

Honolulu, Hawaii

FEB 08 , 2022

RE: H.B. No. 1863
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1863 entitled:

"A BILL FOR AN ACT RELATING TO LANDLORD-TENANT DISPUTES,"

begs leave to report as follows:

The purpose of this measure is to increase access to representation for residential tenants in actions or proceedings for possession by:

- (1) Providing for state-funded access to legal services for residential tenants, with full access to each income-eligible tenant available by July 1, 2027;
- (2) Authorizing attorneys, paralegals, and law students to provide the legal services to eligible residential tenants; and
- (3) Appropriating funds to the Judiciary to contract with legal service organizations or clinical training programs to carry out this purpose.

Your Committee received testimony in support of this measure from the National Coalition for a Civil Right to Counsel. Your Committee received comments on this measure from the Department of Budget and Finance, Judiciary, and Department of Human Services.



Your Committee finds that the continuing pandemic health and economic impacts, soaring home sales, rising rents, and increasing costs for food and other necessities have made fixed- and low-income residents more vulnerable to housing instability and evictions. Your Committee further finds that evictions can negatively impact many areas of a person's life, including housing stability, child custody, and employment. Housing stability in particular is a fundamental necessity for individuals and families to succeed in school and work, maintain a healthy life, and build strong communities.

Your Committee notes that the Hawaii Supreme Court is currently exploring the goal of increasing access to representation for residential tenants in residential landlord-tenant disputes via two ongoing pilot projects in the first and second circuits. Your Committee believes that the pilot project contemplated by this measure warrants further discussion.

Accordingly, your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1863, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



