



# HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

April 2, 2013  
Rm. 325, 2:00 p.m.

To: The Honorable Karl Rhoads, Chair  
Members of the House Committee on Judiciary

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai'i Civil Rights Commission

Re: S.B. No. 328, S.D.1, H.D.1

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai'i's laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai'i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 328, S.D.1, H.D.1, amends the landlord-tenant code to specifically allow a landlord to require a security deposit to pay for damages caused by an animal allowed to reside in a rental unit as a condition of a rental agreement.

The HCRC will not oppose S.B. No. 328, S.D.1, H.D.1, *only if* it is amended to change the term "service animal" to "assistance animal" in the proposed HRS § 521-44(b) to clarify that a landlord may not require a security deposit for an **assistance animal** that is a reasonable accommodation for a tenant with a disability under HRS § 515-3(9).

Both federal and state fair housing laws require landlords and other housing providers provide reasonable accommodations in rules, policies, practices, or services when such accommodations are necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling. Under both state and federal fair housing laws, a reasonable accommodation for a person with a disability can include the

use of an assistance animal, which can include trained service animals, as well as “comfort animals”, “therapy animals” or “emotional support animals” which do not need to be formally trained. These animals, by their very nature, may relieve depression or anxiety, or help reduce stress-induced pain in persons with certain mental disabilities and are not required to have any special training as service animals. (See attached HUD Handbook 4350.3 § 2-44(E) and HCRC information sheet.)

In the Americans with Disabilities Act (ADA) Titles II (government programs and services) and III (public accommodations) a “service animal” is defined as a dog or miniature horse that is trained to perform tasks for a person with a disability. In contrast, as discussed above, under federal and state fair housing law, use of an assistance animal as a reasonable accommodation is not limited to dogs and miniature horses, and there is no requirement that the animal be trained to perform tasks for the person with a disability.

Pursuant to HUD’s Handbook regarding subsidized multifamily housing programs and HCRC policy, a landlord may not require an applicant or tenant to pay a fee or a security deposit as a condition of allowing the applicant or tenant to keep the assistance animal. (Again, see attached HUD Handbook 4350.3 § 2-44(E) and HCRC information sheet.) This is because the use of an assistance animal is a reasonable accommodation for a person with a disability - they are not “pets.”

The Senate, in S.B. No. 328, S.D.1, correctly used the term “assistance animal” in amending HRS § 521-44(b), conforming to federal and state fair housing law. The House Committee on Consumer Protection and Commerce in H.D.1 deleted the proposed statutory language referring to “pet animals” and substituted “service animal” for “assistance animal”. These terms, “service animal” and “assistance animal”, cannot be used interchangeably – they have different meanings. As discussed above, an assistance animal need not be a service animal in order to be a required reasonable accommodation; not every assistance animal is a service animal.

The HCRC therefore suggests that the Committee either amend the bill to use the HRS § 521-44(b) language used in S.D.1, or make the following amendment to S.B. No. 328, S.D.1, H.D.1:

(b) The landlord may require as a condition of a rental agreement a security deposit to be paid by or for the tenant for the items in subsection (a) and no others, in

an amount not in excess of a sum equal to one month's rent [-] plus an amount agreed upon by the landlord and tenant to compensate the landlord for any damages caused by any animal, other than an assistance animal that is a reasonable accommodation pursuant to section 515-3, allowed to reside in the premises pursuant to the rental agreement; provided that [no] the landlord shall not require any additional security deposit amount for an [service]assistance animal that is a reasonable accommodation for a tenant with a disability pursuant to section 515-3. The landlord may not require or receive from or on behalf of a tenant at the beginning of a rental agreement any money other than the money for the first month's rent and a security deposit as provided in this section ...

The HCRC will not oppose S.B. No. 328, S.D.1, H.D.1, *only if* it is amended to change the term “service animal” to “assistance animal” in the proposed HRS § 521-44(b) to clarify that a landlord may not require a security deposit for an **assistance animal** that is a reasonable accommodation for a tenant with a disability under HRS § 515-3(9).

Thank you for your consideration of these comments.

**HUD Handbook 4350.3:  
Occupancy Requirements of Subsidized  
Multifamily Housing Programs**

**Example – Reasonable Accommodation that Does Not Create an Undue Financial and Administrative Burden**

An applicant with a mobility impairment wants to live in a dwelling unit in a particular rental housing property. The owner requires all tenants to hand-deliver their rent to the rental office. The unit is almost a block away from the rental office, but there is a mailbox located just a few yards from the unit entry door. Under 24 CFR 100.204, the owner or manager of an apartment complex must permit the applicant to mail the rent payment to the rental office. This policy accommodation would not pose an undue financial and administrative burden on the owner and allows the applicant to have equal opportunity to use and enjoy the unit.

- E. For other guidance on how to determine whether a reasonable accommodation would result in an undue financial and administrative burden, refer to HUD Handbook 4350.1, *Multifamily Asset Management and Project Servicing*.

**2-44 Assistance Animals as a Reasonable Accommodation**

- A. Assistance animals are not pets. They are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or animals that provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals – often referred to as "service animals," "assistance animals," "support animals," or "therapy animals" – perform many disability-related functions, including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.
- B. A housing provider may not refuse to allow a person with a disability to have an assistance animal merely because the animal does not have formal training. Some, but not all, animals that assist persons with disabilities are professionally trained. Other assistance animals are trained by the owners themselves and, in some cases, no special training is required. The question is whether or not the animal performs the disability-related assistance or provides the disability-related benefit needed by the person with the disability.
- C. A housing provider's refusal to modify or provide an exception to a "no pets" rule or policy to permit a person with a disability to use and live with an assistance animal would violate Section 504 of the Rehabilitation Act and the Fair Housing Act unless:
1. The animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation,

2. The animal would cause substantial physical damage to the property of others.
  3. The presence of the assistance animal would pose an undue financial and administrative burden to the provider, or
  4. The presence of the assistance animal would fundamentally alter the nature of the provider's services.
- D. The fact that a person has a disability does not automatically entitle him or her to an assistance animal. There must be a relationship between the person's disability and his or her need for the animal.
- E. A housing provider may not require an applicant or tenant to pay a fee or a security deposit as a condition of allowing the applicant or tenant to keep the assistance animal. However, if the individual's assistance animal causes damage to the applicant's unit or the common areas of the dwelling, at that time, the housing provider may charge the individual for the cost of repairing the damage if the provider regularly charges tenants for any damage they cause to the premises.

### **Subsection 5: Additional Fair Housing Act Requirements**

#### **2-45 Fair Housing Act Basic Accessibility Requirements**

The Fair Housing Act requires that all buildings designed and constructed for first occupancy after March 13, 1991 meet certain basic accessibility requirements. This requirement applies to all new construction, regardless of the presence of federal financial assistance. See 24 CFR 100.205. Owners of properties that should have been constructed in accordance with these requirements but were not, are obligated to retrofit their units to bring them into compliance with the Act. If a tenant in one of these properties requests modifications to a unit that should have been made at the time of construction, the owner has an affirmative obligation to make and pay for those modifications as part of its original obligation to conform to the Fair Housing Act design and construction requirements.



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## **ASSISTANCE ANIMALS AS A REASONABLE ACCOMMODATION IN HOUSING**

### **WHAT IS A “REASONABLE ACCOMMODATION”?**

Hawai‘i law\* and the federal Fair Housing Act\*\* require housing providers to make reasonable accommodations in rules, policies, practices, or services when such accommodations are necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling. A requested accommodation is necessary if it is related to the person’s disability and ameliorates the effects of a disability to allow the person equal use and enjoyment of the dwelling.

A person with a disability may request the use of an assistance animal as a reasonable accommodation. Such an accommodation may involve making an exception to a “no pets” or “no animals” rule.

### **WHO IS A PERSON WITH A DISABILITY?**

A person with a disability is an individual who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment, including persons who have HIV or AIDS. The term does not include current use of or addiction to a controlled substance, or alcohol or drug abuse that threatens the property or safety of others. Reasonable accommodations are not required for individuals who are solely regarded as having an impairment.

“Physical or mental impairment” includes, but is not limited to, such conditions, diseases, and infections, such as: orthopedic, visual, speech and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; AIDS and HIV infections or seropositivity; cancer; heart disease; diabetes; alcoholism; mental retardation; emotional and mental illness; post traumatic stress disorder; anxiety disorder; specific learning disabilities; and developmental disabilities.

### **WHAT IS AN ASSISTANCE ANIMAL?**

Assistance animals are not pets. They are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability. They can also be animals that provide emotional support that alleviates one or more symptoms or effects of a person’s disability.

“Assistance animals” is a broad term that includes “service animals”, “support animals”, “therapy animals”, and “comfort animals”. These animals can perform many disability related functions, including but not limited to: guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support or comfort.

### **DOES AN ASSISTANCE ANIMAL NEED TO BE CERTIFIED OR FORMALLY TRAINED?**

No. There is no federal, state, or county certification for assistance animals. Some, but not all, assistance animals are formally trained. Other assistance animals are trained by their owners. In some cases no special training is required. For example, emotional support animals by their very nature, and without training, may relieve depression or anxiety, or help reduce stress-induced pain in persons with certain medical conditions affected by stress.

\* Hawai‘i Revised Statutes (H.R.S) § 515-3(9) and Hawai‘i Administrative Rules (H.A.R) § 12-46-306(a)(3).

\*\* 42 U.S.C. §§ 3601 – 3619.

## **WHAT SHOULD A HOUSING PROVIDER DO WHEN A PERSON REQUESTS THE USE OF AN ASSISTANCE ANIMAL AS A REASONABLE ACCOMMODATION?**

Once a person makes a request for an assistance animal as an accommodation, the housing provider must engage in an interactive process with that person to determine if the accommodation can be made. In the interactive process, the housing provider may:

- 1) Request information necessary to establish that the person is disabled, if the disability is not apparent.
- 2) Request information to establish the need for the use of the assistance animal to afford the person equal use and enjoyment of the housing accommodation. A health care provider's note containing this information is generally adequate, although not always required. The housing provider may not demand detailed medical records or information. For a companion or support animal, any of the following are sufficient: a note from the person's treating physician, psychiatrist, psychologist, other mental health professional, or social worker establishing that the individual has a disability and the animal provides support and alleviates the effect(s) of the person's disability. Particularly in the case of an emotional support animal, there is no specific language or term necessary from the health care provider to establish the relationship between the disability and the need for the animal.
- 3) Deny the request if the use of a particular assistance animal poses a direct threat to the health or safety of others or results in actual (not speculative) damage to the property, unless the damage can be eliminated or substantially reduced. Denial of the use of a particular animal does not preclude a request to use a different animal.
- 4) Deny the request if the use of the assistance animal poses an undue financial and administrative burden, or fundamentally alters the nature of the housing provider's operation.

## **CAN REASONABLE RESTRICTIONS BE ESTABLISHED ON THE USE OF AN ASSISTANCE ANIMAL?**

Yes. Housing providers may establish reasonable restrictions on the use of an assistance animal.

Examples of reasonable restrictions are:

- 1) Having the animal licensed with the county, if licensing is required by the county.
- 2) Having the animal vaccinated, with documentation of the vaccination.
- 3) Having the animal registered with the housing provider.
- 4) Having the animal meet minimum sanitary standards.
- 5) Requiring pick up of solid waste.
- 6) Having the animal under the control of its handler by use of a harness, leash, tether, cage or other physical control. If the nature of the person's disability makes physical control impracticable, or if physical control would interfere with the assistance that the animal provides, the housing provider may require that the animal be otherwise under the control of its handler, by voice control, signals, or other effective means.
- 7) Having the person assume responsibility for damages caused by the animal. However, because assistance animals are not "pets", they may not be subject to deposits, fees, surcharges or liability insurance imposed on pet owners. There may be limited exceptions with regards to insurance.
- 8) Having the person clean the dwelling upon vacating, by fumigation, deodorizing, professional carpet cleaning, or other appropriate methods, at his or her expense.





**THE HUMANE SOCIETY  
OF THE UNITED STATES**

TO: Honorable Chair Rhoads, Vice-Chair Har and Committee Members

House Judiciary Committee, 4-2-13, 2pm, Rm 325

**RE: In STRONG SUPPORT OF SB328 SD1 HD1; Relating to Pet Rental Deposits**

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States,  
P.O. Box 89131, Honolulu, HI 96830, [igibson@hsus.org](mailto:igibson@hsus.org), 808-922-9910

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On behalf of our members and supporters of The Humane Society of the United States in Hawaii, we thank the Committee for the opportunity to speak in strong support of SB328; Relating to Pet Deposits.

This modest but necessary measure would simply allow landlords/property managers to work with tenants in providing for a pet deposit, in a mutually determined amount, to cover any necessary damages related to the pet. Current statute prohibits landlords from collecting more than one month's rent as a deposit thus some property owners and managers have been reluctant to rent to pet owners feeling they have no recourse for any damages that may occur related to the pet. The intent of this measure is to:

- **Keep pets and people together.** More than 60 percent of Hawaii households own pets, however, with the housing crisis it is extremely difficult to find affordable housing, let alone affordable housing that allows pets.
- **Reduce intake/surrender of pets to local animal care and rescues, and with that, reduce animal care and control costs.** Many pet animals who are surrendered to local humane societies and rescue organizations are given up solely due to housing issues.
- **Encourage responsible pet ownership** by providing landlords/property managers a means of collecting a security deposit for damages caused by irresponsible pet owners.
- **Promote the human-animal bond and the treatment of pets as family members.** There are many who, unable to find housing, do not have a pet although we know that pets can improve human lives in many ways, including promoting a healthier lifestyle. The availability of pet-friendly rentals is a direct reflection of a community's concern and compassion in considering pets as member of the family to be cared for.

Furthermore a plethora of resources are available to help property managers and pet owners alike. Please visit these links for more information :

[http://www.humaneociety.org/animals/resources/tips/renting\\_with\\_pets.html](http://www.humaneociety.org/animals/resources/tips/renting_with_pets.html)

[http://www.humaneociety.org/animals/resources/tips/rental\\_manager\\_resources.html](http://www.humaneociety.org/animals/resources/tips/rental_manager_resources.html)

Thank you for your consideration of this testimony.



# Hawaiian Humane Society

People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826  
808.946.2187 • [hawaiianhumane.org](http://hawaiianhumane.org)

**To:** Representative Rhoads, Chair of the Committee on Judiciary, Representative Har, Vice Chair, and Committee Members

House Committee on Judiciary (JUD)  
April 2, 2013, 2:00 p.m., Room 325

**Submitted by:** Jennifer J. Han, Policy Advocate  
Hawaiian Humane Society, [jhan@hawaiianhumane.org](mailto:jhan@hawaiianhumane.org)

**Date:** March 30, 2013

**RE:** **Support SB328, SD I, HD I;  
Relating to Animals; Residential Landlord-Tenant Code**

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The Hawaiian Humane Society supports the passage of Senate Bill 328, Senate Draft I, House Draft I as it provides the opportunity for more pet-friendly housing in the Hawaii community.

Pursuant to a 2012 Ward Research study commissioned by the Hawaiian Humane Society, on Oahu, the population of cats and dogs has steadily risen to the point where there are now more pets residing in Oahu than there are school-aged children. That means, there are currently more than 700,000 cats and dogs. Nearly 60% of Oahu households have at least one pet. With an estimated 265,000 dogs in Oahu homes, ownership has more than doubled from 20 to 45 percent of homes. With this continuing growth of pets in the community, appropriate housing continues to be limited. This bill will, in effect, allow more pet-friendly opportunities as it will address the financial concerns by landlords and property owners alike of pet-related issues.

The one amendment we recommend is to set a maximum limit on the amount of the pet deposit as it currently reads as open-ended. We believe a pet security deposit of no more than one month's rent is reasonable.

Thank you for the opportunity to testify in support of SB 328, SD I, HD I as it relates to pets in housing. On behalf of the Hawaiian Humane Society, I ask for your support in passing this measure.

April 2, 2013

**The Honorable Karl Rhoads, Chair**

House Committee on Judiciary  
State Capitol, Room 325  
Honolulu, Hawaii 96813

**RE: S.B. 328, S.D.1, H.D.1, Relating to Animals**

**HEARING: Tuesday, April 2, 2013 at 2:00 p.m.**

Aloha Chair Rhoads, Vice Chair Har, and Members of the Committee:

I am Myoung Oh, Government Affairs Director, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,000 members. HAR **supports** S.B. 328, S.D.1, H.D.1 **with amendments**, which allows a landlord to hold a tenant's security deposit for the purpose of paying for damages caused by an animal residing in the premises and authorizes a landlord as a condition of a rental agreement to add to the security deposit an amount for an animal to reside in the premises.

The use of pet deposits is to ensure that the landlord will be compensated for any damage done to a rental unit by a pet (urine stains, scratches, rips or other damage). The negotiated amount of a pet deposit will depend on varying situations such as number, size, type, and demeanor of the pet, or if the pet seems properly trained. Some landlords will ask to see the pets before making a decision.

It is important to note that HAR's widely used Rental Agreement contains information with respect to security deposit and that the deposit may not be more than one-month rent. As such, HAR respectfully request an effective date of November 1, 2013 to allow for our commonly used Rental Agreement to be amended.

Mahalo for the opportunity to testify.



## DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814  
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

April 2, 2013

### TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

#### Senate Bill 328, SD1, HD1 – Relating to Animals

The Disability and Communication Access Board (DCAB) takes no position on Senate Bill 328, SD1, HD1 – Relating to Animals but offers comments. This bill allows a landlord to hold a tenant's security deposit for the purpose of paying for damages caused by an animal residing in the premises. It also authorizes a landlord, as a condition of a rental agreement, to add to the security deposit an amount for an animal to reside in the premises.

Language we had suggested in testimony for Senate Bill 328 was included in the amendment in Senate Draft 1 but was revised in House Draft 1.

We request that this bill be amended as follows to be consistent with the Senate Draft:

- On page 2, line 12, change "service animal" to "assistance animal".

Thank you for the opportunity to testify.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG  
Chairperson

FRANCINE WAI  
Executive Director

**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aimee Nuss	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alice Saul	Individual	Support	No

Comments: COMMITTEE ON JUDICIARY Rep. Karl Rhoads, Chair Rep. Sharon E. Har, Vice Chair Dear Representatives Rhoads and Har, I am writing to you regarding SB328 SD1 HD1 (HSCR117) enabling provisions for pet deposits under Hawaii's Landlord Tenant Code. Such a provision has been long due and will afford a reasonable means to accommodate both our pet-loving residents and offer a measure of financial assurance for property owners. Thank you.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allan Schildknecht	Individual	Support	No

Comments: Please support this Bill

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrew Connell	Individual	Support	No

Comments:

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
anna meng	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Arin Duarte	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Audrey Lake	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Audrey Nakata	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bonnie Oda	Individual	Support	No

Comments:

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brett Lum	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carolyn Knoll	Individual	Support	No

Comments:

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caron Nakamura	Individual	Support	No

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Submitted on: 3/30/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chelsea Kentris	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl Thielen	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cynthia Frith	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana Jones	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Morisato	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Blastic	Individual	Support	No

Comments: Allow landlords to charge a refundable pet deposit. Responsible owners don't mind!

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dirk Fukushima	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Rice Grossman	Individual	Support	No

## Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Suter	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fawn Liebengood	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gillian Boss	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ginger Chock	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
GINGER KOLONICK	Individual	Support	No

Comments:

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ginny Tiu	Individual	Support	No

Comments: I strongly support SB328. This would make it easier for people with pets to find housing, and not create more displaced animals. There are already too many animals that need to be adopted. There are responsible owners that deserve to be able to find housing with their pets, who are part of the family. Thank you very much for your consideration. Ginny Tiu

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Helene Navaro	Individual	Support	No

Comments: Any thing we can do in Hawaii to support more pet-friendly housings is a must. There are so many homeless animals on the street as the result of not enough of pet-friendly housings. You are making the right decision for the animals by supporting this Bill. Look at the rentals section in our newspaper and you will see clearly the necessity of this Bill. Mahalo Nui Loa for your kind consideration.

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Iris Iwami	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacque Le Blanc	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jamie Ikeda	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jamie Louis	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jane Arnold	Individual	Support	No

Comments:

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jane Shiraki	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Janet Clark	Individual	Support	No

Comments:

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Janis Kusatsu	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Cadiz	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Chiwa	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Dunn	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessie Pennington	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JOHNNY KELLY	Individual	Support	No

Comments: PLEASE PASS THIS BILL

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Judith A. Mick	Individual	Support	No

Comments: I am a landlord and a pet sitter. I know for a fact that humans do more damage than animals to rentals. I know that animal companionship is very important - and helpful- to many. Let's find a way to make this work.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kahanu Ponimoi	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kate Linton	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keoni Vaughn	Individual	Support	No

Comments: Dear Chair, Vice Chair and Committee members, In allowing a pet deposit, this bill addresses the financial concerns that landlords may have in allowing their unit/building to be pet friendly. As the number of dog owners continues to increase on Oahu, ensuring that pet-friendly housing is available for these families is absolutely necessary. Further, from the tenant perspective, I do believe a maximum amount on the pet security deposit should be added to the bill. I ask for your support to pass this bill. Thank you for allowing me to testify in support of SB328. Sincerely, Keoni Vaughn

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura Lum	Individual	Support	No

Comments:

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**SB328**

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Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
LEILA ISHIKI	Individual	Support	No

Comments:

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**SB328**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
leslie takaki	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Ross	Individual	Support	No

Comments: Please pass this bill. Companion animals are an important part of our lives.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Fowler	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lola Colombe	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lopaka Biondine	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lu Fleming	Individual	Support	No

Comments: As a landlord of 7 units past pet damage has deterred me from allowing pets in my units..with this new law I will welcome pets in assurance of being compensated for any said damage. Be advised, pet dep is common place on the mainland, update our laws for easier rental placement for those who love/want their pets.

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malia Hollmann	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marci Taylor-Kaneshige	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marcia Muraoka-Dunn	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Margaret Sueoka	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mari Zeleznik	Individual	Support	No

Comments: Hawaii protects landlords who make it impossible for people to improve the quality of their lives through pet ownership. I believe current practices lead to pet abandonment and the breakup of families. Pets need to be included when people rent, and a deposit would help. Although landlords should not ask for deposits, I have paid them more than once, happy to keep my animals. What is unfair is to be asked to pay monthly fees for them, which I have also done.

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary James	Individual	Support	No

Comments:

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mi Kosasa	Individual	Support	No

Comments: Thank you for coming up with this creative solution!

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michele Higa	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Bowerman	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Moran	Individual	Support	No

Comments: A no brainer. Why not let this happen, so long as renter & landlord agree. The animal has no voice. Please support Mahalo

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**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi Egami	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pam Wolf	Individual	Support	No

Comments: Pets are family! Kids make more messes than animals most of the time. Win win if there is a pet deposit.

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peter Kowen	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachel Sussman	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rene Umberger	Individual	Support	No

Comments: Aloha Chair Rhoads, Vice-chair Har and Committee members, Thank you for hearing this important measure. Allowing pet deposits is a simple but effective way to support families and their pets. It seems that fewer and fewer landlords today allow pets, and certainly too many pets end up in our animal shelters, surrendered by families who can't find a rental that will allow them. I believe this measure will help reverse that trend, and I sincerely hope you pass it. Mahalo, Rene Umberger

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**SB328**

Submitted on: 3/30/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rob Church	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
roland shanklin	Individual	Support	No

Comments:

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**SB328**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sarah kimmons	Individual	Support	No

Comments:

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**SB328**

Submitted on: 3/30/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sherryl Mencacci	Individual	Support	No

Comments:

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**SB328**

Submitted on: 4/1/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stacy Takekawa	Individual	Support	No

Comments:

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Submitted on: 3/30/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephanie Docekal	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/30/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Hammer	Individual	Support	No

Comments: As a renter and landlord, I firmly support this bill to add more flexibility for landlords and tenants who have pets.

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**SB328**

Submitted on: 3/31/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Kosasa	Individual	Support	No

Comments:

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Submitted on: 4/1/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
valerie barnes	Individual	Support	No

Comments: Recommend adding "emotional support" animals to the "service animal" exemption. A letter documenting that an animal is necessary for a disabled person for emotional support is easily obtained from the physician who prescribed it. This proposed additional exemption is particularly helpful to persons with emotional/mental health challenges and would be consistent with similar provisions other states.

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vernon Ling	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victoria Sandoval	Individual	Support	No

Comments:

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Violet Iuta	Individual	Support	No

Comments: Please add a maximum amount for the pet security deposit.

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**SB328**

Submitted on: 3/29/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Warren C. Amaral	Individual	Support	No

Comments:

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**LATE**

**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David McArthur	Individual	Comments Only	No

Comments: Please support SB 328 mahalo

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**LATE**

**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Markl	Individual	Support	No

Comments: Please make sure to support passage of this immediately and for floor vote. This would make this an aloha state for the citizens not just for publicity to get tourist dollars. So many heartbreaks for hardworking people and a rarity to find an apt. that allows caretakers to be with their beloved pet, nurturing each other. But what has happened has been constant unnecessary tragedy of having to give up their beloved pet which can include being killed because of no space at hhs or being let go outside. There is no excuse for this in a state that advertises itself as an aloha state. Please change this tragedy now. Thank you.

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**LATE**

**SB328**

Submitted on: 4/1/2013

Testimony for JUD on Apr 2, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ron Gose	Individual	Support	No

Comments:

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