
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The purpose of this Act is to prohibit
2 discrimination, based on a veteran's use of a housing assistance
3 voucher issued pursuant to the United States Department of
4 Housing and Urban Development and Department of Veterans Affairs
5 supportive housing (HUD-VASH) program, in the rental of real
6 estate, including advertisements for available rental units.

7 SECTION 2. Chapter 521, Hawaii Revised Statutes, is
8 amended by adding four new sections to be appropriately
9 designated and to read as follows:

10 "§521- Discriminatory practices; veterans. (a) In
11 addition to the discriminatory practices provided in section
12 521-3, it is a discriminatory practice for a person engaging in
13 a rental transaction pursuant to this chapter, because a renter
14 or potential renter is a veteran who uses a housing assistance
15 voucher, to:

16 (1) Refuse to engage in a rental transaction with the
17 veteran;



- 1 (2) Discriminate against the veteran in the terms,
2 conditions, or privileges of a rental transaction or
3 in the furnishing of facilities or services in
4 connection with a rental transaction;
- 5 (3) Refuse to receive or to fail to transmit a bona fide
6 offer to engage in a rental transaction from the
7 veteran;
- 8 (4) Refuse to negotiate for a rental transaction with the
9 veteran;
- 10 (5) Represent to the veteran that premises are not
11 available for inspection, rental, or lease when in
12 fact the premises are available, or to fail to bring a
13 property listing to the veteran's attention, or to
14 refuse to permit the veteran to inspect premises, or
15 to steer the veteran away from seeking to engage in a
16 rental transaction;
- 17 (6) Offer, solicit, accept, use, or retain a listing of
18 premises with the understanding that the veteran may
19 be discriminated against in a rental transaction or in
20 the furnishing of facilities or services in connection
21 with a rental transaction; or



1 (7) Discriminate against or deny the veteran access to, or
2 membership or participation in any multiple listing
3 service, or other service, organization, or facility
4 involved either directly or indirectly in rental
5 transactions, or to discriminate against the veteran
6 in the terms or conditions of access, membership, or
7 participation.

8 (b) Nothing in this section shall be deemed to prohibit a
9 person from determining the ability of a potential renter to pay
10 rent by:

11 (1) Verifying, in a commercially reasonable manner, the
12 source and amount of income of the potential renter;
13 or

14 (2) Evaluating, in a commercially reasonable manner, the
15 stability, security, and credit worthiness of the
16 potential renter or any source of income of the
17 potential renter.

18 §521- Restrictive covenants and conditions; veterans.

19 (a) Every provision in an oral agreement or a written
20 instrument relating to premises that purports to forbid or



1 restrict the occupancy or lease thereof with regard to veterans
2 who use housing assistance vouchers is void.

3 (b) Every condition, restriction, or prohibition,
4 including a right of entry or possibility of reverter, that
5 directly or indirectly limits the use or occupancy of premises
6 on the basis of a veteran's use of a housing assistance voucher
7 is void.

8 (c) It is a discriminatory practice to insert in a written
9 instrument relating to premises a provision that is void under
10 this section or to honor or attempt to honor such a provision in
11 the chain of title.

12 §521- **Blockbusting; veterans.** It is a discriminatory
13 practice for a person for the purpose of inducing a rental
14 transaction from which the person may benefit financially,
15 because a renter or potential renter is a veteran who uses a
16 housing assistance voucher, to:

17 (1) Represent that a change has occurred or will or may
18 occur in the composition of the owners or occupants in
19 the block, neighborhood, or area in which the premises
20 are located; or



1 (2) Represent that this change will or may result in the
2 lowering of property values, an increase in criminal
3 or antisocial behavior, or a decline in the quality of
4 schools in the block, neighborhood, or area in which
5 the premises are located.

6 §521- Other discriminatory practices. It is a
7 discriminatory practice for a person, or for two or more persons
8 to conspire to:

9 (1) Retaliate, threaten, or discriminate against a person
10 because of the exercise or enjoyment of any right
11 granted or protected by this chapter, or because the
12 person has opposed a discriminatory practice, or
13 because the person has made a charge, filed a
14 complaint, testified, assisted, or participated in an
15 investigation, proceeding, or hearing under this
16 chapter;

17 (2) Aid, abet, incite, or coerce a person to engage in a
18 discriminatory practice;

19 (3) Interfere with any person in the exercise or enjoyment
20 of any right granted or protected by this chapter or
21 with the performance of a duty or the exercise of a



- 1 power by any person or agency charged with enforcing
2 this chapter;
- 3 (4) Obstruct or prevent a person from complying with this
4 chapter or an order issued pursuant to this chapter;
- 5 (5) Intimidate or threaten any person engaging in
6 activities designed to make other persons aware of, or
7 encouraging other persons to exercise rights granted
8 or protected by this chapter;
- 9 (6) Threaten, intimidate, or interfere with a veteran in
10 his or her enjoyment of premises, because of the
11 veteran's use of a housing assistance voucher, or of
12 visitors or associates of the persons; or
- 13 (7) Print, circulate, post, or mail, or cause to be
14 published a statement, advertisement, or sign, or to
15 use a form of application for a rental transaction, or
16 to make a record or inquiry in connection with a
17 prospective rental transaction, that indicates,
18 directly or indirectly, an intent to make a limitation
19 or specification, or to discriminate because of a
20 veteran's use of a housing assistance voucher."



H.B. NO. 1591

1 SECTION 3. Section 521-8, Hawaii Revised Statutes, is
 2 amended by adding three new definitions to be appropriately
 3 inserted and to read as follows:

4 "Housing assistance voucher" means a voucher issued to a
 5 veteran pursuant to the United States Department of Housing and
 6 Urban Development and Department of Veterans Affairs supportive
 7 housing (HUD-VASH) program.

8 "Rental transaction" means any part of a process or
 9 transaction for the rental or lease of premises.

10 "Veteran" means any person who served in any of the
 11 uniformed services of the United States and was discharged under
 12 conditions other than dishonorable."

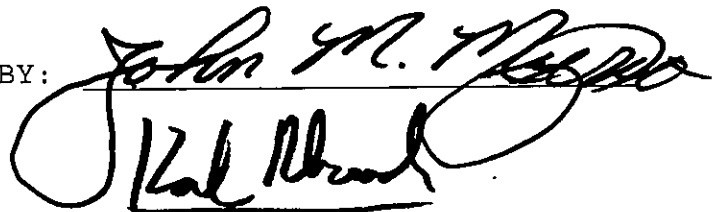
13 SECTION 4. This Act does not affect rights and duties that
 14 matured, penalties that were incurred, and proceedings that were
 15 begun before its effective date.

16 SECTION 5. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 2016.

18

INTRODUCED BY:



JAN 15 2016



H.B. NO. 1591

Report Title:

Discrimination in Rental Transactions; Veterans; HUD-VASH
Vouchers

Description:

Prohibits discrimination in the rental of real property based on
a veteran's use of HUD-VASH vouchers.

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not legislation or evidence of legislative intent.*

