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GOVERNOR  
KE KIA'ĀINA



**KENNETH S. HARA**  
DIRECTOR OF EMERGENCY  
MANAGEMENT

**JAMES DS. BARROS**  
ADMINISTRATOR OF  
EMERGENCY MANAGEMENT

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF DEFENSE**  
**KA 'OIHANA PILI KAUA**  
**HAWAI'I EMERGENCY MANAGEMENT AGENCY**  
4204 DIAMOND HEAD ROAD  
HONOLULU, HAWAI'I 96816-4420

STATE OF HAWAI'I  
DEPARTMENT OF DEFENSE  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON SENATE BILL 2908 SD1,  
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE HOUSE COMMITTEES ON  
**WATER AND LAND**  
**CONSUMER PROTECTION AND COMMERCE**

BY

**JAMES DS. BARROS**  
ADMINISTRATOR  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

MARCH 13, 2024

Aloha Chairs Ichiyama and Nakashima, Vice-Chairs Poepoe and Sayama, and Members of the Committees:

Thank you for the opportunity to submit testimony to **SUPPORT** SB2908 SD1.

The Hawai'i Emergency Management Agency is expressing its support for Senate Bill 2908 SD1, which aims to provide better guidance and protection for individuals impacted by emergencies such as wildfires. HI-EMA acknowledges that many people who still have housing available to them are facing predatory rental rate increases, while those who have lost necessities of life may also face unfair pricing for essential goods and services.

Under this legislation, predatory pricing in any form, including the sale of commodities at retail or wholesale levels, will not be tolerated during emergencies. Landlords will also not be allowed to terminate rental agreements unless there is a breach of a material term of the agreement or if the unit is unfit for occupancy. Additionally, landlords are prohibited from increasing rent for residential units in the affected area unless the increase was agreed upon in writing prior to the declaration of the emergency.

HI-EMA supports this legislation as it aims to reduce stress for individuals facing unforeseen emergencies and ensures that predatory pricing is not allowed. It also helps property owners and suppliers understand that unfair pricing practices will not be tolerated.

Thank you for the opportunity to provide testimony in **SUPPORT** of Senate Bill 2908 SD1.

James Barros: [james.barros@hawaii.gov](mailto:james.barros@hawaii.gov); 808-733-4300



*Cade Watanabe, Financial Secretary-Treasurer*

*Gemma G. Weinstein, President*

*Eric W. Gill, Senior Vice-President*

March 11, 2024

Committee On Water & Land  
Rep. Linda Ichiyama, Chair  
Rep. Mahina Poepoe, Vice Chair

Committee On Consumer Protection & Commerce  
Rep. Mark M. Nakashima, Chair  
Rep. Jackson D. Sayama, Vice Chair

### **Testimony in Support of SB2908**

Chairs Ichiyama and Nakashima, Vice Chairs Poepoe and Sayama, and Members of the Committees,

UNITE HERE Local 5 represents 10,000 working people in the hotel, food service and health care industries across Hawaii.

Hundreds of our union members and their family lost their homes in the Lahaina wildfires. Our union has worked to provide what support we can to these working-class families in this impossibly difficult situation. Affordable housing and getting back to work are two key steps needed for Maui families to begin to rebuild their lives.

We are in support of SB2908. The bill will address one of those key building blocks needed for long term recovery. Rental costs were a serious problem for Maui residents even *before* the fire destroyed a significant number of homes in West Maui. It's hard to imagine a scenario where families can rebuild their lives if our government allows predatory rental prices to drain their financial resources. In order to support our 'ohana in their efforts to recover from this disaster, keeping rents from spiraling out of control, as they already have, is of utmost importance. We urge the committees to consider a timeline for these restrictions that allows the community a chance to start building longer-term solutions, because otherwise the problem of inflated rents will come up again before long. Securing fair and reasonable rents will give our Maui ohana the stability and foundation they need to rebuild.

We urge you to pass SB2908.

Thank you for your consideration.



Testimony of **Lahaina Strong**  
Before the House Committee on  
**Water & Land and Consumer Protection & Commerce**

In Consideration of Senate Bill No. 2908, SD1  
RELATING TO EMERGENCY MANAGEMENT

To Chair Ichiyama, Vice Chair Poepoe, Chair Nakashima, Vice Chair Sayama and the honorable members of the committees,

We are writing on behalf of Lahaina Strong, an organization that was initially formed in 2018 following the Hurricane Lane fire in Lahaina and re-energized last year after the devastating Lahaina fires on August 8. Our organization is the largest grassroots, Lahaina-based community organization, with over 20,000 supporters, engaged in emphasizing the importance of local voices and community-driven solutions.

**Lahaina Strong stands in support of SB2908 SD1**, which prohibits residential rent increases in affected areas for an unspecified period after a severe storm warning or issuance of an emergency proclamation.

Lahaina Strong has been at the forefront of relief and advocacy efforts, including the initiation of the "Fishing for Housing" camp, which has been in operation for over seventeen weeks along Kaanapali Beach, highlighting the need for dignified housing for Lahaina fire victims. We commend the legislature for considering measures that address the pressing issues faced by our community.

One of the primary goals of Lahaina Strong, as outlined in our ongoing efforts and collaboration with the affected community, is housing for the people of Maui. While our primary focus is on the displaced fire victims of Lahaina, we firmly believe that stronger protections are needed for all tenants, as we have borne witness to the secondary wave of evictions, rent increases, and instability the recent disasters have caused island-wide.

We strongly support the inclusion of a prohibition preventing landlords from increasing or notifying tenants of an increase in rent for a residential dwelling unit in a proclaimed disaster area if the increase was not agreed to in writing before the declaration or severe weather warning. This aligns with Lahaina Strong's advocacy for comprehensive and immediate protections for tenants in this housing crisis.

In summary, we believe that **SB2908 SD1** presents a crucial step forward in addressing the wave of evictions and rent increases faced by our community in the aftermath of the August 8 wildfires. We urge the legislature to pass this bill to provide much-needed relief and support to the Lahaina community and beyond.

Mahalo for your attention and commitment to the well-being of our community.

Sincerely,

Courtney Lazo, Pa'ele Kiakona & Jordan Ruidas

Lahaina Strong

March 13, 2024

**The Honorable Linda Ichiyama, Chair**  
House Committee on Water & Land

**The Honorable Mark M. Nakashima, Chair**  
House Committee on Consumer Protection & Commerce  
State Capitol, Conference Room 329 & Videoconference

**RE: Senate Bill 2908, SD1, Relating to Emergency Management**

**HEARING: Wednesday, March 13, 2024, at 2:00 p.m.**

Aloha Chair Ichiyama, Chair Nakashima, and Members of the Joint Committees:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 11,000 members. HAR provides **comments** on Senate Bill 2908 SD1, which prohibits residential rent increases in affected areas for an unspecified period after a severe storm warning or issuance of an emergency proclamation. Takes effect 1/1/2042.

HAR appreciates the intent of this measure to help address the issue of price freezing with regard to rental housing in a declared state of emergency; however, we prefer the language in House Bill 1902, HD1, as it would help to address the wider business community's concerns surrounding the need to update the Emergency Powers statutes on price freezing for all goods and services.

Under Hawaii Revised Statutes §127A-30, whenever the Governor or a Mayor for their respective county declares a state of emergency, it automatically triggers a prohibition on "any increase in the selling price of any commodity, whether at the retail or wholesale level, in the area that is the subject of the proclamation or the severe weather warning." This provision also applies to rental housing.

However, the use of Emergency Proclamations has expanded in recent years and there is almost always an active Emergency Proclamation at any given time. Both consumers and businesses are often confused on whether price freezing needs to happen in a given situation and on which products. HB 1902, HD1, addresses this issue by requiring that the Governor or Mayor specify within 72 hours of issuing an Emergency Proclamation whether price freezing will occur and on which products.

Should this bill move forward, we respectfully request that the contents of HB 1902, HD1, be inserted as it is more comprehensive and would provide much needed clarity for both businesses and consumers alike.

Mahalo for the opportunity to testify and provide comments on this measure.

March 13, 2024, 2 p.m.  
Hawaii State Capitol  
Conference Room 329 and Videoconference

**To: House Committee on Water & Land**

**Rep. Linda Ichiyama, Chair**

**Rep. Mahina Poepoe, Vice-Chair**

**House Committee on Consumer Protection & Commerce**

**Rep. Mark M. Nakashima, Chair**

**Rep. Jackson D. Sayama, Vice-Chair**

**From: Grassroot Institute of Hawaii**

**Ted Kefalas, Director of Strategic Campaigns**

**COMMENTS ON SB2908 SD1 — RELATING TO EMERGENCY MANAGEMENT**

Aloha Chairs and Committee members,

The Grassroot Institute of Hawaii would like to offer its comments on [SB2908 SD1](#), which would prohibit residential rent increases in specific areas for an unspecified amount of time following a severe storm warning or emergency proclamation.

We appreciate the good intentions behind this bill, as it is clearly part of an effort to prevent a recurrence of the rental housing crisis experienced in the aftermath of the Lahaina wildfire.

However, without a clear statement of the intended length of this rent freeze, it is difficult to properly anticipate its effect on the state's rental housing market as a whole.

Recent years have seen an increase in the use of emergency proclamations for situations outside of the natural disasters envisioned in this bill. Combined with the legal uncertainty surrounding the governor's ability to extend emergencies indefinitely via supplemental proclamations, this presents the possibility that SB2908 could affect the financial calculations involved with renting residential housing.

Because there is a real and ever-present threat of natural disasters in Hawaii, this bill may unintentionally contribute to higher overall rent prices or lower rental availability as landlords try to mitigate the risk of being affected by the bill's rent freezes.

Research demonstrates that even over a limited period of time or limited geographic area, rent freezes can have a negative impact on the rental market.

A recent study of Berlin's 2020 rent freeze found that even in the short term, rent control in Germany's capital city resulted in a dramatic drop in the number of properties advertised for rent.<sup>1</sup> In fact, many of Berlin's rentals appeared to permanently disappear from the rental market. Meanwhile, the policy created a significant rent gap in neighboring areas, pushing up rental prices where the freeze didn't apply.

In other words, landlords who are fearful of the long-term impact of a rent control law often protect their interests by either raising their rental rates in advance or leaving the market entirely.

Another example: When the city of Buenos Aires in Argentina announced a plan to "stabilize" rents in 2021, rental prices shot up 67% in anticipation of the coming rent freeze.<sup>2</sup>

Hawaii's emergency management statute already includes a price control period that extends to rental housing prices. If this bill were to substantially increase that rent control period, it could have an undesirable effect on the housing market as a whole.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

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<sup>1</sup> Anja M. Hahn, Konstantin A. Kholodilin, Sofie R. Waltl and Marco Fongoni, "[Forward to the Past: Short-Term Effects of the Rent Freeze in Berlin](#)," Management Science, March 22, 2023.

<sup>2</sup> Patrick Gillespie, "[How a Plan to Stabilize Rents Sent Prices Skyrocketing](#)," Bloomberg, April 16, 2021.



**SB-2908-SD-1**

Submitted on: 3/11/2024 5:52:34 PM

Testimony for WAL on 3/13/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gretchen Losano	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Ishiyama and Honorable Committee Members,

Please support SB 2908, this is a very important bill for Lahaina residents. We have seen the worst in people here in Lahaina, with mostly out of state owners increasing their rental prices after the fire on the west side and all over Maui. It's sick and cannot be tolerated. If people aren't going to be decent human beings when an entire town burns down, we have to pass laws to protect our citizens from these kinds of people. Please support Lahaina by supporting this bill.

Mahalo,

Gretchen Losano

Lahaina, Maui

**SB-2908-SD-1**

Submitted on: 3/12/2024 7:44:17 AM

Testimony for WAL on 3/13/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jackie Keefe	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Ichiyama and Nakashima, Vice Chairs Poepoe and Sayama, and Members of the Committees on Water and Land and Consumer Protection and Commerce,

My name is Jackie Keefe and I am a resident of Lahaina. I am writing in support of SB 2908 SD1 with comment.

As we have seen after the August 2023 wildfires, Hawai'i residents are desperately in need of protections like this.

My comment relates to the enforcement of the law. While I understand that the Attorney General's office is the responsible for enforcement, we have seen through the Governor's Emergency Proclamations that it doesn't necessarily mean that enforcement is actually happening.

I would like to see an accountability mechanism, such as reporting actions taken to the public, included in the bill. The lack of enforcement applied towards landlords who have illegally price-gouged and evicted has caused secondary and third degree trauma for our survivors in this time. We need to be assured that a law like this has teeth, because we've seen that these Emergency Proclamations simply did not.

Thank you for your consideration.

Jackie Keefe

**SB-2908-SD-1**

Submitted on: 3/12/2024 6:48:37 PM

Testimony for WAL on 3/13/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to prohibiting residential rent increases in affected areas for an unspecified period after a severe storm warning or issuance of an emergency proclamation. Takes effect 1/1/2042.