DEPARTMENT OF HUMAN SERVICES

Adoption of Chapter 17-2041
Hawaii Administrative Rules

August 20, 2026

1. Chapter 17-2041, Hawaii Administrative Rules, entitled "Rent Supplement Program for Kupuna," is adopted to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 5

HAWAII PUBLIC HOUSING AUTHORITY

CHAPTER 2041

RENT SUPPLEMENT PROGRAM FOR KUPUNA

SUBCHAPTER 1 General Provisions

§17-2041-1 Purpose

§17-2041-2 Definitions
§17-2041-3 Income limits
§17-2041-4 Asset limits
§17-2041-5 Asset transfers
§17-2041-6 Occupancy guidelines
§§17-2041-7 to 17-2041-10 (Reserved)

SUBCHAPTER 2 Eligibility

§17-2041-11 Application
§17-2041-12 Verification
§17-2041-13 Eligibility for participation
§§17-2041-14 to 17-2041-20 (Reserved)

SUBCHAPTER 3 Tenant Selection

§17-2041-21 Nondiscrimination
§17-2041-22 Waiting list
§17-2041-23 Removal from waiting list
§17-2041-24 Ineligible applicant
§17-2041-25 Closing the waiting list
§§17-2041-26 to 17-2041-30 (Reserved)

SUBCHAPTER 4 Rent

§17-2041-31 Rent supplement payments
§17-2041-32 Rent calculation
§17-2041-33 Reexamination
§17-2041-34 Security deposits
§§17-2041-35 to 17-2041-40 (Reserved)

SUBCHAPTER 5 Rent Supplement Agreements

§17-2041-41 Rent supplement agreement - housing owners

§17-2041-42 Rent supplement agreement – tenants
§17-2041-43 Authority's responsibility
§17-2041-44 Rent supplement agreement – termination
§§17-2041-45 to 17-2041-50 (Reserved)

SUBCHAPTER 6 Qualified Housing Dwelling Unit

§17-2041-51 Eligibility for shared housing
§17-2041-52 Eligible dwelling units
§17-2041-53 Allocable share of rent
§17-2041-54 Shared housing addendum
§§17-2041-55 to 17-2041-60 (Reserved)

SUBCHAPTER 7 Miscellaneous Provisions

§17-2041-61 Severability
§17-2041-62 Number
§§17-2041-63 to 17-2041-70 (Reserved)

SUBCHAPTER 1

GENERAL PROVISIONS

§17-2041-1 Purpose. These rules are adopted under chapter 91, HRS, and shall govern the requirements for participation by eligible families and housing owners in the rent supplement program for Kupuna as administered by the authority. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-156, 356D-157)

§17-2041-2 Definitions. As used in this chapter:

"Applicant" means a person or family who submits an application to participate in the program but is not yet a participant in the program.

"Assets" means total cash, securities, real and personal property less any outstanding liabilities secured by the assets. Assets do not include necessary personal property such as clothing, household furniture and automobiles.

"Authority" means the Hawaii public housing authority.

"Criminal activity" means any act or conduct which constitutes a criminal offense under any Federal or State law, rule or regulation, or county or municipal ordinance, committed by a tenant, a member of the tenant's household, a guest of the tenant or any person who is on the premises with the express or implied consent of the tenant, regardless if the person engaging in the act or conduct has been arrested or convicted for the applicable criminal offense.

"Drug" means a controlled substance as defined in section 102 of the Controlled Substance Act (21 U.S.C. §802) as it existed on August 20, 2026.

"Drug-related criminal activity" means the illegal possession, manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. §802).

"Dwelling unit" means a house, apartment or group of rooms, intended for residential occupancy as separate living quarters with each unit having direct access from either the outside of the building or through a common hall with each unit being equipped with complete kitchen and bathroom facilities for the exclusive use of the occupants. Dwelling units that present a serious health or safety hazard shall not be acceptable for use by participants of the program.

"Elder" or "elderly" means a family whose head, spouse, or sole member or spouse has attained the age of sixty-two.

"Foster children" means a person or persons, under eighteen years of age, who may not be related to the foster parent by blood, marriage, or adoption and who is in need of parenting care.

"Foster parent" means any elderly person who gives parenting care and maintenance to a foster child pursuant to placement by an authorized agency.

"Gender identity or expression" includes a person's actual or perceived gender, as well as a person's gender identity, gender-related expression, regardless of whether that gender identity, gender-related self-image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person's sex at birth.

"Hanai children" means a person or persons under eighteen years of age, for whom an elderly tenant provides food, nourishment and support for a minimum period of at least a year and who is acknowledged as

the elderly tenant's child among friends, relatives, and the community.

"Household" means the family and an authority-approved live-in aide.

"Household income" means all income from any source before deductions or exemptions, anticipated to be received during the twelve-month period following admission or redetermination of household income, as the case may be, by all persons occupying, or who are to occupy the dwelling, and by a household head temporarily separated from the household. Household income does not include the employment income of a minor or amounts specifically paid to the household for or in reimbursement of the cost of medical expenses for any household member.

"Housing owner" means the same as defined in section 356D-152, HRS, and may include an agent of an owner.

"HRS" means the Hawaii revised statutes.

"HUD" means the United States Department of Housing and Urban Development.

"Minor" means a person less than eighteen years of age. An unborn child may not be counted as a minor.

"Live-in aide" means a person who resides with one or more elderly persons, and who:

(1) Is eighteen years of age or older;

(2) Is determined by the authority to be essential to the care and well-being of the elder or elderly family member;

(3) Is not obligated for the support of the elder or the elderly family member;

(4) Would not be living in the dwelling unit except to provide the necessary support services; and

(5) Is not a tenant.

"Participant" means the same as tenant.

"Program" means the rent supplement program for kupuna administered by the authority.

"Qualified kupuna" means a person who:

(1) Is sixty-two years of age or older;
(2) Is homeless or at imminent risk of becoming homeless; and
(3) Otherwise meets the requirements for a qualified tenant under section 356D-153, HRS.

"Rent" means the monthly charge to a tenant for the use of a dwelling unit.

"Security deposit" means a monetary deposit required by a landlord prior to occupancy of the dwelling unit.

"Staff" means the employees or agents of the authority.

"Shared housing" means a dwelling unit with two or more bedrooms that is occupied by more than one person or household which share the housing cost for the dwelling.

"Tenant" means an elderly person or elderly family that is participating in the program.

"Unassisted household" means a person or family who is not participating in the program.

"U.S.C." means the United States Code.

"Very low income" means 50 per cent of the median household income for the area as determined by the U.S. Department of Housing and Urban Development.

"Violent criminal activity" means any criminal activity that includes the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-152, 356D-153, 356D-157)

§17-2041-3 Income limits. To be eligible to participate or continue participation in the program, an applicant's or tenant's adjusted household income shall not exceed the very low-income limits most recently determined by the U.S. Department of Housing

and Urban Development. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-153)

§17-2041-4 Asset limits. A family having assets valued at more than twice its applicable income limit is ineligible to participate in the program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-155)

§17-2041-5 Asset transfer. All assets transferred or assigned to another party, within a twenty-four-month period prior to submitting an application or for the purpose of continuing to qualify for participation in the program, shall be included in determining a household's assets. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-155)

§17-2041-6 Occupancy guidelines. Eligible applicants and tenants shall abide by the occupancy standards for admission and continued occupancy in this program as prescribed in exhibit A, entitled "Occupancy Standards", dated August 20, 2026, located at the end of this chapter. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-156, 356D-157)

§§17-2041-7 to 17-2041-10 (Reserved).

SUBCHAPTER 2

ELIGIBILITY

§17-2041-11 Application. (a) A person seeking to participate in the program shall submit a completed application form, provided by the authority. The form shall include, but not be limited to, information relating to household income and household composition, and for each household member: a social security number or a certification that the member does not have a social security number; evidence of citizenship or eligible immigrant status as provided under 24 C.F.R. §5.508, as it existed on August 20, 2026; financial condition, and other program information necessary to determine eligibility and program demographics.

(b) The applicant shall be placed on a waiting list upon submission of a completed application form. Placement on a waiting list shall not be deemed a determination on eligibility or admission.

(c) An applicant who has misrepresented material information or has willfully withheld important information on the application form submitted to the authority shall not be eligible to file an application with the authority for twelve months from the date of written notification from the authority.

[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155, 356D-157)

§17-2041-12 Verification. Applicants and tenants in the program shall provide, prior to admission or as the authority may require, documentation setting forth information concerning

household income, household composition, and for each household member: social security number or a certification that the member does not have a social security number; evidence of citizenship or eligible immigrant status as provided under 24 C.F.R. §5.508, as it existed on August 20, 2026; financial condition; or other information as may be requested.
[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-13 Eligibility for participation. To be eligible to participate or continue participation in the program, the family shall:

(1) Have a head of household who is a qualified kupuna;
(2) Have an adjusted household income which does not exceed the applicable income limit;
(3) Have assets which do not exceed the applicable asset limit;
(4) Have earning capabilities or whose financial situation gives reasonable assurance of meeting the rental payments on time as they become due;
(5) Not own, in whole or a majority interest in, a dwelling unit in the state of Hawaii;
(6) Not have an outstanding debt owed to the authority;
(7) Be eligible for a monthly rent supplement payment of a minimum of $25 and not more than $500;
(8) Provide a social security number for all family members or certify that the person does not have a social security number;
(9) Meet all requirements of part VIII, chapter 356D, HRS;
(10) Have their primary place of residence in Hawaii;
(11) Not have a recent history of criminal

activity involving crimes to persons or property or criminal acts that affect the health, safety, or right to peaceful enjoyment of the premises by other residents. A person convicted for such a crime shall not be eligible for participation in the program until three years after completion of probation or the serving of the sentence;

(12) Not have been evicted from any of the authority's housing programs for drug related criminal activity for three years prior to admission. For purposes of this subsection, in determining eligibility, the authority may consider whether the evicted applicant or household member has successfully completed a rehabilitation program approved by the authority, or whether the circumstances leading to eviction no longer exist;

(13) Not engage in any drug related or violent criminal activity. For the purposes of this subsection, "violent criminal activity" means any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another;

(14) Not engage in the illegal use of a controlled substance or give the authority reasonable cause to believe that the illegal use of a controlled substance, pattern of illegal use, abuse of alcohol, or pattern of abuse of alcohol may interfere with the health and safety of the residents, or the right to peaceful enjoyment of the premises by other residents;

(A) For the purposes of this subsection "reasonable cause to believe" means by the preponderance of the evidence;

(B) For the purposes of this subsection, in determining whether to deny eligibility based on a pattern of use of a controlled substance or a pattern of

abuse of alcohol, the authority may consider rehabilitation as provided for under 42 U.S.C. §13661(b)(2)(A)-(C) effective October 1, 1999;

(15) Except for a newborn child, a person shall not be permitted to join or rejoin the household until it is verified that the person meets the eligibility requirements set forth in this section;

(16) Not engage in or threaten abusive or violent behavior toward the authority's staff. For purposes of this subsection, "threaten" means an oral or written threat or physical gestures that communicate intent to abuse or commit violence. Abusive or violent behavior may be verbal or physical and include racial epithets, or other language, written or oral, that is customarily used to intimidate;

(17) Not cause any harm or damage to the authority, its staff, agents, representatives, or programs; and

(18) Furnish evidence of citizenship or eligible immigrant status as provided for in 24 C.F.R. §5.508, as it existed on August 20, 2026. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155, 356D-156, 356D-157)

§§17-2041-14 to 17-2041-20 (Reserved).

SUBCHAPTER 3

TENANT SELECTION

§17-2041-21 Nondiscrimination. (a) The authority shall not deny any family or individual the opportunity to apply for or receive assistance under this chapter on the basis of race, color, sex, religion, marital status, creed, national or ethnic origin, age, familial status, gender identity, sexual orientation, handicap or disability or HIV infection.

(b) The authority shall comply with state and federal nondiscrimination laws and with rules and regulations governing fair housing and equal opportunity in the administration of the program. The authority shall provide a family with the United States Department of Housing and Urban Development discrimination complaint form and information on how to file a fair housing complaint if the family claims that discrimination prevented them from finding or leasing a suitable unit under the program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-7; 24 C.F.R. §§982.53, 982.304)

§17-2041-22 Waiting list. (a) The authority shall maintain a statewide waiting list of applicants who may be eligible to obtain a certification of rent supplement eligibility and may establish multiple waiting lists as necessary to comply with special criteria established by statute or appropriation requirements.

(b) Applicants shall be notified of the opportunity and may apply online to be placed on the

waiting list through notices posted in a conspicuous place at the authority's offices that accept applications, the authority's website, and printed statements in the authority's informational material on its application process.

(c) Placement of applicants on the waiting list shall be based upon the following:

(1) Date and time of application's receipt; or

(2) Lottery selection.

(d) The notice to open the waiting list shall include information on what procedures shall be used to place applicants on the waiting list, how to apply, the date and time of the application and selection process. If lottery selection is used, the notice will also include the number of applicants who will be selected by the lottery.

(e) Selection of applicants from the waiting list shall be based upon:

(1) Date and time; or

(2) A randomly assigned number based on the number of applicants who were selected by the lottery; and

(f) An applicant must notify the authority, at least annually, of any change that may affect the applicant's place on the waiting list and the authority's ability to contact the applicant. Changes include, but are not limited to, familial status, financial status, email address, mailing address and current residence.

(g) Applications will be active for eighteen months from the date of placement on the waiting list and then the applications will expire. Applicants still on the waiting list at eighteen months will receive a letter informing them that their application has expired. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-153)

§17-2041-23 Removal from waiting list. An applicant shall be removed from the waiting list for one of the following reasons:

(1) The applicant requests that the applicant's name be removed;

(2) The applicant fails to notify the authority of the applicant's continued interest for housing at least once every twelve months;

(3) The applicant no longer meets the eligibility criteria set forth in section 17-2041-13;

(4) The applicant fails to respond to the authority's reasonable efforts such as correspondence to the last known address or last known email address to contact them;

(5) The applicant fails without good cause to keep a scheduled interview or to provide requested information necessary to determine eligibility; or

(6) An applicant who has misrepresented material information or has willfully withheld important information from the authority shall be removed from the waiting list. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-24 Ineligible applicant. An applicant determined to be ineligible for participation in the program shall be notified in writing by the authority of the denial or termination and the reasons for the denial or termination. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-25 Closing the waiting list. (a) The authority, at its discretion, may restrict or refuse acceptance of applications to the waiting list, when

it determines that it is unable to assist applicants on the waiting list within a reasonable period of time.

(b) The authority shall publicly announce any closure and reopening of the application process. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§§17-2041-26 to 17-2041-30 (Reserved).

SUBCHAPTER 4

RENT

§17-2041-31 Rent supplement payments. (a) The authority shall pay directly to the housing owner, or authorized representative, on behalf of a tenant, a monthly rent supplement amount which is determined as established in section 17-2041-32; provided that the authority shall not make any monthly payments that exceed $500 on behalf of any tenant.

(b) Rent supplement payments will be made on behalf of a tenant for the period that the rental unit is occupied and as long as the family is in compliance with the program's obligations.

(c) If the tenant vacates the dwelling unit without proper notice, rent supplement payments will be continued to the time that the rental agreement could legally be terminated or to the date that the unit is re-rented, or to the last day of the month that the tenant vacated the unit and rent supplement payment was already made, whichever comes first.

(d) The maximum allowable monthly rent supplement payment may be reduced below $500 as detailed in section 17-2041-44. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-154, 356D-155)

§17-2041-32 Rent calculation. (a) Effective August 20, 2026, the tenant's allocable share of monthly rent shall be determined by subtracting the tenant's monthly rent supplement from the tenant's monthly rent. The rent supplement amount shall be determined by subtracting $100 per minor child from the household income; multiplied by thirty per cent;

divided by twelve and rounded to the closest dollar amount.

Example: Tenant's household income = $15,000
Number of minor children = 2

	$15,000	(household income)
-	$ 200	(less $100 for each minor)
	$14,800	
x	30%	
	$ 4,440	
÷	12	
	$ 370	HPHA maximum monthly rent supplement

(b) The tenant shall pay to the landlord the allocable share of monthly rent as determined in subsection (a). [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-154, 356D-155)

§17-2041-33 Reexamination. (a) The authority shall review the household's income, household composition and any other related matter to adjust, if necessary, the tenant's allocable share of monthly rent and the authority's rent supplement payment.

(b) An elderly household shall be reexamined at least once every twenty-four months.

(c) If at the time of admission or annual reexamination, a household's income cannot be reasonably determined for the next twelve months, a six-month reexamination may be scheduled.

(d) The tenant's allocable share of monthly rent shall be adjusted between reexaminations when a person with income is added to the household or retroactive to the date the income is effective. The adjustment shall be effective on the first day of the second month following the approved inclusion.

(e) Reexamination shall be performed either in-person, via email, or via mail. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-156, 356D-157)

§17-2041-34 Security deposits. No portion of the rent supplement payments by the authority shall be applied or allocated to any security deposit demanded by a housing owner. The authority shall not be responsible for nor be required to pay a housing owner for the security deposit unless it is to comply with special criteria established by statute or appropriation requirements. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156) (Imp: HRS §§356D-156, 356D-157)

§§17-2041-35 to 17-2041-40 (Reserved).

SUBCHAPTER 5

RENT SUPPLEMENT AGREEMENTS

§17-2041-41 Rent supplement agreement - housing owners. (a) A rent supplement agreement, used by the authority, shall be executed between the authority and housing owners who rent dwelling units to tenants of the program. The form shall include, but not be limited to, an acknowledgment of the rental agreement between the owner and participant, the amount of rent and supplemental assistance, date that payment is due, to whom payment is to be made and the owner's and authority's responsibilities.

(b) The housing owner shall not be a parent, child, grandparent, grandchild, sister, or brother of any member of the family and must certify that no such relationship exists.

(c) Amendments to the rent supplement agreement shall be in writing, and approved by the authority and the housing owner. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-156, 356D-157)

§17-2041-42 Rent supplement agreement - tenants.

(a) The head(s) of household of a tenant household shall execute a rent supplement agreement, used by the authority prior to participating in the program. The form shall include, but not be limited to, an acknowledgment of an agreement between the tenant and the authority, the rent and amount of supplemental assistance, and the participant's and authority's, responsibilities.

(b) The rent supplement agreement between the authority and tenant shall set forth the conditions of

participation in the program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-155, 356D-156, 356D-157)

§17-2041-43 Authority's responsibility. Other than the agreed-to rent supplement for the monthly rent, the authority shall not be held responsible to the housing owner for any portion of the tenant's allocable share of the rent, or be held responsible to the housing owner or tenant for any damages, breakage, or losses to the dwelling unit or any portion thereof, or to the furnishings, fixtures, and appliances where the same may have been caused by the tenant, housing owner, or other causes. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-156, 356D-157)

§17-2041-44 Rent supplement agreement - termination. (a) A tenant shall give the authority at least thirty days written notice prior to the date that the tenant will withdraw from participation in the program.

(b) The authority may terminate a tenant's participation in the program when a tenant has:

(1) Established a pattern of late rent payments or is chronically delinquent with rent payments;

(2) Submitted false or misleading information or willfully withheld important information from the authority;

(3) Violated any provision of the rules or chapter 356D, HRS, or failure to maintain eligibility for continued participation as related to this program;

(4) Had the rental agreement terminated by the housing owner; or

(5) Transferred without prior approval to a dwelling unit of same or higher rent that does

not meet the authority's occupancy standards.

(c) If a tenant has submitted false or misleading information or has willfully withheld important information which reduced the tenant's allocable monthly share of rent, the tenant shall reimburse the authority for the amount of supplemental overpayment. Repayment shall be made in accordance with a repayment plan as approved by the authority.

(d) The authority may terminate the rent supplement agreement when a tenant, any member of the tenant's household or guest or other person under the tenant's control:

(1) Engages in the illegal use of a controlled substance;

(2) Whose illegal use of a controlled substance, or abuse of alcohol, is determined by the authority to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents;

(3) Engages in criminal activity that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents; or

(4) Engages in any drug related criminal activity on or off the premises assisted by the program.

(e) The authority shall give a tenant thirty days written notice prior to the date of termination of the rent supplement agreement.

(f) A housing owner shall give the authority thirty days written notice prior to the date the housing owner plans to withdraw from the program.

(g) The authority may reduce the maximum rent supplement payment, prorate, suspend or terminate the rent supplement agreement, as represented in exhibit B, entitled "Insufficient Funds - Reduction, Proration, and Suspension: Sample Calculations," dated August 1, 2018, located at the end of this chapter, based on the amount of funding available for the program.

(1) In the event the authority does not receive sufficient funding to maintain the rent

supplement program at full capacity, the authority may prorate, suspend or terminate the housing assistance payment, providing the tenant thirty days written notice;

(2) If there are insufficient funds to sustain the program, the maximum rent supplement amount will first be reduced from $500 to $400 for one or more months;

(3) If additional reductions are needed, rent supplement payments will be prorated equally amongst all participants by dividing the funding available and the length of time remaining in the fiscal year, and determining the percentage all payments will be reduced to sustain the program through the year;

(4) If the proration percentage is over fifty percent, the program will be suspended for one or more months, as needed;

(5) If suspended, families will retain the opportunity to be reinstated within the program once sufficient funding becomes available, following a reevaluation of eligibility:

(A) A reexamination, mandated under §17-2041-33, will not be conducted on a suspended participant until the effective date the participant is actively reinstated in the program; and

(B) A suspended participant must continue to meet all eligibility criteria set forth in §17-2041-13; and

(6) If terminated due to an insufficient program appropriation, the family will be eligible to reapply for the program when the waitlist is opened. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-156, 356D-157)

§§17-2041-45 to 17-2041-50 (Reserved).

SUBCHAPTER 6

QUALIFIED HOUSING DWELLING UNIT

§17-2041-51 Eligibility for shared housing. The following criteria shall apply for participation in shared housing:

(1) Eligibility requirements established in section 17-2041-13 shall apply;

(2) Two or more related or unrelated families may occupy a housing unit, provided that occupancy is in compliance with exhibit A, entitled "Occupancy Standards", dated August 27, 1999, located at the end of this chapter;

(3) Except for a studio and a one-bedroom unit, a participant and an unassisted person or household, which may include the housing owner, may reside in a shared housing unit;

(4) Two or more participant families may reside in a shared housing unit; and

(5) A housing owner who resides in the shared housing unit shall not be a parent, child, grandparent, grandchild, sister, or brother of any member of the family and must certify that no such relationship exists.

[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-52 Eligible dwelling units. (a) An acceptable dwelling unit for shared housing is the same as defined in section 17-3041-2 with the following exceptions:

(1) Common space areas may be shared by all individuals and families living in the shared housing unit;

(2) Separate private bedrooms that are adequate in size for the participant's household size shall be available; and

(3) Areas, traditionally not designated for sleeping purposes, including but not limited to the bathroom(s), kitchen, dining room, utility room, and patio, shall be used as common areas unless mutually deemed by occupants of the dwelling unit to be exclusive use of an individual or household.

(b) The authority shall determine the acceptability of units for shared housing taking into consideration the adequacy of space, security, and other conditions so as not to pose any threat to health and safety of the participants.

(c) The authority shall determine the number of participants in this program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-152)

§17-2041-53 Allocable share of rent. The allocable share of the dwelling unit rent shall be a prorated amount that is equitable and acceptable to the authority, the owner, and the participant. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-155, 356D-156, 356D-157)

§17-2041-54 Shared housing addendum. An addendum to the rent supplement agreements for the housing owner and tenant, setting forth the conditions for shared housing, shall be executed by the housing owner, participant and authority. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-156, 356D-157)

§§17-2041-55 to 17-2041-60 (Reserved).

SUBCHAPTER 7

MISCELLANEOUS PROVISIONS

§17-2041-61 Severability. If any part, section, sentence, clause, or phrase of this chapter, or its application to any person or transaction or other circumstances is for any reason held to be unconstitutional or invalid, the remaining parts, sections, sentences, clauses, and phrases of this chapter, or the application of this chapter to other persons or transactions or circumstances shall not be affected. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-4)

§17-2041-62 Number. The use of all words used in the singular shall extend to and include the plural." [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §1-17)

2. The adoption of chapter 17-2041, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafted in the Ramseyer format, pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on August 20, 2026, and filed with the Office of the Lieutenant Governor.

_____
ROBERT HALL, Chairperson
Board of Directors
Hawaii Public Housing Authority

APPROVED AS TO FORM:

_____
Deputy Attorney General

Exhibit A

OCCUPANCY STANDARDS
August 20, 2026

In determining the appropriate dwelling unit size for assistance, the following criteria shall be applied:

1. The smallest unit suitable for the household's shall be considered and each bedroom shall be occupied by at least one person.

2. The dwelling unit shall permit up to the maximum number of persons to occupy the unit in accordance with prevailing zoning, and county building, health, and fire codes.

3. Every member of the household, regardless of age, shall be counted as a person; except that a child not yet born by a pregnant household member shall not be counted as a person in determining unit size.

4. Children who are in the process of being adopted, or whose legal custody is being obtained by a household, will be included as members of the household for the purposes of determining unit size.

5. A foster child shall be included in determining unit size only if the child will remain in the unit for more than six months.

6. Persons of different generations, persons of opposite sex (other than spouses) over the age of five, and unrelated adults may be allocated separate bedrooms.

7. A live-in attendant may be provided a separate bedroom; however, no additional bedrooms will be provided for the attendant's household.

8. A person with a valid medical ailment may be allowed a separate bedroom, provided the necessity for the separate bedroom is verified by a signed statement from a medical doctor and other supporting data.

Exhibit B

Insufficient Funds -
Reduction, Proration, and Suspension:
Sample Calculations
August 20, 2026

Tenant's Household Income = $20,100
Tenant's Monthly Rent = $1,200
Tenant's household size = 3 (includes one minor child)

	$20,100	(household income)
	$100	($100 deduction for each minor child)
	$20,000	
X	30%	
	$ 6,000	
÷	12	
	$ 500	Tenant's monthly rent supplement, provided that the authority shall not make any monthly payments that exceed $500

Since the maximum allowable monthly Rent Supplement by HPHA = $500, the tenant must pay the remaining rent owed.

	$1,200	(Tenant's monthly rent)
-	$ 500	(HPHA maximum monthly rent supplement)
	$ 700	(Tenant's monthly rent obligation)

1. Reduction of Maximum Supplement from $500 to $400
If sufficient funds are not available, the HPHA will reduce the maximum rent supplement payment from $500 to $400 per month for one or more months.

	$1,200	(Tenant's monthly rent)
-	$ 400	(Maximum rent supplement reduction)
	$ 800	(Tenant's new allocable share of monthly rent after maximum supplement reduction)

2. Proration.
If sufficient funds are still not available after the reduction of the maximum rent supplement described above, the HPHA will establish a proration percentage. In this example, the proration percentage used is 25%. Tenant would receive 75% of allocable rent supplement

	$ 400	(Tenant's monthly rent supplement)
-	$ 100	(25% proration deduction)
	$ 300	(Tenant's post-proration monthly rent supplement)

	$1,200	(monthly rent)
-	$ 300	(Tenant's new monthly rent supplement)
	$ 900	(Tenant's new allocable share of monthly rent after proration)

3. Suspension

If sufficient funds are not available after the reduction of the maximum rent supplement described above and the HPHA determines that the proration percentage is 50% or more, the HPHA will suspend the Rent Supplement Program for one or more months.

Determined proration percentage = 55%

	$ 400	(Tenant's monthly rent supplement)
-	$ 220	(55% proration deduction)
	$ 180	(New allocable share of monthly rent supplement)

Suspension of program. Reduction of monthly rent supplement exceeds 50% of allocable share.

DEPARTMENT OF HUMAN SERVICES

Adoption of Chapter 17-2041
Hawaii Administrative Rules

August 20, 2026

Chapter 17-2041, Hawaii Administrative Rules, entitled "Rent Supplement Program for Kupuna," is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 5

HAWAII PUBLIC HOUSING AUTHORITY

CHAPTER 2041

RENT SUPPLEMENT PROGRAM FOR KUPUNA

SUBCHAPTER 1 General Provisions

§17-2041-1 Purpose
§17-2041-2 Definitions
§17-2041-3 Income limits
§17-2041-4 Asset limits
§17-2041-5 Asset transfers
§17-2041-6 Occupancy guidelines
§§17-2041-7 to 17-2041-10 (Reserved)

SUBCHAPTER 2 Eligibility

§17-2041-11 Application
§17-2041-12 Verification
§17-2041-13 Eligibility for participation
§§17-2041-14 to 17-2041-20 (Reserved)

SUBCHAPTER 3 Tenant Selection

§17-2041-21 Nondiscrimination
§17-2041-22 Waiting list
§17-2041-23 Removal from waiting list
§17-2041-24 Ineligible applicant
§17-2041-25 Closing the waiting list
§§17-2041-26 to 17-2041-30 (Reserved)

SUBCHAPTER 4 Rent

§17-2041-31 Rent supplement payments
§17-2041-32 Rent calculation
§17-2041-33 Reexamination
§17-2041-34 Security deposits
§§17-2041-35 to 17-2041-40 (Reserved)

SUBCHAPTER 5 Rent Supplement Agreements

§17-2041-41 Rent supplement agreement – housing owners
§17-2041-42 Rent supplement agreement – tenants
§17-2041-43 Authority's responsibility
§17-2041-44 Rent supplement agreement – termination
§§17-2041-45 to 17-2041-50 (Reserved)

SUBCHAPTER 6 Qualified Housing Dwelling Unit

§17-2041-51 Eligibility for shared housing
§17-2041-52 Eligible dwelling units
§17-2041-53 Allocable share of rent
§17-2041-54 Shared housing addendum
§§17-2041-55 to 17-2041-60 (Reserved)

SUBCHAPTER 7 Miscellaneous Provisions

§17-2041-61 Severability

§17-2041-62 Number
§§17-2041-63 to 17-2041-70 (Reserved)

SUBCHAPTER 1

GENERAL PROVISIONS

§17-2041-1 Purpose. These rules are adopted under chapter 91, HRS, and shall govern the requirements for participation by eligible families and housing owners in the rent supplement program for Kupuna as administered by the authority. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-156, 356D-157)

§17-2041-2 Definitions. As used in this chapter:

"Applicant" means a person or family who submits an application to participate in the program but is not yet a participant in the program.

"Assets" means total cash, securities, real and personal property less any outstanding liabilities secured by the assets. Assets do not include necessary personal property such as clothing, household furniture and automobiles.

"Authority" means the Hawaii public housing authority.

"Criminal activity" means any act or conduct which constitutes a criminal offense under any Federal or State law, rule or regulation, or county or municipal ordinance, committed by a tenant, a member of the tenant's household, a guest of the tenant or any person who is on the premises with the express or implied consent of the tenant, regardless if the person engaging in the act or conduct has been arrested or convicted for the applicable criminal offense.

"Drug" means a controlled substance as defined in section 102 of the Controlled Substance Act (21 U.S.C. §802) as it existed on August 20, 2026.

"Drug-related criminal activity" means the illegal possession, manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. §802).

"Dwelling unit" means a house, apartment or group of rooms, intended for residential occupancy as separate living quarters with each unit having direct access from either the outside of the building or through a common hall with each unit being equipped with complete kitchen and bathroom facilities for the exclusive use of the occupants. Dwelling units that present a serious health or safety hazard shall not be acceptable for use by participants of the program.

"Elder" or "elderly" means a family whose head, spouse, or sole member or spouse has attained the age of sixty-two.

"Foster children" means a person or persons, under eighteen years of age, who may not be related to the foster parent by blood, marriage, or adoption and who is in need of parenting care.

"Foster parent" means any elderly person who gives parenting care and maintenance to a foster child pursuant to placement by an authorized agency.

"Gender identity or expression" includes a person’s actual or perceived gender, as well as a person’s gender identity, gender-related expression, regardless of whether that gender identity, gender-related self-image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person’s sex at birth.

"Hanai children" means a person or persons under eighteen years of age, for whom an elderly tenant provides food, nourishment and support for a minimum period of at least a year and who is acknowledged as

the elderly tenant's child among friends, relatives, and the community.

"Household" means the family and an authority-approved live-in aide.

"Household income" means all income from any source before deductions or exemptions, anticipated to be received during the twelve-month period following admission or redetermination of household income, as the case may be, by all persons occupying, or who are to occupy the dwelling, and by a household head temporarily separated from the household. Household income does not include the employment income of a minor or amounts specifically paid to the household for or in reimbursement of the cost of medical expenses for any household member.

"Housing owner" means the same as defined in section 356D-152, HRS, and may include an agent of an owner.

"HRS" means the Hawaii revised statutes.

"HUD" means the United States Department of Housing and Urban Development.

"Minor" means a person less than eighteen years of age. An unborn child may not be counted as a minor.

"Live-in aide" means a person who resides with one or more elderly persons, and who:

(1) Is eighteen years of age or older;

(2) Is determined by the authority to be essential to the care and well-being of the elder or elderly family member;

(3) Is not obligated for the support of the elder or the elderly family member;

(4) Would not be living in the dwelling unit except to provide the necessary support services; and

(5) Is not a tenant.

"Participant" means the same as tenant.

"Program" means the rent supplement program for kupuna administered by the authority.

"Qualified kupuna" means a person who:

(1) Is sixty-two years of age or older;
(2) Is homeless or at imminent risk of becoming homeless; and
(3) Otherwise meets the requirements for a qualified tenant under section 356D-153, HRS.

"Rent" means the monthly charge to a tenant for the use of a dwelling unit.

"Security deposit" means a monetary deposit required by a landlord prior to occupancy of the dwelling unit.

"Staff" means the employees or agents of the authority.

"Shared housing" means a dwelling unit with two or more bedrooms that is occupied by more than one person or household which share the housing cost for the dwelling.

"Tenant" means an elderly person or elderly family that is participating in the program.

"Unassisted household" means a person or family who is not participating in the program.

"U.S.C." means the United States Code.

"Very low income" means 50 per cent of the median household income for the area as determined by the U.S. Department of Housing and Urban Development.

"Violent criminal activity" means any criminal activity that includes the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-152, 356D-153, 356D-157)

§17-2041-3 Income limits. To be eligible to participate or continue participation in the program, an applicant's or tenant's adjusted household income shall not exceed the very low-income limits most recently determined by the U.S. Department of Housing

and Urban Development. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-153)

§17-2041-4 Asset limits. A family having assets valued at more than twice its applicable income limit is ineligible to participate in the program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-155)

§17-2041-5 Asset transfer. All assets transferred or assigned to another party, within a twenty-four-month period prior to submitting an application or for the purpose of continuing to qualify for participation in the program, shall be included in determining a household's assets. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-155)

§17-2041-6 Occupancy guidelines. Eligible applicants and tenants shall abide by the occupancy standards for admission and continued occupancy in this program as prescribed in exhibit A, entitled "Occupancy Standards", dated August 20, 2026, located at the end of this chapter. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-156, 356D-157)

§§17-2041-7 to 17-2041-10 (Reserved).

SUBCHAPTER 2

ELIGIBILITY

§17-2041-11 Application. (a) A person seeking to participate in the program shall submit a completed application form, provided by the authority. The form shall include, but not be limited to, information relating to household income and household composition, and for each household member: a social security number or a certification that the member does not have a social security number; evidence of citizenship or eligible immigrant status as provided under 24 C.F.R. §5.508, as it existed on August 20, 2026; financial condition, and other program information necessary to determine eligibility and program demographics.

(b) The applicant shall be placed on a waiting list upon submission of a completed application form. Placement on a waiting list shall not be deemed a determination on eligibility or admission.

(c) An applicant who has misrepresented material information or has willfully withheld important information on the application form submitted to the authority shall not be eligible to file an application with the authority for twelve months from the date of written notification from the authority.

[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155, 356D-157)

§17-2041-12 Verification. Applicants and tenants in the program shall provide, prior to admission or as the authority may require, documentation setting forth information concerning

household income, household composition, and for each household member: social security number or a certification that the member does not have a social security number; evidence of citizenship or eligible immigrant status as provided under 24 C.F.R. §5.508, as it existed on August 20, 2026; financial condition; or other information as may be requested. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-13 Eligibility for participation. To be eligible to participate or continue participation in the program, the family shall:

(1) Have a head of household who is a qualified kupuna;
(2) Have an adjusted household income which does not exceed the applicable income limit;
(3) Have assets which do not exceed the applicable asset limit;
(4) Have earning capabilities or whose financial situation gives reasonable assurance of meeting the rental payments on time as they become due;
(5) Not own, in whole or a majority interest in, a dwelling unit in the state of Hawaii;
(6) Not have an outstanding debt owed to the authority;
(7) Be eligible for a monthly rent supplement payment of a minimum of $25 and not more than $500;
(8) Provide a social security number for all family members or certify that the person does not have a social security number;
(9) Meet all requirements of part VIII, chapter 356D, HRS;
(10) Have their primary place of residence in Hawaii;
(11) Not have a recent history of criminal

activity involving crimes to persons or property or criminal acts that affect the health, safety, or right to peaceful enjoyment of the premises by other residents. A person convicted for such a crime shall not be eligible for participation in the program until three years after completion of probation or the serving of the sentence;

(12) Not have been evicted from any of the authority's housing programs for drug related criminal activity for three years prior to admission. For purposes of this subsection, in determining eligibility, the authority may consider whether the evicted applicant or household member has successfully completed a rehabilitation program approved by the authority, or whether the circumstances leading to eviction no longer exist;

(13) Not engage in any drug related or violent criminal activity. For the purposes of this subsection, "violent criminal activity" means any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another;

(14) Not engage in the illegal use of a controlled substance or give the authority reasonable cause to believe that the illegal use of a controlled substance, pattern of illegal use, abuse of alcohol, or pattern of abuse of alcohol may interfere with the health and safety of the residents, or the right to peaceful enjoyment of the premises by other residents;

(A) For the purposes of this subsection "reasonable cause to believe" means by the preponderance of the evidence;

(B) For the purposes of this subsection, in determining whether to deny eligibility based on a pattern of use of a controlled substance or a pattern of

abuse of alcohol, the authority may consider rehabilitation as provided for under 42 U.S.C. §13661(b)(2)(A)-(C) effective October 1, 1999;

(15) Except for a newborn child, a person shall not be permitted to join or rejoin the household until it is verified that the person meets the eligibility requirements set forth in this section;

(16) Not engage in or threaten abusive or violent behavior toward the authority's staff. For purposes of this subsection, "threaten" means an oral or written threat or physical gestures that communicate intent to abuse or commit violence. Abusive or violent behavior may be verbal or physical and include racial epithets, or other language, written or oral, that is customarily used to intimidate;

(17) Not cause any harm or damage to the authority, its staff, agents, representatives, or programs; and

(18) Furnish evidence of citizenship or eligible immigrant status as provided for in 24 C.F.R. §5.508, as it existed on August 20, 2026. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155, 356D-156, 356D-157)

§§17-2041-14 to 17-2041-20 (Reserved).

SUBCHAPTER 3

TENANT SELECTION

§17-2041-21 Nondiscrimination. (a) The authority shall not deny any family or individual the opportunity to apply for or receive assistance under this chapter on the basis of race, color, sex, religion, marital status, creed, national or ethnic origin, age, familial status, gender identity, sexual orientation, handicap or disability or HIV infection.

(b) The authority shall comply with state and federal nondiscrimination laws and with rules and regulations governing fair housing and equal opportunity in the administration of the program. The authority shall provide a family with the United States Department of Housing and Urban Development discrimination complaint form and information on how to file a fair housing complaint if the family claims that discrimination prevented them from finding or leasing a suitable unit under the program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-7; 24 C.F.R. §§982.53, 982.304)

§17-2041-22 Waiting list. (a) The authority shall maintain a statewide waiting list of applicants who may be eligible to obtain a certification of rent supplement eligibility and may establish multiple waiting lists as necessary to comply with special criteria established by statute or appropriation requirements.

(b) Applicants shall be notified of the opportunity and may apply online to be placed on the

waiting list through notices posted in a conspicuous place at the authority's offices that accept applications, the authority's website, and printed statements in the authority's informational material on its application process.

(c) Placement of applicants on the waiting list shall be based upon the following:

(1) Date and time of application's receipt; or

(2) Lottery selection.

(d) The notice to open the waiting list shall include information on what procedures shall be used to place applicants on the waiting list, how to apply, the date and time of the application and selection process. If lottery selection is used, the notice will also include the number of applicants who will be selected by the lottery.

(e) Selection of applicants from the waiting list shall be based upon:

(1) Date and time; or

(2) A randomly assigned number based on the number of applicants who were selected by the lottery; and

(f) An applicant must notify the authority, at least annually, of any change that may affect the applicant's place on the waiting list and the authority's ability to contact the applicant. Changes include, but are not limited to, familial status, financial status, email address, mailing address and current residence.

(g) Applications will be active for eighteen months from the date of placement on the waiting list and then the applications will expire. Applicants still on the waiting list at eighteen months will receive a letter informing them that their application has expired. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-153)

§17-2041-23 Removal from waiting list. An applicant shall be removed from the waiting list for one of the following reasons:

(1) The applicant requests that the applicant's name be removed;

(2) The applicant fails to notify the authority of the applicant's continued interest for housing at least once every twelve months;

(3) The applicant no longer meets the eligibility criteria set forth in section 17-2041-13;

(4) The applicant fails to respond to the authority's reasonable efforts such as correspondence to the last known address or last known email address to contact them;

(5) The applicant fails without good cause to keep a scheduled interview or to provide requested information necessary to determine eligibility; or

(6) An applicant who has misrepresented material information or has willfully withheld important information from the authority shall be removed from the waiting list. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-24 Ineligible applicant. An applicant determined to be ineligible for participation in the program shall be notified in writing by the authority of the denial or termination and the reasons for the denial or termination. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-25 Closing the waiting list. (a) The authority, at its discretion, may restrict or refuse acceptance of applications to the waiting list, when

it determines that it is unable to assist applicants on the waiting list within a reasonable period of time.

(b) The authority shall publicly announce any closure and reopening of the application process. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§§17-2041-26 to 17-2041-30 (Reserved).

SUBCHAPTER 4

RENT

§17-2041-31 Rent supplement payments. (a) The authority shall pay directly to the housing owner, or authorized representative, on behalf of a tenant, a monthly rent supplement amount which is determined as established in section 17-2041-32; provided that the authority shall not make any monthly payments that exceed $500 on behalf of any tenant.

(b) Rent supplement payments will be made on behalf of a tenant for the period that the rental unit is occupied and as long as the family is in compliance with the program's obligations.

(c) If the tenant vacates the dwelling unit without proper notice, rent supplement payments will be continued to the time that the rental agreement could legally be terminated or to the date that the unit is re-rented, or to the last day of the month that the tenant vacated the unit and rent supplement payment was already made, whichever comes first.

(d) The maximum allowable monthly rent supplement payment may be reduced below $500 as detailed in section 17-2041-44. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-154, 356D-155)

§17-2041-32 Rent calculation. (a) Effective August 20, 2026, the tenant's allocable share of monthly rent shall be determined by subtracting the tenant's monthly rent supplement from the tenant's monthly rent. The rent supplement amount shall be determined by subtracting $100 per minor child from the household income; multiplied by thirty per cent;

divided by twelve and rounded to the closest dollar amount.

Example: Tenant's household income = $15,000
Number of minor children = 2

	$15,000	(household income)
-	$ 200	(less $100 for each minor)
	$14,800	
x	30%	
	$ 4,440	
÷	12	
	$ 370	HPHA maximum monthly rent supplement

(b) The tenant shall pay to the landlord the allocable share of monthly rent as determined in subsection (a). [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-154, 356D-155)

§17-2041-33 Reexamination. (a) The authority shall review the household's income, household composition and any other related matter to adjust, if necessary, the tenant's allocable share of monthly rent and the authority's rent supplement payment.

(b) An elderly household shall be reexamined at least once every twenty-four months.

(c) If at the time of admission or annual reexamination, a household's income cannot be reasonably determined for the next twelve months, a six-month reexamination may be scheduled.

(d) The tenant's allocable share of monthly rent shall be adjusted between reexaminations when a person with income is added to the household or retroactive to the date the income is effective. The adjustment shall be effective on the first day of the second month following the approved inclusion.

(e) Reexamination shall be performed either in-person, via email, or via mail. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-156, 356D-157)

§17-2041-34 Security deposits. No portion of the rent supplement payments by the authority shall be applied or allocated to any security deposit demanded by a housing owner. The authority shall not be responsible for nor be required to pay a housing owner for the security deposit unless it is to comply with special criteria established by statute or appropriation requirements. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156) (Imp: HRS §§356D-156, 356D-157)

§§17-2041-35 to 17-2041-40 (Reserved).

SUBCHAPTER 5

RENT SUPPLEMENT AGREEMENTS

§17-2041-41 Rent supplement agreement - housing owners. (a) A rent supplement agreement, used by the authority, shall be executed between the authority and housing owners who rent dwelling units to tenants of the program. The form shall include, but not be limited to, an acknowledgment of the rental agreement between the owner and participant, the amount of rent and supplemental assistance, date that payment is due, to whom payment is to be made and the owner's and authority's responsibilities.

(b) The housing owner shall not be a parent, child, grandparent, grandchild, sister, or brother of any member of the family and must certify that no such relationship exists.

(c) Amendments to the rent supplement agreement shall be in writing, and approved by the authority and the housing owner. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-151, 356D-156, 356D-157)

§17-2041-42 Rent supplement agreement - tenants. (a) The head(s) of household of a tenant household shall execute a rent supplement agreement, used by the authority prior to participating in the program. The form shall include, but not be limited to, an acknowledgment of an agreement between the tenant and the authority, the rent and amount of supplemental assistance, and the participant's and authority's, responsibilities.

(b) The rent supplement agreement between the authority and tenant shall set forth the conditions of

participation in the program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-155, 356D-156, 356D-157)

§17-2041-43 Authority's responsibility. Other than the agreed-to rent supplement for the monthly rent, the authority shall not be held responsible to the housing owner for any portion of the tenant's allocable share of the rent, or be held responsible to the housing owner or tenant for any damages, breakage, or losses to the dwelling unit or any portion thereof, or to the furnishings, fixtures, and appliances where the same may have been caused by the tenant, housing owner, or other causes. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-156, 356D-157)

§17-2041-44 Rent supplement agreement - termination. (a) A tenant shall give the authority at least thirty days written notice prior to the date that the tenant will withdraw from participation in the program.

(b) The authority may terminate a tenant's participation in the program when a tenant has:

(1) Established a pattern of late rent payments or is chronically delinquent with rent payments;

(2) Submitted false or misleading information or willfully withheld important information from the authority;

(3) Violated any provision of the rules or chapter 356D, HRS, or failure to maintain eligibility for continued participation as related to this program;

(4) Had the rental agreement terminated by the housing owner; or

(5) Transferred without prior approval to a dwelling unit of same or higher rent that does

not meet the authority's occupancy standards.

(c) If a tenant has submitted false or misleading information or has willfully withheld important information which reduced the tenant's allocable monthly share of rent, the tenant shall reimburse the authority for the amount of supplemental overpayment. Repayment shall be made in accordance with a repayment plan as approved by the authority.

(d) The authority may terminate the rent supplement agreement when a tenant, any member of the tenant's household or guest or other person under the tenant's control:

(1) Engages in the illegal use of a controlled substance;

(2) Whose illegal use of a controlled substance, or abuse of alcohol, is determined by the authority to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents;

(3) Engages in criminal activity that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents; or

(4) Engages in any drug related criminal activity on or off the premises assisted by the program.

(e) The authority shall give a tenant thirty days written notice prior to the date of termination of the rent supplement agreement.

(f) A housing owner shall give the authority thirty days written notice prior to the date the housing owner plans to withdraw from the program.

(g) The authority may reduce the maximum rent supplement payment, prorate, suspend or terminate the rent supplement agreement, as represented in exhibit B, entitled "Insufficient Funds - Reduction, Proration, and Suspension: Sample Calculations," dated August 1, 2018, located at the end of this chapter, based on the amount of funding available for the program.

(1) In the event the authority does not receive sufficient funding to maintain the rent

supplement program at full capacity, the authority may prorate, suspend or terminate the housing assistance payment, providing the tenant thirty days written notice;

(2) If there are insufficient funds to sustain the program, the maximum rent supplement amount will first be reduced from $500 to $400 for one or more months;

(3) If additional reductions are needed, rent supplement payments will be prorated equally amongst all participants by dividing the funding available and the length of time remaining in the fiscal year, and determining the percentage all payments will be reduced to sustain the program through the year;

(4) If the proration percentage is over fifty percent, the program will be suspended for one or more months, as needed;

(5) If suspended, families will retain the opportunity to be reinstated within the program once sufficient funding becomes available, following a reevaluation of eligibility:

(A) A reexamination, mandated under §17-2041-33, will not be conducted on a suspended participant until the effective date the participant is actively reinstated in the program; and

(B) A suspended participant must continue to meet all eligibility criteria set forth in §17-2041-13; and

(6) If terminated due to an insufficient program appropriation, the family will be eligible to reapply for the program when the waitlist is opened. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-156, 356D-157)

§§17-2041-45 to 17-2041-50 (Reserved).

SUBCHAPTER 6

QUALIFIED HOUSING DWELLING UNIT

§17-2041-51 Eligibility for shared housing. The following criteria shall apply for participation in shared housing:

(1) Eligibility requirements established in section 17-2041-13 shall apply;

(2) Two or more related or unrelated families may occupy a housing unit, provided that occupancy is in compliance with exhibit A, entitled "Occupancy Standards", dated August 27, 1999, located at the end of this chapter;

(3) Except for a studio and a one-bedroom unit, a participant and an unassisted person or household, which may include the housing owner, may reside in a shared housing unit;

(4) Two or more participant families may reside in a shared housing unit; and

(5) A housing owner who resides in the shared housing unit shall not be a parent, child, grandparent, grandchild, sister, or brother of any member of the family and must certify that no such relationship exists.

[Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-153, 356D-155)

§17-2041-52 Eligible dwelling units. (a) An acceptable dwelling unit for shared housing is the same as defined in section 17-3041-2 with the following exceptions:

(1) Common space areas may be shared by all individuals and families living in the shared housing unit;

(2) Separate private bedrooms that are adequate in size for the participant's household size shall be available; and

(3) Areas, traditionally not designated for sleeping purposes, including but not limited to the bathroom(s), kitchen, dining room, utility room, and patio, shall be used as common areas unless mutually deemed by occupants of the dwelling unit to be exclusive use of an individual or household.

(b) The authority shall determine the acceptability of units for shared housing taking into consideration the adequacy of space, security, and other conditions so as not to pose any threat to health and safety of the participants.

(c) The authority shall determine the number of participants in this program. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-152)

§17-2041-53 Allocable share of rent. The allocable share of the dwelling unit rent shall be a prorated amount that is equitable and acceptable to the authority, the owner, and the participant. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-155, 356D-156, 356D-157)

§17-2041-54 Shared housing addendum. An addendum to the rent supplement agreements for the housing owner and tenant, setting forth the conditions for shared housing, shall be executed by the housing owner, participant and authority. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §§356D-4, 356D-156, 356D-157)

§§17-2041-55 to 17-2041-60 (Reserved).

SUBCHAPTER 7

MISCELLANEOUS PROVISIONS

§17-2041-61 Severability. If any part, section, sentence, clause, or phrase of this chapter, or its application to any person or transaction or other circumstances is for any reason held to be unconstitutional or invalid, the remaining parts, sections, sentences, clauses, and phrases of this chapter, or the application of this chapter to other persons or transactions or circumstances shall not be affected. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §356D-4)

§17-2041-62 Number. The use of all words used in the singular shall extend to and include the plural. [Eff] (Auth: HRS §§356D-4, 356D-151, 356D-156, 356D-157) (Imp: HRS §1-17)

DEPARTMENT OF HUMAN SERVICES

Chapter 17-2041, Hawaii Administrative Rules, on the Summary Page dated August 20, 2026, was adopted on August 20, 2026, following a public hearing held on [DATE], after public notice was given in the Honolulu Star-Advertiser, The Maui News, The Garden Island, and the Hawaii Tribune-Herald on [DATE].

These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

_____
ROBERT HALL, Chairperson
Board of Directors
Hawaii Public Housing Authority

APPROVED:

_____
JOSH GREEN, M.D.
Governor
State of Hawaii

Dated: _____

APPROVED AS TO FORM:

_____
Deputy Attorney General

Filed: _____

Exhibit A

OCCUPANCY STANDARDS
August 20, 2026

In determining the appropriate dwelling unit size for assistance, the following criteria shall be applied:

1. The smallest unit suitable for the household's shall be considered and each bedroom shall be occupied by at least one person.

2. The dwelling unit shall permit up to the maximum number of persons to occupy the unit in accordance with prevailing zoning, and county building, health, and fire codes.

3. Every member of the household, regardless of age, shall be counted as a person; except that a child not yet born by a pregnant household member shall not be counted as a person in determining unit size.

4. Children who are in the process of being adopted, or whose legal custody is being obtained by a household, will be included as members of the household for the purposes of determining unit size.

5. A foster child shall be included in determining unit size only if the child will remain in the unit for more than six months.

6. Persons of different generations, persons of opposite sex (other than spouses) over the age of five, and unrelated adults may be allocated separate bedrooms.

7. A live-in attendant may be provided a separate bedroom; however, no additional bedrooms will be provided for the attendant's household.

8. A person with a valid medical ailment may be allowed a separate bedroom, provided the necessity for the separate bedroom is verified by a signed statement from a medical doctor and other supporting data.

Exhibit B

Insufficient Funds -
Reduction, Proration, and Suspension:
Sample Calculations
August 20, 2026

Tenant's Household Income = $20,100
Tenant's Monthly Rent = $1,200
Tenant's household size = 3 (includes one minor child)

	$20,100	(household income)
	$100	($100 deduction for each minor child)
	$20,000	
X	30%	
	$ 6,000	
÷	12	
	$ 500	Tenant's monthly rent supplement, provided that the authority shall not make any monthly payments that exceed $500

Since the maximum allowable monthly Rent Supplement by HPHA = $500, the tenant must pay the remaining rent owed.

	$1,200	(Tenant's monthly rent)
-	$ 500	(HPHA maximum monthly rent supplement)
	$ 700	(Tenant's monthly rent obligation)

1. Reduction of Maximum Supplement from $500 to $400
If sufficient funds are not available, the HPHA will reduce the maximum rent supplement payment from $500 to $400 per month for one or more months.

	$1,200	(Tenant's monthly rent)
-	$ 400	(Maximum rent supplement reduction)
	$ 800	(Tenant's new allocable share of monthly rent after maximum supplement reduction)

2. Proration.
If sufficient funds are still not available after the reduction of the maximum rent supplement described above, the HPHA will establish a proration percentage. In this example, the proration percentage used is 25%. Tenant would receive 75% of allocable rent supplement

	$ 400	(Tenant's monthly rent supplement)
-	$ 100	(25% proration deduction)
	$ 300	(Tenant's post-proration monthly rent supplement)

	$1,200	(monthly rent)
-	$ 300	(Tenant's new monthly rent supplement)
	$ 900	(Tenant's new allocable share of monthly rent after proration)

3. Suspension

If sufficient funds are not available after the reduction of the maximum rent supplement described above and the HPHA determines that the proration percentage is 50% or more, the HPHA will suspend the Rent Supplement Program for one or more months.

Determined proration percentage = 55%

	$ 400	(Tenant's monthly rent supplement)
-	$ 220	(55% proration deduction)
	$ 180	(New allocable share of monthly rent supplement)

Suspension of program. Reduction of monthly rent supplement exceeds 50% of allocable share.