



# UNIVERSITY OF HAWAII SYSTEM

## ‘ŌNAEHANA KULANUI O HAWAII

### Legislative Testimony

#### Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

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Testimony Presented Before the  
Senate Committee on Housing  
January 30, 2025 at 1:10 p.m.

By

Jan Gouveia

Vice President for Administration  
University of Hawai'i System

### SB 456 – RELATING TO BED BUGS

Chair Chang, Vice Chair Hashimoto, and Members of the Committee:

For the reasons more detailed below, the University of Hawai'i believes it should not be included in SB 456 and, to that extent, respectfully opposes the measure.

Generally speaking, SB 456 introduces legal requirements specific to bed bugs before renting a dwelling unit. It involves notice to prospective tenants of potential bed bug infestations in the current unit or any adjacent unit. It further imposes specific time frames upon the landlord to address suspicions of infestation and remediation upon confirmation. Finally, it specifically prohibits the University from recovering any costs from residents associated with bed bug remediation.

The University of Hawai'i at Mānoa Student Housing Services (Student Housing) program does not exceed rental terms of more than ten months. In fact, it is not uncommon for many residents to reside in the housing program for only one semester or a few months out of a year. In the summer, there are many residents that stay for periods ranging from a few days to a couple of months. The Student Housing program is more akin to short term housing or hotel-like durations that make many of the provisions in SB 456 unnecessary or infeasible.

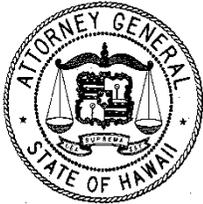
Furthermore, the Student Housing program has a bed bug protocol that has been in place for many years. Over the last ten years (at least), the program has not experienced a single “outbreak” of bed bugs. In the limited instances of isolated reports of bed bugs over the years, it is the protocol of the program to relocate impacted residents, secure the services of an external exterminator, and take all appropriate and necessary action.

Finally, it has been the practice of the Student Housing program to not recover remediation costs from student-residents. However, if circumstances are warranted, the University believes it should have the ability to do so.

Given the nature of student housing operations and regular residential turn-over, along with the demonstrated effectiveness of the Student Housing program's existing bed bug

protocol, the University believes it should not be included in SB 456. For these reasons, the University opposes SB 456.

Thank you for the opportunity to testify on this measure.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2025**

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**ON THE FOLLOWING MEASURE:**  
S.B. NO. 456, RELATING TO BED BUGS.

**BEFORE THE:**  
SENATE COMMITTEE ON HOUSING

**DATE:** Thursday, January 30, 2025      **TIME:** 1:10 p.m.

**LOCATION:** State Capitol, Room 225

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or Christopher T. Han  
or Christopher J.I. Leong, Deputy Attorneys General

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Chair Chang and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation. This bill establishes procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

The alternate deadlines created by subsection (e) of the new section to be added to part IV of chapter 521, Hawaii Revised Statutes (HRS), by section 2 of this bill beginning on page 2, may create confusion and further legal disputes between a landlord and tenant. Therefore, we recommend the following revisions to subsection (e) starting from page 5, line 9, to clarify which deadlines should prevail:

(e) Responsibility for cost of bed bug remediation shall be determined as follows:

- (1) If a tenant notifies the landlord that the tenant discovered or reasonably suspects a bed bug infestation within the tenant's dwelling unit within sixty days after the commencement of the lease, or within thirty days of a discovery of a bed bug infestation in an adjoining unit in the building, whichever is later, the landlord shall be

responsible for the costs of investigating and  
remediating the infestation; and

- (2) If a tenant notifies the landlord that the tenant discovered or reasonably suspects a bed bug infestation more than sixty days after the commencement of the lease, or more than thirty days after a discovery of a bed bug infestation in an adjoining unit in the building, whichever is later, the landlord shall be responsible for investigating and remediating the bed bug infestation; provided that the tenant shall equally share in the responsibility for the reasonable costs for remediating the infestation in the tenant's unit.

The definition of "dwelling unit" is already provided for chapter 521 by section 521-8, HRS, so the definition in subsection (h) of the new section to be added by section 2 of this bill is redundant. Furthermore, the exceptions to the exclusions from chapter 521 listed in section 521-7, HRS, do not appear to be a part of the definition of a "dwelling unit." As such, we recommend amending page 7, lines 4-8, to delete the redundant definition of "dwelling unit" and to amend the list of exceptions on page 7, line 9, to page 8, line 3, to the exclusions from the chapter in section 521-7 by placing them in a separate subsection expressly making the new section applicable to the listed exceptions as follows: "Notwithstanding section 521-7, this section shall apply to: [list paragraphs (1) and (2)]."

Thank you for the opportunity to provide comments.

JOSH GREEN, M.D.  
GOVERNOR



HAKIM OUANSAFI  
EXECUTIVE DIRECTOR

BARBARA E. ARASHIRO  
EXECUTIVE ASSISTANT

**STATE OF HAWAII**  
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IN REPLY, PLEASE REFER TO:

Statement of  
**Hakim Ouansafi, Executive Director**  
**Hawaii Public Housing Authority**

Before the  
**SENATE COMMITTEE ON HOUSING**

**Thursday, January 30, 2025**  
**1:10 PM – Room 225, Hawaii State Capitol**

In consideration of  
**SB 456**  
**RELATING TO BED BUGS**

Honorable Chair Chang, and members of the Senate Committee on Housing, thank you for the opportunity to provide testimony on Senate Bill (SB) 456, relating to bed bugs.

The Hawaii Public Housing Authority (HPHA) **appreciates the intent** and offers **comments** on SB 456, which prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation. Establishes procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

The HPHA's mission is to provide Hawaii's residents with adequate and affordable housing, economic opportunity, and suitable living environments that are free from discrimination through both its public housing and rental assistance programs. The HPHA serves our state's most disadvantaged populations, including families earning less than thirty percent of the Area Median Income, the disabled, and the elderly.

The HPHA is fully committed to maintaining safe, decent, and sanitary public housing units for our residents. As part of our standard operating procedures, no vacant public housing is provided to a new tenant unless it is:

- Completely free of bed bugs
- Equipped only with a refrigerator and a stove.
- Complies with federal physical condition standards, as described in 24 CFR 5.703. This ensures that every unit provided to a new tenant meets strict health and safety requirements.

Unfortunately, despite our rigorous standards, bed bugs are not solely a landlord issue—they are a community issue. We have encountered cases where tenants unknowingly introduce infestations into their units by bringing in furniture or mattresses from outside sources, including discarded items from dumpsters. This reality makes it impractical to impose blanket restrictions on the HPHA that already adhere to federally mandated inspection and remediation protocols.

As a federally funded agency, HPHA is already subject to multiple layers of oversight that include bed bug prevention and response protocols:

- The U.S. Department of Housing and Urban Development's (HUD)'s Real Estate Assessment Center (REAC). HPHA public housing units undergo this annual federal inspection under the National Standards for the Physical Inspection of Real Estate (NSPIRE), which also looks for the presence of bed bugs as part of their physical inspection scoring criteria.
- HPHA's Regular Unit Inspections: in addition to federal inspections, conducts annual or semi-annual inspections of all units to check maintenance and pest issues, including bed bugs.

Upon being notified of or discovering the presence of bed bugs, the HPHA follows HUD-recommended procedures, as outlined in PIH Notice 2012-17, to notify all households that may be affected while also protecting tenant privacy rights. The HPHA's management offices typically contract with a pest control service provider for multiple treatments. Follow-up inspections by trained staff or licensed professionals are performed until the infestation is fully addressed, and adjacent units are also inspected for bed bugs. Public housing tenants do not pay for the cost of treatment.

We appreciate this opportunity to provide the committee with our comments on SB 456, and humbly request the HPHA be removed from this measure. Thank you very much for your continued and dedicated support.



# **HAWAII PEST CONTROL ASSOCIATION**

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January 30, 2025

Testimony To: Senate Committee on Housing  
Senator Stanley Chang, Chair

Presented By: Tim Lyons, CAE  
Executive Director

Subject: S.B. 456 – RELATING TO BED BUGS

Chair Chang and Members of the Committee:

I am Tim Lyons, Executive Director of the Hawaii Pest Control Association. We are the companies who treat for bed bugs.

At the outset, we should make it clear that this is not our bill, however, we did feel duty bound to comment on it particularly in some areas that might need improvement. On page two (2) line twenty-one (21) it talks about a bed bug infestation that is "evident on visual inspection". We're not sure exactly what that means, after all a landlord could walk through the unit rather quickly and not see anything when in fact a closer inspection, when you know what you are looking for, could in fact reveal something. Perhaps that needs to be clarified. Additionally, on page three (3) subsection (b) it talks about "knowledge of an adjacent unit or units". What is preferred appears on page four (4) paragraph (d) 2 which talks about units "directly adjacent to or above or below the

dwelling unit". This is appropriate because our investigations show that typically if one (1) unit has bed bugs they will not only move sideways (to the left and right) but they will also move up and down to the units above and the units below in their search for a meal. (Note, the word "adjoining unit" is also used on page five (5) line sixteen (16).

Pages five through six (5-6), lines five through eight (5-8) provides that the tenant under certain circumstances has equal responsibility for the cost of remediating the unit. We're not sure exactly how that is to be structured since it is likely the manager or owner of the unit is the one who called in the Pest Control operator and signed a contract. There is no direct link to the tenant.

On page seven (7), we feel that tying "Bed bug remediation" to a sixty (60) day period is also not feasible. The likelihood of bed bug reemergence is not only dependent on the efficacy of the treatment but also the extent of the infestation. While one might be easily controlled in thirty (30) days the next may take repeated and multiple treatments in order to gain that same level of control.

In summary, while we certainly endorse taking any action against bed bug infestations because we know how miserable humans can become under that kind of bed bug pressure, we do have some concern about the details of this bill. We would be happy to work with the Committee, however, on any subsequent draft.

Thank you for this opportunity to testify.

January 28, 2025

**The Honorable Stanley Chang, Chair**

Senate Committee on Housing  
State Capitol, Conference Room 225 & Videoconference

**RE: Senate Bill 456, Relating to Bed Bugs**

**HEARING: Thursday, January 30, 2025, at 1:10 p.m.**

Aloha Chair Chang, Vice Chair Hashimoto, and Members of the Committee:

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 10,000 members. HAR provides **comments** on Senate Bill 456, which prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation. Establishes procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

Bed bugs pose a significant challenge and can be extremely hard and costly to eradicate once they have infiltrated a property. The problem with bed bugs lies in the fact that owners or tenants residing in infested units can unknowingly transfer the bed bugs to adjacent properties, and determining the source of the infestation can be complicated.

For instance, the proposed measure mandates that housing providers must inspect or engage investigative services from a pest control operator for any unit directly above, below, or adjacent to the dwelling unit or common area from which the initial notification was received. This requirement would be particularly challenging in multi-unit buildings such as condominiums where there are multiple owners or tenants both above and below the dwelling unit. Furthermore, the source of the infestation may have originated from an adjacent unit or unknowingly by the tenant, making it unfair for the housing provider to bear the full burden of the costs for remediation if a tenant discovers bed bugs in the unit within 60 days after the commencement of the lease or 30 days after an infestation is discovered in an adjacent unit in the building.

Thank you for your consideration of our comments. Mahalo for the opportunity to testify.

## TESTIMONY IN OPPOSITION TO SB 456 RELATING TO BEDBUG TREATMENTS

Dear Chair, Vice Chair, and Members of the Committee,

Thank you for the opportunity to provide testimony on SB 456. While I appreciate the intent of the bill to address bedbug infestations in our state, I respectfully oppose this measure due to concerns about its unclear language and potential unintended consequences.

The bill requires that bedbug treatments be performed exclusively by licensed pest control companies. While ensuring proper treatment is important, the language of the bill lacks clarity on several key points, which could lead to confusion, misinterpretation, and undue burdens:

### 1. Definition of Licensed Pest Control Companies:

The bill does not clearly define what constitutes a licensed pest control company or what specific qualifications or certifications are required. This ambiguity leaves room for inconsistent enforcement and confusion among consumers and businesses alike.

### 2. Scope of Applicability:

It is unclear whether the bill applies to all types of bedbug treatments, including non-chemical methods such as heat treatments or mechanical solutions. By failing to distinguish between treatment methods, the bill could inadvertently limit the use of safe, cost-effective, and environmentally friendly approaches.

### 3. Impact on Property Owners and Tenants:

Requiring treatments to be conducted exclusively by licensed pest control companies may place an undue financial burden on property owners and tenants, particularly in low-income communities. Without clear language or allowances for alternative, affordable options, this bill could exacerbate housing challenges for vulnerable populations.

### 4. Exemptions and Enforcement:

The bill does not specify whether exemptions exist for smaller-scale treatments, such as a single-family home or individual unit. Additionally, the enforcement mechanisms for ensuring compliance are not addressed, raising questions about how violations will be identified and penalized.

Given these concerns, I respectfully urge the committee to reconsider the language of SB 456 and provide greater clarity before advancing this legislation. I recommend the following:

Define licensed pest control companies and the qualifications required.

Clarify the scope of treatments covered under this bill and explicitly include or exclude certain methods.

Include provisions that ensure affordable options for property owners and tenants.

Address enforcement mechanisms and potential exemptions to avoid undue burdens.

Addressing bedbug infestations is a priority, but any legislation on this matter must balance public health goals with practical implementation and affordability. I strongly encourage the committee to amend SB 456 to address these issues before moving forward.

Thank you for the opportunity to testify to this measure.

Sincerely,  
Talia Smith