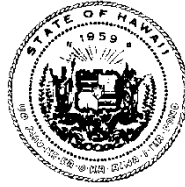


DAVID Y. IGE
GOVERNOR



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 HOUSING

February 8, 2016 8:30 A.M.
Room 329, Hawaii State Capitol

In consideration of

House Bill 2623
RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY

Honorable Chair Hashem and Members of the House Committee on Housing, thank you for the opportunity to provide testimony regarding House Bill (HB) 2623, relating to the Hawaii Public Housing Authority.

The Hawaii Public Housing Authority (HPHA) supports this measure that allows the HPHA to evict a tenant if the tenant is convicted of a felony related to the HPHA's property or funds.

One of the HPHA's greatest concerns and priorities is the safety and well-being of its tenants and its properties. When a tenant commits a felony related to the HPHA's properties or funds, he/she not only abuses their privileges as a tenant, but undermines the peaceful enjoyment of the public housing community. It is in our tenants' and the Agency's best interests that tenants convicted of felonies related to the HPHA's property or funds not be allowed to continue as residents at any of our properties.

In the past year, the HPHA adopted this same basis for eviction in its administrative rules, but appreciates the "teeth" of a statutory amendment.

The HPHA appreciates the opportunity to provide the House Committee on Housing with the HPHA's position regarding HB 2638. We thank you very much for your dedicated support.

HSGtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 07, 2016 12:31 PM
To: HSGtestimony
Cc: jasmineramos808@yahoo.com
Subject: Submitted testimony for HB2623 on Feb 8, 2016 08:30AM

HB2623

Submitted on: 2/7/2016

Testimony for HSG on Feb 8, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jasmine Ramos	Individual	Support	No

Comments: I support HB 2623, relating to public housing, because last year the Hawaii Supreme Court reversed a State housing eviction, because the Supreme Court stated that Public Housing did not have law which would allow for the eviction. Now the convict is suing the state of Hawaii for damages for an illegal eviction, although he was legally convicted for fraud. THAT IS WHY WE NEED THIS BILL TO PASS INTO LAW - to protect the state from illegal evictions from public housing and from convicts suing the state. Below are the facts of the case. Public Housing officials are finding that it's harder to evict a man for theft than to convict him of the crime. Back in 2012, Fetu Kolio, the former president of the Mayor Wright Homes Tenant Association, pleaded guilty to stealing \$1,400 from the project. He was later evicted for engaging in criminal activity, which is barred under his rental agreement. But in 2015, the state Supreme Court overturned the eviction, saying the rental agreement only refers to criminal activity that threatens the health and safety at the project. Kolio's lawyer said the Supreme Court got it right. Attorney Philip Miyoshi said the rules on criminal activity were specifically designed to deal with drug dealing and gang violence in the projects, not white-collar crimes. "Mr. Kolio admits that he made a wrong decision. He paid for that decision but clearly that was not a basis for evicting under the lease agreement," he said. Miyoshi attorney said he will ask the state to allow Kolio to return to Mayor Wright. He's also considering a lawsuit for damages. The 48-year-old Kolio is a longtime tenant and a former resident activist at Mayor Wright. According to court records, Kolio pleaded guilty to stealing money meant to be used for tenant vocational programs and other training programs. He served a 30-day jail sentence and was ordered to pay back the money. The Hawaii Public Housing Authority, which oversees Mayor Wright, then evicted Kolio for violating his rental agreement that bars criminal activity. But in its ruling, the high court ruled that the HPHA failed to show how the theft threatened the health and safety at Mayor Wright. This bill would place in law the enforcement right for the public housing authority to legally evict a convict. Thank you for your kind consideration in support of HB2623.

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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