
SENATE CONCURRENT RESOLUTION

URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO
ADOPT ADMINISTRATIVE RULES TO CREATE A PROCESS UNDER
SECTION 201H-38, HAWAII REVISED STATUTES, FOR HOUSING
PROJECTS EXCLUSIVELY OCCUPIED BY HAWAII RESIDENTS WHO OWN
NO OTHER REAL PROPERTY.

1 WHEREAS, the State is experiencing an unprecedented housing
2 crisis; and

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4 WHEREAS, the Hawaii Housing Finance and Development
5 Corporation (HHFDC) has a mission to oversee affordable housing
6 projects in the State through the development and financing of
7 low- and moderate-income housing projects and homeownership
8 programs; and

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10 WHEREAS, pursuant to existing administrative rules, HHFDC
11 requires certain housing projects to offer half of the available
12 units to buyers whose income is at or below one hundred forty
13 percent of the area median income; and

14
15 WHEREAS, section 201H-38, Hawaii Revised Statutes,
16 authorizes certain exemptions from statutes, ordinances, charter
17 provisions, and rules relating to planning, zoning, development
18 and improvement of land, and construction standards for certain
19 housing projects developed by HHFDC or with an eligible
20 developer under a government assistance program, defined as any
21 housing program qualified by HHFDC and administered or operated
22 by HHFDC or the United States, or any of their political
23 subdivisions, agencies, or instrumentalities, corporate or
24 otherwise; and

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26 WHEREAS, housing projects eligible for an exemption under
27 section 201H-38, Hawaii Revised Statutes, must meet the
28 following criteria:
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- 1 (1) The housing project is consistent with the purpose and
- 2 intent of chapter 201H, Hawaii Revised Statutes, and
- 3 meets minimum requirements of health and safety;
- 4
- 5 (2) The proposed housing project does not contravene
- 6 health or safety standards or Public Utilities
- 7 Commission or county boards of water supply, tariffs,
- 8 rates, or fees; and
- 9
- 10 (3) The legislative body of the county in which the
- 11 housing project is located approves the project with
- 12 or without modifications, and the land use commission
- 13 makes a determination on any boundary changes, under
- 14 certain conditions; and
- 15

16 WHEREAS, residential units at all price points are needed
 17 to solve the chronic housing shortage for residents; now,
 18 therefore,

19
 20 BE IT RESOLVED by the Senate of the Thirty-second
 21 Legislature of the State of Hawaii, Regular Session of 2023, the
 22 House of Representatives concurring, that the Hawaii Housing
 23 Finance and Development Corporation is urged to adopt
 24 administrative rules to create a process under section 201H-38,
 25 Hawaii Revised Statutes, for housing projects exclusively
 26 occupied by Hawaii residents who own no other real property; and
 27

28 BE IT FURTHER RESOLVED that this process is requested to be
 29 in addition to, and not in lieu of, current processes under the
 30 Hawaii Administrative Rules that require half of all units to be
 31 available for buyers whose income is at or below one hundred
 32 forty percent of area median income; and
 33

34 BE IT FURTHER RESOLVED that certified copies of this
 35 Concurrent Resolution be transmitted to the Governor; Executive
 36 Director of the Hawaii Housing Finance and Development
 37 Corporation; Chairperson of the Hawaii Housing Finance and
 38 Development Corporation Board of Directors; Chief Housing
 39 Officer; and Director of Business, Economic Development, and
 40 Tourism.

