



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 5, 2015

MEMORANDUM

TO: The Honorable Dee Morikawa, Chair
House Committee on Human Services

The Honorable Mark J. Hashem, Chair
House Committee on Housing

FROM: Rachael Wong, DrPH, Director

SUBJECT: **H.B. 1265 – RELATING TO ALTERNATIVE HOUSING**

Hearing: Thursday, February 5, 2015; 10:00 a.m.
Conference Room 329; State Capitol

PURPOSE: The purpose of H.B. 1265 is to appropriate funding for the Department of Land and Natural Resources (DLNR), in consultation with the Department of Human Services, to establish mobile home parks throughout the State for individuals whose family income is no more than 250% of the federal poverty level.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the proposed legislation to create affordable alternative housing. However, DHS does not have the current capacity or expertise required to develop and finance mobile home parks as DHS is focused on executing its other statutory priorities such as Housing First. We defer to DLNR and the attached agency the Hawaii Public Housing Authority (HPHA) regarding their respective limits and other fundamental program priorities.

Thank you for the opportunity to provide comment on this proposed bill.

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the House Committees on
HUMAN SERVICES
and
HOUSING**

**Thursday, February 5, 2015
10:00 AM
State Capitol, Conference Room 329**

**In consideration of
HOUSE BILL 1265
RELATING TO ALTERNATIVE HOUSING**

House Bill 1265 proposes to require and appropriate funds for the Department of Land and Natural Resources ("Department"), in consultation with the Department of Human Services, to establish mobile home parks throughout the State for individuals whose family income is no more than 250 percent of the federal poverty level. The measure would also allow the private sector to develop mobile home parks. **The Department acknowledges the intent of the measure and offers the following comments.**

The Department appreciates the critical need for affordable housing. However, the Department's primary mission is natural resource management, and lacks the necessary expertise and experience with housing development. In the limited instances where the Department has disposed of lands for residential purposes, it has been a disposition of the land itself and the lessee/permittee is responsible for the construction and maintenance of their residential structure. In addition, if not already present, developing the necessary infrastructure, such as roads and sewage, for mobile home parks would be a substantial undertaking.

Most of the lands described in the measure where mobile home parks could be established are not under the management jurisdiction of the Department. Perhaps one or more of the other governmental agencies whose primary mission is housing development and possess the requisite expertise that could better serve as the lead agency for this measure, and to develop the necessary infrastructure, and therefore the funding that is available should be directed to those types of housing agencies.

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

kobayashi2-Lynda

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 03, 2015 12:11 PM
To: HUS testimony
Cc: kellensmith@placeshawaii.org
Subject: Submitted testimony for HB1265 on Feb 5, 2015 10:00AM

Categories: Green Category

HB1265

Submitted on: 2/3/2015

Testimony for HUS/HSG on Feb 5, 2015 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kellen Smith	Individual	Support	No

Comments: Please also allow farmers on Agriculture Park lots to live in mobile living structures on site so they can protect their property.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HOUSE OF REPRESENTATIVES COMMITTEE ON HUMAN SERVICES

Rep. Dee Morikawa, Chair
Rep. Bertrand Kobayashi, Vice Chair

COMMITTEE ON HOUSING

Rep. Mark J. Hashem, Chair
Rep. Jo Jordan, Vice Chair

Mike Goodman

Testifying as an Individual
3rd Year Law Student;
Evening, Part-Time Program
William Richardson School of Law
University of Hawai'i
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Joint Committee Hearing

Date: Thursday, February 05, 2015
Time: 10:00 a.m.
Place: Conference Room 329
State Capitol
415 South Beretania Street

RE: HB1265

SUPPORT WITH AMENDMENTS

Thank you, Chairs Morikawa, Hashem, Vice Chairs Kobayashi and Jordan and Committee Members; Thank you for the opportunity to submit my testimony **in support of HB1265**, which I believe could vastly increase the amount of affordable housing at no cost to the State, if certain amendments are adopted.

First, alternative methods of creating for affordable housing, such as those contemplated in HB1265, are practical means of making an immediate and significant impact on the economic causes of homelessness. Some estimates show the homeless population in Hawai'i to be 14,000 or more. There is simply not enough money to build and subsidize traditional low-cost housing for every homeless person.ⁱ On the other hand, mobile home parks can be created and maintained by private entities for profit, at no cost to the State.

Mobile home parks are just one of the many innovative ways to create clean and comfortable residential dwellings at a much lower cost than traditional housing. That's why I propose you amend this bill to include other types of dwellings; including but not limited to yurts and tents. The concept of "mobile home parks" should be broadened to "residential campsites" and "residential campgrounds". The bill should also allow homeowners, landowners, farmers, businesses and non-profit organizations, establish residential campgrounds and campsites (subject to existing zoning laws and other regulations). For example, a homeowner should be allowed to lease yard-space for use as a residential campsite, or "driveway space" where someone could live in an RV. The lessee could also be given access to electricity, and other amenities as determined by agreement between the parties. Or a farmer could earn extra income by creating a residential campground complete with hygienic and recreational facilities. This strategy

could also be used to combat other causes of homelessness such as mental illness and substance addiction.ⁱⁱ For example, the State, or non-profit entities, could establish residential “supportive campgrounds” with on-site psychiatric and addiction services, thus expanding the concept of “housing first” to “residential dwelling first”.

Lastly, HB1265 should also be amended to eliminate income caps because: (1) Anyone who chooses to live in a residential campsite over traditional housing, will invariably be someone who needs to reduce their expenses to fortify their financial stability. Artificial income caps mean that a person would only benefit from this bill *after* they have become insolvent. Eliminating the cap will allow people to *prevent themselves from becoming insolvent*. (2) The State won’t have the administrative burden of “qualifying” applicants.

If the categories of dwellings and people under HB1265 is expanded, it would be the closest thing the State has to a magic wand to dramatically increase affordable housing without using any public funds. Mahalo nui loa for the opportunity to testify.

I have drafted my proposed amendments to HB1265 below. Beginning on page 1, line 15, I recommend that everything be stricken and replaced with the following:

Based upon the report, referenced above, the Legislature finds that allowing all property owners, and lessees subject to the terms of their leases, and lessees of agricultural land, to create for-profit residential campsites, or residential campgrounds consisting of multiple campsites, for either single or multiple residents, subject to applicable zoning restrictions, and other laws. Although the report cited concerns mobile home parks, the Legislature finds that including recreational vehicles, tents, yurts, and other dwellings would help to increase housing access to financially vulnerable persons, at no cost to the State.

The Legislature further finds that if all property owners and lessees of agricultural land had the right to rent space to residential campers, it would instantly increase the amount of affordable shelter for those who are homeless or who are at risk of becoming homeless, at no cost to the State. Those who rent space to earn extra income would also fortify their financial stability, and reduce their risk of becoming homeless. The increased supply of residential dwellings could reduce the demand on traditional housing, thus lowering costs for everyone in the State.

The purpose of this Act is to:

(1) Allow any private property owner or lessee subject to the provisions of their lease, including but not limited to lessees of agricultural land, whether or not an individual and whether or not a for-profit or non-profit entity, to establish for-profit or non-profit residential campgrounds, with no minimum amount of campsites required, where the maximum amount of campsites are subject to applicable zoning restrictions, safety laws, and statutes governing landlord / tenant interactions except as provided for in this chapter; where;

(a) Individuals could lease space, either outdoors or indoors, to use as their principle residence.

(b) Lessees of campsites would have access to electricity, water, and hygienic facilities which are made available on the property for their non-exclusive or exclusive use as agreed to by the parties and incorporated into their lease agreements.

(c) Lessees can live in any legal form of shelter acceptable to the parties, including but not limited to: mobile homes, recreational vehicles, yurts and tents.

(d) Rents charged to Lessees shall be determined by the market.

ⁱ Heather Knight, *A Decade of Homelessness: Why S.F.'s Plan to End Homelessness Failed*, S.F. CHRON., June 29. 2014, at A8

ⁱⁱ U.S. DEPT. OF HEALTH & HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, (TIP) SERIES 55, HHS PUBLICATIONS (SMA) 13-4734, BEHAVIORAL HEALTH SERVICES FOR PEOPLE WHO ARE HOMELESS: TREATMENT IMPROVEMENT PROTOCOL (2013) *available at* <http://kap.samhsa.gov>

LATE

Cynthia K.L. Rezentes

Email: Rezentesc@aol.com

January 31, 2015

TESTIMONY PROVIDING COMMENTS FOR HB 1265: RELATING TO ALTERNATIVE HOUSING

TO: Representative Dee Morikawa, Chair, Representative Bertrand Kobayashi, Vice Chair; and members of the Committee on Human Services
Representative Mark J. Hashem, Chair, Representative Jo Jordan, Vice Chair; and members of the Committee on Housing

Hearing: **Thursday February 5, 2015; 10:00 a.m.; Conference Room 329**

Dear Chairs Morikawa and Hashem, Vice Chairs Kobayashi and Jordan, and members of the committees:

Thank you for the opportunity to provide **comments** regarding HB 1265. While, in general, I support the concept of providing the greatest palette of choices in providing more affordable and low-income housing within the State of Hawai'i, I would urge caution in the proposition.

There is an undeniable need for more affordable and low-income housing alternatives, including rentals and homes for ownership. Mobile home parks on the Continental United States have come a long ways from the paper-thin aluminum structures to a sturdier home based upon extensive experiences in challenging conditions, i.e. large storms, hurricanes, flooding, etc to fortify these newer structures. These mobile home parks are a continuing manner in which lower cost housing can be provided in areas requiring such options to be available to a larger population in more rural environments.

The parks that I have seen that have succeeded, usually are laid out in a precise manner, similar to a subdivision, and managed by an association with a site manager. In these parks, each home-owner, contributes to the maintenance costs for upkeep of the common areas and the association helps to facilitate any covenants that may be implemented for the good of the entire community (landscaping, visual appeal, no stockpiling of materials that would be detrimental to the visual appeal of the property, etc.) This contributes to well-maintained, welcoming communities versus the picture that comes to many people's minds of the trashed trailer park at a truck stop or other less kempt areas.

In addition, to mobile homes there are currently numerous websites touting the construction of mini-home cluster villages laid out in a manner consistent with a community neighborhood and many managed in a similar fashion as outlined above. I would encourage that this option also be added along with shipping containers converted into homes, all of which would meet minimum building code criteria as set by each county.

As Hawai'i looks to the future of protecting our natural resources throughout the State, I would also recommend that serious consideration be given to the placement of these parks, i.e. rural versus suburban vs middle of town properties and the effect on established neighborhoods. Thus serious discussion should occur as to which lands would be appropriate for these facilities and also how much land should be allowed to be developed in this fashion within each county based upon lands available, population, distance from or within heavily populated areas, etc.

Thank you for accepting my testimony.

Sincerely,

Cynthia K.L. Rezentes
Wai`anae Resident

LATE

HOUSE OF REPRESENTATIVES COMMITTEE ON HUMAN SERVICES

Rep. Dee Morikawa, Chair
Rep. Bertrand Kobayashi, Vice Chair

COMMITTEE ON HOUSING

Rep. Mark J. Hashem, Chair
Rep. Jo Jordan, Vice Chair

Mike Goodman

Testifying as an Individual
3rd Year Law Student;
Evening, Part-Time Program
William Richardson School of Law
University of Hawai'i
Tel.: (808) 428-9779
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Joint Committee Hearing

Date: Thursday, February 05, 2015
Time: 10:00 a.m.
Place: Conference Room 329
State Capitol
415 South Beretania Street

RE: HB1265

SUPPORT WITH AMENDMENTS

Thank you, Chairs Morikawa, Hashem, Vice Chairs Kobayashi and Jordan and Committee Members; Thank you for the opportunity to submit my testimony **in support of HB1265**, which I believe could vastly increase the amount of affordable housing at no cost to the State, if certain amendments are adopted.

Some estimates show the homeless population in Hawai'i to be 14,000 or more. There is simply not enough money to build and subsidize traditional low-cost housing for every homeless person.¹ Instead, alternative housing such as mobile home parks can be created and run by private entities for profit, at no cost to the State.

Mobile home parks are just one of the many innovative ways to create clean and comfortable residential dwellings at a much lower cost than traditional housing. That's why I propose you amend this bill to include other types of dwellings; including but not limited to recreational vehicles, yurts and tents. In addition to developers of mobile home parks, this bill should also allow homeowners, landowners, farmers, businesses and non-profit organizations, establish residential campgrounds and campsites (subject to existing zoning laws and other statutes and regulations).

For example, a homeowner should be allowed to lease yard-space for use as a residential campsite, or "driveway space" where someone could live in an RV. The lessee could also be given access to electricity, and other amenities as determined by agreement between the parties. Or a farmer could earn extra income by creating a residential campground complete with hygienic and recreational facilities. This strategy could also be used to combat other causes of homelessness such as mental illness and substance addiction.² For example, non-profit entities, could establish residential

“supportive campgrounds” with on-site psychiatric and addiction services, thus expanding the concept of “housing first” to “residential dwelling first”.

Lastly, HB1265 should be amended to eliminate income caps because: (1) Anyone who chooses to live in a residential campsite over traditional housing will invariably be someone who needs to reduce their expenses to fortify their financial stability. Artificial income caps only allow a person to benefit from this bill **after** they have become insolvent. Eliminating the cap will allow people to **prevent themselves from becoming insolvent**. (2) The State won’t have the administrative burden of “qualifying” applicants.

If HB1265 is amended to include: (1) Other types of dwellings in addition to mobile homes; (2) Other types of lessors in addition to developers of mobile home parks; and (3) Other types of renters in addition to those who are homeless or qualify under a restrictive income category, it could be the magic wand we need to dramatically and instantaneously, increase affordable housing without any cost to the State. Mahalo nui loa for the opportunity to testify.

I have drafted my proposed amendments to HB1265 below. Beginning on page 1, line 15, I recommend that everything be stricken and replaced with the following:

Based upon the report, referenced above, the Legislature finds that the amount of low-cost residential dwellings could be vastly increased, without cost to the State, by allowing other forms of habitation, including but not limited to recreational vehicles, yurts and tents, in addition to mobile homes.

The Legislature further finds that the most effective way to increase the availability of space for affordable dwellings, is to allow all individual property owners and for-profit and non-profit entities, and all proprietor lessees, subject to the terms of their leases, and all lessees of agricultural land, subject to the terms of their leases, to establish and lease (or in the case of proprietor lessees, to sub-lease) residential campsites or campgrounds consisting of multiple residential campsites, either for profit or not for profit, subject to applicable zoning restrictions, and other laws and regulations.

The Legislature further finds that residential campsites and campgrounds would (1) help the homeless by creating affordable, clean and stable places to live; (2) help financially vulnerable persons from becoming homeless; and (3) reduce the cost of

traditional housing by reducing the demand.

The purpose of this Act is to allow:

(1) All commercial and individual property owners and all for-profit and non-profit entities, and all proprietor-lessees, subject to the terms of their leases, and all lessees of agricultural land, subject to the terms of their leases, to establish and lease, or sub-lease, residential campsites or campgrounds consisting of multiple residential campsites, either for profit or not for profit, subject to applicable zoning restrictions, and other laws and regulations except as provided for in this chapter; where:

(a) Individuals could lease space, either outdoors or indoors, to use as their principle residence.

(b) Lessees of campsites would have access to electricity, water, and hygienic facilities which are made available on the property for their non-exclusive or exclusive use as agreed to by the parties and incorporated into their lease agreements.

(c) Lessees can live in any legal form of shelter acceptable to the parties, including but not limited to: mobile homes, recreational vehicles, yurts and tents.

(d) Rents charged to Lessees shall be determined by the market.

¹ Heather Knight, *A Decade of Homelessness: Why S.F.'s Plan to End Homelessness Failed*, S.F. CHRON., June 29. 2014, at A8

² U.S. DEPT. OF HEALTH & HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, (TIP) SERIES 55, HHS PUBLICATIONS (SMA) 13-4734, BEHAVIORAL HEALTH SERVICES FOR PEOPLE WHO ARE HOMELESS: TREATMENT IMPROVEMENT PROTOCOL (2013) *available at* <http://kap.samhsa.gov>

DAVID Y. IGE
GOVERNOR



LATE

HAKIM OUANSAFI
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
HAWAII PUBLIC HOUSING AUTHORITY
1002 NORTH SCHOOL STREET
Honolulu, Hawaii 96817

BARBARA E. ARASHIRO
EXECUTIVE ASSISTANT

Statement of
Hakim Ouansafi
Hawaii Public Housing Authority
Before the

HOUSE COMMITTEE ON HUMAN SERVICES

HOUSE COMMITTEE ON HOUSING

February 5, 2015 10:00 A.M.
Room 329, Hawaii State Capitol

In consideration of

House Bill 1265

Relating to Alternative Housing

Honorable Chair Morikawa, Honorable Chair Hashem and Members of the House Committees on Human Services and Housing, thank you for the opportunity to provide comments regarding House Bill (H.B.) 1265, relating to alternative housing.

The Hawaii Public Housing Authority (HPHA) appreciates the intent of the proposed measure, which would require the Department of Land and Natural Resources, in consultation with the Department of Human Services to establish mobile home parks throughout the State, and allow the private sector to develop mobile home parks to combat the State's homeless crisis.

The HPHA is administratively attached to the Department of Human Services and is a full service agency with the mission to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination through its public housing and rental assistance programs. The HPHA serves the State's most vulnerable populations, including those earning less than thirty percent of the Area Median Income (AMI), the disabled and the elderly.

The HPHA is supportive of measures consistent with the intent of the HPHA's recently issued "Request for Qualifications" to redevelop the HPHA's Administrative Offices, located at 1002 North School Street. This project is intended to revitalize, modernize and improve the quality of the work environment for the HPHA's staff, while looking to add approximately

Hawaii Public Housing Authority
February 5, 2015
Page 2

six hundred (600) creative low-income rental housing units that may include the use of micro units, modular, and pre-fabrication units to make the best use of the property.

The HPHA appreciates the opportunity to provide the House Committees on Human Services and Housing with the HPHA's position regarding H.B. 1265. We thank you very much for your dedicated support to address the affordable housing crisis facing Hawaii.