HAWAII PUBLIC HOUSING AUTHORITY  
NOTICE OF MEETING  
BOARD OF DIRECTORS MEETING  
1002 North School Street, Building A Boardroom  
Honolulu, Hawaii 96817  
Thursday, February 17, 2022  
9:00 a.m.  

AGENDA  

THIS MEETING WILL BE HELD ONLY VIA ZOOM (INTERACTIVE AUDIO VISUAL CONFERENCE TECHNOLOGY) OR TELECONFERENCE CALL (AUDIO-ONLY COMMUNICATION) AND INCLUDES BOARD MEMBERS, STAFF, DEPUTY ATTORNEYS GENERAL, AND THE PUBLIC.  

The Governor's Emergency Proclamation dated January 26, 2022, suspended section 92-3.7, Hawaii Revised Statutes, only to the extent necessary to suspend the requirement to have at least one meeting location that is open to the public. This is to ensure Boards can conduct meetings safely without any board members or members of the public physically present at the same location. In consideration of the current COVID-19 situation and recent increase in COVID-19 cases, the HPHA’s offices are closed to the public.  

Viewing/Participating in the Meeting:  

The public may participate in the Board meeting as it happens via Zoom (a free video conferencing service to hold virtual meetings online) by clicking on this link: https://zoom.us/j/83839444533?pwd=d0VoOTl6RU90MG14bmxCZ2JuUUlTQT09. When prompted, enter the Meeting ID: 838 3944 4533 and the Password: 5gp3Tz.  

Alternatively, the public may also participate via telephone by calling: 1-669-900-6833. When prompted, callers should enter the Meeting ID: 838 3944 4533 and the Password: 570670. We request that meeting participants change the display on their device to show their first and last name to expedite rollcall. Please keep in mind that many devices will display your cellphone number if not changed.  

If the HPHA loses internet or Zoom connection during the meeting where audiovisual communication cannot be maintained with all participating Board members and quorum is lost, the meeting will automatically be recessed for 30 minutes to restore audiovisual communication. If the attempt to restore audiovisual communication is unsuccessful, all Board members, staff, the public may continue to participate in the Board meeting via teleconference call by calling 1-862-799-9759, whereby audio-only communication will be established for all participants and the meeting will continue. When prompted, callers outside of the United States should enter the Access Code: 8232649.
Providing/Submitting Testimony – Written, Oral, Audiovisual:

The Board will consider written testimony on any item relevant to this agenda. Individuals should submit written testimony no later than 12:00 noon on Monday, February 14, 2022 which will be distributed to Board members. You may submit written testimony via email to jennifer.k.menor@hawaii.gov or by U.S. mail to PO Box 17907, Honolulu, HI 96817.

The Board will also consider public testimony given at the meeting on any item relevant to this agenda. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.

Individuals may submit oral testimony during the meeting by sending an email request to jennifer.k.menor@hawaii.gov no later than Monday, February 14, 2022, or by using the “Raise Hand” feature in Zoom, or by simply announcing/identifying themselves and the item they want to testify about during the public testimony portion of the meeting. Individuals may also provide audiovisual oral testimony by using the “Raise Hand” feature in Zoom, clicking the “Unmute” icon to talk, and clicking the “Start Video” icon to turn camera on.

Executive Session:

When the Board of Directors enter executive session, all non-Board members will be moved to the virtual waiting room by the HPHA. Individuals are welcome to wait in the virtual waiting room and will be readmitted to the meeting at the end of the executive session.

I. CALL TO ORDER/ESTABLISHING QUORUM

II. PUBLIC TESTIMONY

Public testimony on any item relevant to this agenda shall be taken at this time. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.

III. APPROVAL OF MINUTES

Regular Meeting Minutes, December 16, 2021
IV. DISCUSSION AND/OR DECISION MAKING

A. To: (1) Adopt Updated 2022 Payment Standards for the Hawaii Public Housing Authority’s (HPHA) Section 8 Housing Choice Voucher Program, as Permitted by U.S Housing and Urban Development Waiver Application to Increase Payment Standards Up to 120% of the Small Area Fair Market Rent (SAFMR); (2) Start the Increase Effective upon Approval of the Waiver Application by the U.S. Department of Housing and Urban Development; and (3) Authorize the Executive Director to Implement the Updated Payment Standards, Including Making Adjustments to the Payment Standards Between 90% and 120% Based on Projected Housing Assistance Funding Shortfall with Adequate Notice to Program Participants

B. To (1) Adopt Proposed New Chapter 17-2040, Hawaii Administrative Rules (HAR), Entitled “Emergency Housing Voucher Program”, Which is Substantially Based on Chapter 17-2039 Entitled “Emergency Housing Voucher Program Emergency Rules” Which Expired in December 2021, and Sets Forth the Rules and Requirements to Administer the new U.S. Housing And Urban Development (HUD) Tenant-Based Rental Assistance Voucher Program Designed to Assist Individuals and Families Who Are:
   a) Homeless;
   b) At Risk of Homelessness;
   c) Fleeing or Attempting to Flee Domestic Violence, Dating Violence, Sexual Assault, Stalking or Human Trafficking, and  
   d) Recently Homeless for Whom Providing Rental Assistance Will Prevent Individual's or Family's Homelessness or Having a High Risk of Housing Instability; and
Which Include the Following Proposed Changes from the Previously Adopted Chapter 17-2039 Entitled “Emergency Housing Voucher Program Emergency Rules”:

17-2040-32: Require Participants to Report Changes in Income in Writing,

17-2040-33: Address Families that Break Up to Clarify Who Would Retain Assistance,

17-2040-42: Deleting the Expired Waiver for Dwelling Unit Inspection Extensions,

17-2040-51: Clarifying that Participants are not Responsible for HPHA Housing Assistance Payments to the Landlord,

17-2040-52: Clarifying that Landlords or Owners Cannot Charge any Payments in Addition to the Rent to Landlords or Owners,
17-2040-55: Adding that the HPHA May Pay for Rental Application Fees to the Landlord or Owner and that the HPHA Shall Not Charge Application Fees,

17-2040-56: Adding Request Procedures and Clarification that the HPHA May Pay Holding Fees,

17-2040-71: Requiring Special Inspection Requests to Be in Writing; and

(2) Authorize the Executive Director to Conduct Public Hearings and Undertake All Other Actions Necessary Under Chapter 91, Hawaii Revised Statutes, and Administrative Directive No. 18-02 to Adopt the Proposed New Chapter 17-2040, Hawaii Administrative Rules (HAR), Entitled “Emergency Housing Voucher Program” That Includes The Proposed Changes; and

(3) Authorize the Executive Director to Undertake All Actions Necessary to Make Non-Substantive Changes, such as Style, Grammar and Formatting, Corrections to Proper or Updated Citations and Revisions to Ensure Compliance with Program and Statutory Requirements

* * *

The proposed new HAR Chapter 17-2040 “Emergency Housing Voucher Program Rules” and above listed changes may be viewed on the internet on or about February 14, 2022 on the Lieutenant Governor’s website at: https://ltgov.hawaii.gov/the-office/administrative-rules/ and at the HPHA’s website at HPHA Reference Information-Admin Rules, or may be viewed from 8:00 a.m. to 4:00 p.m., Monday through Friday, except holidays, at the HPHA’s Office located at 1002 N. School Street, Building H, Honolulu Hawaii 96817. Alternatively, interested persons may request a copy of the rules be mailed to them by calling (808) 832-4690 or emailing a request for a copy to: HPHA@hawaii.gov.

C. To (1) Approve Proposed Amendments to Chapter 18 of the Hawaii Public Housing Authority’s (HPHA) Section 8 – Housing Choice Voucher Program Administrative Plan, Entitled “Emergency Housing Vouchers”, to Establish Additional Policies Requiring Participants to Report Changes in Income in Writing, Addressing Families that Break Up to Clarify Who Would Retain Assistance, Deleting the Expired Waiver for Dwelling Unit Inspection Extensions, Clarifying That Participants Are Not Responsible for HPHA Housing Assistance Payments, Clarifying That Landlords or Owners Cannot Charge Any Payments in Addition to the Rent to Owner or Landlord, Adding that the HPHA May Pay for Rental Application Fees to the Landlord or Owner and that the HPHA Shall Not Charge Application Fees, Adding Request Procedures and Clarification that the HPHA May Pay Holding Fees, Requiring Special Inspection Requests to Be in Writing;
(2) Authorize the Executive Director to Conduct Public Hearings as required on the Proposed Amendments; and

(3) Authorize the Executive Director to Make Non-Substantive Changes, such as Style, Grammar and Formatting

* * * *

The proposed amendments to the Section 8 Administrative Plan may be viewed on the internet on or about February 14, 2022 on the HPHA’s website at http://www.hpha.hawaii.gov/referenceinformation/index.htm, or may be viewed from 8:00 a.m. to 4:00 p.m., Monday through Friday, except holidays, at the HPHA’s Office located at 1002 N. School Street, Building H, Honolulu Hawaii 96817. Alternatively, interested persons may request a copy of the rules be mailed to them by calling (808) 832-4690 or emailing a request for a copy to: HPHA@hawaii.gov.

D. Status on Legislative Bills and Report on Testimony by the Executive Director for the 2022 Legislative Session

V. REPORTS

A. Executive Director’s Report: Monthly reports are included in the Board packet. No formal report is planned.

- Financial Report for the Month of December 2021
- Report on Contracts Executed During January 2022 and Planned Solicitations for February 2022
- Update on Redevelopment Projects: Affordable Senior Housing at School Street and Kuhio Park Terrace/Kuhio Homes
- Redevelopment Tracker
- Public Housing Occupancy/Vacancy Report; Federal Public Housing; for the Month of January 2022
- Obligation and Expenditure Status for Design and Construction Projects Funded Under the Federal Capital Fund Program (CFP) and the State Capital Improvement Program (CIP). Report on closed contracts.
- Section 8 Subsidy Programs Voucher: Voucher Lease-up and Pending Placements; Update on Rent Supplement Program.

The Board agenda for this meeting is available for inspection on the HPHA’s website: http://www.hpha.hawaii.gov/boardinfo/packets.htm.
If you need an auxiliary aid/service (e.g., large print, taped materials, sign language interpreter, etc.) or other accommodation due to a disability, please contact Ms. Jennifer Menor by telephone at (808) 832-4694 or by email at jennifer.k.menor@hawaii.gov by close of business three days prior to the meeting date. If a request is received after February 14, 2022, the HPHA will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print or Braille, or electronic copy.
The Board of Directors of the Hawaii Public Housing Authority held their Regular Board Meeting at 1002 North School Street, on Thursday, February 17, 2022. Pursuant to the Governor’s Emergency Proclamation dated January 26, 2022, suspending section 92-3.7, Hawaii Revised Statutes, only to the extent necessary to suspend the requirement to have at least one meeting location that is open to the public, to enable Boards to conduct meetings safely without any board members or members of the public physically present in the same location, the Hawaii Public Housing Authority conducted the Board meeting by use of teleconference call or other alternative means of communication only without a physical quorum present in the boardroom at 1002 N. School Street, Honolulu, HI 96817.

The public was able to participate in the meeting via video conference (Zoom) or telephone by calling in. It was announced that if the HPHA lost internet or Zoom connection during the meeting, the meeting would be recessed and reconvened pursuant to instructions in the posted agenda.

At approximately 9:04 a.m., Chairperson Hall called the meeting to order, held a roll call and declared a quorum present. Those present were as follows:

**PRESENT:**
Director Robert Hall, Chairperson
Director Roy Katsuda, Secretary
Designee Joseph Campos II
Director George De Mello
Director Betty Lou Larson
Director Sabrina Nasir
Director Leilani Pulmano

Deputy Attorney General Jennifer Sugita
Deputy Attorney General Klemen Urbanc

**EXCUSED:**
Director Pono Shim, Vice-Chairperson
Director Susan Kunz
Director Todd Taniguchi

**STAFF PRESENT:**
Hakim Ouansafi, Executive Director
Kevin Auger, Redevelopment Officer
Bennett Liu, Acting Chief Financial Officer
Jeremy White, Section 8 Subsidy Programs Branch Chief
Becky Choi, State Housing Development Administrator
Public Testimony

In consideration of the current COVID-19 pandemic, the HPHA’s physical office locations are closed to the public. Individuals were allowed to submit written testimony no later than 12:00 noon on Monday, February 14, 2022 which would be distributed to the Board members. The public was instructed to submit written testimony via email to jennifer.k.menor@hawaii.gov or by U.S. mail to PO Box 17907, Honolulu, HI 96817. The public was also allowed to participate via Zoom or teleconference by using the “Raise Hand” feature in Zoom, or by simply announcing/identifying themselves and the item they want to testify about during the public testimony portion of the meeting. Individuals were also allowed to provide audiovisual oral testimony by using the “Raise Hand” feature in Zoom, clicking the “Unmute” icon to talk, and clicking the “Start Video” icon to turn the camera on.

Chairperson Hall stated that the Board would accept public testimony on any item relevant to the agenda. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.

There was no public testimony submitted or given.

Approval of Minutes

Director Pulmano moved,

To Approve the Regular Meeting Minutes of December 16, 2021

Director Nasir abstained from the vote.

The minutes were approved as presented with one abstention.
**Discussion and Decision Making**

Director Katsuda moved,

To: (1) Adopt Updated 2022 Payment Standards for the Hawaii Public Housing Authority’s (HPHA) Section 8 Housing Choice Voucher Program, as Permitted by U.S Housing and Urban Development Waiver Application to Increase Payment Standards Up to 120% of the Small Area Fair Market Rent (SAFMR); (2) Start the Increase Effective upon Approval of the Waiver Application by the U.S. Department of Housing and Urban Development; and (3) Authorize the Executive Director to Implement the Updated Payment Standards, Including Making Adjustments to the Payment Standards Between 90% and 120% Based on Projected Housing Assistance Funding Shortfall with Adequate Notice to Program Participants

Executive Director Ouansafi reported that U.S. Department of Housing and Urban Development (HUD) annually estimates fair market rents (FMR) for Office of Management and Budget (OMB) defined metropolitan areas, some HUD defined subdivisions of OMB metropolitan areas and each nonmetropolitan county.

In the administration of the Housing Choice Voucher (HCV) program, SAFMRs (i.e., FMRs established at the ZIP code-area level) replace the 50th percentile FMRs previously required in metropolitan areas with high concentrations of voucher families. SAFMRs are intended to provide families residing in such areas with access to low-poverty areas by providing rental assistance at a level that makes the higher rents in such areas affordable to them.

On September 16, 2021, the HPHA Board of Directors voted to adopt new 2022 SAFMR Payment Standards. These payment standards went into effect on January 1, 2022.

On December 9, 2021, HUD published PIH Notice 2021-34, providing PHA’s access to expedited regulatory waivers for the Public Housing and Housing Choice Voucher Programs.

To be eligible for the waivers, PHAs must apply by March 1, 2022, and include justification of good cause. Good cause justifications must include (a) why a PHA needs the waiver; (b) the impact on PHA operations or applicants if the waiver is not provided; and (c) the proposed waiver duration, not to exceed December 31, 2022.

Movement among HPHA’s Housing Choice Voucher participants drastically decreased between March 2020 and November 2021 due to the pandemic. However, following the end of the Governor’s Emergency Proclamation, HPHA has seen an increase of requests to move among its participants. In November and December 2021, many of the new participants brought into the program through the Lease in Place Preference began requesting vouchers to move as they neared the end of their initial lease terms.
as participants with HPHA. While the agency has historically found that approximately 22% of HPHA Housing Choice Voucher participants find housing in the first 30-60 days of voucher issuance, and another 37% within the first 60-90 days, HPHA believes that the decrease in overall housing development and potential increase of 9,000 military families hunting for units will further drive up the housing market cost and reduce available inventory.

To assist and provide better marketability to HPHA’s HCV participants, HPHA has elected to apply for the expedited HUD waiver to establish a fair market rent payment standard up to 120%. HPHA has increased all payment tiers between six percent and twelve percent over the original 2022 payment standards that were adopted by the Board in September 2021 and went into effect January 1, 2022.

The unit must continue to meet tests of rent reasonableness. HPHA must ensure that rents charged by owners to HCV program participants are reasonable and comparable to other rents for similar unassisted units in the marketplace.

HPHA believes this waiver will need to be in effect for the remainder of 2022. Throughout the year, HPHA will actively evaluate and assess the housing market and available options to allow its participants an equal opportunity to find housing beyond the expiration of the waiver.

The proposed payment standards for zip codes in the City and County of Honolulu for the HPHA’s Housing Choice Voucher Program were provided in the Board packet.

Chairperson Hall, while recognizing that there are approximately 20% of HCV participants that are able to find housing in the first 30-60 days, asked what HPHA is doing to assist the 80% that are having difficulty finding housing.

Executive Director Ouansafi stated that approval of this motion will assist, along with offering landlord incentives and reaching out to the landlords. The approval of updating the payment standards will allow HPHA to match the current rents and eliminate any potential financial concerns that landlords may have.

Director Larson asked if there was a percentage of families that have returned their Section 8 voucher as a result of not finding housing.

Executive Director Ouansafi expressed that the number of Section 8 vouchers returned have been minimal. Recognizing the value of each voucher, HPHA staff will assist voucher holders as much as possible to find housing beyond the 60 days.

**The motion was unanimously approved.**
Director Katsuda moved,

To (1) Adopt Proposed New Chapter 17-2040, Hawaii Administrative Rules (HAR), Entitled “Emergency Housing Voucher Program”, Which is Substantially Based on Chapter 17-2039 Entitled “Emergency Housing Voucher Program Emergency Rules” Which Expired in December 2021, and Sets Forth the Rules and Requirements to Administer the new U.S. Housing And Urban Development (HUD) Tenant-Based Rental Assistance Voucher Program Designed to Assist Individuals and Families Who Are:
   a) Homeless;
   b) At Risk of Homelessness;
   c) Fleeing or Attempting to Flee Domestic Violence, Dating Violence, Sexual Assault, Stalking or Human Trafficking, and
   d) Recently Homeless for Whom Providing Rental Assistance Will Prevent Individual's or Family's Homelessness or Having a High Risk of Housing Instability; and
Which Include the Following Proposed Changes from the Previously Adopted Chapter 17-2039 Entitled “Emergency Housing Voucher Program Emergency Rules”:

17-2040-32: Require Participants to Report Changes in Income in Writing,

17-2040-33: Address Families that Break Up to Clarify Who Would Retain Assistance,

17-2040-42: Deleting the Expired Waiver for Dwelling Unit Inspection Extensions,

17-2040-51: Clarifying that Participants are not Responsible for HPHA Housing Assistance Payments to the Landlord,

17-2040-52: Clarifying that Landlords or Owners Cannot Charge any Payments in Addition to the Rent to Landlords or Owners,

17-2040-55: Adding that the HPHA May Pay for Rental Application Fees to the Landlord or Owner and that the HPHA Shall Not Charge Application Fees,

17-2040-56: Adding Request Procedures and Clarification that the HPHA May Pay Holding Fees,

17-2040-71: Requiring Special Inspection Requests to Be in Writing; and

(2) Authorize the Executive Director to Conduct Public Hearings and Undertake All Other Actions Necessary Under Chapter 91, Hawaii Revised Statutes, and Administrative Directive No. 18-02 to Adopt the Proposed
New Chapter 17-2040, Hawaii Administrative Rules (HAR), Entitled “Emergency Housing Voucher Program” That Includes The Proposed Changes; and

(3) Authorize the Executive Director to Undertake All Actions Necessary to Make Non-Substantive Changes, such as Style, Grammar and Formatting, Corrections to Proper or Updated Citations and Revisions to Ensure Compliance with Program and Statutory Requirements

Chairperson Hall stated that the proposed new HAR Chapter 17-2040 “Emergency Housing Voucher Program Rules” and above listed changes could be viewed on the HPHA’s website.

Executive Director Ouansafi reported that on May 24, 2021, the Hawaii Public Housing Authority accepted 182 special vouchers under HUD’s Emergency Housing Voucher (EHV) Program.

These EHV’s are to assist individuals and families who are experiencing homelessness; at risk of experiencing homelessness; fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or were recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

The verification that the individual or family meets one of these four eligibility categories is conducted by the CoC that will make direct referrals to the HPHA. The CoC must provide supporting documentation to the HPHA that the family meet one of the four eligible categories for housing assistance.

On September 2, 2021, the HPHA Board adopted emergency rules to allow for the immediate implementation of the program. The Emergency Rules allowed the HPHA to begin implementing the new Emergency Housing Voucher Program, while drafting HRS section 91-3(a) regular administrative rules (i.e., non-emergency administrative rules).

On September 16, 2021, the Board of Directors approved a For Action to authorize the Executive Director to conduct public hearings and undertake all other action necessary. The HPHA held public hearings to gather comments on the proposed draft rules via electric communications on November 22, 2021, at 5:30 p.m. The HPHA received no comments on the proposed new Chapter.

Following the public hearing, the HPHA determined that additional substantive changes were necessary for clarity and consistency in the program.

Changes included the following:

- Language was added to clarify who would retain assistance when families break up.
• Deleted language for an expired HUD waiver related to dwelling unit inspection extensions.

• Language was added to clarify that participants are not responsible for HPHA’s housing assistance payment portion, as well as language clarifying that landlords cannot charge for any payments in addition to the stated rent to owner or landlord.

• Added language that the HPHA may pay for rental application fees to the landlord or owner and that the HPHA shall not charge application fees.

• Added request procedures and clarification language that the HPHA may pay holding fees.

• Provided language addressing that special inspection requests to be made in writing.

• Other additional non-substantive revisions to correct formatting (e.g. tabs, page numbers) as required by the Legislative Reference Bureau’s Hawaii Administrative Rules Drafting Manual (June 2016), were also made.

As substantive changes are being proposed to the current draft administrative rules that already had public hearings, these rules must once again go to public hearing. Once these proposed changes to the draft administrative rules are approved by the HPHA Board of Directors, the agency must obtain approval by the Governor to take these proposed Rules to public hearing.

Following approval from the Governor to hold a public hearing on these draft administrative rules with the proposed changes, the HPHA must give 30-days’ notice to the public and will hold public hearings on these draft rules on the Island of Oahu.

Based on testimony received during the public viewing and comment period, the Executive Director will make any non-substantive amendments to the draft rules prior to or following the public hearing.

After the public hearing, the Executive Director will present the new Emergency Housing Voucher Program administrative rules to the Board of Directors for final approval, provided that no substantive amendments are made.

Following the Board approval, the rules will be transmitted to the Governor for signature and the Office of the Lieutenant Governor for filing.

Director Katsuda asked when HPHA anticipates these proposed changes to be implemented, if approved.
Executive Director Ouansafi reported that if approved by the Board, the changes will be implemented in less than 90 days.

Chairperson Hall asked if the mentioned provisions will carry over if voucher holders decide to port out.

Executive Director Ouansafi confirmed that although there may be some minor changes, the majority of the program is consistent with HUD. Although implementations may vary between housing authorities, the qualifications and benefits remain the same when porting.

The motion was unanimously approved.

Director Pulmano moved,

To (1) Approve Proposed Amendments to Chapter 18 of the Hawaii Public Housing Authority’s (HPHA) Section 8 – Housing Choice Voucher Program Administrative Plan, Entitled “Emergency Housing Vouchers”, to Establish Additional Policies Requiring Participants to Report Changes in Income in Writing, Addressing Families that Break Up to Clarify Who Would Retain Assistance, Deleting the Expired Waiver for Dwelling Unit Inspection Extensions, Clarifying That Participants Are Not Responsible for HPHA Housing Assistance Payments, Clarifying That Landlords or Owners Cannot Charge Any Payments in Addition to the Rent to Owner or Landlord, Adding that the HPHA May Pay for Rental Application Fees to the Landlord or Owner and that the HPHA Shall Not Charge Application Fees, Adding Request Procedures and Clarification that the HPHA May Pay Holding Fees, Requiring Special Inspection Requests to Be in Writing;

(2) Authorize the Executive Director to Conduct Public Hearings as required on the Proposed Amendments; and

(3) Authorize the Executive Director to Make Non-Substantive Changes, such as Style, Grammar and Formatting

Chairperson Hall stated that the proposed amendments to the Section 8 Administrative Plan could be viewed on the HPHA’s website.

Executive Director Ouansafi reported that following the adoption of Chapter 18 of the Section 8 – Housing Choice Voucher Program Administrative Plan, the HPHA determined that additional substantive changes were necessary for clarity and consistency in the program.
HPHA added language clarifying that changes in income shall be reported in writing. This change was necessary to prevent confusion and create necessary documentation to track reported changes.

Other changes included the following:

- Language was added to clarify who would retain assistance when families break up.
- Deleted language for an expired HUD waiver related to dwelling unit inspection extensions.
- Language was added to clarify that participants are not responsible for HPHA’s housing assistance payment portion, as well as language clarifying that landlords cannot charge for any payments in addition to the stated rent to owner or landlord.
- Added language that the HPHA may pay for rental application fees to the landlord or owner and that the HPHA shall not charge application fees.
- Added request procedures and clarification language that the HPHA may pay holding fees.
- Provided language addressing that special inspection requests to be made in writing.
- Other additional non-substantive revisions to correct formatting (e.g. tabs, page numbers) were also made.

Once these amended administrative plan rules are approved by the HPHA Board of Directors, the agency must provide 45-days’ notice to the public and will conduct public hearings on the amended administrative plan on the Island of Oahu.

Based on testimony received during the public viewing and comment period, the Executive Director will make any non-substantive amendments to the draft amendments to and in compilation of the Plan prior to or following public hearing.

After the public hearing, the Executive Director will submit the amended Section 8 – Housing Choice Voucher Administrative Plan to the Board of Directors for final adoption and approval, provided that no substantive amendments are made.

Director Larson asked for clarification on the proposed change of adding language clarifying that landlords cannot charge for any payments in additional to the rent. She understood that the cost of rent usually includes utilities.
Executive Director Ouansafi explained that the added language is to prevent landlords from taking advantage of tenants by charging extra costs on top of the rent reasonableness. He added that the utility allowance is accounted for in determination of the rent.

Chairperson Hall was curious on how the proposed changes will benefit or hinder the agency. As rules get approved and the changes are administered, he felt it’d be helpful for HPHA to update the Board once everything is implemented.

The motion was unanimously approved.

For Information:

Status on Legislative Bills and Report on Testimony by the Executive Director for the 2022 Legislative Session

Executive Director Ouansafi reported that housing seems to be a priority during this Legislative session. HPHA testified in support of bills that will increase housing inventory and assist the community.

Director Larson recognized that HPHA, along with many other organizations, is in support of the bill relating to rental discrimination and asked if the bill passes, how will it impact the number of people seeking vouchers and how will HPHA handle alleged discriminating situations.

Executive Director Ouansafi explained that the said bill is on prohibiting discrimination based on source of funding. HPHA testified in support of the bill. The agency felt that a potential tenant shouldn’t be discriminated against on the basis that he/she is a Section 8 voucher holder. Recognizing that many rental listings state, “no Section 8 accepted”, HPHA has been working with the Legislature for the past 3-4 years to address this matter. In the last six months, HPHA participated in regular meetings with the Board of Realtors, other landlords, Representative Hashimoto and others to collaborate on language that could be helpful. Suggested language included combining incentives and penalties. HPHA found that some landlords weren’t interested in accepting Section 8 tenants due to needing to file a 1099 tax form. Executive Director Ouansafi added that HPHA is looking at and plans to provide comment on the second version of the bill which would be removing the discrimination part and keeping the incentives. Incentives are not enough, and HPHA hopes that the law will have landlords reconsider accepting Section 8 tenants. If the bill passes, HPHA anticipates that there will be a venue available where tenants can seek assistance for alleged discriminating situations. HPHA won’t be involved with the enforcement mechanism of it, if passed, but have staff that will assist educating landlords. Effects of the pandemic demonstrated that all types of individuals at any given time could needs assistance and possibly shattered some perceptions that Section 8 tenants were reckless and irresponsible.
Chairperson Hall asked when the crossover date was. He expressed interest in what has been looked at and what’s being considered for crossover. Chairperson Hall recognized that there were a lot of companion bills and a great deal of focus on housing. He stated that he was mainly curious on the bill which included committing the bond cap for housing. Chairperson Hall felt that it’s a serious commitment and has seen this sought after approximately three times in the past with no success. With so many resources available, with proper guidance and the necessary staffing, he believes the State can increase affordable housing.

Designee Campos stated that crossover is on March 10 (which was corrected in the zoom chat to everyone from the initial statement of the March 7 date).

Executive Director Ouansafi stated that HPHA will have a better idea of the bills by the following week. He reported that, on Friday, there are a lot of bills that are going to Ways and Means (WAM). Executive Director Ouansafi believed that the bond cap bill didn’t pass. He stated that HHFDC is doing a great job pushing some of their bills. It’ll take a combination of everyone working together to create the best plan for generating more funding to increase affordable housing.

Executive Director’s Report

Executive Director Ouansafi reported that during the month of January:

Move to Work Designation

- Executive Director Ouansafi was pleased to say that on January 27, 2022, U.S. Department of Housing and Urban Development (HUD) announced that HPHA was selected for the Move to Work (MTW) Demonstration Program. Under the MTW Expansion application process, HPHA was the only large PHA selected for Cohort #4.

- HPHA has formed a team comprised of staff from multiple departments to oversee the implementation of the MTW program. HUD has scheduled additional training to assist PHAs with the transition and implementation of MTW.

- HPHA will be formulating a timeline for each step of implementation. HPHA anticipates approaching the Board in the next few months to execute MTW amendments to the Annual Contribution Contract. This document will set terms of participation and detail the requirements and covenants for HPHA to follow.

- MTW is a demonstration program for public housing authorities (PHAs) that provide them the opportunity to design and test innovative, locally designed strategies that use Federal dollars more efficiently, help residents find employment and become self-sufficient, and increase housing choices for low-income families. MTW allows
PHAs exemptions from many existing public housing and voucher rules and provides funding flexibility with how they use their Federal funds.

- Based on an assessment of the local rental housing market conditions and feedback from the landlords, the HPHA selected three landlord incentives to implement for the MTW Demonstration Program: 1) Vacancy Loss Payments, 2) Front-end Vacancy Loss Payments, and 3) Other Landlord Incentives – Signing Bonuses.

**COVID-19 Booster Shot Clinics**

- The HPHA continues to work with the State Department of Health, the City and County of Honolulu Elderly Affairs Division, the Queens Medical Center, Kaiser Permanente, Project Vision, and health care partners to collaborate on offering multiple COVID-19 Booster Shot Clinics at its elderly public housing properties with the first held on December 1, 2021.

**Kuhio Park Terrace/Kuhio Low-Rises and Homes**

- Lowney Architects, who has been retained by The Michael's Organization (TMO) to finalize the overall design of the project, has been refining a preliminary gross massing and site plan that will accommodate up to 625 housing units, approximately 150 more than required under the Restated and Amended Master Development Agreement with TMO. This is converted to approximately 200 units and increasing the inventory by 425 additional units.

- A community engagement program to solicit feedback on these plans is currently being developed and is expected to proceed within the next few weeks.

- State and Federal Environmental and Historic Preservation review work and related/required studies are now underway.

- Additionally, geotechnical engineering, civil engineering, site survey, and archeological site assessment work are now also actively engaged.

**School Street Elderly Housing Redevelopment**

- The HPHA has been informed by the HHFDC that the Bond Cap will be available for the first phase of the project.

- Permits and general contractor selection for the renovation and portable trailer demolition are expected in the next couple months.

- 80% Construction Documentation for Phase I has been completed and submitted to the City and County of Honolulu Department of Planning and Permitting (DPP) for review with third party review also underway.
• RHF estimates that the delay in project log-in has resulted in a 13-week overall delay in the review of these documents.

• The subdivision layout for Phase I of the project has been completed.

• RHF intends to distribute an RFP to secure lender and investor interest by the end of February 2022.

• RHF anticipates General Contractor bidding will be conducted during March/April 2022.

• RHF has also requested HHFDC assign Bond counsel for its Hula Mae Multi-Family Bond Program in order to prepare bond documentation/due diligence.

• RHF recently informed the HPHA that their lead transaction manager for the School Street project has recently left the company to pursue other opportunities. HPHA management have had several conversations with RHF’s CEO who has informed the HPHA that RHF is in the process of realigning various positions internally to ensure a seamless transition for project oversight and has assured the HPHA that the project will continue to proceed expeditiously toward a closing/groundbreaking this summer.

Puuwai Momi

• A request for Qualifications (RFQ) for professional services to complete the preliminary master planning is currently being drafted for internal and Attorney General review.

Hawai‘i County - Lanakila Housing Project

• The HPHA has begun negotiations with the preferred consultant chosen by the procurement selection committee.

Maui County – Kahekili Housing Project

• A Request for Qualifications (RFQ) for professional services to complete preliminary master planning is currently being drafted for internal and Attorney General review.

Public Housing

• HPHA moved in 24 families, while 22 families moved out.

• HPHA is monitoring an incident where a nine-year-old girl was sexually assaulted and is scheduling a meeting with the Chief of Police to create a plan at the housing properties where criminal activity has increased.
Section 8

- HPHA expended a total of approximately $3.9M in housing assistance payments (HAP) to private landlords on behalf of 3,433 voucher holders. HPHA issued a total of 21 vouchers for New Admission (including appeals and reasonable accommodations), Project Based, VASH, FYI, Mainstream, EHV and Port-ins.

- HPHA was informed by HUD that they are no longer in shortfall. HPHA is in the process of creating a plan to issue additional vouchers to serve approximately 800 families.

- Rent Supplement Program made a payment of approximately $100,000 to the landlords on behalf of 214 families.

Executive Director Ouansafi acknowledged and thanked his staff for their hard work, especially while operating with 86 staffing vacancies.

Director Larson recognized the immense workload at the Section 8 office, especially with the extra 800 vouchers they are working towards issuing to families. Unsure of what the turnover rate is, she asked if there are any extra incentives that HPHA could do to promote morale and to keep staff motivated to staying with the agency.

Executive Director Ouansafi acknowledged that the Section 8 office, along with all the other HPHA offices, have been working extremely hard and felt that what motivates the staff is knowing that each one is making a difference in the lives of those who need help. Management monitors morale by listening to staff concerns and will adjust accordingly. HPHA recently hired 4-5 additional Public Housing Specialists for Section 8 and have requested for additional staffing. When needed, to relieve pressure, management have also mobilized staff from the other branches to assist the Section 8 office. Executive Director Ouansafi recognized that all his staff are important to the program’s success. Some other ideas that management is researching is conducting a salary study in hopes to be able to provide comparable pay to and adequate tools and resources for its staff. HPHA currently has 298 employees and knowing that everyone assisted with serving more than 2,000 families last year keeps staff coming to work.

Chairperson Hall commended and thanked HPHA for their commitment and efforts. Looking at this year’s Legislative bills, he felt that matters were moving in the direction of streamlining the process to empower agencies to do what is needed to increase housing. It’s an exciting time where there’s a lot of opportunity ahead. Chairperson Hall stated that he looks forward to HPHA developing the MTW plan.

Executive Director Ouansafi thanked the Board for their continued support and was pleased that a lot of things are lining up for HPHA to make a huge difference in the housing market. HPHA looks forward to presenting the Board with many other initiatives that they’d like to see implemented to better the community.
Executive Director Ouansafi also acknowledged and thanked Deputy Attorney General Sugita and Deputy Attorney Urbanc for their hard work.

Director Katsuda moved,

To Adjourn the Meeting

The motion was unanimously approved.

The meeting adjourned at 10:10 a.m.

MINUTES CERTIFICATION:

Minutes Prepared by:

Jennifer K. Menor
Secretary to the Board

Date

Approved by the Hawaii Public Housing Authority Board of Directors at their Regular Meeting on March 29, 2022 [✔] As Presented [ ] As Amended

Director Roy Katsuda
Board Secretary

Date