
A BILL FOR AN ACT

RELATING TO LANDLORD-TENANT CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 521-77, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]~~ §521-77 ~~[+]~~ Investigation and resolution of complaints
4 by the office of consumer protection~~[-]~~; mediation. (a) The
5 office of consumer protection may receive, investigate, and
6 attempt to resolve any dispute arising under this chapter.

7 (b) Except as provided in subsection (c), at the direction
8 of the office of consumer protection, the parties to any dispute
9 arising under this chapter shall be required to participate in
10 mediation. Each party shall be wholly responsible for its own
11 costs of participating in mediation, unless at the end of the
12 mediation process, both parties agree that one party shall pay
13 all or a specified portion of the mediation costs. If a
14 landlord or a tenant refuses to participate in the mediation of
15 a particular dispute, a court may take this refusal into
16 consideration when awarding expenses, costs, and attorneys'
17 fees.



1 (c) Nothing in subsection (b) shall be interpreted to
2 mandate the mediation of any dispute involving:
3 (1) Actions seeking equitable relief involving threatened
4 property damage or the health or safety of other
5 tenants or any other person;
6 (2) Actions to collect rent pursuant to section 521-68; or
7 (3) Personal injury claims.
8 (d) If any mediation under this section is not completed
9 within two months from commencement, no further mediation shall
10 be required unless agreed to by the parties."

11 SECTION 2. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun, before its effective date.

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Report Title:

Residential Landlord-Tenant Code; Mediation

Description:

Allows office of consumer protection to order mediation of disputes between a residential landlord and tenant.

