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February 7, 2009

The Honorable John Mizuno, Chair
House Committee on Human Services
State Capitol, Room 329
Honolulu, Hawaii 96813

RE: H.B. 812 Relating to Domestic Violence

HEARING: Monday, February 9, 2009 at 8:15 a.m.

Aloha Chair Mizuno, Vice Chair Brower, and Members of the Committee:

I am Myoung Oh, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR") and its 9,600 members in Hawai'i. HAR **submits comments** on H.B. 812 which allows a tenant who is a victim of domestic violence, sexual abuse, or harassment by stalking to terminate his or her rental agreement.

HAR expresses concerns regarding H.B. 812, and specifically, how this proposed legislation would work in practice. Because H.B. 812 will allow a victim of domestic violence to terminate a lease, it would have a significant impact on other lease provisions, including the legal rights of other individuals who appear on the lease.

Termination of only a portion of a rental agreement is problematic. For example, if the rental application was based upon the credit rating of the victim, a question arises as to whether the agreement with the other lessees would be void. One suggested amendment which may address this issue is to allow termination of the whole rental agreement, if a request for termination is submitted with the proper victim verification documents.

HAR feels that these issues and others regarding the impact of H.B. 812 should be carefully considered before this bill is passed. HAR looks forward to participating in further discussion on this measure.

Mahalo for the opportunity to testify.