



The Judiciary, State of Hawai'i

**Testimony to the Thirty-Third State Legislature
2025 Regular Session**

House Committee on Consumer Protection & Commerce
Representative Scot Z. Matayoshi, Chair
Representative Cory M. Chun, Vice Chair

Tuesday, March 18, 2025 at 2:05 p.m.
Conference Room 329 & Videoconference

By:

Michelle D. Acosta
Deputy Chief Court Administrator
District Court of the First Circuit

Bill No. and Title: Senate Bill No. 822, S. D. 2 – Relating to Landlord Tenant Code

Purpose: Establishes a working group facilitated by the Judiciary to conduct a comprehensive review of and recommend updates to the Residential Landlord-Tenant Code. Requires a report to the Legislature. Effective 7/1/2050. (SD2)

Judiciary's Position:

The Judiciary SUPPORTS the establishment of a working group to conduct a comprehensive review of and recommend updates to the Residential Landlord-Tenant Code. The Judiciary believes that a working group would be a productive way of determining the issues facing landlords and tenants with the goal of developing statutes that will benefit both groups.

Given that this measure does not include an appropriation for the establishment of the working group, the Judiciary respectfully requests the following amendment to Section 1:

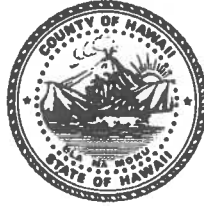
(c) The members of the working group shall serve without compensation [~~but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.~~]

Thank you for the opportunity to testify on this measure.

C. Kimo Alameda, Ph.D.
Mayor

William V. Brillhante Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director



Kehaulani M. Costa
Housing Administrator

Keiko M. Mercado
Assistant Housing Administrator

County of Hawai'i
Office of Housing and Community Development

1990 Kino'ole Street, Suite 102 • Hilo, Hawai'i 96720 • (808) 961-8379 • Fax (808) 961-8685
Existing Housing: (808) 959-4642 • Fax (808) 959-9308
Kona: (808) 323-4300 • Fax (808) 323-4301

March 17, 2025

TESTIMONY IN SUPPORT OF SENATE BILL 822, SD2
A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE
COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Rep. Scot Z. Matayoshi, Chair

Rep. Cory M. Chun, Vice Chair

Hearing Date: Tuesday, March 18, 2025, at 2:05 PM

Place of Hearing: Conference Room 329 & Videoconference

Aloha Honorable Chairs Matayoshi and Chun, and members of the Committee on Consumer Protection and Commerce,

On behalf of the County of Hawai'i Office of Housing and Community Development (OHCD), I am pleased to provide testimony in **support of Senate Bill 822, SD2**, which establishes a working group to conduct a comprehensive review of and recommend updates to the Residential Landlord-Tenant Code.

The Residential Landlord-Tenant Code, created in 1972, has not undergone a thorough review since its inception, and despite piecemeal updates over the years, it is increasingly evident that the rental housing landscape has evolved significantly.

A comprehensive review will help ensure that the Residential Landlord-Tenant Code is aligned with modern practices and can better address the concerns and realities of today's housing market. By thoroughly evaluating existing laws, the working group will provide an opportunity to identify outdated provisions, clarify ambiguous language, and propose adjustments that reflect the needs of both landlords and tenants in the present-day housing market.

Thank you for the opportunity to provide testimony in support of SB822, SD2.

Mahalo,

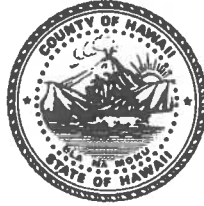
Kehaulani M. Costa
Housing Administrator



C. Kimo Alameda, Ph.D.
Mayor

William V. Brillhante Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director



Kehaulani M. Costa
Housing Administrator

Keiko M. Mercado
Assistant Housing Administrator

County of Hawai'i
Office of Housing and Community Development

1990 Kino'ole Street, Suite 102 • Hilo, Hawai'i 96720 • (808) 961-8379 • Fax (808) 961-8685
Existing Housing: (808) 959-4642 • Fax (808) 959-9308
Kona: (808) 323-4300 • Fax (808) 323-4301

March 17, 2025

TESTIMONY IN SUPPORT OF SENATE BILL 822, SD2
A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE
COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Rep. Scot Z. Matayoshi, Chair

Rep. Cory M. Chun, Vice Chair

Hearing Date: Tuesday, March 18, 2025, at 2:05 PM

Place of Hearing: Conference Room 329 & Videoconference

Aloha Honorable Chairs Matayoshi and Chun, and members of the Committee on Consumer Protection and Commerce,

On behalf of the County of Hawai'i Office of Housing and Community Development (OHCD), I am pleased to provide testimony in **support of Senate Bill 822, SD2**, which establishes a working group to conduct a comprehensive review of and recommend updates to the Residential Landlord-Tenant Code.

The Residential Landlord-Tenant Code, created in 1972, has not undergone a thorough review since its inception, and despite piecemeal updates over the years, it is increasingly evident that the rental housing landscape has evolved significantly.

A comprehensive review will help ensure that the Residential Landlord-Tenant Code is aligned with modern practices and can better address the concerns and realities of today's housing market. By thoroughly evaluating existing laws, the working group will provide an opportunity to identify outdated provisions, clarify ambiguous language, and propose adjustments that reflect the needs of both landlords and tenants in the present-day housing market.

Thank you for the opportunity to provide testimony in support of SB822, SD2.

Mahalo,

Kehaulani M. Costa
Housing Administrator



SB-822-SD-2

Submitted on: 3/14/2025 5:23:25 PM

Testimony for CPC on 3/18/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Raelene Tenno	Hawaii Council of Community Associations	Support	Written Testimony Only

Comments:

Hawaii Council of Community Associations supports SB 822 SD2.

We ask the task force to consider to allow a representative from the Condo community to be a part of the task force. That individual can provide input from a Condo community standpoint in regards to the enforcement complications.

Thank you for this opportunity to submit this testimony.

Raelene Tenno, Education chair for Hawaii Council of Community Associations

HCCA@HawaiiCouncil.org

March 18, 2025

The Honorable Scot Z. Matayoshi, Chair

House Committee on Consumer Protection & Commerce
State Capitol, Conference Room 329 & Videoconference

RE: Senate Bill 822, SD2, Relating to the Landlord Tenant Code

HEARING: Tuesday, March 18, 2025, at 2:05 p.m.

Aloha Chair Matayoshi, Vice Chair Chun, 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 **strongly supports and offers amendments** to Senate Bill 822, SD2, which establishes a working group facilitated by the Judiciary to conduct a comprehensive review of and recommend updates to the Residential Landlord-Tenant Code. Requires a report to the Legislature. Effective 7/1/2050.

We strongly support the establishment of a working group to address landlord-tenant issues. With 38.2%¹ of Hawai'i residents renting their homes, rental housing is a critical part of Hawaii's housing market. The Residential Landlord-Tenant Code was created in 1972 and has never undergone a comprehensive review. As rental laws grow more complex, housing owners, tenants, and property managers face increasing challenges in navigating these processes.

If a housing provider has a tenant who is not paying rent or violating other provisions of a rental agreement, they must go through a lengthy and time-consuming court process to evict the tenant. This could discourage property owners from offering or continuing to offer their properties as rental housing. On the other hand, if a tenant has a housing provider who fails to meet their obligations under the Landlord-Tenant Code, they may be unsure of what recourse or protections are available to them.

Establishing a working group to thoroughly review the Landlord-Tenant Code can help identify these challenges and develop solutions to support and expand more rental housing availability.

If the Committee is inclined to pass this measure, we would respectfully request the following amendments to broaden the scope and stakeholders in the working group.

Mahalo for the opportunity to provide testimony on this measure.

¹ UHERO. (May 20, 2024). *The Hawai'i Housing Factbook*. <https://uhero.hawaii.edu/wp-content/uploads/2024/05/HawaiiHousingFactbook2024.pdf>

Suggested Amendments to SB 822, SD2

SECTION 1. The legislature finds that rental housing is a vital source of housing for many working families, residents, and locals in Hawaii, with 38.2 percent of Hawaii residents living as renters, according to the Economic Research Organization at the University of Hawaii's 2024 Hawaii Housing Factbook. Increasing the availability of rental housing is essential to addressing Hawaii's housing shortage and ensuring stability for residents.

The legislature further finds that landlord-tenant relationships are governed by various state and federal laws, requiring clear understanding and compliance to ensure fair and equitable treatment for tenants and housing providers alike. The increasing complexity of these laws and navigating the court process can create difficulties for tenants and housing providers.

The legislature further finds that making improvements to the landlord-tenant law may help housing providers to have more certainty and confidence in their ability to rent their properties and provide Hawaii residents with much needed housing. In addition, clarifying landlord-tenant laws will reduce the number of cases that are brought to court, thus alleviating the burden placed on the judicial system.

Accordingly, the purpose of this Act is to establish a working group dedicated to researching and improving the landlord-tenant code and addressing any other relevant landlord-tenant issues would provide an opportunity for collaboration among key stakeholders to identify concerns, evaluate potential solutions, and recommend best practices.

SECTION ~~1~~ 2. (a) There is established a three-year ~~the~~ residential landlord-tenant code working group within the judiciary department of the attorney general to:

- (1) Conduct a comprehensive review of the residential landlord-tenant code and determine whether amendments and updates to the landlord-tenant code are necessary; Evaluate the challenges faced by landlords and tenants, including legal, financial, and procedural issues that are barriers to offering or obtaining housing;
- (2) Review existing mechanisms available to both landlords and tenants for the enforcement of rights under the landlord-tenant code; and Identify best practices and potential landlord-tenant code or other regulatory improvements for property managers, tenants, and property owners;
- (3) Consider the feasibility of statutory processes through which injunctive relief might be obtained. Determine problem areas that impact property managers,

tenants, and property owners and whether educational resources or other solutions can help address those challenges; and

(4) Explore any other feasible ideas or relevant solutions, pursuant to the discretion of the working group.

(b) The working group shall consist of the following members:

(1) The chief justice of the Hawaii supreme court, or the chief justice's designee, The Attorney General, or the Attorney General's designee, who shall serve as chairperson of the working group;

(2) One member appointed by the president of the senate; The President of the Senate, or the President's designee;

(3) One member appointed by the speaker of the house of representatives; and The Speaker of the House of Representatives, or the Speaker's designee;

(4) Other members appointed by the chairperson of the working group. A representative from the Judiciary with experience in landlord-tenant cases;

(5) An attorney specializing in landlord-tenant laws, to be invited by the Chairperson;

(6) One member who owns the property they are managing, but is not a real estate licensee, to be invited by the Chairperson;

(7) Two members from organizations representing professional property managers--one to be invited by the President of the Senate or the President's designee and one to be invited by the Speaker of the House of Representatives or the Speaker's designee;

(8) Two members from organizations representing tenant concerns--one to be invited by the President of the Senate or the President's designee and one to be invited by the Speaker of the House of Representatives or the Speaker's designee; and

(9) Any other member deemed necessary that provides the appropriate special expertise, including representatives from organizations with experience in landlord or tenant issues, upon approval by the chairperson.

(c) The members of the working group shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(d) No member of the working group shall be subject to chapter 84, Hawaii Revised Statutes, solely because of the member's participation in the working group.

(e) The working group shall submit an initial report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 20272026.

~~(f) The working group shall be dissolved on June 30, 2027. An initial meeting of the working group shall be convened no later than July 1, 2025.~~

SECTION ~~2~~ 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION ~~3~~ 4. This Act shall take effect ~~on July 1, 2050~~ upon approval.