

State settles lawsuit over shoddy, unsafe conditions

By Timothy Hurley

POSTED: 01:30 a.m. HST, Mar 11, 2015



DENNIS ODA / DODA@STARADVERTISER.COM

Key figures in the Mayor Wright lawsuit — including John Rhee, left, attorney for Alston Hunt Floyd & Ing; Victor Geminiani, executive director of Hawaii Appleseed Center for Law and Economic Justice; Kazner Alexander, main plaintiff in a class-action suit against the state; and Gavin Thornton, deputy director of Hawaii Appleseed — met Tuesday with news media.

A class-action lawsuit challenging the decrepit condition of the Mayor Wright Homes public housing project in Kalihi has reached a settlement that includes a \$350,000 payment to compensate residents for years of unsafe and unsanitary living.

Public-interest lawyers representing residents of the 364-unit apartment complex announced the Hawaii Circuit Court decision in Honolulu on Tuesday.

They said the settlement comes after the state invested more than \$4.5 million to bring conditions up to acceptable standards, plus a pledge under the agreement to continue making the repairs necessary to ensure the dwellings at the Mayor Wright Homes are habitable.

This is the second class-action lawsuit in recent years filed against the Hawaii Public Housing Authority by residents claiming squalid conditions in a state housing complex. A 2008 suit forced the state to make repairs at Kuhio Park Terrace and Kuhio Homes in Kalihi.

The latest suit, filed in April 2011, was brought by the same law firms, the nonprofit Hawaii Appleseed Center for Law & Economic Justice, along with Alston Hunt Floyd & Ing.

At the time, most of the tenants at Mayor Wright did not have hot water, a problem that plagued many of the aging buildings across the 21-acre complex for years.

"I used cold water to wash the plates, but I could not get the germs off the plates," said Kazner Alexander, who has lived at Mayor Wright with his wife and two children for 10 years. He added that the cold showers were brutal for his family, including his elementary-age youngsters.

Alexander said that prior to the suit he and other tenants were angry and frustrated with conditions that included leaks and mold problems, overflowing dumpsters, rats, roaches and bedbugs. There were shoddy repairs and gaping holes in the walls. Security was a concern, with assaults and other crimes common on the property.

"They've been living in slumlike conditions for years without hot water, with garbage all over the property, with roaches and rats, and they just wanted their things fixed. And they went back repeatedly and asked, 'Please fix these things,' and it didn't happen until after this lawsuit was filed," said Gavin Thornton, attorney with Hawaii Appleseed.

A portion of the \$350,000 settlement will go for costs and attorney's fees. Attorneys said they haven't yet figured out how much each household will receive from the settlement.

Despite the victory, housing advocates remain concerned about conditions faced by low-income renters across the state.

Although Hawaii's public housing projects reportedly have a repair and maintenance backlog of \$275 million, the administration of Gov. David Ige is proposing to cut the Hawaii Public Housing Authority's budget request to \$5 million from \$180 million.

After lawsuits challenged conditions at the state's two largest public housing projects — Kuhio Park Terrace and Mayor Wright Homes — the state Legislature quadrupled the funding appropriated for public housing maintenance to \$71 million in 2014.

But Hawaii Appleseed Executive Director Victor Geminiani said he fears the state is reverting to its prior practice of failing to properly fund and maintain its public housing facilities as required by law.

"People need a safe, decent place to raise their families to break out of the generational cycle of poverty. We need to do better, or the long-term costs of this neglect is going to come back to haunt us," he said.

The housing authority did not respond to a request for comment Tuesday afternoon. The authority, the state's sole public housing agency, administers more than 6,000 federal and state low-income public housing units on five islands and just under 2,000 rental assistance vouchers on Oahu.

The agency is negotiating with Texas-based Hunt Cos. to redevelop the Mayor Wright property, which was constructed in 1953.

Hunt Cos. was selected in November to lead a redevelopment team that includes McCormack Baron Salazar of St. Louis and Vitus Group of Seattle. The developers plan to knock down all 364 units and build more than 1,200 low- and moderate-income homes plus retail space and possibly a hotel.

According to the plan, current residents will be accommodated there once construction is completed.