

JAN 17 2025

A BILL FOR AN ACT

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that residential tenants
2 may be vulnerable to landlords who violate the State's
3 residential landlord-tenant code. Tenants who have been
4 subjected to unfair or unlawful treatment may find themselves
5 unable to protect their rights without initiating expensive
6 lawsuits.

7 Accordingly, the purpose of this Act is to provide more
8 legal protections for residential tenants by allowing tenants
9 who prevail in a lawsuit for a violation of the residential
10 landlord-tenant code to be awarded damages, reasonable
11 attorney's fees, and costs of the suit.

12 SECTION 2. Chapter 521, Hawaii Revised Statutes, is
13 amended by adding a new section to part VI to be appropriately
14 designated and to read as follows:

15 "§521- Amount of recovery. Except as otherwise
16 provided in this chapter and notwithstanding any other law to
17 the contrary, any tenant who is directly affected by a violation



1 of this chapter may sue for damages, and if the judgment is for
2 the plaintiff, the plaintiff shall be awarded:

- 3 (1) A sum of no less than \$1,000, or threefold the
4 plaintiff's sustained damages, whichever is greater;
5 (2) Reasonable attorney's fees; and
6 (3) The costs of the suit."

7 SECTION 3. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 831

Report Title:

Residential Landlord-tenant Code; Damages; Attorney's Fees

Description:

Allows tenants who prevail in a lawsuit for a violation of the Residential Landlord-Tenant Code to be awarded damages, reasonable attorney's fees, and costs of the suit.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

