
From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 8:33 AM
To: HSGtestimony
Cc: alan.r.sarhan@hawaii.gov
Subject: Testimony for SB2277 on 3/10/2010 9:00:00 AM
Attachments: SB2277 SD2 eviction streamline.pdf

Testimony for HSG 3/10/2010 9:00:00 AM SB2277

Conference room: 325
Testifier position: support
Testifier will be present: Yes
Submitted by: Alan Sarhan
Organization: Hawaii Public Housing Authority
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Submitted on: 3/8/2010

Comments:

LINDA LINGLE
GOVERNOR



DENISE M. WISE
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
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BARBARA E. ARASHIRO
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Statement of
Denise M. Wise
Hawaii Public Housing Authority
Before the

HOUSE COMMITTEE ON HOUSING

March 10, 2010 9:00 A.M.
Room 325, Hawaii State Capitol

In consideration of
S.B. 2277 S.D. 2
RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY

The Hawaii Public Housing Authority (HPHA) supports S.B. 2277, S.D.2 which would remove unnecessary and costly delays in the eviction process for public housing. This bill would establish in state law the eviction process required by federal public housing regulations, which already includes appropriate due process and procedural requirements.

The current statute regarding evictions imposes requirements beyond those of federal regulations for public housing. The current system of notices, warnings, waiting periods and delays is duplicative and unnecessarily long. Tenants are notified of the overdue rent and given ample opportunity to set up a payment plan to become current. The eviction process, in practice, does not begin until a tenant is far behind in rent and is not cooperating in setting up a payment plan to catch up on the arrears.

Delays in the process result in more lost rent revenue, more damage to property and, in cases where behavioral problems cause the eviction, more danger or disruption to other tenants. It also delays the availability of the housing unit to the thousands of people on waiting lists for housing.



Committee: Committee on Housing
Hearing Date/Time: Wednesday, March 10, 2010, 9:00 a.m.
Place: Room 325
Re: Testimony of the ACLU of Hawaii in Opposition to S.B. 2277, SD2,
Relating to the Hawaii Public Housing Authority

Dear Chair Cabanilla and Members of the Committee on Housing:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in opposition to S.B. 2277, SD 2, which seeks to make a number of changes, one of which being to eliminate most procedural requirements to hearings for eviction of tenants from public housing.

Eliminating most of the procedures required for evictions will likely result in the violation of tenants' constitutional due process rights and the eviction of innocent individuals. The current eviction process appropriately balances public housing tenants' constitutional due process rights with the needs of the Hawaii Public Housing Authority and should be maintained.

Further, we should not be considering ways to make it easier to evict public housing tenants, some of our most vulnerable citizens, in this time of high and rising unemployment. Evicting these already low-income individuals will stretch our homeless resources to the breaking point. Hawaii would be better served by providing assistance and due process to individuals threatened with eviction.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney
ACLU of Hawaii

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