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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE COUNTIES TO STUDY AND TO CONSIDER IMPLEMENTING  
RENT CONTROL ORDINANCES AUTHORIZED UNDER STATE LAW.

1           WHEREAS, rents for residential property can rise  
2 drastically during times when housing is in short supply and the  
3 economy is strong; and  
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5           WHEREAS, in economics and law, rent control refers to the  
6 government regulation of rent to prevent unreasonable or  
7 excessive increases; and  
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9           WHEREAS, in the United States, the federal government  
10 imposed rent control and other price controls during World War  
11 II, and continued it in several cities after the war because of  
12 housing shortages; and  
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14           WHEREAS, rent control was later turned over to the control  
15 of individual states and municipalities and has since ended in  
16 most locations; and  
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18           WHEREAS, proponents of rent control claim that it is  
19 necessary to prevent landlords from imposing rent increases that  
20 force the elderly and the poor to move, on the grounds that  
21 housing is an inalienable human right that is equal to the  
22 rights of landlords; and  
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24           WHEREAS, other advocates of rent control claim that  
25 maintaining a supply of affordable housing is essential to  
26 sustaining job growth, and to maintaining a community that  
27 includes senior citizens and people of all income groups; and  
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29           WHEREAS, homeowners who support rent control point to the  
30 neighborhood instability caused by high or frequent rent  
31 increases and the effect on schools, youth groups, and community  
32 organizations when tenants move frequently; and  
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1 WHEREAS, opponents of rent control claim that rent control  
2 can create housing shortages, resulting in an overall decrease  
3 in the quality of housing stock in a city, and that the benefits  
4 of rent control accrue disproportionately to the wealthy and  
5 well-connected; and

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7 WHEREAS, opponents of rent control argue that the goal of  
8 making housing affordable and available to the poor can be  
9 accomplished by the same free market that created the housing  
10 units in the first place, or by government construction or  
11 subsidy of affordable housing projects; and

12  
13 WHEREAS, opponents of rent control see rent control as a  
14 violation of the landlords' property rights that limits their  
15 ability to sell their rent controlled property, thus essentially  
16 forcing landlords to put their property to work for the state  
17 without recourse; and

18  
19 WHEREAS, regulation of real property is a fact of life in  
20 modern societies, and landlords and their organizations actively  
21 use their recourse to legislatures to assert that the government  
22 has taken landlords' property without compensation, although  
23 courts generally have found that unconstitutional takings have  
24 not occurred; and

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26 WHEREAS, while the political debate over rent control is  
27 far-reaching, the purposes and provisions of rent control laws  
28 are intended to be limited in scope, and the frequency and  
29 degree of rent increases are limited, usually to the rate of  
30 inflation; and

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32 WHEREAS, under rent control landlords may pass along the  
33 costs of capital improvements to their properties, and tenants  
34 may be able to claim that decreased services or the lack of  
35 necessary repairs offset additional increases or justify a rent  
36 reduction; and

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38 WHEREAS, the counties have been authorized for many years  
39 to enact rent control under section 46-1.5(20), Hawaii Revised  
40 Statutes; now, therefore,

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42 BE IT RESOLVED by the House of Representatives of the  
43 Twenty-third Legislature of the State of Hawaii, Regular Session  
44 of 2006, the Senate concurring, that each of the counties is



1 requested to study and consider implementing rent control  
2 ordinances authorized under state law; and

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4 BE IT FURTHER RESOLVED that the Attorney General is  
5 requested to provide an opinion to guide the counties with  
6 regard to the implementation of rent control ordinances; and

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8 BE IT FURTHER RESOLVED that the Attorney General is  
9 requested to consider methods to improve enforcement and  
10 compliance with the Landlord Tenant Code and to strengthen  
11 sanctions against violators; and

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13 BE IT FURTHER RESOLVED that certified copies of this  
14 Concurrent Resolution be transmitted to the Attorney General,  
15 Executive Director of the Housing and Community Development  
16 Corporation of Hawaii, and Mayor of each county.

