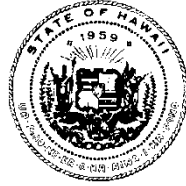


JOSH GREEN, M.D.
GOVERNOR



HAKIM OUANSAFI
EXECUTIVE DIRECTOR

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EXECUTIVE ASSISTANT

STATE OF HAWAII
HAWAII PUBLIC HOUSING AUTHORITY
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POST OFFICE BOX 17907
HONOLULU, HAWAII 96817

IN REPLY, PLEASE REFER TO:

Statement of
Hakim Ouansafi, Executive Director
Hawaii Public Housing Authority

Before the
SENATE COMMITTEE ON HOUSING

Thursday, February 8, 2024
1:15 PM – Room 225, Hawaii State Capitol

In consideration of
SB 3277
RELATING TO PUBLIC HOUSING

Honorable Chair Chang, and members of the Senate Committee on Housing, thank you for the opportunity to provide testimony on Senate Bill (SB) 3277, relating to public housing.

The Hawaii Public Housing Authority (HPHA) **appreciates the intent** of SB 3277 and **provides the following comments.** This measure prohibits a determination of ineligibility for tenant applicants for any program under the Hawaii Public Housing Authority law due to an eviction unless a writ of possession was issued and served as a result of the proceeding.

The HPHA believes that if passed, this measure will have unintended consequences that could affect the peaceful enjoyment of our tenants, increase the state's liability, and negatively impact our keiki. This is based on our experience and speaking with previous landlords. Many of those who are brought up for evictions leave voluntarily once they feel that they will lose the case. While this may be ok for those who are in eviction proceedings not paying their rent payment, the danger is when someone is brought up for evictions due to criminal activities such as fighting, gang activity, drug use or prostitution. If these individuals leave voluntarily prior to "a writ of possession was issued and served as a result of the proceeding" [Page 3 Line 6], the HPHA will have no choice but to house these individuals if this measure passes.

As you know, the HPHA houses the most vulnerable of our community and makes every effort to not select those who will bring harm to our public housing communities, especially impacting the elderly and our keiki. It is because of those applicants that are going through the eviction process that brings concern to the U.S. Department of Housing and Urban Development (HUD) and the HPHA. This is according to federal law 24 C.F.R. §960.202(a)(2)(iii) – Precluding admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the residents or the project environment. [eCFR :: 24 CFR Part 960 -- Admission to, and Occupancy of, Public Housing](#).

In our experience, public housing applicants who are being evicted don't always "leave voluntarily" as opposed to "trashing and then abandoning" the unit. Under the proposed bill, a family who abandons a unit would not be issued a writ of possession because they have left and thus would still be eligible for HPHA programs.

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



HAWAII APPLESEED
CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai‘i Appleseed Center for Law and Economic Justice
Support for S.B. 3277 – Relating to Public Housing
Senate Committee on Housing
Thursday, February 8, 2024, at 1:15 PM, Conf. Rm. 225 and via Videoconference

Dear Chair Chang, Vice Chair Hashimoto, and fellow committee members:

Thank you for the opportunity to express our **SUPPORT for S.B.3277**, which would prohibit ineligibility for tenant applicants for any program under HPHA law due to an eviction unless a writ of possession is issued and served as a result of the proceeding.

SB 3277 clarifies the impact of eviction proceedings on the eligibility for HPHA projects. The current ambiguity surrounding the definition of “eviction” has unjustly penalized individuals and families who reside in HPHA housing, leaving them without access to essential housing services. HPHA should not be in the business of rushing to evict tenants who wait for an available HPHA public housing unit. Our public housing is one of the greater investments in preventative measures to homelessness and tenants who qualify for an HPHA unit often will not be able to do so in the wider housing market.

The proposed legislation, by clearly stating that only tenants against whom a writ of possession was issued and served are to be considered evicted, represents a crucial step towards justice and fairness in the housing system. This clarification ensures that those who have faced eviction proceedings, but have settled their disputes or voluntarily vacate premises without a court's final order, are not unfairly barred from accessing public housing assistance.

SB3277 balances the need for clarification with the authority’s ability to maintain safe and legal housing communities. By explicitly stating that this law would not prevent the rejection of applicants for legitimate reasons, SB3277 ensures that public housing remains a supportive environment for all residents. This bill would clarify that the authority cannot remove a tenant unjustly before a writ of possession issued as result of the proceeding.

We appreciate the opportunity to testify in support of SB3277 and its objective of clarifying HPHA processes around eviction filing and preventing tenants from unjustly being disqualified from HPHA eligibility.

SB-3277

Submitted on: 2/6/2024 5:12:16 PM

Testimony for HOU on 2/8/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Chang, Vice-Chair Hashimoto, and Honorable Committee Members:

I respectfully present this testimony to SUPPORT SB3277, which would amend Chapter 356D, Hawaii Revised Statutes, and prevent any Hawaii Public Housing Authority programs from rendering tenant applicants ineligible for these housing programs due to any eviction unless a Writ of Possession was issued and served as a result of a legal proceeding. Access to affordable housing in Hawai`i remains a struggle for many residents without an eviction or threat of one impeding an individual or family's ability to place a roof over their heads.

For these reasons, and in the interest of assuring that those who require housing shall continue to have access to housing, I respectfully urge your Committee to please pass SB 3277 out of your Committee and allow it to move forward during this Legislative Session. Mahalo for this opportunity to present this testimony supporting HB3277.

Nancy A. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: nancyhydroalt@gmail.com

SB-3277

Submitted on: 2/6/2024 5:31:18 PM

Testimony for HOU on 2/8/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Zeb Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Chang, Vice-Chair Hashimoto, and Honorable Committee Members:

I present this testimony in SUPPORT of SB 3277, which ideally amends Chapter 356D of the Hawai`i Revised Statutes, and would prevent any Hawaii Public Housing Authority programs from rendering tenant applicants ineligible for these housing programs due to any eviction without a Writ of Possession that issued and was served as a result of a legal proceeding. So many Hawai`i residents/families already struggle to access affordable housing without an eviction or threat of one impeding an individual or family's ability to maintain roofs over their heads.

For these reasons, and in the interest of assuring that those who require housing shall continue to have access to housing, I respectfully urge your Committee to please pass SB 3277 out of your Committee and allow it to move forward during this Legislative Session. Mahalo for this opportunity to present this testimony supporting HB3277.

Zebuel "Zeb" C. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: zebbe3442@gmail.com