



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

ON THE FOLLOWING MEASURE:

S.R. NO. 103, REQUESTING THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO DEVELOP LANDLORD-TENANT CODE IMPROVEMENTS TO INCREASE THE SUPPLY OF HOUSING IN HAWAII.

BEFORE THE:

SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

DATE: Tuesday, April 1, 2025

TIME: 10:06 a.m.

LOCATION: State Capitol, Room 229

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

Chair Keohokalole and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

This resolution requests the Attorney General to convene a three-year working group to research landlord-tenant issues specific to increasing the availability of rental housing and improving landlord-tenant interactions.

The Department notes that the topics to be researched by the working group extend beyond the Department's legal role and areas of subject-matter specialization. For example, the resolution calls for the working group to identify the potential availability of rental housing stock that is not being offered for rent, a task better suited for either real estate professionals or consultants or State agencies with subject matter expertise in housing. The resolution also calls for the working group to evaluate financial and procedural barriers to offering or obtaining housing, a task better suited for real estate agents or economists or for State agencies with expertise in housing. As such, the Department recommends that the scope and membership of the working group be adjusted to focus on the real estate and financial aspects of the rental housing issues.

Furthermore, landlord-tenant disputes fall outside the Department's jurisdiction, as the Department is statutorily authorized to generally provide legal services to "the governor, legislature, and such state departments and officers as the governor may direct[.]" and to "give advice and counsel to the heads of departments, district judges, and other public officers, in all matters connected with their public duties[.]" Sections 26-7 and 28-4, Hawaii Revised Statutes (HRS). The Legislative Reference Bureau (LRB) may be better suited to evaluating potential legislative solutions based on its general grant of authority to conduct and provide research for the enactment of substantive legislation. See section 23G-3, HRS. As such, the Department recommends that the Legislature direct another agency more suited for this task to convene a task force or the LRB to conduct a study on the issue.

Thank you for the opportunity to provide comments.