



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: House Committee on Consumer Protection & Commerce
Re: **SB 2132 SD1 – Relating to the Residential Landlord-Tenant Code**
Hawai'i State Capitol & Via Videoconference
March 12, 2024, 2:00 PM

Dear Chair Nakashima, Vice Chair Sayama, and Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of SB 2132 SD1**. This amends the deadlines related to the repair of conditions that constitute health or safety violations and the payment of past due rent. It also increases the amount that can be deducted from a tenant's rent for the tenant's actual expenditures to correct health or safety violations and defective conditions.

Substandard and dangerous housing conditions can often lead to frequent moves and homelessness among families with children. It is well established that housing instability has harmful effects on children's health and educational outcomes¹ and that the stresses of childhood poverty have both immediate and long-term effects on keiki's physical and mental health, behavioral self-control, academic achievement, and earnings as adults.²

About 117,000 children in our state live in families that spend more than 30% of their income on housing, which is considered a high housing cost burden. This equates to 39% of all children in our state, ranking Hawai'i a concerning 49th among the states for housing affordability.³

Hawai'i has had a housing and homelessness crisis since long before the pandemic, and our families with keiki are still suffering the consequences of it. This bill would help keep them in stable and safe housing.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo
Director of Research and Economic Policy

¹ <https://housingmatters.urban.org/articles/how-housing-affects-childrens-outcomes>

² <https://www.apa.org/pi/ses/resources/indicator/2014/06/childhood-poverty>

³ <https://assets.aecf.org/m/resourcedoc/aecf-2023kidscountdatabook-2023.pdf>



HAWAII WORKERS CENTER

Defending and Respecting the workers of
Hawai'i

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March 11, 2024

Hawai'i State House of Representatives
Committee on Consumer Protection and Commerce

Executive Board
Committee

Rep. Mark M. Nakashima, Chair
Rep. Jackson D. Sayama, Vice Chair

Rev. Sam Domingo
Board Chair

RE: SUPPORT for S.B. 2132 SD1 RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

Mary Ochs
Vice Chair

Dr. Arcelita Imasa
Secretary

Dear Chair Rep. Nakashima, Vice-Chair Rep. Sayama, and Members of the Committee on Consumer Protection and Commerce.

John Witeck
Treasurer

The Hawai'i Workers Center (HWC) envisions a Hawai'i in which all workers are empowered to exercise their right to organize for their social, economic and political well-being.

Board Members

It is a resource of information, education, training and organizing for Hawaii's workers.

Yoko Liriano

Nanea Lo

Innocenta
Sound-Kikku

Ray Catania

Justin Jansen

Leyton Torda

The HWC stands in support of S.B. 2132 SD1 which amends the deadlines related to the repair of conditions that constitute health or safety violations and the payment of past due rent. Increases the amount deducted from a tenant's rent for the tenant's actual expenditures to correct health or safety violations and defective conditions.

We offer the following comments:

1. Ordinary repairs as described in HRS 521-64 (c) providing the landlord 12 business days to commence repairs should also be amended to 12 calendar days for consistency;
2. Emergency repairs as described in HRS 521-64 (c) providing the landlord 3 business days to commence repairs should also be amended to 3 calendar days for consistency.

Executive Director

Sergio Alcubilla III, Esq.

We also ask that this committee consider a working group be formed for the purpose of updating HRS 521, the Landlord-Tenant Code regarding enforcement of habitability standards.

Sincerely,

Sergio Alcubilla
Executive Director



808-737-4977

1269 A'ala Street, Suite 300
Honolulu, HI 96817

March 12, 2024

The Honorable Mark M. Nakashima, Chair

House Committee on Consumer Protection & Commerce
State Capitol, Conference Room 329 & Videoconference

LATE

RE: Senate Bill 2132, SD1, Relating to the Residential Landlord-Tenant Code

HEARING: Tuesday, March 12, 2024, at 2:00 p.m.

Aloha Chair Nakashima, Vice Chair Sayama, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 11,000 members. HAR provides **comments** on Senate Bill 2132, SD1, which amends the deadlines related to the repair of conditions that constitute health or safety violations and the payment of past due rent. Increases the amount deducted from a tenant's rent for the tenant's actual expenditures to correct health or safety violations and defective conditions. Takes effect 7/1/2040

HAR appreciates the intent of this measure to streamline the Landlord-Tenant Code; however, we do not believe these changes are ideal at this time. We do not believe that extending tenant's remedy for repairs from 5 business days to 10 calendar days is ideal for tenants. We also do not believe that it is necessary to extend the wait time for landlords to initiate summary possession on a unit from 5 business days to 10 calendar days.

Should this bill move forward, we respectfully recommend removing Section 2 of the bill and adjusting the timeframes in Section 1 from 10 calendar days to 7 calendar days, thus encompassing weekends, and maintaining alignment with the existing Landlord-Tenant Code's timeframe of 5 business days.

We do believe that a more comprehensive review of the Landlord-Tenant Code should be done with all stakeholders to increase compliance, conduct enforcement on bad actors, and encourage responsible property owners to offer their property for rent, thereby increasing the rental housing supply to help address demand. We hope to work with interested stakeholders to continue this important conversation.

Mahalo for the opportunity to testify.



SB-2132-SD-1

Submitted on: 3/10/2024 11:14:02 AM

Testimony for CPC on 3/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support SB2132 SD1.

SB-2132-SD-1

Submitted on: 3/10/2024 11:36:13 AM

Testimony for CPC on 3/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Renee P Kaiama	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill in its current form. The amount proposed to be allowed for a Tenant's expenditures for repairs and receive reimbursement on is \$1,000 versus the previous \$500.

Specific language should be added that bans the tenants from completing repairs or hiring a contractor without the owners/property managers written consent. If the owner/property manager fails to address the tenants written request within 14 days of notice, allow the tenant to complete the repairs, or hire a licensed contractor to complete the repairs if necessary. Additionally language should be added that when the tenant hires a contractor or completes the work themselves, the cost of repairs should be deducted from the next months rent after completion of the work and require the tenant to provide receipts and reports regarding the repairs.

Additionally repair in condominiums may require HOA approvals of repairs. There should be additional language that addresses the failures of a tenant or contractor in the repairs.

SB-2132-SD-1

Submitted on: 3/10/2024 11:40:14 AM

Testimony for CPC on 3/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward Codelia	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill in its current form. The amount proposed to be allowed for a Tenant's expenditures for repairs and receive reimbursement on is \$1,000 versus the previous \$500.

Specific language should be added that bans the tenants from completing repairs or hiring a contractor without the owners/property managers written consent. If the owner/property manager fails to address the tenants written request within 14 days of notice, allow the tenant to complete the repairs, or hire a licensed contractor to complete the repairs if necessary. Additionally language should be added that if the tenant must hire a contractor or completes the work themselves, the cost of repairs should be deducted from the next months rent after completion of the work and require the tenant to provide receipts and reports regarding the repairs.

Additionally repair in condominiums may require HOA approvals of repairs. There should be additional language that addresses the failures of a tenant or contractor in the repairs.

SB-2132-SD-1

Submitted on: 3/11/2024 1:58:57 PM

Testimony for CPC on 3/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julianna Davis	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nakashima, Vice Chair Sayama, and Members of the Committee,

My name is Julianna Davis and I stand in strong support SB 2132 SD 1 which amends the deadlines related to the repair of conditions that constitute health or safety violations and the payment of past due rent and increases the amount deducted from a tenant's rent for the tenant's actual expenditures to correct health or safety violations and defective conditions.

This bill is an important step in ensuring we support renters and importantly provides compensation for repairs that have an effect on the health and safety of our working families here in Hawai'i. Implementing a deadline for these repairs also works to mitigate the impact of these repairs on the health and safety of tenants.

I ask that you please pass and support SB 2131 SD 1. Mahalo for your time and consideration.

Sincerely,

Julianna Davis