

# HAWAI‘I CIVIL RIGHTS COMMISSION

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

January 25, 2022

Via Videoconference, 9:30 a.m.

To: The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice Chair  
Members of the Senate Committee on Judiciary

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

Re: S.B. No. 206, S.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.1**, which 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.

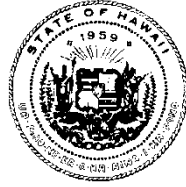
In recent years a number of states and municipalities have enacted laws prohibiting discrimination in housing based on lawful source of income, including Section 8 vouchers as a source of income. Courts have held that these state and local laws are not preempted by federal Section 8 law (which states 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 continues, its economic repercussions affect income and housing. In this crisis, it is even more important to prohibit discrimination based on source of income.

**HCRC has both supported and raised concerns about similar bills in the past, and this bill addresses those concerns. S.B. 206, S.D.1, places the new prohibited practice in a new chapter of the HRS, with enforcement through direct civil action and provision for appropriate remedies, including injunctive relief and attorney fees. The S.D.1 raises the maximum fine that can be assessed when a court issues an injunction to \$5,000. S.B. No. 206, S.D.1, addresses specific concerns raised by the HCRC in 2019 on a similar bill.**

**The HCRC supports S.B. No. 206, S.D.1.**

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

**SENATE COMMITTEE ON JUDICIARY**

**Tuesday, January 25, 2022**  
**9:30 AM – Via Videoconference, Hawaii State Capitol**

In consideration of  
**SB 206, SD1**  
**RELATING TO RENTAL DISCRIMINATION**

Honorable Chair Rhoads and Members of the Senate Committee on Judiciary, thank you for the opportunity to provide testimony concerning Senate Bill (SB) 206, SD1, relating to rental discrimination.

The Hawaii Public Housing Authority (HPHA) **supports** the enactment of SB 206, SD1, which prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

One of the programs in which the HPHA assists our low-income families is through the Section 8 Housing Choice Voucher Program, also known as "Section 8 HCV". The Section 8 HCV program is one of the federal government's major programs for 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. 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.

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.

The Section 8 HCV program is an important part of the State’s efforts in addressing the affordable housing needs of our low-income families. All families go through a criminal background, sex offender and Homeland Security screenings before being given a voucher to pursue a rental unit, and the HPHA is willing to work and assist all landlords that would like to participate in the program.

The HPHA appreciates the opportunity to provide the Committee with the HPHA’s testimony regarding SB 206, SD1. We thank you very much for your dedicated support.



EXECUTIVE CHAMBERS  
HONOLULU

January 25, 2022

TO: The Honorable Senator Karl Rhoads, Chair  
Senate Committee on Judiciary

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

SUBJECT: **SB 206 SD1 – RELATING TO RENTAL DISCRIMINATION**

Hearing: Tuesday, January 25, 2022, 9:30 a.m.  
VIA VIDEO CONFERENCE

**POSITION:** The Governor's Coordinator on Homelessness supports this measure and appreciates the amendments made by the Senate Commerce and Consumer Protection committee to increase the maximum penalty for violations from \$500 to \$5,000.

The Coordinator notes that a similar measure, SB1135 SD1, was introduced by the administration and was carried over from the 2021 session and referred to the joint Senate committees on Judiciary and Ways and Means.

**PURPOSE:** The purpose of the bill is to establish a new chapter on "source of income," add definitions, and adds enforcement remedies by direct civil action.

This measure 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. Connecticut, Maine, Massachusetts, New Jersey, North Dakota, Oklahoma, Oregon, Utah, Vermont, Washington, and Washington, D.C., have adopted statutes that prohibit rental discrimination based on the source of income, including housing vouchers. In December 2021, the Hawaii Interagency Council on Homelessness prioritized addressing upfront barriers to accessing housing, such as source of income discrimination in rental housing, as a key priority for the 2022 legislative session.

According to feedback from service providers, 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>.

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, even though 708 EHVs have been allocated statewide in Hawaii since mid-2021, only 36 households have been leased up statewide as of January 20, 2022.<sup>1</sup> With limited search periods to lease up with a voucher of normally 60- or 90-days, refusal to accept an EHV or other voucher can cause people to lose their rental assistance and extend situations of housing insecurity and homelessness. In addition, providers have shared stories of homeless individuals who were approved for prospective rent through ERA after eviction from a prior unit and cannot find a landlord open to accept this assistance in a new unit.

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 prioritizes 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> Retrieved January 21, 2022 from: [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/ehv/dashboard](https://www.hud.gov/program_offices/public_indian_housing/ehv/dashboard).

**SB-206-SD-1**

Submitted on: 1/21/2022 12:59:57 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawai`i	Support	Yes

Comments:

Aloha Senators,

The Stonewall Caucus of the Democratic Party of Hawai`i supports SB 206.

Mahalo,

Michael Golojuch, Jr.  
Chair



## CATHOLIC CHARITIES HAWAII

### TESTIMONY IN SUPPORT OF SB 206, SD1: RELATING TO RENTAL DISCRIMINATION

TO: Senate Committee on Judiciary  
FROM: Rob Van Tassell, President and CEO, Catholic Charities Hawai'i  
Hearing: Tuesday, 1/25/2002; 9:30 am; via videoconference

Chair Rhoads, Vice Chair Keohokalole, and Members, Committee on Judiciary:

Thank you for the opportunity to provide testimony **in support** of **SB 206, SD1**, which prohibits discrimination based on participation in a housing assistance program. I am Rob Van Tassell, with Catholic Charities Hawai'i. We are also a member of Partners In Care (PIC). **This bill is a critical step forward in enabling Hawaii residents to have a fair chance to obtain very affordable long-term housing.**

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 Hawai'i helps many struggling families, elders, veterans and people who are homeless 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 live. Unfortunately, many landlords will not accept Section 8 or other forms of subsidy which pay the landlord a monthly stipend. Not only are these tenants hit by the lack of affordable rentals, now they are told they cannot use the rental subsidy which could give them safe and decent housing. **Honolulu is one of the largest metropolitan areas in the US that does not prohibit this practice.**

We urge your committee to put renters who participate in a rental assistance program on the same footing as other rental applicants. Landlords could continue to evaluate applicants based on their ability to pay rent, credit worthiness, etc. This bill can also have a direct impact on single parents, especially the many lower income women with children. Source of income discrimination is sometimes a veiled form of sex and family/children discrimination.

In areas that prohibit this type of discrimination, renters with housing vouchers are 12% more likely to obtain housing than in areas that do not prohibit this discrimination. Hawai'i needs all the help it can get to stably house our lower income families and to end homelessness! **Hawai'i residents must not be shut off from these extremely valuable resources.**

We urge your support for 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 [bettylou.larson@catholiccharitieshawaii.org](mailto:bettylou.larson@catholiccharitieshawaii.org) if you have any questions.



CLARENCE T. C. CHING CAMPUS • 1822 Ke'eumoku Street, Honolulu, HI 96822  
Phone (808)373-0356 • [bettylou.larson@CatholicCharitiesHawaii.org](mailto:bettylou.larson@CatholicCharitiesHawaii.org)





# 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.*

## TESTIMONY IN SUPPORT OF SB 206, SD1: RELATING TO RENTAL DISCRIMINATION

TO: Senate Committee on Judiciary  
FROM: Partners In Care (PIC)  
Hearing: **Tuesday, January 25, 2022; 9:30 AM; via videoconference**

Chair Rhoads, Vice Chair Keohokalole, and Members, Committee on Judiciary:

Thank you for the opportunity to provide in SUPPORT of SB 206, SD1 which would prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirement. Partners In Care (PIC), a coalition of more than 60 non-profit homelessness providers and concerned organizations, works on Oahu to end homelessness.

Partners In Care works with landlords in our Housing Now program. We have successfully placed almost 400 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, we and all of our service providers also have a very difficult time helping holders of housing vouchers to actually find a landlord who will consider this valuable resource. For example, one homeless individual was issued a voucher in February 2021, and although they received multiple extensions and submitted multiple applications each week, were still unable to find a landlord willing to consider the housing voucher as of November 2021.

Partners In Care strongly supports prohibiting discrimination by landlords of rental housing based on applicants' participation in a 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.

During the pandemic, more and more people have sought housing assistance and the tens of millions of Section 8 dollars and other subsidies have also supported landlords. This bill would enable households with housing assistance to apply for rentals and be judged on the same tenancy qualifications as other applicants instead of being judged only on their participation in an assistance program. 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 increase upward social mobility, while directly addressing Hawai'i's housing and homelessness challenges. We urge your support for SB 206 SD1.

**TESTIMONY IN SUPPORT OF SB 206: RELATING TO RENTAL DISCRIMINATION**

TO: Committee Chair, Vice-Chair and Members  
 FROM: Brandee Menino, CEO, Hope Services Hawai'i, Inc.  
 Hearing: JDC, 1-25-22 at 9:30

Aloha,

Thank you for the opportunity to provide input on SB 206, which would prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

**As the CEO of Hawai'i Island's largest homeless service provider, I cannot emphasize enough how desperately we need to end rental income discrimination.** SB 206 would provide much-needed relief to our program participants, staff, and community by paving the way for service providers to get people off the streets, out of emergency shelter, and into permanent housing faster.

Last year our housing team sounded the alarm that **rental housing discrimination is making it impossible to find housing for tenants who are employed, have a deposit, and are prepared to take care of their new home.** The team asked for help in educating landlords about renting to tenants on vouchers, in order to dispel pervasive myths, such as tenants on vouchers being destructive, and inspections being unreasonably difficult. Of course, we can (and do) share information to counter this narrative, such as recommendations from landlords we work with, and the entirely reasonable section 8 inspection checklist. But the reality is that **we cannot fix this problem on our own.** Many of the rental properties are owned by out-of-state landlords or Real Estate Investment Trusts, who'd be extremely difficult or impossible to persuade. The effort expended by our housing team in searching through ad after ad, only to find that the family they're working with won't even be given a chance to apply, is frustrating, demoralizing, and wasteful. It means that when our team could be taking their clients to view apartments, they are combing through Craigslist ads, only to find "No Hope Services" at the bottom of an otherwise promising listing. Instead of helping a family move into their permanent home, our team is calling a long list of realtors, begging them to make an exception. Instead of welcoming a disabled kūpuna living in a tent into a room in our emergency shelter, our team is pleading with property management companies, only to be told "the owner will not accept section 8."

**As long as rental income discrimination remains legal, there will be a perception that it is acceptable,** and no amount of education will change that. What's more, **taxpayers are subsidizing this discrimination** through the cost of government contracts that pay for the extra nights housing-ready families spend in shelters, and the extra labor our team does as they search for landlords willing to give our tenants a chance. With the rise in property purchases by out-of-state landlords paying above market value, this task is becoming a monumental challenge.

JOIN OUR COMMUNITY



**HOPE SERVICES HAWAII, INC.**  
 ADMINISTRATIVE  
 OFFICE  
 357 Waiānuenu Avenue  
 Hilo, HI 96720  
 phone: (808) 935-3050  
 fax: (808) 935-3794

**HALE MALUHIA  
 EMERGENCY SHELTER**  
 110 Ululani Street  
 Hilo, HI 96720  
 phone: (808) 443-4717  
 fax: (808) 934-7456

**KIHEI PUA  
 EMERGENCY SHELTER**  
 115 Kapi'olani Street  
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 phone: (808) 933-6053  
 fax: (808) 934-0904

**VETERAN HOUSING  
 PROGRAMS**  
 21 West Ohea Street  
 Hilo, HI 96720  
 phone: (808) 934-8658  
 fax: (808) 934-8658

**FRIENDLY PLACE  
 RESOURCE CENTER**  
 74-5593 Pawai Place  
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 phone: (808) 933-6062  
 fax: (808) 329-6219

**WEST HAWAII EMERGENCY  
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 74-5593 Pawai Place  
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 fax: (808) 327-2171

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**EXECUTIVE LEADERSHIP**  
 Chief Executive Officer  
 Brandee Menino

It's important to note that homelessness doesn't cut across society equally. Native Hawaiians and Pacific Islanders are disproportionately impacted, as are single mothers and others who are marginalized in society. As our Housing Locator, Matthew Ua, testified last year, "We all know that discrimination occurs based on an applicant's race, gender, disability, age, and religious beliefs, but it is my opinion, that what I've witnessed is discrimination based on a piece of paper that covers all the aforementioned categories."

Real estate in Hawai'i is like a pie--when a person owns a slice (or two or three slices) it means there is less available for everyone else. The very least we should be asking of landlords is to equally consider applicants who have the ability to pay the rent--whether they need a government subsidy or not. Therefore, **we respectfully request that you support SB 206.**

Mahalo nui for your consideration.

Sincerely,

Brandee Menino,  
Chief Executive Officer

JOIN OUR COMMUNITY



**HOPE SERVICES HAWAII, INC.**  
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**EXECUTIVE LEADERSHIP**  
Chief Executive Officer  
Brandee Menino

**SB-206-SD-1**

Submitted on: 1/23/2022 2:06:21 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Matthew Ua	Individual	Support	Yes

Comments:

Aloha,

I stand in strong support of SB206. Please stand with me and our community.

Mahalo

Matthew Ua



**STATE OF HAWAII**  
**STATE COUNCIL**  
**ON DEVELOPMENTAL DISABILITIES**  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 586-8100 FAX: (808) 586-7543  
January 25, 2022

The Honorable Senator Karl Rhoads  
Senate Committee on Judiciary  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator Rhoads and Committee Members:

**SUBJECT: SB206 SD1 Relating to Rental Discrimination**

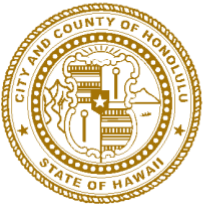
The Hawaii State Council on Developmental Disabilities **STRONGLY SUPPORTS SB206 SD1** prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

Many individuals with intellectual/developmental disabilities (I/DD) benefit from Section 8 Housing Choice Voucher Program. Section 8 is a federally funded housing program that assists individuals with low-income, elderly, and or homeless persons afford a home to live in. For our individuals with I/DD, the section 8 program is the only way many can live independently and helps integrate them into our communities. In recent years we have seen more and more advertisements on places like "Craigslist" and other rental listing locations use the words "No Section 8" or a phrase similar to this, which immediately removes our I/DD community from a chance at these rental units. This language is discriminatory based on assumed behaviors of the population believed to use Section 8 Vouchers.

Thank you for the opportunity to submit testimony in **strong support of SB206 SD1.**

Sincerely,

Daintry Bartoldus  
Executive Administrator



**RADIANT CORDERO**  
Councilmember, District VII  
(808) 768-5007  
e-mail: [rcordero@honolulu.gov](mailto:rcordero@honolulu.gov)

January 23, 2021

TO: CHAIR KARL RHOADS, SENATE COMMITTEE ON JUDICIARY  
VICE CHAIR JARRETT KEOHOKALOLE, SENATE COMMITTEE ON  
JUDICIARY  
MEMBERS OF THE SENATE COMMITTEE ON JUDICIARY

FROM: COUNCILMEMBER RADIANT CORDERO  
HONOLULU CITY COUNCIL, DISTRICT VII

**SUBJECT: TESTIMONY IN SUPPORT OF SENATE BILL 206, SD1**

Aloha Chair Rhoads, Vice Chair Keohokalole and Members of the Senate Committee on  
Judiciary:

As a member of the of the Honolulu City Council, I represent over 112,000 neighbors from Ford Island & Hālawā to Liliha & Iwilei. My district houses one of the highest concentrations of public housing in a council district in Hawai‘i. I stand in **strong support** of Senate Bill 206, SD1 which will address housing discrimination, including advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in rental transactions and requirements.

Like thousands of my neighbors, I am a renter who has experienced the difficulty of finding and keeping a unit due to income insecurity. I firmly believe that housing is a human right and this bill directly addresses discrimination based on income, race, gender, disabilities, and lack of addressing various barriers facing our neighbors.

To alleviate housing issues exacerbated by the COVID-19 pandemic, Hawai‘i, and its four counties, have received more housing vouchers and financial support for housing programs issued by the United States Department of Housing and Development. However, directing these vouchers and funding alone does not resolve the difficult task of securing available units that accept vouchers while also placing restrictions on income, source of income, and federal assistance programs.

Senate Bill 206, SD1 is a key step towards more housing availability. The multi-faceted solution to the housing crisis requires aggressive actions from all levels of government that address the systemic change necessary to build a broader and accessible housing inventory for all persons.

Thank you for this opportunity to testify in **strong support** of Senate Bill 206, SD1.





## TESTIMONY IN SUPPORT OF SB 206 SD1

TO: Chair Rhoads, Vice-Chair Keohokalole, & Committee Members – Senate Judiciary Committee

FROM: Trisha Kajimura, Deputy Director - Community

DATE: January 25, 2022 at 9:30 AM (Videoconference)

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Hawai'i Health & Harm Reduction Center (HHHRC) supports SB 206 SD1 which prohibits discrimination based on participation in a housing assistance program or requirements related to participating in housing assistance programs, in real estate transactions and requirements.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with individuals who are impacted by poverty, housing instability, and other social determinants of health. Many of our program participants are unable to afford even low-end market-rate rental housing despite working full-time because their wages are too low to pay for their basic needs. Others are disabled and on fixed-incomes that cannot pay for our state's high rental costs. Among our services are homelessness prevention, housing-focused case management and intensive case management to support people facing multiple barriers to housing stability. Alongside our participants, our case management staff witness first-hand how difficult it is to find safe and affordable housing even when the participant is able to obtain housing assistance (usually in the form of a housing voucher).

Hawai'i must protect households with housing assistance from discrimination, allowing them to apply and be judged on the same tenancy qualifications as other applicants instead of being judged based on their voucher or subsidy. We should allow families with any type of housing assistance a fair shot at finding housing and remove barriers that can limit the effectiveness of our housing assistance programs.

Thank you for the opportunity to testify on this measure.



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: Senate Committee on Judiciary

Re: **SB 206, SD1 - Relating to rental discrimination**  
Hawai'i State Capitol, via Videoconference  
January 25, 2022, 9:30 AM

Dear Chair Rhoads, Vice Chair Keahokalole, and committee members,

**On behalf of Hawai'i Children's Action Network Speaks!, I am writing in SUPPORT of SB 206, SD1, relating to rental discrimination.** This bill would prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

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 a contributing factor to Hawai'i's homelessness and housing affordability crises.

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.<sup>3</sup> We urge you to pass a bill that prohibits housing voucher discrimination in not only in advertising, but also in other aspects of property rental transactions, is enforced through civil courts with damages set high enough to be effective, includes incentives, and addresses the minimum income concerns of landlords.

Mahalo for the opportunity to provide this testimony. Please pass SB 206, SD1 with ideal language drawn from HB 981 (2021) and SB 36 (2021).

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>



January 25, 2022

**The Honorable Karl Rhoads, Chair**  
Senate Committee on Judiciary  
Via Videoconference

**RE: Senate Bill 206, SD1, Relating to Rental Discrimination**

**HEARING: Tuesday, January 25, 2022, at 9:30 a.m.**

Aloha Chair Rhoads, Vice Chair Keohokalole, 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 10,800 members. HAR **opposes** Senate Bill 206, SD1, which prohibits discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

HAR believes that government subsidized housing assistance programs, such as Section 8, are an important part of our community's social safety net. However, the section 8 process mandates additional paperwork, inspections and processes, which is not required by other applicants. As a result, housing providers participating in section 8 often forfeit their first month's rent in addition to having to wait 3 months or longer for a subsequent rental check. While property managers may possess the experience and knowledge necessary to navigate safely through this process, it may be too complex, expensive and time consuming for the average housing provider.

Moreover, the issue of whether a property owner is engaged in a discriminatory practice, simply by not choosing to participate in a housing assistance program, becomes subjective and ambiguous. As a result, even the most diligent property owner could find himself or herself the subject of a discrimination complaint.

Additionally, HAR would note that government assistance housing programs are optional to participate in. As such, the focus should be on providing incentives or removing barriers to encourage property owners to participate in these valuable programs.

Mahalo for the opportunity to testify.

**LATE**

**SB-206-SD-1**

Submitted on: 1/24/2022 1:32:59 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Alan Johnson	Testifying for Hawaii Substance Abuse Coalition	Support	No

Comments:



Aloha,

We support no discrimination for Section 8 by landlords receiving housing assistance and also we remind landlords that people in "recovery" from substance use disorders are subject to ADA rules and also can not be discriminated against.

Aloha, Alan Johnson, Chair HSAC

**SB-206-SD-1**

Submitted on: 1/25/2022 8:49:41 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kara England	Testifying for The Radical Hale	Support	No

Comments:

I am the founder of the Radical Hale Outreach organization- I have a client who has been waiting for housing with a voucher for over 5 months. He is disabled and is wheel chair bound and finding a landlord that is willing to take with a voucher alone has been difficult.

We apply for a prospective uns- pay the application fee of 20.00 to 40.00 just to be turned down in the end. I am a very small unfunded organization that cannot be wasting resources on fees.

KITV on Nov 9 ran a story about my client showcasing the difficulties of finding landlords.

I support SB2222 .

thank you Kara England- The Radical Hale- Outreach with Aloha