

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT
AND TOURISM

Adoption of Chapter 15-310
Hawaii Administrative Rules

December 27, 2007

Chapter 310 of Title 15, Hawaii Administrative
Rules, entitled "Pineapple Workers and Retirees
Housing Assistance Fund Program" is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 15

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT
AND TOURISM

SUBTITLE 5

HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

CHAPTER 310

PINEAPPLE WORKERS AND RETIREES HOUSING
ASSISTANCE FUND PROGRAM

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§15-310-1 Purpose. The purpose of the program is to assist former Del Monte Fresh Produce pineapple workers and retirees in danger of losing their homes by establishing a pineapple workers and retirees housing assistance fund program to help eligible homeowners keep up with their mortgage payments and provide rental subsidies. [Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-2 Definitions. As used in this chapter: "Corporation" means the Hawaii housing finance and development corporation.

"Eligible applicant" means persons, subject to limitation stated in section 15-310-8(d), who:

- (1) Were employed by Del Monte Fresh Produce on the date of the announcement of closure of Del Monte Fresh Produce on February 1, 2006 or has retired from Del Monte Fresh Produce; and
- (2) Whose eligible mortgage payment or rent payment exceeds 30 per cent of their gross household income, or who can demonstrate that they are presently delinquent on eligible mortgage or rent payments.

"Eligible mortgage payments" means payments on first home mortgages approved prior to the announcement of closure of Del Monte Fresh Produce on February 1, 2006.

"Executive director" means the executive director of the Hawaii housing finance and development corporation.

"Program" means the pineapple workers and retirees housing assistance fund program as established by Act 203, Session Laws of Hawaii 2007.

"SLH" means Session Laws of Hawaii.

[Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-3 Provider agency. The corporation may secure the services of a nonprofit organization or entity to assist in carrying out the purposes of this chapter. The provider agency may receive payment for reasonable administrative expenses from program funds. [Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-4 Program applications. (a) The corporation or provider agency shall accept and review applications for the program.

(b) An eligible applicant to the program shall submit a completed application form, which includes information related to the request for program assistance. This information shall include, but not be limited to, the applicant's name and date of birth, the name and date of birth of spouse and/or any other adult in the household, family composition, current household income, present housing status, employment information and status, amount and type of grant being requested, date of application, and date of completed application.

(c) The application may be on a form prepared by the corporation or provider agency and approved by the corporation.

(d) The corporation or provider agency shall make awards of program assistance to eligible applicants. [Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-5 Participant eligibility. In order to be determined eligible to participate in the program, an applicant shall submit a completed application, including, but not limited to, verification documentation pursuant to section 15-310-9.

[Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-6 Eligible costs. (a) Program assistance funds may be used to help an eligible applicant with the following costs:

- (1) Eligible first mortgage payments; or
- (2) Eligible rent subsidies.

(b) Program assistance shall be paid on a monthly basis.

(c) Adequate verification of expenses shall be documented by the corporation or provider agency.

(d) The corporation may use program funds for reasonable administrative expenses relating to the program. [Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-7 Ineligible uses of program assistance.
Ineligible uses of program assistance funds shall include, but not be limited to, an eligible applicant's portion of financial responsibility for government subsidized housing. [Eff FEB 07 2008]
(Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-8 Limits on program assistance. (a)
Assistance shall be made only to the extent that funds are available.

(b) Program assistance shall not exceed a maximum of \$1,000 per month for a period not to exceed six months, or a total maximum of \$6,000 per eligible applicant.

(c) The corporation or provider agency shall base the actual amount of the monthly assistance on 70 per cent of the eligible applicant's eligible mortgage payment or eligible rent subsidy, up to the maximum assistance amount.

(d) Only one program assistance grant shall be made per currently-existing household, as limited by subsection (b), above.

(e) The corporation or provider agency may impose reasonable requirements on the participant in order to receive program assistance.

(f) The corporation or provider agency shall monitor the levels of assistance provided to each program participant. The corporation or provider agency shall take appropriate action to ensure that participants do not receive assistance over the limits established in subsections (b), (c) and (d).

[Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

§15-310-9 Verification of information. (a) The corporation or provider agency shall obtain documentation to verify applicant information relating to participation in the program. This documentation shall include but not be limited to:

- (1) Eligible employment or retirement status with Del Monte Fresh Produce;
- (2) Recent pay stubs, or other verification of current income;
- (3) An affidavit attesting to program eligibility; and
- (4) A copy of the lease agreement for which the assistance will go towards and the landlord's taxpayer identification number; or
- (5) A copy of a recent mortgage statement for which the assistance will go towards.

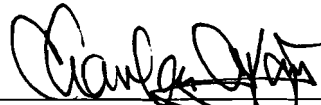
(b) An applicant to the program who fails to comply with the requirement to provide verifying documentation shall be ineligible to participate in the grant program. The corporation or provider agency may set time limits as to how long an applicant has to submit information.

(c) The corporation or provider agency shall maintain verification documentation of eligibility of a participant and eligibility of the use of program assistance. [Eff FEB 07 2008] (Auth: Act 203, SLH 2007) (Imp: Act 203, SLH 2007)

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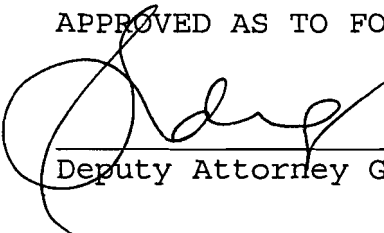
The adoption of chapter 15-310, Hawaii Administrative Rules, on the Summary Page dated December 27, 2007, was adopted on December 27, 2007, following a public hearing that was held on December 26, 2007, after public notice was given in the Honolulu Advertiser, the Maui News, The Garden Island, the Hawaii Tribune-Herald, and the West Maui Today newspapers on November 25, 2007.

The adoption shall take effect ten days after filing with the Office of the Lieutenant Governor.



CHARLES G. KING, Chairperson
Hawaii Housing Finance and
Development Corporation

APPROVED AS TO FORM:


Deputy Attorney General

APPROVED:



LINDA LINGLE
Governor
State of Hawaii

Dated: JAN 28 2008
JAN 28 2008

Filed