

Honolulu, Hawaii

APR 26, 2024

RE: H.B. No. 2742
H.D. 1
S.D. 2
C.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2742, H.D. 1, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) For tenancies subject to eviction moratoria under emergency proclamations issued by the Governor and relating to wildfires, when it becomes legally permissible to terminate residential tenancy for nonpayment of rent:
 - (A) Extend the notice period for summary possession proceedings from five days to fifteen days for failure to pay rent;



- (B) Require landlords to provide the notice to mediation centers;
 - (C) Require landlords to enter into mediation if scheduled by a tenant, which will delay when a landlord may file an action for summary possession except in cases where a tenant cancels the mediation or does not appear; and
 - (D) Restrict when landlord remedies are available depending on the amount of rent due;
- (2) Reiterate that eviction moratoria under the various emergency proclamations issued by the Governor may continue until terminated by a proclamation by the Governor or expiration of the proclamation; and
 - (3) Appropriate funds for the Judiciary to contract for mediation services.

The pre-litigation eviction mediation process outlined in this measure is intended for survivors of the August 8, 2023, Maui wildfires who may be struggling to make rental payments as a result of this tragedy.

Your Committee on Conference has amended this measure by:

- (1) Specifying that a mediation center must contact the landlord or landlord's agent and tenant to schedule mediation within fifteen calendar days of receipt of the landlord's notice;
- (2) Specifying that if the tenant schedules mediation, the landlord and tenant are required to participate;
- (3) Specifying that the reiteration of the eviction moratoria applies to the eviction moratoria in effect as of July 1, 2024;
- (4) Inserting an appropriation amount of \$410,000 for the Judiciary to contract for mediation services for the purposes of this measure;
- (5) Changing the effective date to July 1, 2024;

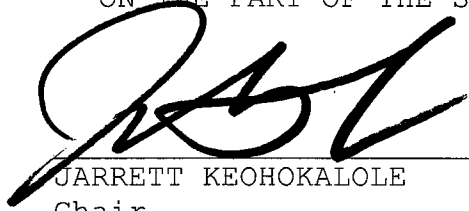



- (6) Inserting a sunset date of December 31, 2026, or upon the one-year anniversary of the expiration date of the final eviction moratorium; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

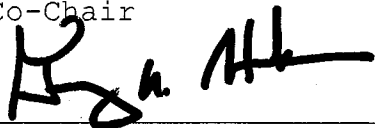
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2742, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2742, H.D. 1, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE


JARRETT KEOHOKALOLE
Chair


KARL RHOADS
Co-Chair


TROY N. HASHIMOTO
Co-Chair

ON THE PART OF THE HOUSE


MARK M. NAKASHIMA
Co-Chair


LISA KITAGAWA
Co-Chair



Hawaii State Legislature
 Record of Votes of a
 Conference Committee

CCR 140-24

Bill / Concurrent Resolution No.: HB 2742, HD 1, SD 2	Date/Time: 04/26/2024 02:34PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KEOHOKALOPE, Jarrett, Chr.	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				KITAGAWA, Lisa, Co-Chr.	✓			
HASHIMOTO, Troy N., Co-Chr.	✓				AMATO, Terez	✓			
AWA, Brenton				✓	TAM, Adrian K.	✓			
					ALCOS III, David	✓			
TOTAL	3	0	0	1	TOTAL	5	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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