

Honolulu, Hawaii

MAR 25 2009

RE: H.B. No. 812
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 812, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,"

begs leave to report as follows:

The purpose of this measure is to protect the safety of victims of domestic violence by allowing them to terminate a rental agreement without penalty after proper notification to the landlord.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii State Coalition Against Domestic Violence, Legal Aid Society of Hawaii, and one private citizen. Testimony with comments on this measure was received from Hawaii Association of Realtors and National Association of Residential Property Managers. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that in 2008, the number of domestic violence fatalities in this State reached an all-time high. Your Committee finds that this measure will provide protection to victims of domestic violence, abuse, and stalking by allowing a victim to quickly relocate without being unnecessarily burdened by a rental agreement. Survivors of domestic abuse often have difficulty finding housing after leaving an abusive situation due, in part, to negative rental histories as a result of past abuse.



Your Committee finds that this measure removes at least one barrier to fleeing an abusive situation by removing the negative impact on a victim's rental history of ending a lease because of the need to quickly leave a dangerous housing situation.

Your Committee has amended this measure by:

- (1) Clarifying the procedure for terminating a lease after notice of a tenant's intention to vacate a rental property due to domestic violence;
- (2) Clarifying the status of any remaining tenants in a rental unit after one or more tenants has vacated the property due to domestic violence; and
- (3) Making nonsubstantive technical changes for the purpose of clarity and accuracy in the language of this measure.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 812, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 812, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



