

STAND. COM. REP. NO. 383

Honolulu, Hawaii

FEB 12 2025

RE: S.B. No. 822
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 822 entitled:

"A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to allow a landlord to petition a district court for a temporary restraining order, permanent restraining order, or an injunction to compel a tenant's compliance with section 521-51, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from one individual.

Your Committee received testimony in opposition to this measure from the Honolulu Police Department.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that section 521-51, Hawaii Revised Statutes, requires tenants to maintain their dwelling units. Presently, the only option a landlord has to stop violations of this section is to bring an eviction action against the violating tenant, which can take up to several months or longer to resolve. This measure would allow district courts to enjoin a tenant from



further violations while an eviction action against the tenant is contemporaneously pending.

Your Committee notes the testimony of the Judiciary expressing concerns that allowing claims for injunctions to be filed together with a summary possession claim would require the Judiciary staff to manually review every case to determine if a complaint includes a requests for an injunction to prioritize those hearings. This would cause considerable administrative burdens. Amendments to this measure are therefore necessary to address this concern and to decouple the summary possession claims from claims for an injunction.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed a landlord to seek an injunction or join a claim for an injunction with a claim for summary possession;
- (2) Inserting language to establish a working group to be facilitated by the Judiciary to conduct a comprehensive review of the Residential Landlord-Tenant Code and report its findings and recommendations to the Legislature twenty days prior to the convening of the Regular Session of 2027;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 822, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 822, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



JARETT KEOHOKALO, Chair



