
A BILL FOR AN ACT

RELATING TO THE 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:

12 (A) The University of Hawaii or any other university
13 or college in the State for housing its own
14 students or faculty or residence in a structure
15 erected on land leased from the university or
16 college by a nonprofit corporation for the



- 1 exclusive purpose of housing students or faculty
2 of the college or university; or
- 3 (B) A private dorm management company that offers a
4 minimum of fifty beds to students of any college,
5 university, or other institution of higher
6 education in the State;
- 7 (3) Occupancy under a bona fide contract of sale of the
8 dwelling unit or the property of which it is a part
9 where the tenant is, or succeeds to the interest of,
10 the purchaser;
- 11 (4) Residence by a member of a fraternal organization in a
12 structure operated without profit for the benefit of
13 the organization;
- 14 (5) Transient occupancy on a day-to-day basis in a hotel
15 or motel;
- 16 (6) Occupancy by an employee of the owner or landlord
17 whose right to occupancy is conditional upon that
18 employment or by a pensioner of the owner or landlord
19 or occupancy for a period of up to four years
20 subsequent thereto, pursuant to a plan for the



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



1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 3. This Act shall take effect on July 1, 2017.



Report Title:

Landlord Tenant Code; Hawaii Public Housing Authority; Exemption

Description:

Exempts residence in a structure or on a property directly controlled by the Hawaii Public Housing Authority from the requirements of the residential landlord-tenant code. (HB1009 HD2)

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