

March 15, 2023

The Honorable Troy N. Hashimoto, Chair

House Committee on Housing

State Capitol, Conference Room 312 & Videoconference

RE: Senate Bill 393, SD1, Relating to the Landlord-Tenant Code

HEARING: Wednesday, March 15, 2023, at 9:00 a.m.

Aloha Chair Hashimoto, Vice Chair Aiu 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 Hawai'i and its over 11,000 members. HAR provides **comments** on Senate Bill 393, SD1, which until 12/31/2024, extends the period for a notice of termination of the rental agreement from 5 business days to 15 calendar days; requires landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule a mediation; requires landlords to include specific information in the fifteen-calendar day notice provided to tenants and certain mediation centers. Appropriates moneys. Effective 7/1/2050.

HAR appreciates the intent of this measure and supports emergency rent relief as it helps both tenants struggling to make their rent payments as well as housing providers who may have mortgage payments. We also believe that if mediation is to occur to resolve disputes that it be conducted by trained professionals to ensure that the process is conducted efficiently and effectively for all parties. Finally, we are supportive of the sunset date of December 31, 2024 in this measure in order to be able to evaluate its impact.

We respectfully request an effective date of November 1st, to allow our organization time to update our Rental Agreement Standard Form and to educate our members on the required changes. November is the timing for the next batch of updates to all our Standard Forms which are utilized by the entire industry.

Thank you for your consideration of our comments. Mahalo for the opportunity to testify.

SB-393-SD-1

Submitted on: 3/13/2023 11:29:34 PM

Testimony for HSG on 3/15/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
PATRICIA HUNT	Individual	Comments	Written Testimony Only

Comments:

I would like to thank you for taking time to hear my testimony today. I would like to get some answers before you pass this bill that I have not been able to get as of yet. I had called mediation, legal aid, women helping women and I was unsuccessful due to the “national pandemic and the back log of cases to obtain much needed assistance. So I would like to know if this bill sb393 gets passed

1. If this bill sb393 gets passed are the tenants allowed if they can get a hold of a mediator if this is not resolved are they allowed to still proceed in legal court actions?
2. Would there be any way that before the SB393 bill gets passed that if a “falsified TRO gets filed and tenant is illegally evicted that the mediation organization can meet with before it goes to court?
3. Is there anyway that could be added if a landlord “falsifies police reports and a TRO

That there will be several legal action taken against the landlord ie: pay all the attorneys court cost, jail time, and maybe able to persue legal action for irreparable damages for

Hurting tenants specialized line of employment.

1. Is there somewhere in this bill that can be written that any false information that the landlord submits can and will be used against them in a court of law.
2. I would like to know how many mediation cases were heard during this national pandemic?
3. I would like to know how many were resolved without further legal actions.
4. I would like to know how many cases in the State of Hawaii and specifically the island of Maui of the number of “falsified TRO that were filed from landlords or in my case a sublandlord?
5. Did the mediator agency assist with any “falsified TRO for people who were illegally evicted?
6. I would like to see more funds in legal aid be submitted to help assist people who were and have been illegally evicted when they did not owe money.
7. I would like to see the summary of possession of property that there is somewhere written the landlords do not have the right to unlawfully enter into an apartment with out

Proper notice in writing or a phone call and the landlords do not have the right to unlawfully enter , vandalize, rob, ransack tenants belongings.