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S.B. NO. 2890

A Bill for an Act Relating to the Rent Supplement Program.

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

SECTION 1. Section 359-125, Hawaii Revised Statutes, is amended to read as follows:

“§359-125 Determination of eligibility of occupants and rental charges.

(a) For purposes of carrying out this part, the Hawaii housing authority shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. The authority shall issue, upon the request of a housing owner, certificates as to the following facts concerning the single persons and families applying for admission to, or residing in, dwellings of [such] that owner:

- (1) The income of the single person or family; and
- (2) Whether the single person or family was displaced from public housing administered under chapter 356 for exceeding the maximum allowable income for continued occupancy.

(b) Procedures adopted by the authority hereunder shall provide for recertification of the incomes of occupants, except elders, at intervals of two years, or at shorter intervals, for the purpose of adjusting rental charges and annual payments on the basis of occupants' incomes, but in no event shall rental charges adjusted under this part for any dwelling exceed the fair market rental of the dwelling.

(c) [The authority may enter into agreements, or authorize housing owners to enter into agreements, with public or private agencies for services required in the selection of qualified tenants, including those who may be approved, on the basis of the probability of future increases in their incomes, as lessees under an option to purchase (which will give such approved qualified tenants an exclusive

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right to purchase at a price established or determined as provided in the option) dwellings, and in the establishment of rentals. The authority is authorized, without limiting its authority under any other law, to delegate to any such public or private agency its authority to issue certificates pursuant to this part or to contract for the administration of this part.

(d)] No payments under this part may be made with respect to any property for which the costs of operation, including wages and salaries, are determined by the authority to be greater than similar costs of operation of similar housing in the community where the property is situated.

[(e)] (d) No payments shall be made under this part except to the extent that tenants selected under this part have been selected according to the following priorities:

- (1) First priority shall be given to those (A) who have an income above the maximum amount allowed for continued occupancy in housing provided for in chapter 356, (B) who have been tenants of public housing under chapter 356,¹ (C) who have recently vacated or are vacating [such] housing in subparagraph (A) or (B) because of exceeding the maximum income allowable for continued occupancy, and (D) who have an urgent housing need;
- (2) Second priority shall be given to all other eligible persons under this part who have an urgent housing need."

SECTION 2. Section 359-126, Hawaii Revised Statutes, is repealed.

SECTION 3. Statutory material to be repealed is bracketed.² New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 22, 1992.)

Notes

1. Prior to amendment "and" appeared here.

2. Edited pursuant to HRS §23G-16.5.