
A BILL FOR AN ACT

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

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

1 SECTION 1. Section 521-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§521-7 Exclusions from application of chapter.** Unless
4 created solely to avoid the application of this chapter, this
5 chapter shall not apply to:

6 (1) Residence at an institution, whether public or
7 private, where residence is merely incidental to
8 detention or the provision of medical, geriatric,
9 educational, religious, or similar services;

10 (2) Residence in a structure directly controlled and
11 managed by [~~the~~]:

12 (A) The University of Hawaii for housing students or
13 faculty of the University of Hawaii or residence
14 in a structure erected on land leased from the
15 University of Hawaii by a nonprofit corporation
16 for the exclusive purpose of housing students or
17 faculty of the University of Hawaii; or



1 (B) A private dorm management company that offers a
2 minimum of six hundred beds to students of
3 private universities or other institutions of
4 higher education;

5 (3) Occupancy under a bona fide contract of sale of the
6 dwelling unit or the property of which it is a part
7 where the tenant is, or succeeds to the interest of,
8 the purchaser;

9 (4) Residence by a member of a fraternal organization in a
10 structure operated without profit for the benefit of
11 the organization;

12 (5) Transient occupancy on a day-to-day basis in a hotel
13 or motel;

14 (6) Occupancy by an employee of the owner or landlord
15 whose right to occupancy is conditional upon that
16 employment or by a pensioner of the owner or landlord
17 or occupancy for a period of up to four years
18 subsequent thereto, pursuant to a plan for the
19 transfer of the dwelling unit or the property of which
20 it is a part to the occupant;



- 1 (7) A lease of improved residential land for a term of
- 2 fifteen years or more, measured from the date of the
- 3 commencement of the lease;
- 4 (8) Occupancy by the prospective purchaser after an
- 5 accepted offer to purchase and prior to the actual
- 6 transfer of the owner's rights;
- 7 (9) Occupancy in a homeless facility or any other program
- 8 for the homeless authorized under part XVII of chapter
- 9 346;
- 10 (10) Residence or occupancy in a public housing project or
- 11 complex directly controlled, owned, or managed by the
- 12 Hawaii public housing authority pursuant to the
- 13 federal low rent public housing program; or
- 14 (11) Residence or occupancy in a transitional facility for
- 15 abused family or household members."

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon its approval.

19

INTRODUCED BY: *Peter R. Cushman*
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H.B. NO. 2628

Report Title:

Landlord-Tenant Code; Dorm Management Companies

Description:

Exempts certain private dorm management companies that provide housing to students of private universities or other higher education institutions from the residential landlord-tenant code.

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