EXECUTIVE ORDER NO. 20-08

WHEREAS, I issued on March 4, 2020, a Proclamation declaring a state of emergency pursuant to section 127A-14, Hawaii Revised Statutes, to support ongoing State and county responses to COVID-19;

WHEREAS, COVID-19 poses a danger to the health, safety, and economic welfare of the people of Hawai'i;

WHEREAS, the economic impact of COVID-19 has led to a reduction in income for many families in Hawai'i and rendered many renters and homeowners vulnerable to eviction and foreclosure;

WHEREAS, Act 9, Session Laws of Hawaii 2020, established a Housing Relief and Resiliency Program within the Hawai'i Housing Finance and Development Corporation (the Corporation) to provide rental payments to renter households who have experienced a reduction in income due to COVID-19, and counseling and loan modification assistance for homeowners who have been experienced similar economic hardship;

WHEREAS, Act 9 appropriated $100,000,000 of funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136 (CARES Act), to the Corporation to implement the Housing Relief and Resiliency Program;

WHEREAS, the CARES Act allows these funds to be spent for COVID-19-related expenses from the period of March 1, 2020 through December 31, 2020 (the Covered Period);

WHEREAS, section 26 of Act 9 only allows the Corporation to provide renters and homeowners with assistance relating to housing payments that become due between August 1, 2020 and December 28, 2020;

WHEREAS, to help renters and homeowners avoid eviction and foreclosure, the Corporation must be allowed to offer assistance relating to housing payments that become due at any time during the Covered Period, as well as financial counseling and mediation services for renters and homeowners;

WHEREAS, the intent of this Order is to: (1) transfer $50,000,000 of the funds appropriated to the Corporation under Act 9 to the Emergency and Budget Reserve Fund; and (2) transfer $50,000,000 from the Emergency and Budget Reserve Fund to the Corporation to provide renters and homeowners with assistance for rent, mortgage payments, and homeowners' association dues that become due at any time during the Covered Period, as well as financial counseling and mediation services to avoid eviction or foreclosure.

NOW, THEREFORE, I, David Y. Ige, Governor of Hawai'i, hereby order, pursuant to section 127A-17, Hawaii Revised Statutes, that $50,000,000 of the total amount appropriated to the Corporation under section 25 of Act 9, Session Laws of Hawaii 2020, shall be transferred to the Emergency and Budget Reserve Fund established under section 328L-3, Hawaii Revised Statutes.

IT IS FURTHER ORDERED that the sum of $50,000,000 shall be transferred from the Emergency and Budget Reserve Fund established under section 328L-3, Hawaii Revised Statutes, to the Corporation, subject to the following:

The Corporation shall use these funds to provide assistance to renters and homeowners for rental payments, mortgage payments, and homeowners' association dues that become due at any time between March 1, 2020 and December 28, 2020, provided no payments will be made for amounts due for rent, mortgage, HOA dues, or penalties incurred on amounts due for the months prior to March 1, 2020, or for financial counseling and mediation services for renters and homeowners to help avoid eviction or foreclosure.

In using these funds for the aforementioned purposes, the Corporation shall use the same maximum income requirements for renters and homeowners, and the same maximum monthly assistance levels to renters, as those used in its Housing Relief and Resiliency Program.

IT IS FURTHER ORDERED that on December 28, 2020, any amounts transferred to the Corporation by this Order that remain unexpended shall be transferred to the Unemployment Compensation Trust Fund established under section 328-121, Hawaii Revised Statutes.

IT IS FURTHER ORDERED that this Order is in accordance with and incorporates by reference my Proclamation issued on March 4, 2020; Supplementary Proclamation issued on March 16, 2020; Second Supplementary Proclamation issued on March 21, 2020, Third Supplementary Proclamation issued on March 23, 2020, Fourth Supplementary Proclamation issued on March 31, 2020, Fifth Supplementary Proclamation issued on April 16, 2020, Sixth Supplementary Proclamation issued on April 25, 2020, Seventh Supplementary Proclamation issued on May 5, 2020, Eighth Supplementary Proclamation issued on May 29, 2020, Ninth Supplementary Proclamation issued on June 10, 2020, and Tenth Supplementary Proclamation issued on July 17, 2020.

IT IS FURTHER ORDERED that the provisions of this Order are subject to amendment by executive order.

DONE at the State Capitol, Honolulu,
State of Hawai'i, the 28 th day of
August, 2020.

DAVID Y. IGE
Governor

APPROVED AS TO FORM:

Clare E. Connors
Attorney General