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## COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair  
Senator Carol Fukunaga, Vice Chair

RE: SB2834 - RELATING TO THE LANDLORD-TENANT CODE

Dear Senators,

I am an attorney and have practiced landlord-tenant law for over 30 years. I support the instant bill.

Presently, the Residential Landlord-Tenant Code (the "Code") does not provide specific guidance to address a tenant deaths. Presently, when a unit is occupied by a single individual who dies, there is no roadmap in the law to guide either the housing providers or the tenant's survivors as to the end of possession of the rented unit and disposition of the deceased tenant's belongings. As a result, the death of a tenant can delay returning a residential unit to the inventory of available housing for many months, which makes the current housing crisis worse. This is particularly true for low-income housing for elderly residents, where rental units are in high demand and there are frequently waiting lists for elderly tenants looking for affordable housing.

Passing this legislation would bring Hawaii in line with many other States that have recognized the unique issues that arise upon the death of a leaseholder in a single occupant home.

If passed, this bill will provide an orderly means to end tenancies upon a tenant's death. This bill provides guidance to housing providers and tenants as to what should happen when a tenant dies. It should also allow residential units to be more quickly made available to families needing housing.

I suggest that you also consider adding in a line to the bill to make it clear that, unlike in the sale of real estate, there is no obligation by a housing provider to disclose the history of deaths in a rented unit. I am not aware of any present requirement to make any disclosure, but it would be good public policy to make it explicit that such disclosure is not required.

Thank you for considering my testimony.

Please let me know if you have any questions.

Very truly yours,

/s/ David W. H. Chee

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