

STAND. COM. REP. NO. 3707

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2742
H.D. 1
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2742, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a pre-litigation mediation procedure for Maui tenancies that are subject to the current eviction moratorium.

Specifically, this measure:

- (1) Requires landlords to provide Maui tenants with at least fifteen calendar days of notice before terminating a rental agreement for failure to pay rent and initiating a summary proceeding for possession of the dwelling unit;
- (2) Authorizes tenants to schedule a mediation within the fifteen-day period to prohibit landlords from evicting tenants while the mediation is pending, subject to certain deadlines; and
- (3) Requires the landlord to participate in the mediation if scheduled by the tenant.



Your Committee received written comments in support of this measure from the Judiciary and the Mediation Center of the Pacific, Inc.

Your Committee received written comments on this measure from the Hawaii Association of REALTORS.

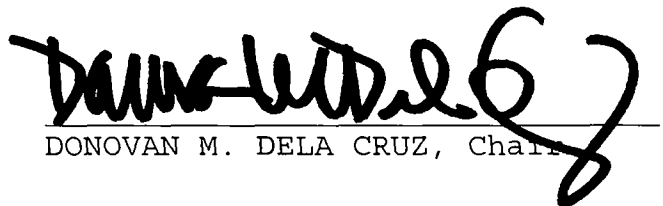
Your Committee finds that the expiration of the Maui eviction moratorium may potentially result in lawsuits that could overwhelm courts on Maui. Your Committee believes that establishing a pre-litigation mediation process will help to reduce state court workload, keep tenants housed, and leave landlords with an acceptable alternative to a summary proceeding for possession of a dwelling unit.

Your Committee acknowledges the written comments submitted by the Hawaii Association of REALTORS, which requests that a provision for rent relief be added to this measure to help ensure that tenants are able to stay in the homes they are renting. The written comments by the Hawaii Association of REALTORS also explain that, without a rent relief provision, the measure merely delays eviction without addressing the root issue that gives rise to the evictions.

Your Committee has amended this measure by making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2742, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2742, H.D. 1, S.D. 2.

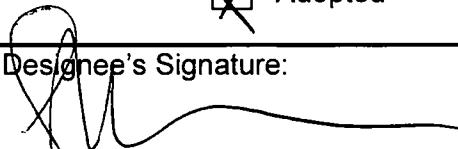
Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2742 HD1 SD1	CPN/JDC, WAM	4/4/2024		
<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
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn				X
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	12	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes