

JAN 24 2018

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# A BILL FOR AN ACT

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RELATING TO RENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 521-21, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "**§521-21 Rent.** (a) The landlord and tenant may agree to  
4 any consideration, not otherwise prohibited by law, as rent. In  
5 the absence of such agreement, and subject to section 521-71(e)  
6 in the case of holdover tenants, the tenant shall pay to the  
7 landlord the fair rental value for the dwelling unit.

8       (b) Rents shall be payable at the time and place agreed to  
9 by the parties. Unless otherwise agreed, the entire rent shall  
10 be payable at the beginning of any term for one month or less,  
11 and for longer terms in equal monthly installments payable at  
12 the beginning of each month. When a rental agreement with a  
13 public assistance recipient requires that the rent be paid on or  
14 before the third day after the day on which the public  
15 assistance check is usually received, the tenant shall have the  
16 option of establishing a new due date by making a one-time  
17 payment to cover the period between the original due date and



1 the newly established date. The new date shall not exceed by  
2 more than three days, excluding Saturdays, Sundays, and  
3 holidays, the date on which checks are mailed. The one-time  
4 payment shall be established by dividing the monthly rental by  
5 thirty and multiplying the result by the number of days between  
6 the original and the new due dates.

7 (c) Except as otherwise provided in subsection (b), rent  
8 shall be uniformly apportionable from day to day.

9 (d) When the tenancy is from month to month, the amount of  
10 rent for such tenancy shall not be increased by the landlord  
11 without written notice given forty-five consecutive days prior  
12 to the effective date of the increase.

13 (e) When the tenancy is less than month to month, the  
14 amount of rent for such tenancy shall not be increased by the  
15 landlord without written notice given fifteen consecutive days  
16 prior to the effective date of the increase.

17 (f) Where the rental agreement provides for a late charge  
18 payable to the landlord for rent not paid when due, the late  
19 charge shall not exceed eight per cent of the amount of rent  
20 due.




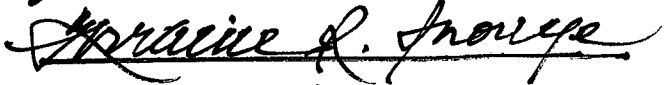

1        (g) Effective January 1, 2019, rent for all residential  
2        dwelling units shall be established at an amount equal to the  
3        amount of rent charged for the same dwelling unit in 2015 and  
4        shall not be increased more than three per cent annually or  
5        three per cent per lease term; provided that each county may  
6        adjust rents to a fair rental value for specific areas in each  
7        county as the county deems appropriate. For any residential  
8        dwelling unit for which rent was not collected in 2015, the  
9        county shall determine the effective base rent for the dwelling  
10       unit.

11       (h) Each county shall establish a process for granting  
12       exemptions from the requirements under subsection (g) for those  
13       property owners who have invested \$                      or more to improve  
14       or upgrade a residential dwelling unit to meet codes as may be  
15       required by law; provided that the limits on increases to rent  
16       under subsection (g) shall still apply."

17       SECTION 2. New statutory material is underscored.

18       SECTION 3. This Act shall take effect upon its approval.

19  
INTRODUCED BY:

# S.B. NO. 2980

**Report Title:**

Rent; Dwelling Units; Base Rate

**Description:**

Establishes that effective January 1, 2019, rent for all residential dwelling units shall be established at an amount equal to the amount of rent charged for the same dwelling unit in 2015 and shall not be increased more than three per cent annually or three per cent per lease term. Establishes that each county may adjust rents to a fair rental value for specific areas in each county. Establishes that for any residential dwelling unit for which rent was not collected in 2015, the county shall determine the effective base rent for the dwelling unit. Requires each county to establish a process for granting exemptions from the rent control requirements for those property owners who have invested an unspecified amount to improve or upgrade a residential dwelling unit to meets codes.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

