
HOUSE CONCURRENT RESOLUTION

REQUESTING THE CONVENING OF A WORKING GROUP TO EXAMINE AND
DEVELOP RECOMMENDATIONS TO ADDRESS THE ISSUE OF SQUATTING
IN THE STATE.

1 WHEREAS, the Legislature finds that squatting, or settling
2 on land without title, right, or payment of rent, has become
3 common in certain areas of the State and is a serious nuisance
4 to owners of the property, adjoining landowners, and neighboring
5 residents; and
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7 WHEREAS, Act 154, Session Laws of Hawaii (SLH) 2016,
8 amended section 712-1270, Hawaii Revised Statutes (HRS), to
9 include unlawful occupation of real property to which the person
10 has no title, lease, or other legal claim as a nuisance subject
11 to civil suit for abatement, prevention, and injunction; and
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13 WHEREAS, in its deliberations on Act 154, SLH 2016, the
14 Legislature found that squatting presents significant legal
15 issues for landowners because the legal process to evict a
16 squatter is costly and time-consuming; and
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18 WHEREAS, squatting on real property that has been abandoned
19 by the landowner presents even greater problems to the community
20 because neighboring landowners and residents do not have a
21 property interest in the abandoned parcel and, therefore, have
22 recourse only to civil suit as authorized by Act 154, SLH 2016,
23 to remedy the issue; and
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25 WHEREAS, pursuing remedy through a civil suit is an
26 expensive and time-consuming process that, in the case of
27 abandoned property, places the entire burden on neighbors and
28 community members seeking to abate nuisance conditions that they
29 did not cause; and
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1 WHEREAS, while the remedy to confront squatting provided by
2 Act 154, SLH 2016, can provide relief to communities that are
3 already affected, it is only available to address an existing
4 nuisance condition and does not provide a means to prevent the
5 nuisance from occurring; and
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7 WHEREAS, the root causes of squatting are complex and to
8 address the problem, it is necessary to clearly understand the
9 issue and its associated factors in order to address it through
10 policymaking and decisionmaking; now, therefore,
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12 BE IT RESOLVED by the House of Representatives of the
13 Twenty-ninth Legislature of the State of Hawaii, Regular Session
14 of 2017, the Senate concurring, that the Governor's Coordinator
15 on Homelessness is requested to convene a working group to
16 examine and develop recommendations to address the issue of
17 squatting in the State, including by:
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- 19 (1) Clearly defining the behaviors or actions that
20 constitute squatting;
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- 22 (2) Identifying the circumstances and unmet needs that
23 predict or lead to squatting;
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- 25 (3) Recommending ways to proactively prevent squatting,
26 such as increasing the inventory of shelter beds and
27 affordable housing; and
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- 29 (4) Recommending ways to resolve community impacts caused
30 by squatting, including through the judicial system,
31 law enforcement, and community action; and
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33 BE IT FURTHER RESOLVED that in developing its
34 recommendations, the working group is requested to also consider
35 and examine policy and legislative considerations with respect
36 to squatting, including proposed legislation regarding
37 trespassing, adverse possession, eviction, loitering, and
38 termination of tenancy; and
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40 BE IT FURTHER RESOLVED that the Governor's Coordinator on
41 Homelessness is requested to invite representatives of
42 government, non-profit, and private entities to serve on the
43 working group, including the following:
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- 1 (1) The Chair of the Senate standing committee with
- 2 primary subject-matter jurisdiction over housing, or
- 3 the Chair's designee;
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- 5 (2) The Chair of the House standing committee with primary
- 6 subject-matter jurisdiction over housing, or the
- 7 Chair's designee;
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- 9 (3) The Director of Human Services or the Director's
- 10 designee;
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- 12 (4) The Executive Director of the Hawaii Public Housing
- 13 Authority or the Executive Director's designee;
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- 15 (5) A representative from PHOCUSED (Protecting Hawaii's
- 16 Ohana, Children Under-served, Elderly, and Disabled);
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- 18 (6) A representative from The Chamber of Commerce Hawaii;
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- 20 (7) A representative from the Hawaii Association of
- 21 Realtors; and
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- 23 (8) Any other stakeholders as determined by the majority
- 24 of members of the working group; and
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26 BE IT FURTHER RESOLVED that the Chair of the Senate
 27 standing committee with primary subject-matter jurisdiction over
 28 housing and the Chair of the House standing committee with
 29 primary subject-matter jurisdiction over housing are requested
 30 to serve as the Co-chairpersons of the working group; and

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 32 BE IT FURTHER RESOLVED that the members of the working
 33 group shall be exempt from chapter 92, Hawaii Revised Statutes;
 34 and

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 36 BE IT FURTHER RESOLVED that the working group will cease to
 37 exist on June 30, 2018; and

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 39 BE IT FURTHER RESOLVED that the working group is requested
 40 to submit a report of its findings and recommendations,
 41 including any proposed legislation, to the Legislature no later
 42 than twenty days before the convening of the Regular Session of
 43 2018; and

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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Governor, Governor's
3 Coordinator on Homelessness, Chairperson of the Senate standing
4 committee with primary subject-matter jurisdiction over housing,
5 Chairperson of the House standing committee with primary
6 subject-matter jurisdiction over housing, Director of Human
7 Services, Executive Director of the Hawaii Public Housing
8 Authority, Executive Director of PHOCUSED, President and Chief
9 Executive Officer of The Chamber of Commerce Hawaii, and
10 President of the Hawaii Association of Realtors.

