

ACT 37

S.B. NO. 1213

A Bill for an Act Relating to Duties of the Hawaii Housing Authority with Respect to Rentals and Tenant Selections.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 356-35, Hawaii Revised Statutes, is amended to read:

“Sec. 356-35 Rentals and tenant selection. In the operation or management of housing projects the Hawaii housing authority (acting directly or by an agent or agents) shall at all times observe the following duties with respect to rentals and tenant selections:

- (1) It may establish maximum limits of annual net income for tenant selection in any public housing project, less such exemptions as may be authorized by federal regulations pertaining to public housing. The authority may agree to conditions as to tenant eligibility or preference required by the federal government pursuant to federal law in any contract for financial assistance with the authority.
- (2) It may rent or lease the dwelling accommodations therein only at rentals within the financial reach of persons who lack the amount of income which it determines to be necessary in order to obtain safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority and to provide an adequate standard of living.

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- (3) It may rent or lease to a tenant a dwelling consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

Nothing in this chapter shall be construed as limiting the power of the authority:

- (1) To vest in an obligee the right, in the event of a default by the authority, to take possession of a housing project or cause the appointment of a receiver thereof, free from all the restrictions imposed by this chapter with respect to rentals, tenant selection, manner of operation, or otherwise; or
- (2) To vest in obligees the right, in the event of a default by the authority, to acquire title to a housing project or the property mortgaged by the housing authority, free from all the restrictions imposed by this chapter, except those imposed by section 356-32."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 3, 1975.)

*Edited accordingly.