

JAN 22 2021

A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that the COVID-19
2 pandemic and the governmental responses to contain its spread
3 have ravaged the State's tourism-centric economy, including
4 Great Depression-levels in the early months of the pandemic. As
5 a state, the unemployment level for the second quarter of 2020
6 was estimated to be 20.3 per cent. However, certain areas
7 experienced unemployment levels as high as thirty-five per cent
8 during specific periods of the second quarter. The rates of
9 unemployment are directly attributable to the ninety-five per
10 cent reduction in visitors to the State in comparison to 2019.

11 The legislature further finds that this negative economic
12 effect exacerbated Hawaii's pre-pandemic housing crisis. To
13 ensure that persons have adequate housing during these uncertain
14 times, the legislature believes it necessary to temporarily halt
15 certain types of foreclosure proceedings.

16 The purpose of this Act is to temporarily halt nonjudicial
17 foreclosures by condominium associations until June 30, 2023.



1 SECTION 2. For purposes of this Act:
 2 "Association", "unit", and "unit owner" shall have the same
 3 meaning as those terms are defined in section 514B-3, Hawaii
 4 Revised Statutes.

5 "Nonjudicial foreclosure" shall have the same meaning as
 6 that term is defined in section 667-1, Hawaii Revised Statutes.

7 SECTION 3. (a) Notwithstanding sections 514B-146 and
 8 514B-146.5, Hawaii Revised Statutes, and parts II and VI of
 9 chapter 667, Hawaii Revised Statutes, or any other law to the
 10 contrary, an association shall not:

11 (1) Record a notice of default and intention to foreclose
 12 pursuant to section 667-93, Hawaii Revised Statutes;

13 (2) Publish a notice of public sale pursuant to section
 14 667-96, Hawaii Revised Statutes;

15 (3) Exercise a power of sale; or

16 (4) Initiate a nonjudicial foreclosure process.

17 (b) Nothing in this section shall be construed to:

18 (1) Relieve a unit owner from the obligation to pay sums
 19 assessed by the association for common expenses; or

20 (2) Restrict an association from collecting common expense
 21 assessments.



1 SECTION 3. This Act shall take effect upon its approval
2 and shall be repealed on June 30, 2023.

3

INTRODUCED BY: *Randy H. Baker*



S.B. NO. 606

Report Title:

Nonjudicial Foreclosures; Moratorium; Housing; Condominiums;
Condominium Associations

Description:

Temporarily halts nonjudicial foreclosures by condominium
associations until 6/30/23.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

