

The Honorable David Y. Ige
Governor, State of Hawai'i
State Capitol, Executive Chambers
Honolulu, Hawai'i 96813

*Sent electronically via [governor.hawaii.gov/
contact-us/contact-the-governor/](http://governor.hawaii.gov/contact-us/contact-the-governor/)*

Senator Ronald D. Kouchi
President, Hawai'i State Senate
State Capitol, Room 415
Honolulu, Hawai'i 96813

Sent via senkouchi@capitol.hawaii.gov

Representative Scott K. Saiki
Speaker, Hawai'i House of Representatives
State Capitol, Room 418
Honolulu, Hawai'i 96813

Sent via repsaiki@Capitol.hawaii.gov

Rodney Maile
Administrative Director of the Courts
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Honolulu, Hawai'i 96813

Sent via rodney.a.maile@courts.hawaii.gov

Recommendations on Eviction Prevention and Preservation of the Rental Market During the Pandemic

Aloha mai e Governor Ige, Senate President Kouchi, House Speaker Saiki, and Administrator of the Courts Maile,

We write to you as a concerned coalition of service providers, advocates, and community stakeholders, who, like you, are seeking to protect the financial and housing security of Hawai'i's residents and families in these turbulent and uncertain times.

As an initial matter, we would like to commend your collective leadership, for the decisive actions taken thus far to provide relief to Hawai'i residents facing housing insecurity during this global pandemic. The Governor's extended eviction moratorium, the closure of courts to eviction actions, and the reinforcement of safety net programs have all provided critical lifelines for local families in need. These unprecedented actions reflect the complex and significant ways that the pandemic has impacted our island communities. With Hawai'i having one of the top three heaviest-impacted economies of the United States from the COVID-19 pandemic; the fourth lowest homeownership rate of all 50 states, with vast numbers of residents reliant on our residential rental market; and an unprecedented current unemployment rate that also, unfortunately, far exceeds the national average; these actions have provided and will continue to provide much-needed protection for the growing ranks of Hawai'i's housing insecure. We accordingly applaud your leadership and the actions taken thus far to stave off a tidal wave of summary possession and eviction actions – and an ensuing burgeoning of our houseless population – that may only exacerbate the pandemic and its impacts on our public health, economy, and ways of life.

We write to you today to urge your continued consideration of residents and families who, despite the emergency eviction protections currently in place, may nonetheless continue to accrue significant debt in the form of unpaid rent, potential late fees, and other housing-related costs, as they struggle to pay their bills or even earn an income in this deeply depressed economy. For many, the ending of the pandemic and any re-starting of the local economy will not signal the end of their financial and housing challenges; instead, the abrupt lifting of pandemic-related housing protections will likely signal for countless Hawai'i residents a renewed threat of eviction actions, due to their continued

inability to pay their rent and whatever debt they may have accrued during the current shut-down. Again, the impacts of mass eviction actions would be manifold: **families forced to choose between spending what little savings they have left, if any, on rent, or food and other necessities; our court system clogged with summary possession claims and related actions; and our shelters and streets filled with scores of newly houseless individuals and families, including those whose eviction records and citations for “sit-lie” and similar “lifestyle” violations may make it that much more difficult to secure affordable and sustainable housing.** Needless to say, these impacts will only further burden our economy and its drivers – our islands’ residents – during what should otherwise be a period of recovery.

Accordingly, to proactively mitigate or prevent an unprecedented housing crisis and the inevitable socioeconomic disaster that may result from mass evictions, and in light of the legislature’s planned reconvening on June 15, we respectfully submit the following, non-exhaustive list of proposals for your respective consideration and potential collaborative action:

- An extended eviction moratorium that should be continued for a reasonable and fair amount of time for the economy to recover, so that tenants can generate the income necessary to pay off any housing-related debt resulting from the pandemic shut-down;
- A landlord subsidy program, using state or federal (CARES Act) funds, to cover up to 20% of monthly rent for tenants affected by the pandemic, available to landlords who agree (1) to reduce rent by 20% and (2) to refrain from evictions for six months after the expiration of any eviction moratorium. For example, for a base rent of \$1000, the tenant would cover \$600, the subsidy would cover \$200, and the landlord’s rent reduction would cover \$200;
- A tax credit or deduction for landlords based on reductions in rent provided to their tenants;
- A robust, mandatory mediation process as a forum to encourage landlords and tenants to come to a mutually agreeable resolution of landlord tenant disputes; and
- An expungement of eviction records if the eviction action was based in part on back rent or late fees accrued during the pandemic.

We strongly believe that policies such as the above will, with the existing and additional support and relief from governmental and nongovernmental organizations, **significantly minimize the threat of mass evictions and resulting mass houselessness that would otherwise persist well after the end of the pandemic’s threat to our public health.** We note that similar policies are already being explored or put into place in other jurisdictions, such as California, Massachusetts, and Minnesota, among other states.

As a final note, we also write to assure you that we are committed to doing what we can to further address the housing and larger financial challenges facing Hawai‘i’s residents during this unprecedented period of crisis and transition. We have already begun working together and with other entities and organizations to identify the unique housing concerns of various and particularly vulnerable communities, broadly disseminate sources of support and best practices for tenants and landlords, and directly and indirectly address current housing needs through loans and grants to individuals and community programs. We are also more than willing to work with the legislature,

¹ Eviction protections could also be reserved for those directly impacted by the pandemic, such as through a rebuttable presumption that any housing debt accrued during the pandemic was due to the pandemic.

the Governor's office, and the courts to further develop these and other policy proposals that would provide further relief to Hawai'i's current and future housing insecure, including through additional research into practices being considered in other jurisdictions, and analyses of the unique circumstances seen in Hawai'i and in the many diverse communities that make up our social fabric.

Should you wish to discuss this matter with us any further, please have your staff contact us through Deja Ostrowski, Staff Attorney, Medical-Legal Partnership for Children, at (808)728-0004 or via e-mail at dejao@hawaii.edu.

Mahalo nui loa for your consideration of our request.

Organizations Signing On:

AF3IRM Hawai'i
ALEA Bridge
Aloha Independent Living Hawaii
Aloha United Way
Catholic Charities Hawai'i
Child & Family Service
Chinatown Gateway Plaza Tenant Association (CGPTA)
Community Empowerment Resources
Faith Action for Community Equity (FACE)
Family Promise of Hawaii
FAS Empowerment
Habitat for Humanity Hawaii Island
Harris United Methodist Church
Hawai'i Children's Action Network
Hawaii Appleseed Center for Law & Economic Justice
Hawaii Community Lending
Hawaii Health & Harm Reduction Center
Hawaii Homeless Healthcare Hui
Hawaii Kai Homeless Task Force
Hawaii State Coalition Against Domestic Violence
Hawaii Youth Services Network
Hawaiian Affairs Caucus of the Democratic Party of Hawaii
Hawaiian Community Assets
HealthyPacific.Net
Hep Free Hawaii
Ho'ola Nā Pua
HOPE Services Hawai'i
House District 26 - Democratic Party of Hawai'i
Japanese American Citizens League, Honolulu Chapter
Kalihi Palama Hawaiian Civic Club
Kealahou West Oahu
KL Felicitas Foundation
Kokua Kalihi Valley
Ku'ikahi Mediation Center

Kua‘āina Ulu ‘Auamo
Marshallese Community Organization of Hawaii
Mediation Services of Maui, Inc.
Medical-Legal Partnership for Children in Hawai‘i
Mental Health America of Hawai‘i
Moloka‘i Community Service Council
Native Hawaiian Legal Corporation
Office of Hawaiian Affairs Administration
Papa Ola Lōkahi
Partners In Care
RYSE
Shelter of Wisdom
The Food Basket Inc., Hawai‘i Island's Food Bank
The Mediation Center of the Pacific, Inc.
Waipahu Safe Haven Immigrant/Migrant Resource Center
YWCA Oahu

Individuals Signing On:

Allison K Mikuni
Ana Advincula
Andrea Staley
Ann Rita Taugasolo-Wilks
Brenda Asuncion
Britt A Nakamura
Brooke Allan Carlson
Carolina Jesus
Carolyn Eaton
Catherine Rose Kane-Paulo
Cheryl Guzikowski
Christine Richardson
Daniel Mistak
Darlene Rodrigues
David Abitbol
David Deges
Deanna Espinas
Donita Garcia
Erika Vargas
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Jack Barile
Jaime Stevens
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Virginia Lord
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