



Medical-Legal Partnership for Children in Hawai'i

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WORKING MEMO DRAFT

Housing Insecurity and Poverty: Countering Common Narratives and Becoming a Better Advocate.

Policy changes and community education can assist us in addressing the systemic challenges that create and exacerbate poverty and lead to people living on the street. The following systemic responses can assist us in being better advocates.

1. Repeal statutes and ordinances that criminalize poverty and advocate for no new offenses or criminal consequences that exacerbate poverty.
2. Advocate for a living wage, direct assistance programs with no barriers, and language access to empower those living in poverty, rather than punitive policy measures.
3. Expand direct housing subsidies programs that give permanent housing immediately not only after service compliance.
4. Strengthen tenant laws and enhance tax structures to incentivize preserving the housing in our community and renting to our community, dis-incentivizing the use of housing as vacant investments for individuals or investment corporations, or for maximum wealth generation through tourism or luxury rentals.
5. Provide more funding for and streamline and remove administrative barriers that make welfare assistance programs difficult to maintain.
6. Challenge entrenched ideas about poverty that often perpetuate explicit and implicit biases of race and gender, including narratives about who belongs in our community, in our neighborhoods, and in public spaces.
7. Participate and lead in community education that reminds us that public spaces are for the enjoyment of all in our community, including those in poverty.
8. Advocate to expand access to public services such as bathrooms, washing facilities, computers, printers and mail services that allow individuals in poverty to care for themselves, maintain employment, and access benefits.
9. Advocate for the removal of asset limits that discourage savings that provide for long term financial stability.
10. Advocate and support direct community leadership and organizing that builds the collective power and voice of those in poverty, such as tenants unions, community organizing, and leadership not just participation by those in poverty in decision making.

Why are people living on the street? Why don't they just work or go into housing?

Poverty, generational wealth and asset gaps, health issues, and lack of a living wage means many people cannot afford housing and daily necessities even when employed full time.

Most people are living on the street because they are too poor to afford rental housing. Individuals employed full time at a minimum wage job would not make enough to rent a typical rental unit in Hawai‘i. Additionally, some people living on the street may have underlying health, asset, or legal challenges that prevent them from finding employment or finding a landlord willing to rent to them. A large majority of people do not have proper identification documents and may lack the resources to replace these documents. Additionally, remaining on the street means individuals are more vulnerable to their belongings being stolen while waiting for important documentation, creating a vicious cycle, where moving from the street or shelter to employment and permanent house and self support becomes increasingly difficult.

I’ve seen so many people just living off welfare why don’t they get a job?

Welfare is not readily available, is time limited, and is not sufficient to allow individuals to afford even the most basic rental housing in Hawai‘i.

Long-term cash welfare assistance for able-bodied adults does not exist anymore and has not for decades. Even welfare for people with disabilities and for families is so low it is not enough to provide any means of stability. There is a limited cash assistance that is available for 5 years in any lifetime for ‘needy families.’ To receive this time limited cash welfare benefit, a family must also pass work or training requirements to stay in the program and receive the cash benefit.

The state does provide a small cash general assistance (currently maximum of \$388 to an individual) to disabled individuals. To receive the state disability cash benefit, people must be under treatment by a doctor and submit proof that they have made all appointments and are receiving treatment. Disabilities are verified by a third party doctor employed by the state and reviewed further by a three person medical board. Individuals must also pass drug and substance urinalysis to remain on the program long-term if they are flagged for such issues by their own doctor, a third party doctor or medical reviewer, or admit to having issues in the past. People often find the process of applying for and maintaining benefits and making appointments and drug tests to be very difficult and often feel it is not worth the time and effort for the small cash benefit it provides.

Some individuals who meet the very high definition of permanently disabled for the Social Security Administration can receive disability benefits. If someone has not worked enough qualifying quarters, their benefit maximum will be \$788 per month. Other individuals may receive more benefit depending on the years they paid into the Social Security system. Applying for and receiving these disability benefits takes time and the vast majority of applicants are denied usually after waiting for more than a year. Additionally, if an individual receives state general assistance and is found to be disabled enough to meet the Social Security Disability standard, they must repay the general assistance cash they received with their social security benefits. It is unlikely that someone can live solely on disability or cash welfare and be housed without other assistance by government or family. Instead, being disabled often means an individual will never be able to afford a permanent housing rental on their own.

SNAP(Food Stamps, EBT) is available for individuals and families who are working or disabled. Able-bodied adults who are not working can only receive temporary SNAP benefits for three months. After that, they must show proof they are working. Additionally, SNAP is not a cash benefit. It can only be used to purchase qualifying food items; pre-made or hot food is not a qualifying food item. SNAP benefits for an individual is currently at a maximum of \$356. Individuals who are living on the street and do not have shelter costs are ineligible for the maximum SNAP benefit and will receive less.

Many immigrants are not qualified to receive any welfare benefits. Individuals who are sponsored by their families to come to the United States as lawful permanent residents must wait five years before they are even eligible for means-tested benefits, and may risk additional scrutiny when seeking benefits after that point. Immigrants from the Compact of Free Association States in Micronesia are never able to access means-tested welfare benefits, regardless of how long they are legally present in the United States or whether they are employed or not.

Why don't people just get into shelter?

Our community does not allocate enough resources to actually house, even on an emergency basis, all individuals in need of housing in our community.

Statewide on any one day, there are approximately 6,458 people experiencing homelessness, 3,650 who are unsheltered, 2,808 who are sheltered in emergency or transitional shelters that are not for permanent stay. Statewide there are usually only 140 vacancies to shelter those 3,650 people in need, notwithstanding logistical challenges of connecting the needy individuals with the vacant spaces.

At any one time, for the island of O'ahu alone there are around 4,448 people who are experiencing houselessness. 2,102 people are living in shelter spaces on O'ahu. Around 2,346 people are unsheltered, or on the street or living in other open areas. On O'ahu on any one night there are approximately 100 shelter vacancies, which includes 41 spots between the two tent sites run by HPD in Wahiawa and Ke'ehi lagoon. Meaning on any night there are at most 60 vacant spaces in more traditional shelter settings. On the neighbor islands, the need is even more acute, with 15 vacancies each night on Hawai'i Island, 9 in Maui County, and 3 on Kauai. We do not have enough shelter beds, transitional housing, or housing assistance vouchers to shelter all of those in our community who are experiencing houselessness, let alone support permanent housing. We need more funding and a commitment by the community to assist those in poverty to be permanently housed.

Getting into shelter can be difficult from an operational and physical standpoint. Individuals have belongings and often lack transportation to get to shelters. Shelters are often in areas of the community that are not near transportation routes. (e.g. Sand Island, Barber's Point on O'ahu) Shelter providers are staffed to send outreach workers to get people into shelter. Many shelters, especially during COVID-19 are not open for walk-ins at any time of the day. Instead, the shelters open and access vacancies at a specific time and then have those vacancies open for certain pre-screened people. Additionally shelter programs have fees, usually from \$60 a month

to \$100 a month that some unsheltered individuals are not prepared to pay. Individuals can complete service hours to work off their shelter stay, but some face challenges meeting these service hours. Those who are employed however often are unable to complete service hours as they work during those times. Shelters also have very limited storage space, may also not allow pets, or have a set up or rules that are difficult for some individuals. Some families may find a group living situation is inappropriate for their children; others may have challenges living in a group setting and need individual space.

Why isn't just make getting into a shelter easier?

Ensuring all individuals can readily access shelter and housing supports means a commitment to more resources to providers, rather than for criminalization.

The State has been working on creating more direct entry into shelters such as creating the Family Assessment Center and working to form places where people can stay and remain while waiting for a bed to open in a shelter. In response to repeated ticketing and criminalization, the Honolulu Police Department created HONU and then also using CARES funds, allocated resources to the POST site on Ke'ehi lagoon that offer tent spaces for people to sleep and not be swept or ticketed, or to quarantine. Often though if individuals are swept by police, or have trouble arriving at the shelter in time with some of their belongings, their space can be given away to others. Creating readily accessible shelter means committing more resources to social service providers, not justice response, and supporting more permanent housing options, so individuals who enter shelters do not remain indefinitely, or fall back into living on the street.

Why is it so hard to get an ID?

Accessing documents that allow individuals to be employed, find housing, and prove their identity often requires significant legal intervention and time, leaving people living on the street while they wait to stabilize.

After 9-11 the REAL ID act was passed and it required states to make driver licenses and state ids only available to people with the documents to prove they are legally allowed in the country and with proof of physical residence. As such, many Americans do not have the documentation to prove their U.S. citizenship or birth in a U.S. state and cannot receive identification, or prove their eligibility to work legally. To receive identification documentation, most authorities require supporting documentation so that the state does not release very important information to unauthorized people. Many U.S. Citizens who have lost their identification must work with an attorney to be able to access their vital documents. Those who have naturalized as U.S. Citizens or are legal immigrants also face costly paperwork replacement fees over \$500 each, and also usually need legal support. In addition, individuals must show paperwork to prove their physical address. For people living unsheltered or in other crowded situations where they are not on utility agreements or leases, proving a physical address often requires additional time and connection to service providers.

Why do they have fancy cell phones?

Internet and telephone access through cellular service is an important lifeline, even as individuals are often stuck in high interest and high monthly rate plans tied to the newest devices.

Having a cell phone is an incredibly important lifeline for many people who are housing insecure, whether they are poor and on the street or doubled up with family. People may have phones that have been donated or paid by service providers. Having a phone, particularly one with internet access, is often the only way to remain in touch with providers who will assist individuals and families with getting and remaining on benefits. Internet access allows people to job search and apply for housing and resources, as well as check email. Most housing waitlists require email access and regular log in and monitoring. Many people may have very new or expensive looking phones. Many people in poverty lack the resources to purchase good quality used items. Most benefit programs will only allow a total asset savings of \$2000. Instead, people in poverty are often only eligible for high interest monthly plans that are only available on some of the nicer cell phones or prepaid companies.

Why don't they go get a job?

An individual employed full time at minimum wage cannot afford rent in Hawai'i, in addition to other life necessities.

A large percentage of people living in shelters or on the street are employed. Unfortunately, a full-time minimum wage job does not pay enough for an individual to afford most permanent rental housing in our state. Additionally, once an individual is no longer in permanent housing, it can be difficult to maintain employment long term. The legal, medical, and life challenges that often lead to housing instability often means those who are unemployed will face challenges finding employment. For example, people often lack the required identification to show they are American citizens or legally allowed to work.

Individuals who are caring for children often find that childcare expenses are more than what they would make being employed full time, even in higher wage jobs. Childcare for infants can be around \$2100 per month, and average of \$1300 for older toddlers and preschoolers. Accessing childcare subsidies, which are often still not enough to cover these fees takes weeks in an application process, an interview, and time spent in processing. Weak employment laws that do not provide for sick leave or family leave mean that many women are unable to find employment while also providing for their children.

Why don't they just go find housing?

Severe housing competition including the ability of landlords to rent for maximum profit to more wealthy individuals and tourists means that finding accommodation requires resources that most people in our community do not have access to.

Getting into a permanent rental means that landlords will screen applicants. Past housing instability like an eviction can make it very difficult to find housing. Additionally, just searching

for housing can require lots of resources in time, money and computer access that are out of reach for low-income individuals, particularly those who are employed in multiple minimum wage jobs. The rental application fee just for one person for one unit is usually from \$25 to \$50, and adds up quickly for larger families applying for multiple units. Additionally, a security deposit is often out of reach for families who have trouble saving while keeping up on current bills. Families or individuals in shelter pay shelter fees per month from \$60 to \$100. Those in transitional housing can pay up to \$600 per month or rents equivalent to lower income rentals. Furthermore, a security deposit and first month's rent for a low budget rental is often more than the \$2000 asset limit for means tested benefits, meaning that individuals who save over \$2000 risk being kicked off their health insurance or other benefits. Even if individuals receive a housing voucher, such as Section 8, unlike 27 other states and most large municipalities, Honolulu and Hawai'i has no legal prohibition on refusals to rent to voucher recipients. Coupled with weak tenant laws, landlords in Hawai'i often will not rent to people who have past life challenges that are apparent in their application, or are receiving a government voucher, even if those vouchers will pay landlords market rate rent. Service providers report that landlords often hide illegal housing discrimination by refusing to rent to certain voucher families, leaving many families with children, single mothers, or Pacific Islanders with increased challenges to finding housing even with governmental assistance and support. Bills to close these gaps, as well as limit the application fees or streamline application processes have not passed despite being introduced for several sessions.

Why don't they just save money?

Federal asset limits mean individuals cannot save enough money to afford the first months rent and a security deposit without being penalized.

Many individuals and families do not have income or employment that allows them to save much beyond money spent meeting their basic needs. Additionally, since welfare reform in 1996, most people receiving any type of government benefit, including health insurance through Medicaid, are subject to asset limits set by the Federal Government. The asset limit is currently \$2000 and has not been updated in decades. Savings is not incentivized and programs often punish families for saving. This means that anyone who has more than \$2000 in savings is immediately cut off from benefits. In this way, families face challenges in deciding if they are better off financially saving extra money and being cut off from important health care or benefit programs or remaining in programs and using excess money. Because of this, many companies for furniture, cars, phones and programs exploit the asset limit. Families are unable to save for good used cars, furniture or other purchases and instead often purchase goods through services that charge monthly fees and high interest.

Why don't people just go into drug treatment?

Lack of resources allocated to support treatment and a focus on criminalization means most individuals cannot afford and have difficulty accessing drug treatment even when willing.

There is a severe shortage of drug and substance abuse in-patient treatment beds. Even individuals who are ready and willing to enter a substance abuse treatment facility face

challenges. Individuals have to apply to be accepted, and must have a medical professional sign off on their treatment. Additionally, the individual must have insurance or be able to pay to cover the treatment and costs of their care. Many people who are ready and willing face challenges access the treatment in a timely manner. Work and support is needed to provide funding to meet the challenges of those who want treatment. There needs to be a discussion on the balance of forced treatment and resources spent forcing compliance vs. ease of access for those who are ready and willing to accept treatment.

Why are people who are obviously disabled or sick on the street? Why don't they just go into an institution or home care if they cannot take care of themselves?

Lack of resources allocated to support individuals living with disabilities and difficulty in accessing treatment often means those with physical and mental disabilities live on the street.

Individuals who are disabled face challenges accessing financial support and housing. First, to receive the maximum permanent disability payments allowed means the individuals must apply for Social Security and go through the time-consuming eligibility review and disability determination process. Individuals who are suddenly unemployed due to disability often lack the financial savings and resources to keep themselves housed as they wait usually longer than one year to start to receive disability payments. Often, disabling conditions that may affect an individual's employment may not be disabling enough to meet the Social Security standards. Individuals often wait only to be denied. As discussed, those who may be deemed disabled but do not have sufficient work credits in their past only receive a maximum of \$788 per month in disability payments to live and are expected to pay rent, utilities and living expenses using those resources. Individuals who have worked a minimum wage job for the majority of their life and face disabilities but have enough work credits will still likely not receive enough to pay for a standard rental apartment in Hawai'i, likely around \$1500 per month. As such, individuals face challenges finding housing that may work for them. Additionally, Hawai'i lacks institutional or assisted housing settings that provide care that are affordable to many people with disabilities, or those facing disabilities as they age. Faced with a lack of resources, family or community support, poor people with disabilities often are unable to maintain housing and are forced to live on the street.