

Hawai'i County Emergency Rental Assistance Program (ERAP)

Where to Apply (chose one):

The Salvation Army

219 Ponahawai Street

Hilo, HI 97620

(808) 935-1277

hawaii.salvationarmy.org

Hilo.ERAP@usw.salvationarmy.org

Hawaii County Economic Opportunity Council

47 Rainbow Drive

Hilo, HI 96720

(808) 932-2714

www.hceoc.net

ERAP@hceoc.net

HOPE Services Hawai'i

357 Waianuenue Ave.

Hilo, HI 96720

(808) 935-3050

www.hopeserviceshawaii.org

ERAP@hopeserviceshawaii.org

Neighborhood Place of Puna

16-105 Opukaha'ia St.

Kea'au, HI 96749

(808) 965-5550

www.neighborhoodplace.org

ERAP@neighborhoodplace.org

How to Apply:

- Check if your household's annual income is less than the maximum allowable amount.

Maximum Income Threshold:

1 Person	2 Persons	3 Persons	4 Persons
\$53,350	\$60,950	\$68,550	\$76,150
5 Persons	6 Persons	7 Persons	8 Persons
\$82,250	\$88,350	\$94,450	\$100,550
Add \$5,500 for each additional household member above 8 persons			

You will also need to submit supporting documents for the following categories:

- Proof of Resident and Age for Applicant
- Income Documents for ALL household members
- Housing documents
- If requesting assistance for previous months:
 - Past due rent notice
 - Eviction
 - Past due utility notice

More information about the specific documents that will meet the required categories is available on the ERAP website:

<https://sites.google.com/view/hawaiicountyrap/home>

Legal Aid Society of Hawai'i

Hilo: 101 Aupuni Street Suite PH 1002
Hilo, Hawai'i 96720

Kona: 75-170 Hualalai Rd B303A
Kailua-Kona, Hawai'i 96740

Phone: (800) 499-4302

Website: <https://www.legalaidhawaii.org/>



I'm Not Able to Pay My Rent, What Now?

(effective August 6, 2022)

- What's changing when Act 57 expires on Aug. 6, 2022?
- How can my landlord evict me?
- How is an eviction lawsuit started?
- I was served with a Complaint and Summons – What Happens Next?
- Hawai'i County Emergency Rental Assistance Program (ERAP) – Where and How to Apply

What's changing when Act 57 expires on Aug. 6, 2022?

- Regardless of the type of rental or lease agreement, a landlord can evict a tenant for non-payment of rent upon 5 days' written notice.
- Only 5 days' notice of non-payment, down from 15 days under Act 57, is required before a landlord can file an eviction lawsuit.
- Landlords are no longer required to participate in mediation before filing the lawsuit, even if the tenant requests it and/or contacts Ku'ikahi or West Hawai'i Mediation Centers.

How can my landlord evict me?

A landlord must go through a Court process, known as a summary possession, to evict a tenant from a rental. ***A landlord cannot forcibly remove a tenant from a rental unless the landlord first gets a Court order called a Writ of Possession.***

If a tenant is behind on rent, the landlord must first send the tenant a 5-day written notice to pay the back rent owed. If the tenant does not pay within that 5-day period, the landlord can then file for eviction.

The 5-Day notice must be in writing, and can be given by mail, in-person, or posted on a "conspicuous place on the dwelling unit".

How is an eviction lawsuit started?

- To start the actual lawsuit, the landlord has to file a **Complaint** and a **Summons** with the Court.
- In the Complaint, the landlord can ask the Court to order the tenant to move-out and pay back rent, Court costs and/or attorneys' fees. The Summons is a command for the tenant to appear at the first Court hearing.
- The landlord is required to "serve" the Complaint and Summons on the tenant.
- Service generally must be in person (personal service), but a landlord might be able to get permission from the Court to serve by certified mail, by posting on a "conspicuous place" of the rental, and/or by publication in a newspaper of "general circulation".

I was served with a Complaint and Summons – What happens next?

1. **FIND** the date and time to appear in Court on the Summons
2. **REVIEW** the Complaint
 - Decide what you agree and don't agree with (look closely at the amount owed).
 - If there are things that your landlord has done which you believe is in violation of your rental agreement or you believe you may have a defense to eviction, contact Legal Aid as you may need to file a counterclaim.
3. **CHECK** on the status of rent assistance or apply if you have not
4. **DECIDE** on what you can live with
 - For example, if the landlord offers to pay the tenant to move out immediately and will waive back rent, can the tenant be out? If the tenant can now pay rent because they got called back to their job, can they work with the landlord to come up with an agreement.
5. **PREPARE for Court: Be sure to attend your hearing and DO NOT be late.**
 - If you fail to go to Court to defend yourself, you could be found in default, and the Court could rule in favor of the landlord without you having a chance to tell your side of the story.