

STAND. COM. REP. NO.

206

Honolulu, Hawaii

FEB 06 , 2025

RE: H.B. No. 463  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Housing, to which was referred H.B. No. 463  
entitled:

"A BILL FOR AN ACT RELATING TO EVICTION RECORDS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require that all court records of any eviction proceeding be sealed within specified timeframes upon resolution of the proceeding;
- (2) Authorize the court to seal certain eviction records prior to the expiration of these timeframes upon motion by a tenant who is able to demonstrate that certain conditions apply;
- (3) Require the clerk of the court to provide access to sealed eviction records to the tenant;
- (4) Make it a discriminatory practice to require a person to disclose a sealed eviction record as a condition of certain real property transactions; and
- (5) Prohibit discrimination in real property transactions against a person with a sealed eviction record.

2025-1312 HB463 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Maui Housing Hui; Hawaii Appleseed Center for Law & Economic Justice; Hawai'i Workers Center; Medical-Legal Partnership for Children in Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from the Public First Law Center. Your Committee received comments on this measure from the Judiciary; Department of the Attorney General; and Hawai'i Association of REALTORS.

Your Committee finds that there can be lasting negative impacts of eviction records on individuals' and families' ability to secure stable housing. Currently, the mere filing of an eviction case, regardless of its outcome or merits, stays on a tenant's record. Studies have indicated that this creates insurmountable barriers to future housing access. This measure ensures that dismissed or resolved cases do not continue to unfairly impact tenants' housing opportunities.

Your Committee has amended this measure by:

- (1) Removing the requirement for the court to seal all court records related to an eviction proceeding within two years if the landlord prevails and regains summary possession;
- (2) Removing provisions that made it a discriminatory practice for any person to require another person to disclose a sealed eviction record as a condition precedent to certain real property transactions;
- (3) Inserting a severability clause;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 463, as amended herein, and recommends that it pass Second Reading



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in the form attached hereto as H.B. No. 463, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Housing,



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LUKE A. EVSLIN, Chair



