STAND. COM. REP. NO.

Honolulu, Hawaii

## APR 0 7 2021

RE: H.B. No. 391

> H.D. 3 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 391, H.D. 3, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a process for the early termination of a rental agreement for certain active duty servicemembers who receive military orders to vacate civilian housing and move into on-post government quarters or die while serving on active duty.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that a servicemember who becomes divorced, no longer has dependents, or does not have physical custody of children may lose their housing allowance. In such an event, the servicemember is required to move into barracks, regardless of any valid lease to which they are a party. Your Committee further finds that this measure will help to ensure that servicemembers will not have to face evictions or serious financial hardship if they are no longer eligible for a basic

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housing allowance and need to terminate a residential lease for off-post housing.

Your Committee has amended this measure by:

- (1) Clarifying that the written notice of early termination of a rental agreement is required to be accompanied by written proof that a servicemember tenant's request to maintain their housing allowance has been denied and either a copy of official military orders or a written verification signed by the servicemember tenant's commanding officer;
- (2) Inserting an effective date of November 1, 2021; and
- (3) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 391, H.D. 3, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

## The Senate Thirty-First Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
HB391, HD3, SD1	PSMICPN, JOC			3/30/2021	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (W	R) Nay	Excused
RHOADS, Karl (C)		>			
KEOHOKALOLE, Jarrett (VC)		*			
ACASIO, Laura		1	<b>V</b>		
GABBARD, Mike		<b>&gt;</b>			
KIM, Donna Mercado		>			
LEE, Chris		7			
FEVELLA, Kurt			V		
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TOTAL		5	2	0	0
Recommendation:  Adopted			Not Adopted		
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee Re		ellow s Office D	Pink Goldenrod rafting Agency Committee File Copy		

\*Only one measure per Record of Votes