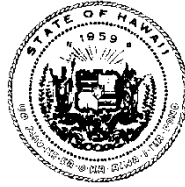


# SB2343

Measure Title:	RELATING TO PUBLIC HOUSING.
Report Title:	Public Housing; Section 8 Housing Choice Voucher Program
Description:	Prohibits any county and the Hawaii public housing authority from limiting the number of tenants in the section 8 housing choice voucher program that may occupy a single tax map key property, regardless of the number of units comprising the TMK. Clarifies that in a TMK comprised of 3 units each unit may have one section 8 tenant.
Companion:	
Package:	None
Current Referral:	HOU/PSM, WAM
Introducer(s):	SHIMABUKURO, GALUTERIA

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

**SENATE COMMITTEE ON HOUSING**  
**and**  
**SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,**  
**AND MILITARY AFFAIRS**

February 9, 2016 2:45 P.M.  
Room 225, Hawaii State Capitol

In consideration of  
**SB 2343**  
**RELATING TO PUBLIC HOUSING.**

Honorable Chair Harimoto and Chair Nishihara and Members of the Senate Committees on Housing and Public Safety, Intergovernmental and Military Affairs, thank you for the opportunity to provide testimony regarding Senate Bill (SB) 2343, relating to public housing.

The Hawaii Public Housing Authority (HPHA) provides the following comments on this measure which seeks to prohibit any county and the HPHA from limiting the number of tenants in the Section 8 Housing Choice Voucher Program that may occupy a single tax map key (TMK) property, regardless of the number of units comprising the TMK.

Under federal regulations, the HPHA currently is capable, without limit, of providing Section 8 vouchers to multiple individual "units" within a single TMK. The HPHA respectfully requests these Committees to define the term "dwelling unit" in order to better formulate this proposed law and to prevent substandard units, for example:

Dwelling unit means a building or portion thereof used for residential use containing one or more rooms including kitchen, designed as a unit for occupancy for the purpose of cooking, living and sleeping where a family of one or more persons maintain a household.

Hawaii Public Housing Authority  
February 9, 2015  
Page 2

The HPHA appreciates the opportunity to provide the Senate Committees on Housing and Public Safety, Intergovernmental and Military Affairs with the HPHA's testimony regarding SB 2343. We thank you very much for your dedicated support.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [HOU Testimony](#)  
**Cc:** [cikeda1@honolulu.gov](mailto:cikeda1@honolulu.gov)  
**Subject:** Submitted testimony for SB2343 on Feb 9, 2016 14:45PM  
**Date:** Monday, February 08, 2016 8:43:08 AM

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**SB2343**

Submitted on: 2/8/2016

Testimony for HOU/PSM on Feb 9, 2016 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Carly Ikeda	C&C of Honolulu - DCS	Oppose	No

Comments: Testimony of Director Gary K. Nakata

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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**From:** [shimabukuro2 - Christine](#)  
**To:** [HOU Testimony](#); [PSMTestimony](#)  
**Cc:** ["Mails Shimabukuro"](#); [shimabukuro1 - Stacy](#); [Robert Sato](#)  
**Subject:** Boyd Akase, Individual, Support  
**Date:** Friday, February 05, 2016 4:27:37 PM

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Aloha-

I apologize if you receive this twice, but I was not sure whether to send the testimony to the clerks directly or to the committee testimony address so I am doing both. Below is testimony that Senator Shimabukuro wanted me to submit on behalf of Boyd Akase regarding SB 2343, which is scheduled to be heard in a joint HOU/PSM hearing next week Tuesday at 2:45 p.m. I spoke with Boyd this afternoon and he is unable to submit the testimony himself due to travels. Please let me know if additional action is needed to process our request.

Mahalo,  
Christine

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**From:** Mails Shimabukuro [mailto:maileshimabukuro@yahoo.com]  
**Sent:** Tuesday, February 02, 2016 8:23 PM  
**To:** Sen. Breene Harimoto; Sen. Clarence Nishihara; Sen. Brickwood Galuteria; Sen. Will Espero  
**Subject:** Please Schedule SB 2343

Email message from Boyd Akase:

Re: SB 2343[http://capitol.hawaii.gov/measure\\_indiv.aspx?billtype=SB&billnumber=2343&year=2016](http://capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2343&year=2016)

Chairs Harimoto and Nishihara, Vice Chairs Galuteria and Espero, and members of the committees on Housing and Public Safety, Intergovernmental, and Military Affairs:

My name is Boyd Akase. I am a landlord that rents privately owned housing units to Section 8 tenants, and I am testifying in support of Senate Bill 2343, with one concern.

Senate Bill 2343 helps to eliminate artificial impediments to a landlord renting out multiple units to multiple Section 8 tenants if those units are on one lot, i.e., duplexes and triplexes.

My situation is probably one that is fairly common. I recently inherited a parcel of land where the structure is "legal nonconforming (grandfathered)". This is a situation where an additional structure or enclosure was built, most likely years ago, but not properly permitted. Rather than call for the destruction of the unit or enclosure, the respective county sometimes classifies the structure as "legal nonconforming" for permitting purposes and taxes the improvement accordingly. Thus, if you physically enter the property, you would see two or three livable units that would individually pass a Section 8 quality inspection.

However, if you were to check real property tax records, the records would show only one unit, albeit, a legal nonconforming one. Because the law allows that a landlord can only rent a "unit" to one Section 8 tenant, the legal nonconforming units can only be occupied by one Section 8 tenant. Put another way, the legal nonconforming structure can only house one Section 8 renter despite the fact that there may be two or three units on the lot that would otherwise pass a Section 8 inspection.

This legal fiction prevents private landlords, like myself, from renting to multiple section 8 tenants. If landlords are inclined to do so, we should be allowed to do so.

I would also point out that the title of Senate Bill 2343 is "Relating to Public Housing". My concern is that the title of this bill may be interpreted as too narrow to address the issue of helping private landlords to rent to multiple Section 8 tenants in this particular situation.

If any of you have further questions, I can be reached at the email address below.

Thank you for your time and support of this measure.

~ Sincerely,  
Boyd Akase  
[boydakase@hawaiiintel.net](mailto:boydakase@hawaiiintel.net)  
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Mahalo & Aloha ,

Senator Maile Shimabukuro  
District 21  
(Kalaeloa, Honokai Hale, Ko Olina, Nanakuli, Ma`ili, Wai`anae, Makaha, Makua)  
State Capitol, Room 222  
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Blog: <http://21maile.com>