

1 under or by virtue of any tenancy lease or rental agreement
2 under or from the authority."

3 SECTION 4. Section 356D-92, Hawaii Revised Statutes, is
4 amended by amending subsection (f) to read as follows:

5 "(f) If the tenant meets with the authority as provided
6 for in subsection (b), the authority shall decide, based upon
7 the facts discussed at the meeting, what action is appropriate
8 to address the tenant's case. The authority shall notify the
9 tenant of its decision in writing. If the authority decides to
10 proceed with an action to terminate the tenancy, the authority
11 shall further inform the tenant in the same written notice that:

12 (1) The tenant has [~~thirty days~~] ten business days, from
13 receipt of this notice to request a grievance hearing;
14 and

15 (2) If the tenant fails to request a grievance hearing
16 within [~~thirty days,~~] ten business days, the authority
17 has the right to proceed with the eviction hearing
18 pursuant to section 356D-93."

19 SECTION 5. Section 521-7, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "§521-7 Exclusions from application of chapter. Unless
2 created solely to avoid the application of this chapter, this
3 chapter shall not apply to:

- 4 (1) Residence at an institution, whether public or
5 private, where residence is merely incidental to
6 detention or the provision of medical, geriatric,
7 educational, religious, or similar services;
- 8 (2) Residence in a structure directly controlled and
9 managed by the University of Hawaii for housing
10 students or faculty of the University of Hawaii or
11 residence in a structure erected on land leased from
12 the University of Hawaii by a nonprofit corporation
13 for the exclusive purpose of housing students or
14 faculty of the University of Hawaii;
- 15 (3) Occupancy under a bona fide contract of sale of the
16 dwelling unit or the property of which it is a part
17 where the tenant is, or succeeds to the interest of,
18 the purchaser;
- 19 (4) Residence by a member of a fraternal organization in a
20 structure operated without profit for the benefit of
21 the organization;



- 1 (5) Transient occupancy on a day-to-day basis in a hotel
2 or motel;
- 3 (6) Occupancy by an employee of the owner or landlord
4 whose right to occupancy is conditional upon such
5 employment or by a pensioner of the owner or landlord
6 or occupancy for a period of up to four years
7 subsequent thereto, pursuant to a plan for the
8 transfer of the dwelling unit or the property of which
9 it is a part to the occupant;
- 10 (7) A lease of improved residential land for a term of
11 fifteen years or more, measured from the date of the
12 commencement of the lease;
- 13 (8) Occupancy by the prospective purchaser after an
14 accepted offer to purchase and prior to the actual
15 transfer of the owner's rights;
- 16 (9) Occupancy in a homeless facility, or any other program
17 for the homeless authorized under chapter [201G, ~~part~~
18 ~~IV~~] 356D, part VII;
- 19 (10) Residence or occupancy in a public housing project or
20 complex directly controlled, owned, or managed by the
21 Hawaii public housing authority pursuant to the
22 federal low rent public housing program; or



1 (11) Residence or occupancy in a transitional facility for
2 abused family or household members."

3 **PART II**

4 SECTION 6. Section 356D-97, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[+]§356D-97[+] **Appeals.** An aggrieved party may secure a
7 review of any final judgment of the circuit court under this
8 part by appeal to the [~~intermediate~~] appellate [~~court,~~] courts,
9 subject to chapter 602. The appeal shall be taken in the manner
10 provided in the rules of court."

11 **PART III**

12 SECTION 7. The purpose of this part is to reflect the
13 legislature's intent to codify relevant provisions of Act 100,
14 Session Laws of Hawaii 2006, in chapter 356D, Hawaii Revised
15 Statutes.

16 SECTION 8. Chapter 356D, Hawaii Revised Statutes, is
17 amended by adding a new section to part VII to be appropriately
18 designated and to read as follows:

19 "§356D- Temporary emergency housing. (a) In addition
20 to any other duties prescribed by law, the authority shall
21 develop, in consultation with the four counties, a procedure for
22 identifying locations that shall be used for temporary emergency



1 shelters for homeless individuals and families. The authority
2 shall actively partner with and monitor the efforts of the
3 counties.

4 (b) Each county shall be responsible for partnering with
5 nonprofit organizations to locate, designate, and maintain the
6 areas that shall be used for temporary emergency shelters. The
7 designated locations may include private, county, and state
8 lands and federal lands.

9 (c) The authority shall pursue and secure Barbers Point
10 Barracks as temporary housing for homeless families and
11 individuals.

12 (d) The authority shall submit an annual report to the
13 legislature detailing the activities and outcomes under this
14 section no later than twenty days prior to the convening of each
15 regular session beginning with the 2008 regular session."

16 SECTION 9. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 10. This Act shall take effect upon its approval.



Report Title:

Housing

Description:

Amends chapter 356D, Hawaii Revised Statutes, relating to the Hawaii public housing authority, to reflect the legislature's intent to codify various Acts into this chapter, and to make other necessary technical amendments. (SD2)

