
HOUSE 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 as a nuisance
10 subject to civil suit for abatement, prevention, and injunction;
11 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 property that has been abandoned by
19 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

24
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, that the Governor's Coordinator on Homelessness is
15 requested to convene a working group to examine and develop
16 recommendations to address the issue of squatting in the State,
17 including by:
18

- 19 (1) Clearly defining the behaviors or actions that
20 constitute squatting;
- 21 (2) Identifying the circumstances and unmet needs that
22 predict or lead to squatting;
- 23 (3) Recommending ways to proactively prevent squatting,
24 such as increasing the inventory of shelter beds and
25 affordable housing; and
26 (4) Recommending ways to resolve community impacts caused
27 by squatting, including resolution through the
28 judicial system, law enforcement, and community
29 action; and
30 and
31 and
32 and
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34 BE IT FURTHER RESOLVED that in developing its
35 recommendations, the working group is requested to also consider
36 and examine policy and legislative considerations with respect
37 to squatting, including laws related to trespassing, adverse
38 possession, eviction, loitering, and 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



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1 government, non-profit, and private entities to serve on the
2 working group, including the following:

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- 4 (1) The Chair of the Senate Committee on Housing or the
5 Chair's designee;
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 - 7 (2) The Chair of the House Committee on Housing or the
8 Chair's designee;
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 - 10 (3) The Director of Human Services or the Director's
11 designee;
 - 12
 - 13 (4) The Executive Director of the Hawaii Public Housing
14 Authority or the Executive Director's designee;
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 - 16 (5) A representative from PHOCUSED (Protecting Hawaii's
17 Ohana, Children Under-served, Elderly, and Disabled);
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 - 19 (6) A representative from The Chamber of Commerce Hawaii;
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 - 21 (7) A representative from the Hawaii Association of
22 Realtors; and
 - 23
 - 24 (8) Any other stakeholders as determined by the majority
25 of members of the working group; and

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27 BE IT FURTHER RESOLVED that the Chair of the Senate
28 Committee on Housing and the Chair of the House Committee on
29 Housing are requested to serve as the Co-chairpersons of the
30 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



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1 than twenty days before the convening of the Regular Session of
2 2018; and

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4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the Governor, Director of Human
6 Services, Executive Director of the Hawaii Public Housing
7 Authority, Executive Director of PHOCUSED, President and CEO of
8 The Chamber of Commerce Hawaii, and President of the Hawaii
9 Association of Realtors.

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OFFERED BY:

~~Tom B...~~
Tom B...
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MAR 10 2017

