
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 PART I

2 SECTION 1. The legislature finds that Act 215, Session
3 Laws of Hawaii 2019 (Act 215), required the Hawaii public
4 housing authority to adopt rules, without regard to chapter 91,
5 Hawaii Revised Statutes, to establish a program to reimburse
6 landlords who participate in the section 8 housing choice
7 voucher program to cover repair costs of tenant-caused property
8 damage when the repair costs exceed the tenant's security
9 deposit. Act 215 also made an appropriation to the Hawaii
10 public housing authority for that purpose. On February 20,
11 2020, the Hawaii public housing authority board of directors
12 adopted a set of rules, entitled "Section 8 Housing Choice
13 Voucher Landlord Incentive Program Rules", that provide the
14 structure for this program.

15 The purpose of this part is to provide additional
16 incentives for landlords to participate in the section 8 housing



1 choice voucher program by providing financial protections for
2 those landlords.

3 SECTION 2. Chapter 356D, Hawaii Revised Statutes, is
4 amended by adding a new section to part I to be appropriately
5 designated and to read as follows:

6 "§356D- Housing choice voucher landlord incentive
7 program. (a) The authority shall adopt rules, without regard
8 to chapter 91, to establish the following incentives for
9 landlords participating in the tenant-based assistance housing
10 choice voucher program under section 8 of the United States
11 Housing Act of 1937 (42 U.S.C. 1437f):

12 (1) The landlord may be reimbursed up to one month of rent
13 at the contract rate when the dwelling unit sits
14 vacant:

15 (A) Between rentals to tenants participating in the
16 section 8 housing choice voucher program; or

17 (B) When the landlord initially transitions the
18 dwelling unit to a rental under the section 8
19 housing choice voucher program; and

20 (2) The landlord may receive a signing bonus of up to one
21 month of rent at the contract rate when the landlord



1 first joins the section 8 housing choice voucher
2 program by entering into a contract with the authority
3 and securing a tenant participating in the section 8
4 housing choice voucher program for the dwelling unit;
5 provided that a landlord receiving the signing bonus
6 shall not also receive reimbursement under paragraph
7 (1) (B).

8 (b) The incentives in subsection (a) shall supplement the
9 incentive offered under the section 8 housing choice voucher
10 landlord incentive program established pursuant to Act 215,
11 Session Laws of Hawaii 2019, to reimburse landlords who
12 participate in the section 8 housing choice voucher landlord
13 incentive program for repair costs of tenant-caused property
14 damage when the repair costs exceed the tenant's security
15 deposit.

16 (c) The following requirements shall apply to the
17 reimbursement of repair costs:

18 (1) The landlord shall submit a claim to the authority
19 within thirty calendar days of the tenant vacating the
20 dwelling unit;



- 1 (2) The authority may reimburse the landlord up to an
 2 amount to be determined by the authority for verified
 3 costs to repair the tenant-caused property damage,
 4 subject to availability of funding; provided that the
 5 costs of repair shall exceed the security deposit; and
 6 (3) Claims that exceed an amount to be determined by the
 7 authority shall include an estimate from a licensed
 8 contractor setting forth the costs to repair the
 9 damages caused by the tenant to the dwelling unit."

10 SECTION 3. There is appropriated out of the general
 11 revenues of the State of Hawaii the sum of \$ or so
 12 much thereof as may be necessary for fiscal year 2022-2023 for
 13 the cost of the incentives established pursuant to section 2 of
 14 this Act and Act 215, Session Laws of Hawaii 2019, for landlords
 15 who participate in the tenant-based assistance housing choice
 16 voucher program under section 8 of the United States Housing Act
 17 of 1937 (42 U.S.C. 1437f).

18 The sum appropriated shall be expended by the Hawaii public
 19 housing authority for the purposes of this part.

20 PART II



1 SECTION 4. The legislature finds that the administrative
2 rules applicable to section 8 housing choice voucher program
3 leases as administered by the Hawaii housing finance and
4 development corporation found at title 15, chapter 185,
5 subchapter 3, Hawaii Administrative Rules (sections 15-185-41
6 through 15-185-44, Hawaii Administrative Rules) require dwelling
7 units approved for lease under the program to meet minimum
8 housing quality standards. Similar emergency rules were adopted
9 for application to the Hawaii public housing authority pursuant
10 to sections 17-2039-41 to 17-2039-44, Hawaii Administrative
11 Rules. Prior to approving a lease, the dwelling unit shall be
12 inspected within a reasonable time after receipt of the owner's
13 inspection request. In addition, the form of the lease shall
14 comply with United States Department of Housing and Urban
15 Development regulations and state and local law, specify
16 utilities and appliances supplied by the owner, and include a
17 federally prescribed tenancy addendum. If the dwelling unit is
18 determined to be suitable for the program and the lease meets
19 specified requirements of the program, the owner and tenant
20 requesting to lease the dwelling unit shall be notified and a
21 contract shall be executed.



1 The legislature further finds that specifying a maximum
2 number of days within which the required inspection shall be
3 completed will reflect the prioritization of increasing section
4 8 housing availability and assure landlords and tenants of a
5 more expedited process. The legislature also finds that
6 creating targeted positions and appropriating funds for those
7 positions are necessary to achieve timely inspections and a
8 better coordinated and more responsive program.

9 The purpose of this part is to:

- 10 (1) Require the Hawaii public housing authority to adopt
11 rules to establish a maximum of fifteen days after
12 receipt of an owner's or landlord's inspection request
13 as a reasonable time within which to inspect a
14 dwelling unit for lease under the section 8 housing
15 choice voucher program; and
- 16 (2) Establish positions within the Hawaii public housing
17 authority and appropriate funds to ensure that
18 prospective dwelling unit inspections are completed
19 within fifteen days of receipt of a request for lease
20 approval and to facilitate various aspects of the
21 section 8 housing choice voucher program.



1 SECTION 5. The authority shall adopt or amend
 2 administrative rules, without regard to chapter 91, Hawaii
 3 Revised Statutes, to establish a maximum of fifteen days after
 4 receipt of an owner's or landlord's inspection request as a
 5 reasonable time within which to inspect a dwelling unit for
 6 lease under the section 8 housing choice voucher program.

7 SECTION 6. There is appropriated out of the general
 8 revenues of the State of Hawaii the sum of \$ or so
 9 much thereof as may be necessary for fiscal year 2022-2023 for
 10 the Hawaii public housing authority, to be allocated as follows:

11 (1) \$ for two full-time equivalent (2.00 FTE)
 12 permanent housing quality standards inspector II
 13 positions to facilitate, coordinate, and monitor
 14 inspections of dwelling units that are the subject of
 15 applications for the section 8 housing choice voucher
 16 program, and handle related duties; and

17 (2) \$ for three full-time equivalent (3.00 FTE)
 18 permanent public housing specialist II positions to
 19 facilitate, coordinate, and monitor various aspects of
 20 the section 8 housing choice voucher program.



1 The sum appropriated shall be expended by the Hawaii public
2 housing authority for the purposes of this part.

3 PART III

4 SECTION 7. New statutory material is underscored.

5 SECTION 8. This Act shall take effect on July 30, 2075.



Report Title:

Housing; Housing Choice Voucher Landlord Incentive Program;
Public Assistance Recipients; Section 8 Housing Choice Voucher
Program; Landlord Incentives; Hawaii Public Housing Authority;
Positions; Appropriation

Description:

Establishes the Housing Choice Voucher Landlord Incentive Program. Requires the Hawaii Public Housing Authority to adopt rules without regard to chapter 91, Hawaii Revised Statutes, to establish specified incentives for landlords who participate in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937. Requires that the Hawaii Public Housing Authority adopt rules to establish a maximum of fifteen days after receipt of an owner's or landlord's inspection request as a reasonable time within which to inspect a dwelling unit for lease under the Section 8 Housing Choice Voucher Program. Appropriates funds. Effective 7/30/2075. (SD1)

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