

ACT 250

S.B. NO. 339

A Bill for an Act Relating to Rent Supplement.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the State's housing shortage has reached critical proportions, leaving the elderly, disabled, retired, and others on fixed incomes at greater disadvantage than most segments of the population. Despite the availability of rent subsidy programs and the State's rent supplement payments, there is often a five year waiting list for elderly housing. Although rental costs continue to increase statewide, only a limited number of new low-cost rental units are being constructed for low-income families in Hawaii. These factors have made it doubly difficult to find homes for persons receiving federal supplemental security income (SSI). The purpose of this Act is to amend the definition of "qualified tenant" in the rent supplement program to permit persons receiving SSI to receive rent supplements.

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SECTION 2. Section 359-121, Hawaii Revised Statutes, is amended to read as follows:

“§359-121 Rent supplements. The Hawaii housing authority is authorized to make, and contract to make, annual payments to a “housing owner” on behalf of a “qualified tenant”, as those terms are defined in this part, in such amounts and under such circumstances as are prescribed in or pursuant to this part. [In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years.] No payment on behalf of a qualified tenant shall exceed a segregated amount of \$160 a month[; provided that payments on behalf of elders as defined in section 359-51 shall not exceed a segregated amount of \$160 a month].”

SECTION 3. Section 359-123, Hawaii Revised Statutes, is amended to read as follows:

“§359-123 Qualified tenant defined. As used in this part, the term “qualified tenant” [shall not include persons determined to be eligible for aid through the Federal Supplemental Security Income Program or its successor, or persons receiving money payments for public assistance from the department of human services. Otherwise, “qualified tenant”] means:

- (1) Any single person who has attained the age of sixty-two or who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment; or
- (2) Any family;

provided that the single person or family [has], pursuant to criteria and procedures established by the Hawaii housing authority, has been determined to have an income which would qualify the tenant for occupancy in housing provided by section 221(d)(3) of the National Housing Act or to have a lesser income; and provided further that the qualified tenant’s primary place of residence shall be in the State of Hawaii or that the qualified tenant intends to make the State of Hawaii their primary place of residence. The terms “qualified tenant” and “tenant” include a member of a cooperative who satisfies the foregoing requirements and who, upon resale of the member’s membership to the cooperative, will not be reimbursed for more than fifty per cent of any equity increment accumulated through payments under this part. With respect to members of a cooperative, the terms “rental” and “rental charges” mean the charges under the occupancy agreements between [such] the members and the cooperative. The term “qualified tenant” shall not include any person receiving money payments for public assistance from the department of human services; provided that the term “public assistance” shall exclude aid provided through the federal Supplemental Security Income Program.”

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$300,000, or so much thereof as may be necessary for fiscal year 1991-1992, to supplement funds in the Hawaii housing authority’s rent supplement program.

SECTION 5. The sum appropriated shall be expended by the Hawaii housing authority for the purposes of this Act.

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 1991.
(Approved June 12, 1991.)