

STAND. COM. REP. NO.

751

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 1557
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1557, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UNOCCUPIED RESIDENTIAL PROPERTIES, "

begs leave to report as follows:

The purpose of this measure is to prevent a residential property subject to a judicial foreclosure action from becoming unoccupied by:

- (1) Imposing a fine upon the homeowner of a property going through the foreclosure process, the foreclosing party, or prevailing purchaser under certain conditions;
- (2) Requiring counties to regulate rentals of foreclosed properties and enforce fines; and
- (3) Specifying the manner in which the property may be rented during the pendency of the foreclosure proceeding.

A Hawaii County Council member supported this measure. The Hawaii Chapter of the Community Associations Institute Legislative Action Committee, Hawaii Bankers Association, Hawaii Financial Services Association, Hawaii Credit Union League, HSBA Collection

HB1557 HD1 HSCR JUD HMS 2019-2363



Law Section, and Hawai'i Association of REALTORS opposed this measure. The Department of Commerce and Consumer Affairs provided comments.

Your Committee notes that due to the lack of prior concurrence from your Committee on Consumer Protection and Commerce, your Committee did not make amendments to provisions that were beyond the scope of this Committee's jurisdiction. Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that it obtain prior concurrence to make amendments that would authorize, rather than require, each county council to adopt and provide for the enforcement of unoccupied residential properties subject to judicial foreclosure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1557, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



