

Honolulu, Hawaii

MAR 15, 2024

RE: S.B. No. 3332
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 3332, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EVICTION MEDIATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Extend the notice for summary possession proceedings from five days to fifteen days for failure to pay rent;
- (2) Require landlords to provide 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;
- (5) Appropriate funds for the Judiciary to contract for mediation services; and



- (6) Establish and appropriate funds for an Emergency Rent Relief Program.

Your Committee received testimony in support of this measure from the Hawai'i State Judiciary Center for Alternative Dispute Resolution; Hawaii Public Housing Authority; Hawaii Appleseed Center for Law & Economic Justice; The Mediation Center of the Pacific, Inc.; Aloha United Way; Catholic Charities Hawai'i; Hawai'i State Coalition Against Domestic Violence; Hawai'i Children's Action Network Speaks!; Hawai'i Housing Affordability Coalition; Partners In Care; Hawai'i Health & Harm Reduction Center; Ku'ikahi Mediation Center; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General; Department of Human Services; and Hawai'i Association of REALTORS.

Your Committee finds that many people in the State continue to face challenges paying their rent due to the ever-increasing costs of housing. Your Committee further finds that the Maui wildfires have exacerbated these challenges with the loss of lives and damage to residential and commercial properties. While individuals and families in Maui are currently protected from being evicted by the Governor's eviction moratorium, your Committee notes that this protection will not last forever. Your Committee believes that the State must ensure that those who suffered from the Maui wildfires continue to have a safe place to live.

Your Committee further notes that a substantially similar bill, House Bill No. 2642, H.D. 2 (Regular Session of 2024), is currently moving through the legislative process and was previously passed by the House. That measure better addresses the issue of reducing evictions by establishing a pre-litigation mediation program throughout the State, rather than just for counties affected by wildfires, as proposed by this measure. However, your Committee acknowledges the importance of ensuring that those affected by the Maui wildfires are duly protected against evictions after the expiration of certain emergency proclamations.

While your Committee acknowledges the important role an Emergency Rent Relief Program would have in providing financial assistance to further prevent evictions, your Committee finds



that, due to current budget priorities, there is a lack of available funds for such a rent relief program this fiscal year.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language relating to pre-litigation mediation procedures and notice requirements, except for language that establishes a tiered time frame for when landlords are authorized to bring an action for summary possession after the expiration of the final eviction moratorium;
- (2) Deleting language that would have established and appropriated funds for an Emergency Rent Relief Program; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3332, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3332, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Housing,



LUKE A. EVSLIN, Chair



