

JAN 18 2012

A BILL FOR AN ACT

RELATING TO TENANCY.

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

1 SECTION 1. Chapter 514A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§514A- Association approval of tenant not required.

5 Whenever the bylaws do not forbid the owner of a residential use
6 apartment from renting or leasing the apartment, the bylaws shall
7 not require an owner to obtain approval from the association of
8 apartment owners to rent or lease the apartment or to obtain
9 approval from the association to rent or lease the apartment to a
10 particular tenant; provided that:

11 (1) The rental or lease agreement specifically
12 incorporates the bylaws, rules adopted pursuant to the
13 bylaws, and any other applicable governing documents
14 of the association and requires the tenant to comply
15 with them; and

16 (2) The residential use apartment owner agrees in writing
17 to indemnify the association for any loss caused by
18 the tenant."



1 SECTION 2. Chapter 514B, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§514B- Association approval of tenant not required.

5 Whenever the bylaws do not forbid a residential unit owner from
6 renting or leasing the unit, the bylaws shall not require any
7 owner to obtain approval from the association to rent or lease the
8 unit or to obtain approval from the association to rent or lease
9 the unit to a particular tenant; provided that:

- 10 (1) The rental or lease agreement specifically
11 incorporates the bylaws, rules adopted pursuant to the
12 bylaws, and any other applicable governing documents
13 of the association and requires the tenant to comply
14 with them; and
15 (2) The residential unit owner agrees in writing to
16 indemnify the association for any loss caused by the
17 tenant."

18 SECTION 3. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.

21 SECTION 4. New statutory material is underscored.



S.B. NO. 2010

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Randy H. Bab

Mill

[Signature]

Will Gero

Carol Johnson

Therese Chun Caldwell

[Signature]

[Signature]

[Signature]



S.B. NO. 2010

Report Title:

Condominiums; Tenants; Association Approval

Description:

Prohibits adoption of bylaws that require owner to obtain approval of association to rent or lease or for a particular tenant, provided that rental or lease agreement requires tenant to comply with bylaws and owner indemnifies association for any loss caused by tenant.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

