

Honolulu, Hawaii
March 3, 2016

RE: H.B. No. 1561

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1561 entitled:

"A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT,"

begs leave to report as follows:

The purpose of this measure is to remedy the situation of an unlawful occupation of real property by amending the nuisance abatement law to authorize civil lawsuits that seek, among other things, an order of abatement that permanently prohibits the trespassers from residing on or entering onto the subject real property.

The Hawaii Association of REALTORS and numerous concerned individuals testified in support of this measure.

Your Committee finds that "squatting", to settle on land without title, right, or payment of rent, has become common in certain areas of this State and is a serious nuisance to the owners of the property, adjoining landowners, and neighboring residents. Squatting presents significant legal issues for land owners because the legal process to evict a squatter is costly and time consuming. The problems multiply when the squatter locates on property that has been abandoned by the owner. Because neighboring landowners and residents do not have a property interest in the abandoned parcel, they usually do not have effective legal tools to remove the squatter. Your Committee received testimony from numerous individuals that attest to the



lack of effective remedies to protect against noise, drug use, unsanitary conditions, and other illegal activities in their neighborhoods.

This measure is intended to provide the landowners and the affected communities with a means to obtain relief from the nuisance created by squatters.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1561 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



