters.

Please pass SB206 SD2, which is the stronger version of source of income protections for this bill. It starts with ending voucher discrimination and making it clear that a person with a voucher deserves the same opportunity as anyone else.

This bill does not require a landlord to rent to a voucher holder, it simply requires that they use the same criteria to judge a Section 8 tenant as they would anyone else: Are they a good tenant? Do they have good references and can they be counted on for rent payment? These are fair questions which all tenants expect to answer. In fact, our voucher holders can be counted on to pay the rent because the federal government guarantees it. If they are responsible tenants, we should not deny them housing simply because they use a government program.

Mahalo for your time,

Chris Molina

Senate District 8

House District 16



**SB-206-HD-1**

Submitted on: 4/4/2022 8:58:42 AM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

Discrimination based on the source of funds should not be allowed. It covers actual discrimination based on being poor, or being a woman head of household and even taking it further may also cover discrimination based on ethnic and or racial bias.

Please end this form of discrimination which is abhorrent to the aloha spirit of our islands.

**SB-206-HD-1**

Submitted on: 4/4/2022 9:14:33 AM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

We must do all that we can to prevent housing discrimination, that said I support SB 206.

**SB-206-HD-1**

Submitted on: 4/4/2022 1:06:02 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ashley Galacgac	AF3IRM Hawaii	Support	Written Testimony Only

Comments:

Dear Chair Luke, Vice Chair Yamashita, and the Honorable Members of the Committee on Finance,

I am writing in **strong support of SB206** to stop rental discrimination.

Housing insecurity greatly impacts working-class women, LGBTQIA+ people, and people with disabilities and these negative impacts have been exacerbated during the pandemic. In our community organizing efforts, there has been an increase in discrimination claims as rules are unequally applied as eviction based on gender and family status. It is especially important to note that with few options of safe rentals, there has been an increase of sexual violence by landlords and women continue to live in dangerous living conditions.

SB206 aims to provide more access to affordable housing for women because voucher discrimination may hide illegal gender discrimination that also includes racial and family status as 80% of section 8 voucher holders are single mothers.

Please pass this measure and fight for access to affordable housing for working-class women, people with disabilities, and LGBTQIA+ people in Hawai'i.

**SB-206-HD-1**

Submitted on: 4/4/2022 1:22:24 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

**Testimony in SUPPORT of and Seeking Amendment to SB206 SD2 HD1**

Dear Chair Luke, Vice Chair Yamashita, and Members of the House Committee on Finance:

I'm writing to express my strong support of SB206, which would prohibit discrimination based on a person's participation in a housing assistance program or requirements related to participation in a housing assistance program (e.g., Section 8).

Unfair treatment in any form is unacceptable. Discrimination based on source of income is unjust treatment. Both landlords and tenants stand to benefit from strong bill that affords protections. Vulnerable households would have a fair chance to obtain affordable, long-term housing.

I'm also writing to express my preference for the language in SB 206 SD2, without the exemptions added in HD1. The HD1 language dilutes the impact of the protections afforded by this bill. I ask you to amend this bill with the language from SB 206 SD2 that particularly focuses on the following: (1) full prohibition of discrimination, (2) enforcement via private civil action in court with damages that are high enough to discourage discrimination, and (3) damages that include compensation for legal fees.

I urge your support to amend this bill, which is vital to helping house struggling families and vulnerable individuals. Thank you for the opportunity to provide my testimony, as an individual.

Sincerely,

Jeffrey Moniz, PhD

Vice Chancellor for Academic Affairs, UH West O'ahu

**SB-206-HD-1**

Submitted on: 4/4/2022 1:52:03 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas C. Smith	Individual	Support	Written Testimony Only

Comments:

I support the passage of SB 206 because I think it will help landlords to become familiar with renting under housing assistance programs, which can be a valuable option for them. This may then broaden the number of available rentals to those in these programs. So everyone might be helped. Landlords still are free to choose their best candidate for the rental.



**SB-206-HD-1**

Submitted on: 4/5/2022 9:19:56 AM

Testimony for FIN on 4/5/2022 2:30:00 PM

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

Comments:

Even with the most streamlined of systems, qualifying for a housing assistance program can be a long, bureaucratic process that takes valuable time away from people trying to make ends meet. There is no need to make this a more difficult ordeal through discrimination, and trying to hide advertisements undercuts the entire point of these programs. Hawaii has the second-highest per capita rate of homelessness, and the rates are rising. Affordable housing is the easiest and most efficient way to solve this problem, but if accessing this housing is going to require individuals who are already spending most of their time trying to deal with or improve their situation to jump through more hoops to find opportunities that others are actively trying to repress, then Hawaii will continue to see its homelessness rates rise. The legislature has been making great strides toward supporting housing assistance programs, and it would be a shame if they failed to take this last step to ensure that their work reaps its full benefits.