

JAN 21 2022

A BILL FOR AN ACT

RELATING TO HOUSING ACCOUNTABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act shall be known as the Hawaii Housing
2 Accountability Act.

3 SECTION 2. Section 226-19, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~§226-19 Objectives and policies for socio-cultural~~
6 ~~advancement--housing.~~ (a) Planning for the State's socio-
7 cultural advancement with regard to housing shall be directed
8 toward the achievement of the following objectives:

9 (1) Greater opportunities for Hawaii's people to secure
10 reasonably priced, safe, sanitary, and livable homes,
11 located in suitable environments that satisfactorily
12 accommodate the needs and desires of families and
13 individuals, through collaboration and cooperation
14 between government and nonprofit and for-profit
15 developers to ensure that more rental and for sale
16 affordable housing is made available to extremely



1 low-, very low-, lower-, moderate-, and above
2 moderate-income segments of Hawaii's population[-];

3 (2) The orderly development of residential areas sensitive
4 to community needs and other land uses[-]; and

5 (3) The development and provision of affordable rental
6 housing by the State to meet the housing needs of
7 Hawaii's people.

8 (b) To achieve the housing objectives, it shall be the
9 policy of this State to:

10 (1) Effectively accommodate the housing needs of Hawaii's
11 people[-];

12 (2) Stimulate and promote feasible approaches that
13 increase affordable rental and for sale housing
14 choices for extremely low-, very low-, lower-,
15 moderate-, and above moderate-income households[-];

16 (3) Increase homeownership and rental opportunities and
17 choices in terms of quality, location, cost,
18 densities, style, and size of housing[-];

19 (4) Promote appropriate improvement, rehabilitation, and
20 maintenance of existing rental and for sale housing
21 units and residential areas[-];



(5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas[-];

(6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing[-];

(7) Foster a variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods that reflect the culture and values of the community[-]; and

(8) Promote research and development of methods to reduce the cost of housing construction in Hawaii.

(c) Any person or agency may commence a civil action in the circuit court of the circuit in which the person resides alleging that the State:

(1) Is not in compliance with one or more of the objectives, policies, and guidelines provided or authorized by this section;

(2) Has failed to perform any act or duty required to be performed under this section; or



1 (3) In exercising any duty required to be performed under
2 this section, has not complied with the provisions of
3 this section.

4 If damages are awarded pursuant to this subsection, the court
5 may, in its discretion, impose a civil fine of not more than
6 \$1,000 to be paid to the plaintiff.

7 A party seeking civil damages under this section shall have
8 the burden of proving a violation by a preponderance of the
9 evidence.

10 For the purpose of this section, "person" includes a
11 natural or legal person."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.

15
INTRODUCED BY: 



S.B. NO. 2252

Report Title:

Private Right of Action; Affordable Housing

Description:

Allows a private right of action against the State for a failure to comply with certain housing objectives.

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