

ORDINANCE NO. _____

BILL NO. 113 (2023)

A BILL FOR AN ORDINANCE AMENDING SUBSECTION 2.96.100(B), MAUI COUNTY CODE, RELATING TO THE ELIGIBILITY CRITERIA FOR RENTAL RESIDENTIAL WORKFORCE HOUSING UNITS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. The purpose of this Ordinance is to amend the eligibility criteria for rental residential workforce housing units to expand eligibility to individuals or families i) displaced by an emergency under Chapter 127A, Hawaii Revised Statutes; or ii) who are income and asset qualified but held a disqualifying interest in real property within the last three years.

SECTION 2. Subsection 2.96.100(B), Maui County Code, is hereby amended to read as follows:

- “B. Eligibility Criteria. The eligibility criteria for rental units must be established on a project basis by the director in the following manner:
1. If the project is receiving federal or state assistance, the applicable federal or state eligibility criteria must apply.
 2. If the project is not receiving federal or state assistance, [all eligibility criteria in subsection (B) must apply, except for subsection (B)(6).] the following eligibility criteria must apply:
 - a. Be a citizen of the United States or a permanent resident alien who is a resident of the County.
 - b. Be eighteen years of age or older or an emancipated minor.
 - c. Have a gross annual family income (not to include the income of minors) that does not exceed the maximum gross annual family income set forth in subsection 2.96.030.C.2 of this Code. Initial determination for compliance with the maximum gross annual family income provision must be made by the department or its designee for the initial rental of residential workforce housing units, on the basis of the information provided on the rental application. Final determination for compliance with the maximum gross annual family income provision must be made by the department or its designee at the time the applicant's income verification data is received.

- d. Have assets that do not exceed the amount of the maximum gross annual family income set forth in subsection 2.96.030.C.2 of this Code. Assets must include all cash, securities, stocks, bonds, and real property. Retirement accounts with restrictions on withdrawals must be excluded from the asset calculation. Real property must be valued at fair market value less liabilities on the real property.
- e. The department or its designee must verify that each applicant meets the requirements of eligibility.”

SECTION 3. This ordinance shall take effect upon approval.

Approved as to Form and Legality:

Deputy Corporation Counsel

INTRODUCED BY:

Yuki Lei Sugimura