STAND. COM. REP. NO. 2413

Honolulu, Hawaii

FCB 17

RE: S.B. No. 2331

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Housing, to which was referred S.B. No. 2331 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose of this measure is to repeal the sunset date for provisions that streamline the public housing evictions process.

Testimony in support of the measure was submitted by the Housing and Community Development Corporation of Hawaii (HCDCH).

Your Committee finds that this measure requires further consideration. In testimony on another measure, S.B. No. 3025, Island Tenants on the Rise (ICOR) advocated reinstatement of an administrative appeal process before the current streamlined procedure established under Act 227, Session Laws of Hawaii 2002, is made permanent. ICOR testified that many tenants facing eviction do not understand or actively participate in the initial meeting to work out their delinquency, and thereby forfeit their due process rights to a subsequent grievance hearing. The HCDCH and the Department of the Attorney General testified against reinstatement of the former administrative appeal process, and pointed out that improved rent collection and more timely evictions for nonpayment are conditions of the Improvement Plan which HCDCH entered into with the U.S. Department of Housing and Urban Development in January 2006.

The Legislature should continue to consider ways to address the issues raised by ICOR, including means to provide better tenant education, counseling, and representation. Accordingly, your Committee has amended this measure to change the effective date to July 1, 2050, for purposes of further discussion.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2331, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2331, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Housing,

RON MENOR, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Commerce, Consumer Protection and Housing (Bills and Resolutions)

Measure:* SB 2331 CPH JHW Date: 2 - 16 - 06				
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:				
The Recommendation is to:				
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
MENOR, Ron (C)				
BAKER, Rosalyn H. (VC)				
ESPERO, Will				
IGE, David Y. SAKAMOTO, Norman				V
HOGUE, Bob	./			
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TOTAL	16		<u></u>	2
TOTAL	4			4
Recommendation: Adopted Not Adopted				
Chair's of Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

^{*}Do <u>not</u> list more than one measure per Record of Votes.