
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
students or faculty or residence in a structure
erected on land leased from the university or
college by a nonprofit corporation for the



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- 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



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- 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 by the seller of residential real property
10 after the transfer of the seller's ownership rights;
- 11 (10) Occupancy in a homeless facility or any other program
12 for the homeless authorized under part XVII of chapter
13 346;
- 14 (11) Residence or occupancy in a public housing project or
15 complex directly controlled, owned, or managed by the
16 Hawaii public housing authority pursuant to the
17 federal low rent public housing program;
- 18 (12) Residence or occupancy in a transitional facility for
19 abused family or household members; [e]



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- 1 (13) Residence or occupancy in a structure or on a property
 2 directly controlled, owned, or managed by the Hawaii
 3 public housing authority[-]; or
 4 (14) Residence or occupancy in a structure or on a property
 5 directly controlled, owned, or managed by the
 6 department of agriculture."

7 SECTION 2. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2019.

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INTRODUCED BY: S. Carl

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Report Title:

Landlord Tenant Code; Exemption; DOA

Description:

Exempts the residency or occupancy in a structure or on a property directly controlled, owned, or managed by the Department of Agriculture from the Residential Landlord-Tenant Code.

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