

STAND. COM. REP. NO.

233

Honolulu, Hawaii
February 8, 2013

RE: H.B. No. 23
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 23 entitled:

"A BILL FOR AN ACT RELATING TO REAL ESTATE,"

begs leave to report as follows:

The purpose of this measure is to clarify the real estate licensing requirement for custodians or caretakers of real property.

Rentals Maui, Inc., Condominium Rentals Hawaii, Prince Properties, Inc., Abbey Vacation Rentals, and Hawaiian Dream Properties submitted testimony in support of this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and the Hawaii Real Estate Commission submitted testimony in opposition to this measure. The Hawaii Association of Realtors submitted comments on this measure.

Your Committee finds that Hawaii real estate law does not clearly state the exemption from licensing requirements for caretakers and custodians, including designated agents and local contacts who provide services to owners of transient accommodations. This measure is intended to clarify the requirements for licensing of caretakers, custodians, designated agents, and local contacts, in order to provide better protection to consumers who rent transient accommodation units in Hawaii.



Your Committee has amended this measure by changing the effective date to January 1, 2112, to encourage continued discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 23, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 23, H.D. 1, and be referred to the Committee on Judiciary.

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



ANGUS L.K. MCKELVEY, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSCR 233

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 23	Committee Referral: CPC, JUD	Date: 2/6/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	✓			
2. KAWAKAMI, Derek S.K. (VC)	✓			
3. BELATTI, Della Au				✓
4. BROWER, Tom	✓			
5. CABANILLA, Rida T.R.				✓
6. CACHOLA, Romy M.				✓
7. CARROLL, Mele				✓
8. EVANS, Cindy	✓			
9. HAR, Sharon E.				✓
10. ITO, Ken	✓			
11. LEE, Chris	✓			
12. TSUJI, Clift	✓			
13. YAMANE, Ryan I.	✓			
14. MCDERMOTT, Bob			✓	
15. THIELEN, Cynthia	✓	[Signature]	[Signature]	
TOTAL (15)	9	0	1	5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
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