

STAND. COM. REP. NO. **2750**

Honolulu, Hawaii

**FEB 29 2024**

RE: S.B. No. 2834  
S.D. 1

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

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2834 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the Residential Landlord-Tenant Code to establish a process to dispense of a tenant's property and return the premises to a landlord when there is a death of a tenant.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that when a tenant of a residential property dies during the lease period, the lease does not terminate automatically. During this period, landlords typically desire to be compassionate, but may encounter unpaid rent and questions concerning the status of the tenant's security deposit and the tenant's belongings that need to be removed from the premises. Therefore, this measure establishes a formal statutory process to resolve matters involving a deceased tenant, to promote constructive outcomes for both the landlord who is seeking to re-rent their property and the grieving estate of the deceased.

Your Committee notes the concerns raised during public hearing for this measure as to whether the process to



automatically terminate the lease, as proposed in this measure, would apply to leases with multiple tenants where one of the tenants passes away, thereby terminating the lease for the surviving tenants. Your Committee finds that this issue merits further consideration and respectfully requests that subsequent committees to which this measure is referred examine this matter.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that a landlord shall have no obligation to disclose the death of a tenant or the history of deaths of tenants in a rented unit to a prospective tenant;
- (2) Inserting an effective date of July 1, 2040, to encourage further discussion; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2834, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2834, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



JARRETT KEOHOKALO, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <i>SB 2834</i>	Committee Referral: <i>CPN</i>	Date: <i>2/20/24</i>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<i>4</i>		<i>1</i>	

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:  
*Carol Fukunaga*

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\*Only one measure per Record of Votes