



MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

CAMERON CENTER • 95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

COMMISSION ON PERSONS WITH DISABILITIES (CPD)

April 13, 2017

11:30 a.m.

J. Walter Cameron Center, Conference Room 1
95 Mahalani St., Wailuku, HI 96793

Call to Order: 11:33 AM

Introductions

Members Present: Faraz Azizoltani, David Courson, Kealoha Laemoa, Kevin Souza, Sheila Villanueva, and Kimberly West

Members Excused: Cranston Kapoi

Members Absent: None

Guests Present: Harry Johnson (MEO, Transportation Director), Gay Sibonga (MEO, Chief Operating Officer), Roxann Kehus (Maui Program Specialist, Hawaii State Council on Developmental Disabilities), and Victor Lesa.

County Staff Present: Gail Rumbaoa (Department of Housing and Human Concerns, Housing Choice Voucher Program Manager), Jennifer Oana, Kevin Dusenbury, and Ailina Laborte

Topic/Agenda Item	Discussion	Action
Review/Approve Minutes	Members reviewed the March 9, 2017 meeting minutes.	Commissioner Souza moved to approve the minutes; Commissioner Villanueva seconded. Motion to approve minutes carried unanimously.



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Public Comments and Testimony	<p>Harry Johnson, the Transportation Director at Maui Economic Opportunity (MEO), introduced MEO's new Chief Operating Officer, Gay Sibonga. Mr. Johnson informed the Commission that Ms. Sibonga is looking forward to working with the Commission. Ms. Roxann Kehus, the Maui Program Specialist for the Hawaii State Council on Developmental Disabilities, also introduced herself to the Commission.</p>	
New Business	<p>a. Presentation from the Department of Housing and Human Concerns, Section 8 Housing Division.</p> <p>Gail Rumbaoa, Housing Choice Voucher (HCV) Program Manager with the Department of Housing and Human Concerns provided the Commission a presentation on the Housing Choice Voucher Program (Section 8).</p> <p>Ms. Rumbaoa provided an overview of the Section 8 program including eligibility concerns. The Housing Choice Voucher Program provides tenant-based assistance, in the form of a voucher, to low-income families, seniors, and persons with disabilities for rental units chosen by the tenant in the private market. Recently, there was a revision made to also permit shared housing (i.e. renting a room), which has helped individuals find homes especially with lack of affordable rental units on Maui.</p> <p>When a family is determined to be eligible for the program and funding is available, the Public Housing Authority (PHA) issues the family a housing voucher. After the family receives the voucher and they find a suitable housing unit (and funding is available), the PHA will enter into a contract with the owner and the family will enter into a lease with the owner. Each party makes their respective payment to the owner so that the owner receives full rent.</p> <p>As for financial responsibility, families generally pay 30-40% of their gross income towards their rent with the maximum permitted of 40% of their income. In the event that the rent payment would be over 40% of the tenant's income, negotiations must be made with the landlord to decrease the rent or the tenants must find alternative housing.</p>	



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Rental rates must also be deemed reasonable. The PHA will look at three comparable units on the private market with similar amenities and then approve the rent for the specific unit based upon the comparison of the market rate unit versus the selected Section 8 rental unit. Commissioner Villanueva wanted clarification regarding the comparable rental units and if they are selected based upon specific location or if it is island-wide. Ms. Rumbaoa informed the Commission that the comparable rental units must be within a close proximity to the selected rental unit, because rental rates vary between different areas of the island.

Ms. Rumbaoa also share the responsibilities of the tenants and landlords, which include the following:

Participating Family's Responsibilities-

- Allowing the Housing Division to inspect their unit.
- Paying their share of rental and utility payments.
- Providing/maintaining appliances for which they are responsible.
- Notifying the County and the owner when vacating/moving/absence.
- Complying with the terms of their lease.
- Keeping the unit clean.
- Avoiding damage to the unit.
- Allowing landlord access to the unit to make repairs.
- Paying their share of rental and utility payments.
- Paying any deposits for rent or utilities when moving into the unit.
- Using the assisted unit as their sole residence.
- Using the assisted unit for listed household members only.

Landlord's Responsibilities:

- Creating and executing their own Lease Agreement with the tenant and to provide a copy of the proposed Lease Agreement to the Housing Division for review and approval prior to unit inspection.



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- Maintaining the unit in accordance with the program's Housing Quality Standards (HQS), which assures the units are deemed safe.
- Providing the family with information on the status of lead-based paint in the unit.
- Complying with equal opportunity requirements.
- Complying with the lease and Housing Assistance Payments Contract.
- Allowing the County to make annual inspections and making any repairs determined necessary.

County's Responsibilities:

- Inspecting units at least biennially to ensure compliance with HQS.
- Determining if the requested rent is reasonable.
- Determining the amount of the housing assistance payment and the family share of the rent.

Commissioner Azizoltani inquired if there any laws that provide a landlord the authority to limit how many people live in the rental unit. According to Ms. Rumbaoa, the County has restrictions regarding the number of rooms required for a family, especially when there are adolescent brothers and sisters. According to PHA rules, an adolescent brother and adolescent sister may not share a bedroom. With that being stated, the PHA does not have control over private pay rentals.

In addition to the responsibilities of the tenant, landlord, and the County, Ms. Rumbaoa also explained to the Commission on how the PHA provides the initial payment to the landlord. It is important to keep in mind that the initial payment may take up to four weeks after the contract is signed. Furthermore, Ms. Rumbaoa also explained the portability of the housing vouchers.

The HCV program offers the mobility to eligible families because they may search for suitable housing anywhere in the PHA's jurisdiction and may also be eligible to move under portability to other PHAs' jurisdictions. Chair Laemoa asked for further clarification on whether a participant would qualify



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if they move to a different PHA jurisdiction and whether they would have to meet that PHA's requirements. According to Ms. Rumbaoa, the family would have to meet the requirements of the new PHA.

Ms. Kehus inquired about a situation in which there are no available units for people with disabilities. Ms. Rumbaoa informed the Commission that the individual with a disability may request for portability and a reasonable accommodation. Commissioner West shared with the Commission that she is employed at Mental Health Kokua, and she has experience with individuals with mental health conditions and needs clarification for portability. Per Ms. Rumbaoa, the requestor must provide a third party verification to justify the reason for an accommodation.

After discussing the portability feature of the housing vouchers, eligibility requirements were discussed. The applicant family must:

- Qualify as a family as defined by HUD and the PHA.
- Have income at or below HUD-specified income limits.
- Qualify on the basis of citizenship or the eligible immigrant status of family members.
- Provide social security number information for household members as required.
- Consent to the PHA's collection and use of family information as provided for in PHA-provided consent forms.
- The PHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or the PHA.
- Even though the family is determined to be eligible for the program, the landlord has the responsibility of approving the family as a suitable renter.
- The PHA continues to make payments to the owner as long as the family is eligible and the housing unit continues to qualify under the program.



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Additionally, the applicant must be a citizen or eligible immigrant to receive the housing voucher, which is confirmed by the participant's social security number. Commissioner Courson requested clarification regarding citizenship, specifically regarding family eligibility that consists of a dependent child that is a citizen while other family members may not be citizens. According to PHA rulings, the voucher would only be valid for the qualified citizen and not the entire family. Furthermore, the PHA must determine that the current or past behavior of the household members does not include activities that are prohibited by HUD or the PHA. Commissioner West requested further clarification about criminal background checks. According to Ms. Rumbaoa, all adults have a background check completed, including a check on whether the individual was convicted for sale and manufacture of drugs. Chair Laemoa sought clarification on the use of medical marijuana. According to the PHA's guidelines and Federal laws, medical marijuana is not permitted in HUD residences, and drug use is justification for being removed from the program.

Gross income limits, which include disability benefits, pensions, and social security, were shared with the Commission and include:

Family Size	Income Limit
1	\$28,200
2	\$32,200
3	\$36,250
4	\$42,250
5	\$43,500
6	\$46,700
7	\$49,950
8	\$53,150

The HCV program is dynamic and the participant must notify the PHA if income or family composition changes, which must be completed in writing. Depending on the change, eligibility may also change. If a participant is



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deemed ineligible, the participant may appeal in writing within 10 days from receiving the eligibility determination change from the PHA.

The PHA is aware that individuals may manipulate the system, such as quitting a job to become eligible. Ms. Oana requested clarification regarding a household of two and if eligibility will be determined if both individuals are working or one of the individuals chooses not to work. According to PHA, that is correct, and they cannot investigate whether a participant is able to work or not. Ms. Laborte requested clarification on whether the PHA check tax records, and Ms. Rumbaoa confirmed that the PHA does check the applicant's taxes. However, Commissioner Courson is concerned about those abusing the system.

Commissioner Courson requested the statistics for those participants abusing the system and the incidence rate of those of those who abuse the system (such as fraudulent payments). Commissioner Courson expressed concern for the taxpayers that are working several jobs and being honest, but are unable to receive assistance from the PHA. Ms. Rumbaoa informed the Commission that the PHA is not an investigative agency, but they will approach those accused of "cheating the system."

Ms. Rumbaoa briefly mentioned two other aspects of Maui County's PHA, which are programs designed to assist families purchase their own home. The programs are the Family Self Sufficiency Program (FSS) and the Homeownership Option Program (HOP). Chair Laemoa believes that these programs are not being offered or working on Molokai.

The HCV waiting list is currently closed, but there were 1,400 applicants in July 2015. Of those 1,400 applicants, there is currently a waitlist of around 600 participants. Furthermore, the U.S. Department of Housing and Urban Development (HUD) allots each PHA a defined number of vouchers each year. At the moment, it appears the waitlist may be re-opened next year (2018). Once the waitlist is re-opened, advertisements will be placed in the newspaper



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and on social media outlets. Chair Laemoa requested clarification on how individuals gain a spot on the waitlist, and Ms. Rumbaoa informed the Commission that the selection is made by a lottery computer program.

The pre-application process is available on-line at <https://www.waitlistcheck.com/application/form.php?ID=HI004> or through the County of Maui website. After the closing date, status information regarding placement on the list will be available online. Participants are also provided instructions to obtain status information during the online application process. It is important to keep in mind that applications are only available online or by advanced written request to the County of Maui in instances of reasonable accommodation and no applications will be provided at the agency.

Ms. Laborte requested further clarification regarding reasonable accommodations for the elderly. Ms. Rumbaoa ensured the Commission that either the PHA staff or the Maui County Office on Aging outreach staff will provide accommodation by providing home visits and assisting with the completion of the application.

By December 2018, the PHA is anticipating to have 38 vouchers for Hale Mahaolu in addition to the current HUD vouchers.

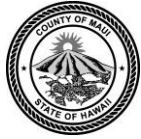
The online application process was explained further to the Commission. Income and assets must be submitted and they are verified by the PHA. Commissioner Courson sought clarification regarding which assets are calculated to determine financial eligibility. According to Ms. Rumbaoa, HUD utilizes a formula that will account for aspects of income. There is also a status check on the website, which enables participants to see where they are on the waitlist. Commissioner West inquired on how the lottery prioritizes those on the waiting list, and it was explained to the Commission that there is no prioritization with the waitlist.



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	<p>Ms. Oana requested the opinion of the PHA on the supply of housing in Maui County. According to Ms. Rumbaoa, the supply is limited and discussion about tax credits for potential landlords has been made to increase the number of rental units. Unfortunately, the tax cut proposal has not received support within the County Council. The PHA believes that shared housing has helped with the housing problem on Maui, but several landlords have had poor experiences with the program which creates difficulty to have additional landlords accept HUD vouchers.</p> <p>Chair Laemoa informed the Commission that she is aware of landlords that will not rent to Section 8 because they have had tenants enrolled in the program that have damaged the units in the past. Chair Laemoa would like to know if there is training for people on how to live independently. Per Ms. Rumbaoa, HUD provides a basic housekeeping training, but they do not provide specific training for independent living.</p> <p>Commissioner Villanueva requested further information on the time period allotted to find a rental unit under the program. The PHA provides 60 days to find suitable housing. If the participant is unable to find housing, the participant may request their first extension, which is an additional 30 days. If the participant has a disability or is experiencing extenuating circumstances (both of which must be 3rd party verified), the participant may request a 2nd and final extension of an additional 30 days.</p> <p>Commissioner West inquired on who establishes and decides PHA policies. The PHA management sets these policies, and they will be reevaluating their policies and public opinion is invited and appreciated.</p> <p>b. Revisit list of concerns from November's meeting of prioritization of Commission focus areas: the Commission will prioritize the concerns listed below for discussion at future meetings, therefore the concerns listed below may be collectively discussed by the Commission and may not be individually discussed or discussed at all:</p>	<p>Commissioner Courson requested the PHA to notify the Commission when the County Council will hear the bill regarding the tax credit proposal to increase housing for those enrolled in the HCV program as the Commission could provide support for the proposed tax credit.</p>
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	<ol style="list-style-type: none"> 1. Transportation 2. Parks and Recreation 3. Housing 4. Communication 5. Higher Education for persons with disabilities 6. County Facilities 7. Underemployment of persons with disabilities <p>c. Upcoming Events Molokai Disability, Job, and Health Fair is tentatively scheduled for September 21, 2017 from 9:00 AM-12:00 PM on Molokai.</p>	<p>Commissioner Souza motioned to defer Agenda item (b); Commissioner Villanueva seconded. Unanimously passed.</p> <p>Further details to be announced.</p>
Old Business	<p>a. Photographs of neglected crosswalks within the County of Maui: The Commission and the public are invited to share any additional photographs of neglected crosswalks within the County of Maui. Photographs shall be printed and shall contain a caption that describes the location, street, intersection, etc. of the crosswalks depicted in the photographs.</p>	<p>Deferred</p> <p>Commissioner Azizoltani reported that there has been some improvements in Lahaina in regards to the crosswalks and signage.</p>
Agenda Items for Next Meeting	<p>a. Section 8 Rental Assistance Program Presentation- Homeownership Option Program</p>	
Next Date	<p>June 8, 2017 at 11:30 AM at the J. Walter Cameron Center, 95 Mahalani St., Wailuku, HI.</p>	
Motion to Adjourn	<p>12:55 PM</p>	<p>Commissioner Courson moved; Commissioner Souza seconded. Unanimously passed.</p>