

JAN 22 2008

S.B. NO. 2854

A BILL FOR AN ACT

RELATING TO PROPERTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 521, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:

4 "§521- Designation of common area. In any apartment
5 building with two or more dwelling units, the landlord, or each
6 landlord, as the case may be, shall designate the common area in
7 each rental agreement; provided that if a rental agreement does
8 not designate the common area, the common area shall be all
9 portions of the apartment building other than the dwelling
10 units. A common area shall be considered a public area for
11 purposes of any criminal proceeding."

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

15 SECTION 3. New statutory material is underscored.



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1 SECTION 4. This Act shall take effect on January 1, 2009.

2

INTRODUCED BY: Carol Fuhsman



Report Title:

Residential Landlord Tenant Code; Common Area

Description:

Requires a landlord who rents 2 or more dwelling units in an apartment building to designate the common area in each tenant's rental agreement; provided that in the absence of a designation in the rental agreement, the statutory definition shall apply. Effective 01/01/09.

