
A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that homelessness is an
2 issue of public concern and should be regarded as one of the
3 most significant social problems facing the State. The severity
4 of the problem is visible in every area of the State, and signs
5 that the problem is growing progressively worse are becoming
6 more and more prevalent. Without exception, the problem of
7 homelessness affects the lives of every person in the State, and
8 the burden of rectifying this problem should be approached as a
9 collective responsibility. While there are no easy solutions,
10 it is clear that community involvement in the fight against
11 homelessness is the key toward the development of an effective
12 and workable system.

13 The legislature understands that a cooperative effort
14 between the State, counties, and federal government is necessary
15 to provide the community with the resources and incentives
16 needed to eliminate the condition of homelessness. The
17 legislature also finds that the establishment of a voluntary



1 homeless assistance pilot project that would authorize the
2 payment of a state grant and a monthly rent supplement to any
3 interested property owner who sets aside any existing rental
4 space, or who undertakes the improvement or construction of any
5 adjoining or separate dwelling unit for the purpose of renting
6 the unit to any family or individual classified as homeless,
7 would be a feasible undertaking and help to reduce the
8 homelessness rate.

9 The legislature further finds that the cost to implement
10 this particular approach would be far less than the cost of
11 building new homeless shelter facilities, since the capital
12 development costs of building rental units would be shared by
13 the public and private sectors. Additionally, because the pilot
14 project has the potential to drastically reduce the actual
15 number of homeless families and individuals living in public
16 areas, it could restore unfettered access to malls, streets,
17 parks, and campgrounds, and allow stricter enforcement of the
18 State's public access laws. Overall, the pilot project would
19 enrich the quality of life for the people of Hawaii and
20 strengthen the State's reputation as one of the most beautiful
21 areas in the world to visit.



1 The legislature intends that the pilot project will assist
2 homeless families and individuals willing to engage in self-
3 improvement programs and undertake regular employment by
4 providing an alternative to living in homeless shelters, which
5 indiscriminately group together homeless families with special
6 needs homeless persons. The legislature anticipates that
7 lifting the burden on homeless shelters will allow other
8 resource providers to focus more intently on special needs
9 homeless persons. The legislature also anticipates that
10 limiting the number of homeowners authorized to take part in the
11 pilot project to ten per census tract will ensure that no
12 particular district or community is unduly burdened by a sudden
13 influx of homeless families holding rental contracts with
14 qualified homeowners under the project. The legislature expects
15 that, with approximately two hundred forty-four census tracts
16 throughout the city and county of Honolulu, the project has the
17 potential of making 2,440 units available to homeless families
18 on Oahu. Moreover, with an average of two and one-half members
19 per homeless family, the legislature expects that the project
20 will have the ability to provide homes for 6,100 people during
21 its initial pilot phase alone.



1 Accordingly, the purpose of this Act is to establish a
2 five-year homeless assistance pilot project, which shall be
3 known as the "Hale Kokua project", to authorize the payment of a
4 state grant and a monthly rent supplement to any interested
5 property owner who sets aside any existing rental space or who
6 undertakes the improvement or construction of any adjoining or
7 separate dwelling unit for the purpose of renting the unit for a
8 period of five years to any family or individual classified as
9 homeless under the pilot project.

10 SECTION 2. There is established within the Hawaii housing
11 finance and development corporation a five-year homeless
12 assistance pilot project. The pilot project shall be known as
13 the "Hale Kokua project." The pilot project shall:

- 14 (1) Provide incentives and assistance to private
15 homeowners in the city and county of Honolulu who set
16 aside existing dwelling units, or construct new or
17 improve existing dwelling units, for rental for a
18 period of five years by families or individuals
19 classified as homeless under the project;
- 20 (2) Be headed by a project coordinator, who shall be
21 appointed by the executive director of the Hawaii



- 1 housing finance and development corporation, with the
2 assistance of the homeless housing assistance
3 coordinating committee that is established under
4 section 4 of this Act;
- 5 (3) Be administered by the executive director of the
6 Hawaii housing finance and development corporation,
7 who shall adopt the standards and framework necessary
8 to implement the project statewide after its initial
9 pilot phase;
- 10 (4) Initially be limited in scope to the city and county
11 of Honolulu;
- 12 (5) Prioritize placing homeless families who have been
13 homeless in the State the longest and have been living
14 in parks, cars, the streets, or other public areas,
15 into rental housing made available under the project;
- 16 (6) Limit the number of homeowners authorized to take part
17 in the project to ten per census tract, in order to
18 ensure that no particular district or community is
19 unduly burdened by a sudden influx of homeless
20 families holding rental contracts with qualified
21 homeowners under the project; and



1 (7) Have a long-term purpose of developing the framework
2 that will allow the project to be implemented
3 statewide.

4 SECTION 3. (a) The executive director of the Hawaii
5 housing finance and development corporation shall appoint a Hale
6 Kokua project coordinator to carry out the purposes of this Act.
7 The project coordinator may be assisted by an administrative
8 assistant and one clerical staff member, both of whom shall be
9 appointed by the executive director without regard to chapter
10 76, Hawaii Revised Statutes. The project coordinator, with the
11 approval of the executive director, may contract with private
12 entities to carry out the duties and responsibilities of the
13 project.

14 (b) Under the supervision of the executive director, the
15 duties of the Hale Kokua project coordinator shall include:

16 (1) Carrying out the requirements of the Hale Kokua
17 project under this Act;

18 (2) Developing and adopting the requirements and
19 qualifications, registration, background check,
20 initial screening and follow-up post-placement
21 procedures necessary to determine the project's



1 ability to make rental payments and need for social
2 services and referrals for homeless families and
3 individuals to qualify them as tenants under this
4 project. The project coordinator shall prioritize the
5 placement of homeless families living in parks, cars,
6 campgrounds, on the streets, or other public areas,
7 into rental units under this project;

8 (3) Developing and adopting the requirements,
9 qualifications, and registration procedures necessary
10 for property owners who provide rental housing to
11 qualified homeless tenants; provided that priority
12 shall be given to property owners not requesting
13 construction grants;

14 (4) Developing appropriate waivers of liability and
15 adopting the procedures necessary to place qualified
16 homeless tenants with property owners participating in
17 the project; provided that participating property
18 owners shall have the opportunity to conduct
19 interviews and make the final tenant selection from
20 lists of prospective tenants compiled by the project
21 coordinator;



- 1 (5) Establishing the procedures and requirements necessary
2 for the disbursement of building improvement grants
3 and rental subsidies to property owners participating
4 in the project;
- 5 (6) Working with the counties to develop and propose
6 uniform incentives, including real property tax
7 waivers or reductions, and exemptions in zoning or
8 building code requirements, to encourage and
9 facilitate the participation of property owners;
- 10 (7) Monitoring the financial status and progress of
11 recovery of the homeless tenants and cooperating with
12 other agencies in establishing and coordinating self-
13 help, job training, and other self-improvement
14 programs for the homeless;
- 15 (8) Promoting and assisting in the development of
16 employer-employee relationships between homeless
17 tenants and participating property owners, including
18 but not limited to tenant caretaker, housekeeper, or
19 groundskeeper employment situations;



- 1 (9) Assisting homeless families and individuals wishing to
- 2 return or relocate to out-of-state locations to carry
- 3 out their relocation;
- 4 (10) Securing financial, in-kind, and administrative
- 5 assistance from law enforcement and other state and
- 6 county agencies and the private sector to implement
- 7 the project;
- 8 (11) Securing funding assistance from federal agencies and
- 9 programs involved in housing development, job-
- 10 training, or homeless assistance;
- 11 (12) Reporting monthly to the homeless housing assistance
- 12 coordinating committee; and
- 13 (13) Monitoring the overall progress of the Hale Kokua
- 14 project, and collecting annual statistics on the
- 15 numbers of homeless individuals, homeless families,
- 16 and homeless children housed by the project, using
- 17 measurement systems that are aligned with national
- 18 surveys and studies on homelessness.

19 SECTION 4. (a) There is established a homeless housing

20 assistance coordinating committee, which shall consist of eleven

21 members to provide advisory assistance to the Hale Kokua project



1 coordinator in implementing the provisions of this Act. The
2 committee shall regularly consult with homeless persons.

3 (b) The members of the homeless housing assistance
4 coordinating committee shall include:

5 (1) The executive director of the Hawaii housing finance
6 and development corporation, who shall serve as the ex
7 officio, voting chairperson of the committee, or the
8 executive director's designee;

9 (2) The director of human services;

10 (3) The director of labor and industrial relations;

11 (4) The director of health;

12 (5) The superintendent of education;

13 (6) The governor's coordinator on homelessness;

14 (7) A representative of the homeless population who shall
15 be appointed by the governor; and

16 (8) A representative from each of the four counties who
17 shall be appointed by the governor from a list of two
18 nominees per county that is submitted by the mayor of
19 each county.

20 (c) The members of the committee shall serve without
21 compensation but shall be reimbursed for necessary expenses,



1 including travel expenses, incurred while attending meetings and
2 while in the discharge of their responsibilities.

3 SECTION 5. The Hale Kokua project coordinator shall permit
4 a maximum of ten property owners in each census tract to
5 participate in the project at any given time, without regard to
6 the existence or operation of shelters and other facilities that
7 assist homeless persons in the tract. The project coordinator
8 shall notify prospective participants registered on the waiting
9 list in each census tract of the opportunity to participate in
10 the project as these opportunities arise in each tract.

11 Assistance to any qualified property owner providing rental
12 housing to any homeless tenant under this Act for a period of
13 five years shall include but not be limited to at least one of
14 the following:

15 (1) The payment of up to \$ as a state grant to
16 offset the cost of renovating, improving, building any
17 adjoining addition, or constructing any separate
18 structure upon the premises of the owner's property in
19 preparation for its use as a homeless assistance unit
20 under the project;



- 1 (2) The payment of a \$ monthly state rent subsidy
- 2 to supplement the monthly rental payments made by the
- 3 homeless tenant;
- 4 (3) Real property tax waivers or rate reductions proposed
- 5 by the project coordinator and approved by the council
- 6 of the county in which the property is located;
- 7 (4) Zoning and building code exemptions applicable to the
- 8 construction of adjoining or separate dwelling units
- 9 on the owner's property; provided that the county, by
- 10 ordinance, may establish minimum development and
- 11 construction standards for these units and procedures
- 12 for approval thereto; and
- 13 (5) Other incentives consistent with the purposes of this
- 14 Act that are adopted by the project coordinator to
- 15 incentivize and facilitate the participation of
- 16 property owners in the project.

17 SECTION 6. Any property owner who withdraws from the Hale
 18 Kokua project prior to the expiration of five years from
 19 commencing participation in the project shall return the state
 20 grant for construction improvements within ninety days of the
 21 date of withdrawal. The project coordinator shall effect the



1 recovery of the grant, including but not limited to the filing
2 of liens against the real property of withdrawing property
3 owners. The respective county government whose jurisdiction
4 includes the rental site shall determine the disposition of the
5 additional unit constructed with the grant.

6 SECTION 7. The Hawaii housing finance and development
7 corporation shall adopt rules, pursuant to chapter 91, Hawaii
8 Revised Statutes, necessary to effectuate the purpose of this
9 Act; provided that any rules adopted within one year after the
10 effective date of this Act shall be exempt from the public
11 notice and public hearing requirements of chapter 91.

12 SECTION 8. The Hawaii housing finance and development
13 corporation shall prepare interim reports on the status of the
14 Hale Kokua project after the first year of the project's
15 operation, which shall be submitted to the legislature no later
16 than twenty days prior to the convening of each of the regular
17 sessions of 2019, 2020, 2021, and 2022. The report shall
18 include the annual statistics referenced in section 3(b)(13) of
19 this Act and other relevant information.

20 SECTION 9. The Hawaii housing finance and development
21 corporation shall prepare a final report on the Hale Kokua



1 project after the project has ended. The report shall contain
2 findings and recommendations, including recommendations on ways
3 to encourage participating property owners to commit to further
4 participation in the project, as well as details of the
5 framework needed to implement the project statewide, and any
6 proposed legislation, to the legislature no later than twenty
7 days prior to the convening of the regular session of 2023.

8 SECTION 10. Nothing contained in this Act shall be deemed
9 to delegate or detract in any way from the functions, powers,
10 and duties prescribed by law for any other department or agency
11 of the State or counties, nor to interrupt or preclude the
12 direct relationships of any such department or agency in the
13 performance of such functions, powers, and duties.

14 SECTION 11. This Act shall take effect on January 1, 2050,
15 and shall be repealed on July 1, 2023; provided that the repeal
16 of this Act shall not affect the right to recover grants under
17 section 6 of this Act.



Report Title:

Homelessness; HHFDC; Hale Kokua Pilot Project

Description:

Establishes the Hale Kokua Project, a homeless assistance pilot project under the Hawaii Housing Finance and Development Corporation, to provide incentives and assistance to City and County of Honolulu private homeowners who set aside existing dwelling units, or construct new or improve existing dwelling units, for rent to homeless families or individuals for a five-year period. Establishes an advisory Homeless Housing Assistance Coordinating Committee. Requires interim and final reports to the Legislature. (HB2409 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

