

STAND. COM. REP. NO.

3304

Honolulu, Hawaii

MAR 22 2024

RE: H.B. No. 2742  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and  
Judiciary, to which was referred H.B. No. 2742, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the notice period for summary possession proceedings from five days to fifteen days for failure to pay rent;
- (2) Require landlords to provide the notice to mediation centers;
- (3) Require landlords to enter into mediation if scheduled by a tenant, which will delay when a landlord may file an action for summary possession except in cases where a tenant cancels the mediation or does not appear;
- (4) Restrict when landlord remedies are available depending on the amount of rent due; and
- (5) Appropriate funds for the Judiciary to contract for mediation services.



Your Committees received testimony in support of this measure from the Judiciary; Mediation Center of the Pacific, Inc.; Legal Aid Society of Hawai'i; Ku'ikahi Mediation Center; and Mediation Centers of Hawai'i.

Your Committees received comments on this measure from the Hawai'i Association of REALTORS.

Your Committees find that due to the August 2023 Maui wildfires, thousands of Maui residents have lost their jobs and have been unable to pay their rent. Your Committees further find that although the Governor has provided certain protections for these tenants who are struggling during this time, such as by issuing emergency proclamations that include an eviction moratorium that prohibits any eviction from a residential dwelling unit for failure to pay rent, eventually, these eviction moratoriums will expire, and a large number of summary possession cases are expected to follow as a result.

Your Committees also find that Act 57, Session Laws of Hawaii 2021 (Act 57), encouraged communication and facilitated mediation between landlords and tenants to help encourage collaborative solutions and reduce evictions when possible. Although the provisions of Act 57 have since expired, the pre-litigation mediation program's success warrants the readoption of its most effective provisions. Therefore, this measure reimplements certain provisions of Act 57 for these specific tenancies that are subject to the eviction moratorium issued under the Governor's emergency proclamations to encourage tenants and landlords to engage in early mediation.

Your Committees have amended this measure by:

- (1) Clarifying this measure's purpose;
- (2) Inserting an effective date of July 1, 2040, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that



are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2742, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2742, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Commerce and Consumer Protection and Judiciary,



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KARL RHOADS, Chair



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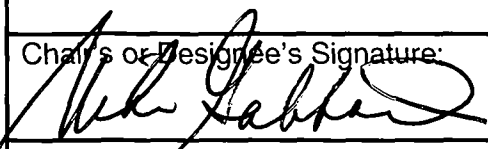
JARRETT KEOHOKALOOLE, Chair





The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2742 HD1	CPN   JDC, WAM	03   20   24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
<b>TOTAL</b>	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes