

ACT 383

H.B. NO. 1236

A Bill for an Act Relating to the Landlord Tenant Code.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that many rental agreements require payments on the first day of the month. Public assistance, flat grant, checks on which recipients depend for their rental obligations, are mailed too late for tenants to meet the deadlines for their payments. As a result, some tenants are assessed financial penalties for late payments.

The purpose of this Act is to relieve tenants dependent on public assistance checks for their rental payments from being penalized for a situation over which they have no control.

SECTION 2. Section 521-21, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Rents shall be payable at the time and place agreed to by the parties. Unless otherwise agreed, the entire rent shall be payable at the beginning of any term for one month or less, and for longer terms in equal monthly installments payable at the beginning of each month. When a rental agreement with a public assistance recipient requires that the rent be paid on or before the third day after the day on which the public assistance check is usually received, the tenant shall have the option of establishing a new due date by making a one-time payment to cover the period between the original due date and the newly established date. The new date shall not exceed by more than three days, excluding Saturdays, Sundays, and holidays, the date on which checks are mailed. The one-time payment shall be established by dividing the monthly rental by thirty and multiplying the result by the number of days between the original and the new due dates.”

SECTION 3. Statutory material to be repealed is bracketed.¹ New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 1989.

(Approved June 26, 1989.)

Note

1. No bracketed material.