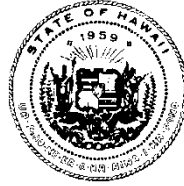


JOSH GREEN, M.D.
GOVERNOR



HAKIM OUANSAFI
EXECUTIVE DIRECTOR

BARBARA E. ARASHIRO
EXECUTIVE ASSISTANT

STATE OF HAWAII
HAWAII PUBLIC HOUSING AUTHORITY
1002 NORTH SCHOOL STREET
POST OFFICE BOX 17907
HONOLULU, HAWAII 96817

IN REPLY, PLEASE REFER TO:

Statement of
Hakim Ouansafi, Executive Director
Hawaii Public Housing Authority

Before the
HOUSE COMMITTEE ON HOUSING

9:00 a.m., February 3, 2023
Hawaii State Capitol
Room 312

In consideration of
HB 1439
RELATING TO EVICTION MEDIATION

Honorable Chair Hashimoto and members of the House Committee on Housing, thank you for the opportunity to provide testimony concerning House Bill (HB) 1439, relating to eviction mediation.

The Hawaii Public Housing Authority (HPHA) **supports, with amendments** the enactment of HB 1439, which would establish a pre-litigation mediation pilot program and an emergency rent relief program, the latter of which would be administered by the HPHA.

The HPHA's mission is to provide Hawaii's residents with adequate and affordable housing, economic opportunity, and suitable living environments that are free from discrimination through both its public housing and rental assistance programs. The HPHA serves our state's most disadvantaged populations, including families earning less than thirty percent of the Area Median Income (AMI), the disabled, and the elderly.

Act 57, Session Laws of Hawaii (SLH) 2021, demonstrated how the combination of a robust pre-litigation mediation process with rental relief led to significantly better outcomes for local families struggling to make ends meet. In its October 2022 report on Act 57, the Hawaii

Appleaseed Center for Law & Economic Justice found that the Tenant-Landlord Mediation Program resulted in a much higher rate of successful mediation results when compared to similar programs which held mediation post-filing of an eviction action. Tenants were also much more likely to remain in their unit.

The HPHA humbly also offers the following suggested amendments:

1. Part II, Section 4, Subsection (d)

HB 1439, Section 3 designates the Judiciary as responsible for contracting for a pre-litigation mediation program pursuant to Section 2. However, Section 4, Subsection (d) requires the HPHA to draft rules and qualification standards for participants in the program. The HPHA humbly requests the committee adopt either of the following amendments:

- A. Require the Judiciary to establish the rules and qualification standards for the pre-litigation mediation program it will administer.

2. Part II, Section 4, Subsection (e)

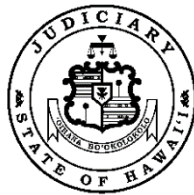
Given the dire need to reestablish a rent relief platform for Hawaii's struggling families, the HPHA humbly requests that the establishment of rules for the pilot program be exempted from Chapter 91, Hawaii Revised Statutes. The HPHA believes that this will allow the pilot program to be launched in a much more expedient manner and will enable our agency to provide this assistance without added delay.

3. Part II, Section 5

There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2023-2024 and the same sum or so much thereof as may be necessary for fiscal year 2024-2025 for an emergency rent relief program to be made available only to participants in the pre-litigation mediation program, pursuant to section 4 of this Act, for the purposes of avoiding eviction and maintaining stable tenancies, and to fund the cost of administering the program, including administrative and monitoring expenses incurred by the Hawaii public housing authority and the nonprofit intermediary recipient.

The HPHA appreciates the opportunity to provide the committee with its testimony regarding HB 1439. We thank you very much for your dedicated and continued support.

LATE



The Judiciary, State of Hawai'i

Testimony to the Thirty-Second State Legislature, 2023 Regular Session

House Committee on Housing

Representative Troy N. Hashimoto, Chair
Representative Micah P. K. Aiu, Vice Chair

February 3, 2023, 9:00 a.m.
Conference Room 312 & Via Videoconference

by:

Judge Melanie May
Deputy Chief Judge
District Court of the First Circuit

Judge Blaine J. Kobayashi
Deputy Chief Judge
District Court of the Second Circuit

Judge Michelle K. Laubach
Deputy Chief Judge
District Court of the Third Circuit

Judge Michael K. Soong
Deputy Chief Judge
District Court of the Fifth Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1439 – Relating to Eviction Mediation

Purpose: Establishes and appropriates funds for a pre-litigation mediation pilot program. Requires landlords to participate in mediation before filing an action for summary possession. Creates and appropriates funds for an emergency rent relief program.

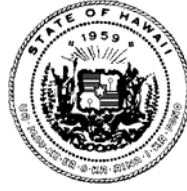
Judiciary's Position:

The Judiciary SUPPORTS this measure. When the COVID-19 pandemic began, there were predictions that thousands of evictions would flood the court system. The enactment and implementation of Act 57, Session Laws of Hawai'i 2021, helped to avert the anticipated crisis. Act 57 modified the notice requirements for residential summary possession cases, mandated pre-filing mediation, and made funding available for pre-filing mediation services and rent relief. Under Act 57, 85% of the 1,660 cases mediated statewide settled without litigation. Moreover, in the First Circuit, 85% of these settlements resulted in tenants remaining in their homes.

With respect to the effective date of the bill, the Judiciary respectfully requests, to facilitate orderly implementation by the Judiciary, that the amendments to Haw. Rev. Stat. § 521-58 set forth in Section 2 of the bill take effect on September 1, 2023, and that Section 3 of the bill be effective July 1, 2023.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



LATE

KA LUNA HO'ŌKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'ŌKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 2, 2023

TO: The Honorable Representative Troy N. Hashimoto, Chair
House Committee on Housing

FROM: Cathy Betts, Director

SUBJECT: **HB 1439 – RELATING TO EVICTION MEDIATION.**

Hearing: February 3, 2023, 9:00 a.m.
Conference Room 312 & Videoconferencing, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure and defers to the Judiciary and the Hawaii Public Housing Authority.

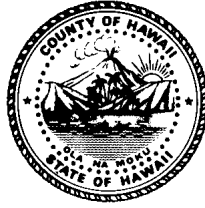
PURPOSE: The purpose of the bill is to establish and appropriate funds for a pre-litigation mediation pilot program. Requires landlords to participate in mediation before filing an action for summary possession. Creates and appropriates funds for an emergency rent relief program.

DHS appreciates the Legislature's effort to incorporate the pre-litigation mediation program temporarily established by Act 57, Session Laws of Hawaii 2021. Mediation assisted many low-income renters in avoiding eviction or allowed a negotiated move-out that avoided further judicial proceedings and judgments. The program also gave assurance to landlords that payment was forthcoming. Preventing eviction allows families, especially with children, to remain in stable housing, allows children to continue to attend their community schools, and maintains their community social connections. Conversely, housing instability can result in long-term health outcomes, school and employment disruption, and increased family stress.

Lastly, providing funds for an emergency rent relief program will help families who are back on rent as the federal pandemic rental subsidies end.

Thank you for the opportunity to provide comments on this measure.

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

LATE

HAWAI‘I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai‘i 96720

DATE: February 2, 2023
TO: House Committee on Housing
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: HB 1439

Aloha Chair Hashimoto, Vice Chair Aiu and members of the Committee,

I am writing you in strong support of HB 1439 which establishes and funds a pre-litigation mediation pilot program and supplementary emergency rent relief program. Since the beginning of the COVID-19 pandemic, Hawai‘i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.

Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. Our office is still fielding regular calls regarding need for rental support and assistance. The recent Hawai‘i County Office of Housing, Tenant Based Rental Assistance Program opened their waiting list last month for only one week and received 865 applications, of which they only have funds available to assist about 20 households. The overwhelming need for support is still very clear and apparent.

According to recent research by Hawai‘i Appleseed Center for Law and Economic Justice, there are an estimated 2,500 evictions filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can lead to homelessness.

Evictions also create large public costs. According to estimates provided by the "Eviction Cost Calculator", developed by Innovation for Justice, Hawai‘i’s estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai‘i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439** to help prevent evictions and keep our island residents housed.

Mahalo,

A handwritten signature in black ink, appearing to read 'Jenn Kagiwada', with a long horizontal flourish extending to the right.

Jenn Kagiwada



To: Committee on Housing

Hearing Date/Time: Friday February 2, 2023 9:00 AM

Re: Testimony in Support of HB 1439

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair Hashimoto, Vice Chair Aiu, and Members of the Committee

The Hawaii Health & Harm Reduction Center (HHRC) supports HB 1439 which establishes and appropriates funds for a pre-litigation mediation pilot program, requires landlords to participate in mediation before filing an action for summary possession and creates and appropriates funds for an emergency rent relief program.

In Hawaii, we have seen unprecedented levels of eviction, which intensifies the already squeezed housing inventory and is increasing homelessness according to the data from Point in Time. By expanding pre-litigation efforts and having this pilot to determine if intervention may help mitigate the impact of the potential eviction is important – and would allow more time to help families find the resources needed to maintain their housing or move – without falling into homelessness which then makes it more challenging to help them.

HHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center

Hearing Date: Friday, February 3, 2023

House Committee on Housing

Submitted by The Mediation Center of the Pacific, Inc.

HB1439 - Relating to Eviction Mediation

To: Chair Hashimoto, Vice Chair Aiu, and fellow committee members,

The Mediation Center of the Pacific is submitting testimony in support of HB1439. An early eviction mediation program combined with rental assistance are critical programs for keeping people in Hawaii housed. This fact was evidenced by the success of Act 57 which was enacted in response to the moratorium on evictions and enabled 1,660 tenants and landlords statewide to participate in mediation and avoid the eviction process.

Under Act 57, which remained in effect from August 7, 2021, through August 6, 2022, landlords were required to offer tenants who were behind on their rent, the opportunity to mediate before the landlord filed for eviction. As a result, 1,660 cases were mediated statewide, with 85% of those cases resulting in written agreements. On Oahu alone, 1,379 early eviction cases were mediated resulting in 1,141 tenants able to remain in their homes. Approximately 90% of those tenants relied on the rental assistance programs to pay the back the rent they owed to their landlords and negotiate realistic payment plans moving forward. Without these valuable programs, the tenants would have been evicted.

While Act 57 ended and the impacts of the pandemic have subsided, tenants continue to struggle to pay their rent. As a result, between August 2022 through January 2023, The Mediation Center of the Pacific on Oahu, received over 600 requests for mediation from tenants being evicted. Unfortunately, without legislation such as Act 57 requiring landlords to participate in early mediation and/or available rental assistance to support payment plans between tenant and landlord, most tenants face eviction with the possibility of becoming homeless.

Establishing a rental assistance and early landlord-tenant mediation program is a necessary step to prevent evictions and keep people housed. We ask that you **PASS HB1439**, to help tenants and landlords engage in mediation and with the support of rental assistance, reach agreements that provide landlords with the rent they are owed, and enables tenants to remain in their homes.

Mahalo for the opportunity to testify.



Tracey S. Wiltgen

Executive Director

The Mediation Center of the Pacific, Inc.



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LANDLORD TENANT MEDIATION SPECIALIST
Erika Ginnis

ADMINISTRATIVE & PROGRAM ASSISTANT
Kaitlyn Lacombe

February 1, 2023

Testimony to the House Committee on Housing
Friday, February 3, 2023, 9:00 a.m.
Conference Room 312 & Videoconference

RE: Support of HB 1439, Relating to Eviction Mediation

Dear Chair Hashimoto, Vice Chair Aiu, and members of the Committee on Housing:

As a local non-profit organization, we **strongly encourage you to support HB 1439**, which will promote housing stability by establishing a free landlord/tenant pre-litigation mediation diversion program and creating an emergency rent relief program available to participants in pre-litigation mediation to provide resources that will help avoid eviction and maintain stable tenancies.

To increase the impact of HB 1439, we support the following amendments:

- Increased funding to cover rental arrears.
- Increased flexibility in how rental assistance is utilized, and
- Increased funding to cover the administrative costs of mediation providers and rental assistance providers.

Because of the COVID pandemic, Hawai'i established a temporary Emergency Rental Assistance Program (ERAP) and a one-year Act 57 Landlord Tenant Eviction Mediation Program to slow the spread of COVID and prevent a "tsunami" of evictions. Combined, these two programs successfully kept tens of thousands of families across the state stably housed during the pandemic. HB 1439 will help build a bridge towards more permanent rental assistance and mediation programs in the future.

According to recent research by Hawai'i Appleseed Center for Law and Economic Justice, an estimated 2,500 evictions are filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and can led to homelessness. The cost of eviction on individuals and households includes, but is not limited to: interrupted employment and schooling leading to a loss of wages; negative health impacts, such as anxiety and depression; and impaired legal records and credit histories which make it harder to find future housing.

According to estimates provided by the "Eviction Cost Calculator," developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai'i's estimated 2,500

a partner agency of the



Ku'ikahi Mediation Center is a 501(c)(3) nonprofit organization, donations to which are tax-deductible. We welcome your support!



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Erika Ginnis

ADMINISTRATIVE & PROGRAM ASSISTANT
Kaitlyn Lacombe

annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai'i Applesseed Center, for every tax dollar spent on rental assistance and landlord/tenant mediation programs, the public saves six dollars on homeless services.

In the County of Hawai'i, Ku'ikahi Mediation Center (KMC) and West Hawai'i Mediation (WHMC), worked jointly on the Act 57 Statewide Landlord Tenant Eviction Mediation Program during the period of August 7, 2021 to August 6, 2022. The legislature's passage of Act 57 and the availability of rental assistance were both crucial to this program's success.

Of the 285 Act 57 landlord/tenant cases received via 15-day eviction notices by KMC and WHMC, 53% mediated. Of the cases that mediated, 79% were resolved and 21% were not resolved. Of the cases that did not mediate, 72% conciliated or settled prior to mediation (largely due to the receipt of rental assistance), 22% had tenants chose not to mediate, and 6% were closed for other reasons (e.g., unable to reach tenant). Thus, 76% of all 285 Act 57 landlord/tenant cases were successfully resolved, either through mediated agreements or conciliations and settlements prior to mediation.

Establishing a new statewide landlord/tenant mediation program that includes rental assistance is crucial step to reduce the social and financial harm caused by evictions.

We strongly urge you to pass this legislation and consider the suggested amendments listed above. Thank you for reading this testimony.

Mahalo,

Julie Mitchell
Executive Director

a partner agency of the



Ku'ikahi Mediation Center is a 501(c)(3) nonprofit organization, donations to which are tax-deductible. We welcome your support!



HAWAI'I STATE
**COALITION AGAINST
DOMESTIC VIOLENCE**

February 3, 2023

Members of the House Committee on Housing:

Chair Troy N. Hashimoto
Vice Chair Micah P.K. Aiu
Rep. Darius K. Kila
Rep. Lisa Kitagawa
Rep. Richard H.K. Onishi
Rep. Chris Todd
Rep. Lauren Matsumoto

Re: HB1439 Relating to relating to Eviction Mediation

Dear Chair Tam, Vice Chair Martinez, and Members of the House Committee on Housing:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) addresses the social, political, and economic impacts of domestic violence on individuals, families, and communities. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 28 member programs statewide, I respectfully submit testimony in **support of HB1439**, which establishes and funds a pre-litigation mediation pilot program and supplementary emergency rent relief program. Since the beginning of the COVID-19 pandemic in early 2020, Hawai'i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions and slow the spread of the COVID-19 virus. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.

Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. This is especially true for survivors of domestic violence - **thirty-eight percent of all domestic violence victims become homeless at some point in their lives¹, and 57% of homeless women reported that domestic violence was the immediate cause of their homelessness.²**

¹ <https://safehousingpartnerships.org/intersection>

² https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic_1.pdf



HAWAI'I STATE
COALITION AGAINST
DOMESTIC VIOLENCE

According to recent research by Hawai'i Appleseed Center for Law and Economic Justice, there are an estimated 2,500 evictions filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can lead to homelessness. The cost of eviction on individuals and households includes, but is not limited to: interrupted employment and school leading to a loss of wages; negative health impacts, such as anxiety and depression, and; impaired legal records which make it harder to find future housing.

Evictions also create large public costs. According to estimates provided by the "Eviction Cost Calculator", developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai'i's estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai'i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439** to help prevent evictions and keep our island residents housed.

Thank you for the opportunity to testify on this important matter.

Sincerely,

Angelina Mercado, Executive Director



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: House Committee on Housing

Re: **HB 1439 – Relating to Eviction Mediation**

Hawai'i State Capitol, Via Videoconference & Conference Room 312

February 3, 2023, 9:00 AM

Dear Chair Hashimoto, Vice Chair Aiu, and committee members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of HB 855**, relating to eviction mediation. This bill establishes and appropriates funds for a pre-litigation mediation pilot program, requires landlords to participate in mediation before filing an action for summary possession, and creates and appropriates funds for an emergency rent relief program.

A similar program that combined mediation and rent relief during the height of the pandemic proved highly successful and was credited with preventing hundreds of tenants in our state from being evicted.¹ We should build on that success and use the lessons learned to create a new mediation and rent relief program.

About 111,000 children in our state live in families that spend more than 30% of their income on housing, which is considered a high housing cost burden. This equates to 37% of all children in our state, ranking Hawai'i a concerning 48th among the states for housing affordability.²

It is well established that housing instability has harmful effects on children's health and educational outcomes³ and that the stresses of childhood poverty have both immediate and long-term effects on keiki's physical and mental health, behavioral self-control, academic achievement, and earnings as adults.⁴

While the threat of evictions was especially dire when our unemployment rate was low, Hawai'i had a housing affordability and homelessness crisis before the pandemic, and we will still have it after it ends. That's why this type of program is so important.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo

Director of Research and Economic Policy

¹ <https://www.hawaiipublicradio.org/local-news/2022-10-19/report-mandatory-mediation-saved-hundreds-of-tenants-from-eviction>

² https://www.hawaii-can.org/kids_count_2022_hawaii_profile

³ <https://housingmatters.urban.org/articles/how-housing-affects-childrens-outcomes>

⁴ <https://www.apa.org/pi/ses/resources/indicator/2014/06/childhood-poverty>



Testimony of the Hawai'i Housing Affordability Coalition
SUPPORTING HB1439– Relating to Housing
Conference Room 312 & Videoconference
Friday February 3rd, 2023 at 9:00AM

HB1439 - Relating to Eviction Mediation

Aloha House Housing Chair Hashimoto, Vice Chair Aiu, and fellow committee members,

The Hawai'i Housing Affordability Coalition is submitting testimony in **overwhelming support of HB1439, which establishes and funds a pre-litigation mediation pilot program and supplementary emergency rent relief program.** Since the beginning of the COVID-19 pandemic in early 2020, Hawai'i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions and slow the spread of the COVID-19 virus. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.

Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. According to recent research by Hawai'i Appleseed Center for Law and Economic Justice, there are an estimated 2,500 evictions filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can lead to homelessness. The cost of eviction on individuals and households include, but is not limited to: interrupted employment and school leading to a loss of wages; negative health impacts, such as anxiety and depression, and; impaired legal records which make it harder to find future housing.

Evictions also create large public costs. According to estimates provided by the "Eviction Cost Calculator", developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai'i's estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai'i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439** to help prevent evictions and keep our island residents housed.

Mahalo for the opportunity to testify.

HiHAC



Papa Ola Lokahi
Nana I Ka Pono Na Ma

894 Queen Street
Honolulu, Hawaii 96813
Phone: 808.597.6550
www.papaolalokahi.org

House Committee on Housing

Representative Troy N. Hashimoto, Chair
Representative Micah P. K. Aiu, Vice Chair

Friday, February 3, 2023, 9:00 AM, Conference Room 312 & Videoconference

RE: HB 1439 – RELATING TO EVICTION MEDIATION

Position: IN SUPPORT

Dear Chair Hashimoto, Vice-Chair Aiu, and the Members of the Committee on Housing,

Papa Ola Lokahi testifies **in support** of HB 1439, which seeks to establish and fund a pre-litigation mediation pilot program and supplementary emergency rent relief program. During the pandemic, the state’s temporary versions of these programs helped prevent evictions. This measure, which would help build a bridge towards more permanent rental assistance and mediation programs in the future, is critical to ensuring housing stability for our communities.

While the pandemic is evolving but funding for pandemic impacts and their sequelae has largely ended, rent assistance provides one of the most direct and immediate components in a multi-pronged strategy to stabilize families. The increase in prices for housing across the state is unsustainable for all, especially for kupuna and those dependent on fixed incomes. Data collected prior to 2020 indicate that locals have been leaving Hawaii for the continental United States to achieve better economic opportunity and stability, which has significant implications for communities and workforce. Those who choose not to or are unable to leave face serious challenges and may ultimately end up being homeless without robust social supports, such as those proposed in HB 1439, to stay housed in Hawaii’s housing market.

Of particular concern is the over-representation of Native Hawaiians and Pacific Islanders (NHPIs) in the homeless population. According to the [2022 Point In Time Count Report](#) (PIT Count), NHPIs, and multiracial people made up the largest percentages of the unhoused population: 52% of people included in the count identified NHPI as either their only race or part of their multiracial identity, and 81% of multiracial individuals identified NHPI as part of their racial background. In addition, the report highlighted that NHPIs were 265% more likely to represent individuals in the PIT Count compared to the general population of Oahu.

Addressing the social determinants of health – i.e., the nonmedical factors that influence health outcomes, including our physical environment – requires investment. Papa Ola Lokahi **supports HB 1439**, which creates one of the many vehicles needed to bolster the ability of local families remain safely housed, healthy, and connected to Hawaii.

Thank you for the opportunity to provide testimony **in support** of this critical legislation.

Papa Ola Lōkahi, the Native Hawaiian Health Board, authorized by the federal Native Hawaiian Health Care Improvement Act, is charged with raising the health status of Native Hawaiians to the highest possible level, which we achieve through strategic partnerships, programs, and public policy.

Hearing Date: Friday, February 3rd 2023

House Committee on Housing

Submitted by [Planning for Community LLC](#)

HB1439 - Relating to Eviction Mediation

To: Chair Hashimoto, Vice Chair Aiu, and fellow committee members,

Planning for Community LLC consultants on urban planning and policy making for government agencies, nonprofits, and local businesses. Our work focuses on transportation and affordable housing improvements to create vibrant communities that support all people.

Planning for Community is submitting testimony in overwhelming support of HB1439, which establishes and funds a pre-litigation mediation pilot program and supplementary emergency rent relief program.

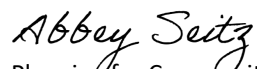
Since the beginning of the COVID-19 pandemic in early 2020, Hawai'i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions and slow the spread of the COVID-19 virus. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will help build a bridge towards more permanent rental assistance and mediations programs in the future.

Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. According to recent research by Hawai'i Appleseed Center for Law and Economic Justice, there are an estimated 2,500 evictions filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can lead to homelessness. The cost of eviction on individuals and households include, but is not limited to: interrupted employment and school leading to a loss of wages; negative health impacts, such as anxiety and depression, and; impaired legal records which make it harder to find future housing.

Evictions also create large public costs. According to estimates provided by the "Eviction Cost Calculator", developed by Innovation for Justice, a social justice-focused legal innovation lab housed at both Arizona Law and University of Utah School of Business, Hawai'i's estimated 2,500 annual evictions led to over \$30 million in public costs. These costs result from the increased need for emergency shelters, in-patient care emergency room at hospitals, and foster care and juvenile detention. According to research by Hawai'i Appleseed Center for Law and Economic Justice, for every tax dollar spent on rental assistance and landlord-tenant mediation programs, the public saves six dollars on homeless services.

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439** to help prevent evictions and keep our island residents housed.

Mahalo for the opportunity to testify.



Planning for Community LLC
Owner and Manager



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law and Economic Justice
Support for H.B. 1439 – Relating to Eviction Mediation
House Committee on Housing
Friday, February 3, 2023, at 9:00AM, Conf. Rm. 312 and via Videoconference

Dear Chair Hashimoto, Vice Chair Aiu, and fellow committee members:

Thank you for the opportunity to express our **STRONG SUPPORT for H.B. 1439**, which will establish a pre-litigation mediation and rent relief program that has the potential to help prevent thousands of evictions. We also offer suggested amendments to provide additional flexibility with the rent relief portion of the bill.

Since the beginning of the COVID-19 pandemic in early 2020, Hawai'i established a temporary emergency rental assistance and landlord-tenant mediation program to prevent evictions and slow the spread of the COVID-19 virus. Combined, these programs have kept tens of thousands of families stably housed during the pandemic. HB1439 will advance the lessons learned from these programs, which were so effective during the pandemic.

Even as the health threats of the pandemic subside, rent assistance remains a critical component to ensuring housing stability and preventing evictions. There are an estimated 2,500 evictions filed each year across the state. Evictions are harmful to our housing ecosystem and the landlords who rely on rent payments and consistent tenants. Evictions are especially harmful to the individual or family losing their home and in severe cases can lead to homelessness. The cost of eviction on individuals and households includes, but is not limited to: interrupted employment and school leading to a loss of wages; negative health impacts, such as anxiety and depression, and; impaired legal records which make it harder to find future housing.

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To strengthen and further the impact of HB1439, Hawai'i Appleseed recommends increasing the limit of rent relief for an individual household from \$5,000 to \$8,000, providing up to \$5,000 to cover arrears and up to \$3,000 to cover six months of shallow rent subsidy going forward. While not all participants that engage in the program are likely to use the full amount (and thus it may not be necessary to increase the overall appropriation for the program), increasing the amounts will provide additional flexibility that is likely to make the program more effective, and will give tenants the necessary time to attain financial stability.

We understand the total appropriation for the rent relief program is blank in the current draft, and we want to emphasize the importance of including sufficient amounts for the administration of the program to cover the "true costs" of the administering entities. Ideally, funding will also be included for the provision of navigator

services that can assist tenants with finding ways to attain financial stability before the shallow rent subsidy ends.

Establishing a rental assistance and landlord-tenant mediation program is a necessary step to reduce the social and financial harm caused by evictions. Please **PASS HB1439**, and consider the suggestions above, to help prevent evictions and keep our island residents housed.

Mahalo for the opportunity to testify.



LATE

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Testimony to the House Committee on Housing
Friday, February 3, 2023, 9 a.m.
Via Videoconference, Conference Room 312

Re: HB 1439, Relating to Eviction Mediation

Dear Chair Hashimoto, Vice Chair Aiu, and members of the Committee on Housing,

We are in **strong support** of HB 1439, which establishes and funds a pre-litigation mediation pilot program and an emergency rent relief program. Hawai'i residents are still struggling with housing instability, and HB 1439 would a critical role in reducing evictions — and the social and financial harm they cause.

Family Promise of Hawai'i is a nonprofit working to prevent and end homelessness for families with children. We see every day how housing instability impacts children and their families. Evictions and homelessness are traumatic experiences that interrupt children's access to school, affect their physical and mental health, and impair their families' ability to find housing again in the future.

Over the past few years, temporary rent relief and landlord-tenant mediation programs have kept tens of thousands of families housed. Sadly, many households — including families with children — are still struggling to stay afloat economically. As recently as November 2022, 41% of households with children in Hawai'i had difficulty paying for their usual household expenses, such as rent¹.

We have seen firsthand the transformative effect of emergency rent relief. In 2020, we partnered with Catholic Charities Hawai'i to administer the state's Rent Relief and Housing Assistance Program. Between 2021–2022, we partnered with the City and County of Honolulu and other service providers to run the O'ahu Housing Now rental assistance program.

Additionally, Act 57 (2021), which created a temporary landlord-tenant mediation procedure, was successful in often averting eviction and its downstream effects. A November 2022 study by the Hawai'i Appleseed Center for Law and Economic Justice found that "of the mediated settlement agreements reviewed for the study, 85 percent of Act 57 cases resulted in the tenant remaining in their home, which only occurred 11 percent of the time in the pre-COVID summary possession settlements."²

Please pass HB 1439 to help prevent evictions and keep families housed. Thank you for the opportunity to submit this written testimony.

Mahalo,

A handwritten signature in blue ink that reads "Ryan Catalani".

Ryan Catalani
Executive Director

¹ Annie E. Casey KIDS COUNT Data Center: <https://datacenter.kidscount.org/data/tables/10896-households-with-children-that-had-difficulty-paying-for-usual-household-expenses-in-the-past-week?loc=13&loc=2#detailed/2/13/false/2502,2484,2480,2476,2472,2465,2458,2463,2448,2418/any/21185>

² Hawai'i Appleseed Center for Law and Economic Justice: <https://hiappleseed.org/publications/eviction-prevention-mediation-hawaii>

HB-1439

Submitted on: 2/1/2023 11:56:53 PM

Testimony for HSG on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Many Hawai'i residents continue to face challenges in paying their rent and are faced with the prospect of eviction. Act 57 (2021) encouraged communication and facilitated mediation between landlords and tenants to help reduce summary possession cases. Research from Hawai'i Appleseed Center indicates that the mediation procedures created by Act 57 were widely successful in substantially increasing the number of disputes that were settled without a court case, and without resulting in eviction. This program was highly successful, and Hawai'i should continue to make use of this system. Please pass HB1439.

HB-1439

Submitted on: 2/2/2023 7:53:39 AM

Testimony for HSG on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Arjuna	Individual	Support	Written Testimony Only

Comments:

Please support HB1439. Rent relief and land lord tenant mediation kept people in their homes during the pandemic and prevented unnecessary evictions we should continue to fund this program to increase housing security for our residents

LATE

House Committee on Housing
Representative Troy N. Hashimoto, Chair
Representative Micah P. K. Aiu, Vice Chair

Friday, February 3, 2023, 9:00 AM, Conference Room 312 & Videoconference

RE: HB 1439 – RELATING TO EVICTION MEDIATION

Position: IN SUPPORT

Dear Chair Hashimoto, Vice-Chair Aiu, and the Members of the Committee on Housing,

I offer testimony in **STRONG SUPPORT** of HB 1439, which seeks to establish and fund a pre-litigation mediation pilot program and supplementary emergency rent relieve program. The emergency rental assistance and landlord-tenant mediation programs instituted at the beginning of the pandemic have helped many in our community stay housed as we endured through years of uncertainty. Ensuring these programs remain in place is critical to ensure our communities are supported as we continue to transition out of the pandemic, as well as helping us survive in our current housing market while we wait for the state to take meaningful steps to address our housing crisis.

Housing is healthcare. It is well documented that safe and stable housing mitigates adverse health outcomes. Addressing the social determinants of health, defined by the Centers for Disease Control and Prevention as “ the nonmedical factors that influence health outcomes,” which include where we live, work, and play, requires heavy investment in social support services. We must stop putting band-aids on these foundational issues and work on upstream approaches to ensure our communities are safe and housed. This legislation creates one of the many vehicles needed to take care of our residents.

I implore you to pass HB 1439 and show us you are committed to keeping our communities safely house, healthy, and connected to our home.

Sincerely,



Chevelle M. A. Davis, MPH

LATE

HB-1439

Submitted on: 2/2/2023 10:21:32 AM

Testimony for HSG on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Rev. Samuel L Domingo	Individual	Support	Written Testimony Only

Comments:

This bill would continue to provide safeguards for tenants against unscrupulous landlords.
I support its passage.