
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there is a need for
2 greater oversight of condominium landlords and condominium
3 association boards. The boards can currently levy fines,
4 initiate foreclosures, delay renovations, and take other actions
5 against condominium owners with little, if any, accountability.
6 Condominium renters may also be vulnerable to landlords who
7 violate the State's residential landlord-tenant code. Renters
8 and owners who have been subjected to unfair or unlawful
9 treatment may find themselves unable to protect their rights
10 without initiating expensive lawsuits.

11 Accordingly, the purpose of this Act is to provide greater
12 oversight of condominium association boards and more legal
13 protections for condominium renters and owners by requiring that
14 condominium renters who prevail in a lawsuit for a violation of
15 the residential landlord-tenant code be awarded reasonable
16 attorneys' fees, costs, and threefold damages.



1 SECTION 2. Chapter 521, Hawaii Revised Statutes, is
2 amended by adding a new section to part VI to be appropriately
3 designated and to read as follows:

4 "§521- Amount of recovery. Except as otherwise provided
5 in this chapter and notwithstanding any law to the contrary, any
6 tenant that is directly affected by a violation of this chapter
7 may sue for damages, and if the judgment is for the plaintiff,
8 the plaintiff shall be awarded:

- 9 (1) A sum not less than \$1,000 or threefold the
- 10 plaintiff's sustained damages, whichever is greater;
- 11 (2) Reasonable attorneys' fees; and
- 12 (3) The costs of the suit."

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 4. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2040.



Report Title:

Residential Landlord-Tenant Code; Damages; Attorneys' Fees

Description:

Requires that condominium renters who prevail in a lawsuit for a violation of the Residential Landlord-Tenant Code be awarded reasonable attorneys' fees, costs, and the greater of \$1,000 or threefold damages. Takes effect 7/1/2040. (SD1)

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