

**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA



**HAKIM OUANSAFI**  
EXECUTIVE DIRECTOR

**BARBARA E. ARASHIRO**  
EXECUTIVE ASSISTANT

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**HAWAII PUBLIC HOUSING AUTHORITY**  
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IN REPLY PLEASE REFER TO:

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Statement of the  
**Hawaii Public Housing Authority**

Before the  
**House Committee on Labor**

Thursday, February 19, 2026  
9:30 AM – Room 309, Hawaii State Capitol

In consideration of  
**HB 1714, HD1**  
**Relating to Housing**

Honorable Chair Sayama, Vice Chair Lee, and Members of the House Committee on Labor:

The Hawaii Public Housing Authority (HPHA) offers the following comments and suggested amendment to House Bill (HB) 1714, HD1. This measure provides the Hawaii Housing Finance and Development Corporation (HHFDC) with autonomy in personnel matters. Increases the salary cap for the Executive Director and Deputy Executive Director of the HHFDC. Renames the Executive Assistant of the HHFDC the Deputy Executive Director. Prohibits the extension of any employment contract of the HHFDC and Hawaii Public Housing Authority (HPHA) beyond two years without legislative approval.

For the benefit of the public and members of the Committee, particularly those who are newly serving, HPHA respectfully clarifies that the Authority's statutory mandate and day-to-day responsibilities extend well beyond the administration of two programs.

The HPHA is the State's only public housing authority that owns, operates, develops, and redevelops housing. HPHA provides direct housing services to thousands of residents, manages and modernizes a statewide portfolio of federally subsidized and publicly owned housing assets, administers federal and state funded rental assistance programs, oversees a large and geographically dispersed workforce throughout the State, and carries continuous operational, development, and federal compliance responsibilities under the oversight of the U.S. Department of Housing and Urban Development (HUD). HPHA undertakes the full continuum of housing activities—from planning and acquisition to construction, redevelopment, long-term ownership, operations, and resident services.

In addition to operating existing federal and state public housing programs, HPHA plans, develops, acquires, rehabilitates, modernizes, and redevelops housing under both federal and state authorities. This includes participation in mixed-finance and mixed-income development and the use of federal



repositioning programs such as the Rental Assistance Demonstration (RAD) and Faircloth-to-RAD. HPHA is involved in all stages of development—not only financing, but also planning, resident relocation, procurement under federal rules, construction oversight, coordination of financing sources, and continued ownership and operation following redevelopment. Many of these projects extend over five to ten years or longer.

HPHA operates under continuous federal oversight by HUD and is subject to regular performance assessments, physical inspections, financial audits, civil rights and fair housing reviews, and potential oversight by the HUD Office of Inspector General. Compliance failures can result in serious consequences, including funding loss or federal intervention, underscoring the importance of strong governance, experienced leadership, and institutional stability.

HPHA manages a large, geographically dispersed workforce statewide, including property management staff, maintenance and skilled trades, compliance personnel, development professionals, resident services coordinators, and administrative staff. The Authority must address labor relations, workforce safety, emergency response, procurement, and operational continuity across multiple islands, further distinguishing HPHA from agencies with primarily programmatic or policy-based functions.

Nationally, there are approximately 3,300 public housing authorities, the vast majority of which are local or regional in scope. HPHA is one of only three statewide public housing authorities in the nation and is the only public housing authority in Hawaii that owns and operates public housing. HPHA also operates at the intersection of state and federal housing systems, including housing that is developed and operated using tax credit financing and other state and federal resources, while retaining long-term ownership, operational accountability, and compliance responsibilities.

The HPHA humbly requests to have the same autonomy in personnel matters language added to the HPHA's statute: “provided that the authority shall have autonomy in personnel matters, including establishing and filling positions and setting salaries.”

Finally, as the Committee considers this measure, HPHA also notes that the Authority operates under a binding Annual Contributions Contract with HUD, under which the Board is held fully accountable for management, operations, and compliance. Given the breadth, scale, and complexity of HPHA's responsibilities described above, it is important that governance authority and accountability remain aligned when establishing executive and administrative structures, so that the Board can effectively discharge its fiduciary responsibilities.

Thank you for the opportunity to provide this testimony and for your continued commitment to Hawaii's housing needs.

Statement of  
**GARY MACKLER, CHAIR**  
Hawaii Housing Finance and Development Corporation  
Board of Directors  
Before the

**HOUSING COMMITTEE ON LABOR**  
February 19, 2026 at 9:30 a.m.  
State Capitol, Room 309

In consideration of  
**HOUSE BILL 1714 HOUSE DRAFT 1**  
**RELATING TO HOUSING**

Chair Sayama, Vice Chair Lee, and members of the Committee.

On February 12, 2026, the HHFDC Board of Directors discussed and unanimously approved a For Action in **support** of House Bill 1714 House Draft 1, which seeks to 1) increase the salary cap for HHFDC's Executive Director to align maximum compensation with the Hawaii Public Housing Authority (HPHA) Executive Director, 2) retitle the position of HHFDC Executive Assistant to Deputy Executive Director and, 3) provide HHFDC with autonomy in personnel matters including establishing and filling positions and setting salaries.

For reference, a copy of the For Action is attached. As noted, the complexity of HHFDC's core responsibilities and expanded responsibilities requires that we recruit and retain talented executives to effectively manage the Corporation.

Thank you for considering this testimony.

## FOR ACTION

### I. REQUEST

Discussion and Action on Companion Bills, Relating to Housing: Senate Bill 2338 and House Bill 1714, Proposing to Revise Personnel and Compensation Policies

### II. FACTS

- A. Senate Bill 2338 (SB2338) and its companion, House Bill 1714 (HB1714), propose the following:
1. Align the maximum compensation of the Hawaii Housing Finance and Development Corporation (HHFDC) Executive Director and the Hawaii Public Housing Authority (HPHA) Executive Director.
  2. Retitle the position of HHFDC Executive Assistant to Deputy Executive Director and increase the maximum salary.
  3. Provide HHFDC with autonomy in personnel matters including establishing and filling positions and setting salaries.
- B. The stated intent of SB2338 and HB1714 is that “increasing certain salary caps will help the State compete with the private sector for highly skilled individuals and increase the supply of affordable housing in Hawaii.”

### III. DISCUSSION

- A. Presently, Hawaii Revised Statutes (HRS) section 201H-2 provides that the maximum salary of the HHFDC Executive Director shall be no more than that of the Director of the Department of Business, Economic Development and Tourism (DBEDT). Pursuant to Commission on Salaries 2025 Report to the Legislature, the DBEDT Director salary is set at \$214,608 for fiscal year 2027. Under SB2338 and HB1714, the maximum salary for the HHFDC and HPHA Executive Directors would be no higher than the Governor, which is \$226,620 for fiscal year 2027.

HRS section 201H-2 establishes the position of the Executive Assistant which is paid a salary not to exceed ninety percent of the Executive Director. SB2338 and HB1714 change the title of the Executive Assistant to Deputy Executive Director and establishes a salary not to exceed ninety-five percent of the Executive Director.

The legislature must separately approve an increase to HHFDC’s operating ceiling before higher salaries can take effect.

- B. Pursuant to HRS section 201H-2, HHFDC is administratively attached to DBEDT. As such, personnel matters such as describing positions, hiring staff, setting salaries, and adjusting compensation must be approved by DBEDT. SB2338 and HB1714 would provide HHFDC with autonomy from DBEDT with respect to personnel matters to enable the corporation to more efficiently hire and

manage staff.

- C. Over the past 10 years, the production, scale and complexity of HHFDC's programs have grown significantly. Since Fiscal Year (FY) 2015, the number of housing units developed under HHFDC's programs have more than doubled, from less than 700 per year to 1,460 units delivered in FY 2025. This growth reflects rising demand for affordable housing, increasingly complex financing structures, greater volume of projects using HHFDC's programs, heightened competition for financing and tax credits, increased bond issuances, and a substantially larger portfolio of units to monitor. In addition to these core responsibilities, HHFDC has taken on expanded functions that require specialized expertise, including:
1. Hale Kama'aina Single Family Mortgage Loan Program: A new initiative to help local residents achieve homeownership by offering a competitive, fixed-rate 30-year mortgage for first-time homebuyers.
  2. Down Payment Loan Assistance Program: Relaunched to provide low-interest loans for upfront housing costs, complementing the Hale Kama'aina Single Family Mortgage Loan Program.
  3. Bond Volume Cap Recycling Program: Preserves and reuses expiring Private Activity Bond authority, potentially recycling \$100 million annually to support up to 500 additional affordable units.
  4. Rent-to-Own Program: A new initiative establishing a path for homeownership for local households in projects to be built by the corporation.
  5. Dwelling Unit Revolving Fund Equity Pilot (DEP) Program: Allows HHFDC to invest in for-sale units by purchasing equity shares, reducing buyers' costs and expanding homeownership opportunities.
  6. Mixed-Income Project Financing: Structuring deals that integrate affordable and market-rate units, balancing financial feasibility with policy goals.
  7. ProLink Housing Software Implementation: Modernizes loan management and compliance reporting with a cloud-based platform for real-time tracking and streamlined developer interactions.
  8. Processing Environmental Assessment Exemptions: Ensuring compliance with Hawaii's environmental regulations while expediting affordable housing projects.
  9. Disaster Recovery. Implemented the national award-winning Hawaii Fire Relief Housing Program and continues to operate the Hale O Laie facility to provide housing for survivors of the Lahaina wildfire.

These responsibilities demand leadership with deep knowledge of housing finance, development, regulatory compliance, and innovative program development. Currently, HHFDC's salary limitations put us at a disadvantage compared with the private sector. This disparity makes it difficult to recruit and retain top talent who can manage these responsibilities effectively.

IV. RECOMMENDATION

That the HHFDC Board of Directors support Senate Bill 2338 and House Bill 1714 and authorize the HHFDC Board Chair to submit testimony on behalf of the Board.

Prepared by: Dean Minakami, Executive Director 

Approved by the Board of Directors as

Circulated  Amended

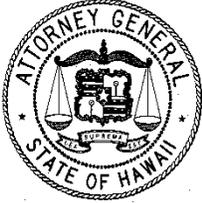
On February 12, 2026

Office of the Executive Director

Please take necessary action.



Executive Director



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2026**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 1714, H.D. 1, RELATING TO HOUSING.

**BEFORE THE:**

HOUSE COMMITTEE ON LABOR

**DATE:** Thursday, February 19, 2026      **TIME:** 9:30 a.m.

**LOCATION:** State Capitol, Room 309

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Klemen Urbanc, Deputy Attorney General

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Chair Sayama and Members of the Committee:

The Department of the Attorney General provides the following comments on this bill.

The bill amends section 201H-2, Hawaii Revised Statutes (HRS), to provide the Hawaii Housing Finance and Development Corporation (HHFDC) with "autonomy in personnel matters," rename the HHFDC Executive Assistant position as Deputy Executive Director, raise the Executive Director's salary cap to match the Governor's salary, and set the Deputy Executive Director's salary cap at ninety-five percent of the Executive Director's salary. The bill also amends sections 201H-2 and 356D-2, HRS, to limit any employment contracts by HHFDC and the Hawaii Public Housing Authority (HPHA), respectively, to terms of no more than two years, unless a longer term is approved by the Legislature through concurrent resolution.

Although the bill amends section 201H-2, HRS, to provide that HHFDC has "autonomy in personnel matters, including establishing and filling positions and setting salaries" (page 3, lines 6-8), it does not define the specific scope of that autonomy or clarify how it interacts with existing statutory provisions governing HHFDC personnel, including section 26-35(a)(4), HRS. For example, section 201H-2, HRS, continues to specify that certain HHFDC positions are exempt from chapter 76, HRS, and that other HHFDC employees may be hired either subject to, or not subject to, chapter 76, HRS, depending on the nature of the services performed (page 3, line 10, through page 4, line 3). The bill does not clarify whether the new autonomy provision is intended to expand HHFDC's ability to hire additional employees outside of chapter 76, HRS, beyond what

is already authorized. The bill also does not address whether, or to what extent, HHFDC personnel decisions may be subject to collective bargaining requirements under chapter 89, HRS. We recommend clarifying the scope of HHFDC's "autonomy in personnel matters," including how it is intended to interact with the civil service provisions of chapter 76, HRS, and any applicable collective bargaining requirements under chapter 89, HRS.

In addition, the bill may be subject to constitutional challenge under the separation of powers doctrine by requiring legislative approval of any HHFDC and HPHA employment contracts exceeding two years. The separation of powers doctrine "is not expressly set forth in any single constitutional provision, but like the federal government, [Hawaii's government] is one in which the sovereign power is divided and allocated among three co-equal branches." *Biscoe v. Tanaka*, 76 Hawai'i 380, 383, 878 P.2d 719, 722 (1994) (brackets and internal quotes omitted). "The doctrine provides that a department ... may not exercise powers not so constitutionally granted, which from their essential nature, do not fall within its division of governmental functions, unless such powers are properly incidental to the performance by it of its own appropriate functions." *Hawaii Insurers Council v. Lingle*, 120 Hawai'i 51, 70, 201 P.3d 564, 583 (2008) (citations and internal quotes omitted). "Legislative power, as distinguished from executive power, is the authority to make laws, but not to enforce them or appoint the agents charged with the duty of such enforcement. The latter are executive functions." *Rampton v. Barlow*, 23 Utah 2d 383, 388, 464 P.2d 378, 381 (Utah 1970).

Although the Legislature may pass laws that limit the duration of certain employment contracts, whether contracts for *specific employees* may extend past two years is an executive, not a legislative, function. We therefore suggest amending the bill on page 4, lines 4-6, and page 5, lines 10-12, to either delete the two-year limit entirely or delete the phrase, "[u]nless approved by the legislature by concurrent resolution, . . ."

If the Committee chooses to retain the limit on employee contracts, we also recommend clarifying that the bill applies prospectively and does not affect employment contracts lawfully executed before its effective date.

Thank you for the opportunity to provide these comments.