



The Judiciary, State of Hawai'i

Testimony to the Thirty-Third State Legislature, 2025 Session

House Committee on Consumer Protection & Commerce

Representative Scot Z. Matayoshi, Chair
Representative Cory M. Chun, Vice Chair

Tuesday, February 11, 2025, 2:00 p.m.
Conference Room 325

By:

Michelle D. Acosta
Deputy Chief Court Administrator
District Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 463, H.D. 1, Relating to Eviction Records

Purpose: Requires that all court records of any eviction proceeding be sealed immediately if certain conditions are met. Authorizes the court to seal certain eviction records upon motion by a tenant who is able to demonstrate that certain conditions apply. Requires the clerk of the court to provide access to sealed eviction records to the tenant. Makes it a discriminatory practice to discriminate against a person based on the knowledge or belief that the person has a sealed eviction record. Prohibits discrimination in real property transactions against a person with a sealed eviction record. Effective 7/1/3000 (HD1)

Judiciary's Position:

The Judiciary takes no position on the merits of the bill and submits the following concerns for the Legislature's consideration.

This bill would require the court to seal any summary possession or ejectment case brought by a landlord against a tenant immediately after final resolution if the landlord does not prevail or all parties agree to the sealing of records. This measure would make it a



discriminatory practice to require disclosure of any sealed eviction records in certain real property transactions.

The Judiciary has concerns regarding the provision found in section 2, page 3, lines 7-17, which would require the court to seal a summary possession or ejectment case immediately if possession was not obtained by the landlord or all parties agree to the sealing of the records. The Judiciary is concerned that additional staff may be required to accomplish “immediate” sealing of these cases. The court has limited staff and requiring an “immediate” action will be burdensome to court staff. The Judiciary would suggest that the term “immediately” be replaced with “make a good faith diligent effort to seal within a reasonable time.” The Judiciary will also need time to assess whether changes to the Judiciary Information Management System (JIMS) will have to be made to help staff accomplish the requirements of this legislation.

The Judiciary anticipates that changes will need to be made to JIMS in order to pursue an automatic feature that would allow for the sealing of eviction records. The Judiciary would request an effective date of January 1, 2027.

If this legislation moves forward the Judiciary would like to suggest for the committee’s consideration that “cases in the nature of ejectment” be deleted. Ejectment cases involve parties in which there is no landlord–tenant relationship; for example, when a property owner seeks to remove a squatter from a vacant lot.

While the Judiciary understands the hardships that can result from an eviction, it is important to note that court records are generally open to the public. The Judiciary takes the sealing of documents very seriously and requires careful case-by-case review. This allows the public to have confidence in the court system by knowing that access to court records are open, transparent, and available. A study to determine the various issues, impacts and the best approach should be considered.

Thank you for the opportunity to testify on this measure.



Testimony of **Lahaina Strong**
Before the House Committee on
Consumer Protection & Commerce

In Support of House Bill No. 463 HD 1
RELATING TO EVICTION RECORDS

To Chair Matayoshi, Vice Chair Chun, and the honorable members of the committee,

We are writing on behalf of Lahaina Strong, an organization deeply rooted in our community's resilience and advocacy. Originally formed in 2018 following the Hurricane Lane fire in Lahaina and revitalized after the devastating fires of August 8, 2023, Lahaina Strong has become the largest grassroots, Lahaina-based community organization, with over 35,000 supporters. Our mission is to amplify local voices and champion community-driven solutions, which are more critical than ever as we continue rebuilding and recovering.

Lahaina Strong **stands in support of House Bill 463 HD1**, which seals eviction records, recognizing it as a necessary step toward housing justice and economic stability for our community. The housing crisis in Maui—exacerbated by the August 8th wildfires—has left families struggling with skyrocketing rents, displacement, and limited options for stable housing.

Too often, an eviction record—whether justified or not—becomes a life sentence, preventing families from securing future rentals. Many in our community have faced no-fault evictions, predatory rent increases, or have been forced into impossible decisions just to keep a roof over their heads. This bill ensures that those who were unjustly evicted, entered settlements, or had their cases dismissed are not permanently penalized for circumstances beyond their control.

In a time when families are already facing immense hardship, this bill offers a fair chance to rebuild. **Housing is a human right**, and no one should be locked out of stability because of a past eviction that does not reflect their ability to be a responsible

tenant. Lahaina Strong urges you to **pass House Bill 463 HD1** to help ensure that our 'ohana have a fighting chance at staying housed in the community they call home.

Mahalo for your attention to this vital matter and your dedication to safeguarding our community.

Lahaina Strong



House Committee on Consumer Protection and Commerce
Honorable Scot Z. Matayoshi, Chair
Honorable Cory M. Chun, Vice Chair

RE: Testimony in Opposition to H.B. 463 H.D. 1, Relating to Eviction Records

Hearing: February 11, 2025 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency. Thank you for the opportunity to submit testimony in **opposition** to H.B. 463 H.D.1.

We specifically oppose the provisions of this bill that seek to categorically seal and make unavailable public court records. Those provisions violate the First Amendment right of public access to judicial records and would certainly be challenged in the courts. *E.g., Globe Newspaper Co. v. Superior Ct.*, 457 U.S. 596, 607-10 (1982) (striking down state statute that categorically barred public access to certain court proceedings because it failed to consider individualized circumstances on a case-by-case basis); *Civil Beat Law Ctr. for the Pub. Int., Inc. v. Maile*, 113 F.4th 1168, 1172 (9th Cir. 2024) (holding unconstitutional state court rule requiring categorical sealing of all medical and health records filed in any state court proceeding without a case-by-case analysis). Below we offer **suggestions** to address this constitutional concern.

Although we appreciate efforts to promote affordable housing, sealing court records is *not* the solution. Sealing eviction court records has the potential to obscure abusive landlord practices and hinder reform efforts. The American Civil Liberties Union (ACLU), for example, recently brought a lawsuit to secure access to eviction court records under the First Amendment. After successfully settling the case, in 2023, the ACLU announced, “The South Carolina NAACP will now have access to all of the public docket information it requires to provide services to tenants in eviction proceedings, and to engage in advocacy to enforce fair housing laws.” <https://www.aclu.org/press-releases/aclu-and-naacp-secure-access-to-public-eviction-records-in-data-scraping-case>.

Rather than categorically sealing court records, we respectfully urge this Committee to consider a technological solution through **disassociation**. Disassociation better serves the goal of preventing potential discrimination when landlords or others search the Judiciary’s information management system – eCourt Kokua. Even when a case is



entirely sealed, eCourt Kokua still associates the case with the parties involved. Below is a screenshot of search results for an individual with an expunged and sealed criminal record. Thus, even if an eviction case is sealed, it will still be associated with the tenant's name and show up in eCourt Kokua search results.

Party Name	Case	Case Type
Rogan, Jerome	21908 - STATE OF HAWAII, Plaintiff-Appellee v. JEROME ROG	Appeal
Rogan, Jerome, Tramaine	4596512MO - State v. Jerome, Rogan	Traffic Crime
Rogan, Jerome, Tramaine	4596516MO - State v. Jerome, Rogan	Traffic Infraction
Rogan, Jerome, Tramaine	4596515MO - State v. Jerome, Rogan	Traffic Crime
Redacted	1PC970001153 - Case Title Redacted	Circuit Court Criminal

A more direct and effective solution than sealing would be to disassociate the *case* from the *name of the tenant*. That way, an eCourt Kokua search of the tenant's name would yield no eviction case. But the case would still be searchable by the name of the landlord, which ensures abusive housing practices are not unintendedly obscured. And by not requiring sealing, the public's First Amendment right of access remains intact.

We also respectfully urge this Committee to focus the bill on discriminatory housing practices based on an individual's **status** as a defendant in an eviction action. Simply prohibiting discriminatory practices based on a "sealed eviction record" is not adequate to fulfill the intent of this measure. H.B. 463 H.D.1, does *not* prohibit, for example, a landlord from denying housing on the basis of an individual being previously evicted or the subject of an eviction action that did not result in a final judgment or writ of possession. Yet that is the core purpose of this bill.

Careful consideration of the constitutional issues implicated by this bill is warranted. There are alternatives to sealing that can deliver similar results without the inevitable uncertainty and delayed reform efforts that would be caused by passing a plainly unconstitutional law.

Thank you again for the opportunity to testify in opposition to H.B. 463 S.D. 1.



Medical-Legal Partnership
for Children in Hawai'i

HB463 HD1 RELATING TO EVICTION RECORDS

House Committee on Consumer Protection & Commerce

Feb. 11, 2:00pm, Room 329

Aloha mai e Chair Matayoshi, Vice Chair and members of the Committee:

The Medical-Legal Partnership for Children in Hawai'i provides free, direct legal services to patients in community health settings. Many of our clients are low-income tenants and tenants in public housing projects. We testify in **STRONG SUPPORT** for **HB463 HD1**, as it will allow tenants the ability to freely raise issues with their landlords in court, without fear of any legal interaction remaining permanently on their record to interfere with their ability to find other rental housing.

Every week we provide legal advice to tenants who have legitimate legal claims against their landlord- whether it be disputing the landlord's ledger calculations, issues with their landlord's notice, or wishing to challenge a landlord's assertions that they are violating the lease. We have seen a myriad of reasons landlords seek to evict folks ripe for legal challenges: leaving slippers outside, having the wrong color of curtains, and for supposedly feeding feral chickens. None of these cases every make it to court, as tenants are so worried about any legal interaction appearing on their record, they simply opt to leave their rental units rather than risk a 'record' visible to future landlords. Even with us as free attorneys advising clients, nearly every low-income tenant we work with would rather not challenge a landlord and risk a record of any court interaction prejudicing their rental housing search in the future.

As our state moves to implement support our local renters, new laws must allow tenants the ability to solve issues in court without worrying it will permanently prejudice their search for housing. **HB463 HD1 automatically seals eviction records when tenants prevail.** Provisions like this are needed to make clear that tenants should not fear future prejudice in their rental search just for raising legitimate claims in court.

Accordingly I respectfully ask that you PASS HB463 HD1.

Mahalo for the opportunity to provide testimony in support.

Deja Ostrowski, Esq.
Medical-Legal Partnership for Children in Hawai'i
808-728-0004; dejao@hawaii.edu



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law and Economic Justice
Support for HB463 HD1 – Eviction Records
House Committee on Consumer Protection & Commerce
Tuesday, February 11, 2025 at 2:00 PM Conf. Rm. 329 and via Videoconference

Dear Chair Matayoshi, Vice Chair Chun, and Committee Members:

Mahalo for the opportunity to testify in **strong support of HB463 HD1**, which would require the sealing of eviction records.

HB463 HD1 addresses the 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 access¹. This bill ensures that dismissed or resolved cases don't continue to unfairly impact tenants' housing opportunities by requiring immediate record sealing in eviction cases if the landlord is not granted repossession of the unit or if all parties agree to record sealing.

Property owners argue that sealing data on eviction filings eliminates crucial insights into damaged rental histories - citing eviction filings as evidence of late rent payment, nonpayment of rent or a violation of the lease terms, and thus proving poor tenancy. However, The Eviction Lab, one of the most comprehensive initiatives to track eviction filings across the nation, notes that court record data is consistently inaccurate and misleading - often not including information on the judgment in an eviction case, even when in favor of the tenant.² In one study, less than half of eviction filings led to actual evictions.³ This ambiguity of eviction filing data falsely represents a tenant's rental history.

The current system of permanent, publicly accessible eviction records serves neither justice nor our community's interests. Studies indicate that simply being named in an eviction complaint, regardless of the merits or outcome, can severely limit future housing options and prolong housing insecurity.⁴ This system perpetuates a cycle of financial instability. Without access to stable housing, individuals struggle to maintain employment, their children's education is disrupted, and their health suffers while costs ripple out to the entire community through increased use of emergency housing services.⁵

¹ <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1202&context=njls>

² <https://www.tandfonline.com/doi/pdf/10.1080/10511482.2020.1748084?needAccess=true>

³ https://housingactionil.org/downloads/EvictionBrief_February2019.pdf

⁴ <https://poverty.umich.edu/2024/07/16/research-shows-far-reaching-costs-of-eviction-filings-to-tenants-regardless-of-the-outcome-in-court/>

⁵ https://static1.squarespace.com/static/601374ae84e51e430a1829d8/t/65b1a4d6430f7676ae24ea08/1706140892699/Keeping+Hawaii+Housed_FINAL.pdf



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law and Economic Justice
Support for HB463 HD1 – Eviction Records
House Committee on Consumer Protection & Commerce
Tuesday, February 11, 2025 at 2:00 PM Conf. Rm. 329 and via Videoconference

By sealing meritless eviction records, the bill better supports landlords to make *more informed* decisions about tenants while also preventing perpetual barriers to housing from individuals unfairly impacted in leasing decisions.

HB463 HD1 also permits record sealing of past judged cases by motion request of the tenant if tenants can provide substantial evidence that certain situations occurred, such as unlawful eviction from discriminatory or retaliatory practices. By recognizing that unlawful practices can still lead to evictions, Hawaii Appleseed recommends that the Committee amend this measure to include a provision to:

- **Seal records immediately, even if the judgment is in favor of the landlord for possession, while the appeal/motion to reconsider window (10 days) is open or a case is pending**

This amendment ensures that eviction records remain sealed during legal challenges and stay sealed if an appeal overturns the original ruling for possession.

When a ruling is later overturned, it can still create lasting barriers to housing through formerly public records. In today's rental market, automated tenant screening systems routinely reject applicants with any eviction filing, even if the case was dismissed or later sealed. Screening companies often store outdated records, buy and sell data in bulk without verification, and may continue reporting sealed evictions if they previously scraped or archived the information. Unlike other states with stronger regulations, Hawaii lacks state-specific laws requiring consumer reporting agencies to verify, update, or remove sealed eviction records, leaving tenants with little recourse beyond filing complaints under the Fair Credit Reporting Act or taking legal action. Without state-level protections, tenants remain vulnerable to wrongful denials of housing due to improperly retained eviction records.

Hawaii's severe housing affordability crisis and tight housing market already makes it difficult for residents to secure housing, making it particularly crucial that we remove unnecessary barriers to housing access. This bill represents a significant step toward ensuring that ambiguous data from eviction filings, especially those that did not result in evictions, do not create permanent obstacles to stable housing.

Hawaii Appleseed strongly urges the committee to pass HB 463 HD1. This legislation will help create a more just and equitable housing system in Hawaii while protecting the dignity and opportunities of our residents.

Mahalo for the opportunity to testify.

February 11, 2025

The Honorable Scot Z. Matayoshi, Chair

House Committee on Consumer Protection & Commerce
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 463, HD1, Relating to Eviction Records

HEARING: Tuesday, February 11, 2025, at 2:00 p.m.

Aloha Chair Matayoshi, Vice Chair Chun, 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 10,000 members. HAR provides **comments** on House Bill 463, HD1, which requires that all court records of any eviction proceeding be sealed immediately if certain conditions are met. Authorizes the court to seal certain eviction records upon motion by a tenant who is able to demonstrate that certain conditions apply. Requires the clerk of the court to provide access to sealed eviction records to the tenant. Makes it a discriminatory practice to discriminate against a person based on the knowledge or belief that the person has a sealed eviction record. Prohibits discrimination in real property transactions against a person with a sealed eviction record. Effective 7/1/3000.

HAR appreciates the intent of allowing tenants to have a path to seal their eviction records in instances where the tenant prevails and upon request. On the other hand, housing providers need access to full rental history to make informed decisions and mitigate any risks associated with nonpayment of rent or rental agreement violations. Additionally, besides non-payment of rent, there are also situations where eviction is due to health and safety concerns, such as a tenant threatening the safety and health of others or damaging the property, making or distributing illegal substances, such as drugs or fireworks.

HAR would also note that the federal Fair Credit Reporting Act¹ requires that information about late or missed payments must legally remain on an individual's credit report for up to seven years.

Mahalo for the opportunity to provide testimony on this measure.

¹ Federal Trade Commission. (May 2023). *Fair Credit Reporting Act*. 15 U.S.C. § 1681.
https://www.ftc.gov/system/files/ftc_gov/pdf/fcra-may2023-508.pdf



HAWAII WORKERS CENTER

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

Defending and Respecting the workers of
Hawaii'i

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February 11, 2025

LATE

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Sergio Alcubilla III, Esq.

Hawaii'i State House of Representatives
Committee on Consumer Protection and Commerce
Rep. Scot Z. Matayoshi, Chair
Rep. Cory M. Chun, Vice Chair

RE: STRONG SUPPORT for H.B. 463 Relating to Eviction Records

Dear Chair Rep. Matayoshi, Vice-Chair Rep. Chun, and Members of the Committee on Consumer Protection and Commerce:

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

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

The HWC stands in **strong support of H.B. 463** which requires that all court records of any eviction proceeding be sealed immediately if certain conditions are met. Authorizes the court to seal certain eviction records upon motion by a tenant who is able to demonstrate that certain conditions apply. Requires the clerk of the court to provide access to sealed eviction records to the tenant. Makes it a discriminatory practice to discriminate against a person based on the knowledge or belief that the person has a sealed eviction record. Prohibits discrimination in real property transactions against a person with a sealed eviction record

This bill is driven by the members of the Maui Tenants & Workers Association, a project of the Hawaii Workers Center to help ameliorate the housing crisis on Maui and the unlevel playing field that renters face against unscrupulous landlords. A potential landlord may simply do an online search on the Judiciary website and see a summary possession case and deny a tenant's application without understanding the whole case. Eviction records pose a serious barrier to housing for tenants. As members of our COFA Workers Association recently experienced, the threat of an eviction record often prevents tenants from making waves by asking for repairs or asking their landlord to address habitability issues. By sealing records in cases where tenants prevail, tenants are empowered to assert their rights.

Thank you for your consideration in support of H.B. 463.

Sincerely,

Sergio Alcubilla
Executive Director

HB-463-HD-1

Submitted on: 2/8/2025 11:32:48 PM

Testimony for CPC on 2/11/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Isis Usborne	Individual	Support	Written Testimony Only

Comments:

Aloha e,

Please support this important bill! It is hard enough to find and keep housing as it is; an eviction record not being able to be sealed/otherwise rectified is a dangrous aspect of the many factors that make it so difficult for Hawaii residents to stay housed. Housing stability for all will contribute to a stable society and is better for everyone.

Mahalo,

Isis Usborne (96815)

Testimony in Support of HB463 HD1

Ensuring Fairness and Privacy in Eviction Proceedings

Honorable Members of the Legislature,

I am writing to express my strong support for HB463 HD1, a bill that mandates the immediate sealing of court records for eviction proceedings when certain conditions are met. This legislation represents a critical step towards ensuring fairness and privacy for tenants who have faced eviction, and it addresses several key issues within our housing system.

Justice and Fairness for Tenants

Eviction is a traumatic experience that can have long-lasting effects on individuals and families. It can lead to homelessness, financial instability, and emotional distress. For those who have faced eviction due to circumstances beyond their control, having a permanent public record of this event can be particularly damaging. HB463 HD1 ensures that tenants who meet specific criteria can have their eviction records sealed immediately, providing them with a much-needed fresh start.

Conditions for Sealing Eviction Records

The bill outlines clear conditions under which eviction records can be sealed. This includes situations where the tenant can demonstrate that the eviction was due to circumstances such as financial hardship, health issues, or any other extenuating circumstances. By allowing the court to seal these records upon a tenant's motion, the bill provides a pathway for those who have faced eviction to rebuild their lives without the burden of a public eviction record.

Protecting Tenant Privacy

Another crucial aspect of HB463 HD1 is the requirement for court clerks to provide access to sealed eviction records to the tenant. This provision ensures that tenants retain the ability to access their own records when necessary, without compromising their privacy.

Prohibiting Discrimination Based on Sealed Records

One of the most significant benefits of this bill is its prohibition against discrimination in real property transactions based on sealed eviction records. By making it a discriminatory

practice to deny housing to individuals with sealed eviction records, HB463 HD1 promotes equitable access to housing opportunities. This is a crucial step in preventing the cycle of eviction and homelessness, and it ensures that individuals are not unfairly penalized for past hardships.

Promoting Equitable Housing Opportunities

HB463 HD1 also addresses the broader issue of discrimination in real property transactions. By prohibiting discrimination against individuals with sealed eviction records, the bill helps level the playing field for all tenants. It ensures that housing decisions are based on current circumstances and qualifications, rather than past eviction experiences that may no longer be relevant.

Conclusion

In conclusion, HB463 HD1 is a vital piece of legislation that supports tenants' rights, promotes privacy, and prevents discrimination. By sealing eviction records under specific conditions and prohibiting discrimination based on these records, the bill provides a fair and just framework for tenants who have faced eviction. I urge you to support HB463 HD1 and help create a more equitable and compassionate housing system for all.

Thank you for your consideration.

Sincerely,

Jackie Berry

Concern Resident

843-864-5213

Dina Shek
Honolulu, HI 96822

COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Scot Z. Matayoshi, Chair
Rep. Cory M. Chun, Vice Chair

Hearing Date: February 11, 2025 (Room 329)

Re: SUPPORT for HB 463 HD 1, Relating to Eviction Records

Dear Committee Members,

I offer this testimony in strong support of HB 463 HD 1 which would increase access to justice for tenants, especially those facing predatory landlords, retaliation, and substandard housing conditions. In my work as the Legal Director of the Medical-Legal Partnership for Children in Hawai‘i, we see numerous housing matters every year where tenants decline legal representation for legitimate and meritorious housing cases due to their fear of having an eviction case on their record. In these instances, the courts become a tool of intimidation rather than a system for justice. Vulnerable tenants should not feel intimidated from asserting their legal rights, and HB 463 HD 1 is an important step to expanding justice for Hawai‘i’s residents.

According to the [Low Income Housing Coalition](#), at least a dozen states have passed laws related to the sealing or expungement of eviction records. We have seen how important it is for tenants to maintain – and be able to advocate for – stable housing in Hawai‘i, especially during times of public health emergencies and climate disasters. HB 463 HD 1 is a significant measure to prevent the further displacement of Hawai‘i residents without due process by ensuring that people can access the courts without fear of reprisals and further housing instability.

Thank you for this opportunity to submit testimony in support of HB 463 HD 1.

/s/
Dina Shek

LATE

HB-463-HD-1

Submitted on: 2/11/2025 8:53:30 AM

Testimony for CPC on 2/11/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello Chair, Vice Chair, and Members of the Committee,

My name is Nanea Lo, and **I am submitting testimony in strong support of HB 463 HD 1**, which seeks to seal eviction records in cases where tenants prevail and, in cases where landlords prevail, to seal records after two years. Additionally, this bill prohibits discrimination in housing transactions against individuals with sealed eviction records.

For many in Hawai‘i, securing stable housing is already an uphill battle due to the rising cost of living, limited affordable housing options, and ongoing displacement of local families. An eviction record—even in cases where the tenant was not at fault—creates an unjust and unnecessary barrier to housing. Without protections like those in HB 463 HD 1, tenants may avoid asserting their rights out of fear that simply being involved in an eviction proceeding could impact their future housing opportunities.

Sealing eviction records in cases where tenants prevail ensures that landlords cannot unfairly penalize responsible renters. Further, placing a time limit on the public availability of eviction records in cases where landlords prevail allows tenants the opportunity to rebuild their lives without the perpetual stigma of a past eviction. This bill is a step toward fairness and housing security, and it helps protect our most vulnerable residents from long-term hardship.

I urge you to pass HB 463 HD 1 to promote housing stability, tenant protections, and fairness in Hawai‘i’s rental market.

me ke aloha ‘āina,
Nanea Lo
Mō‘ili‘ili, HI 96826
Sierra Club of Hawai‘i Executive Commission Member
Board Member, Hawai‘i Workers Center
Kanaka Maoli/Lineal Descendant of the Hawaiian Kingdom

LATE

HB-463-HD-1

Submitted on: 2/11/2025 1:45:56 PM

Testimony for CPC on 2/11/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maui Housing Hui	Maui Housing Hui	Support	Written Testimony Only

Comments:

Testimony from Maui Housing Hui in Support of HB463

February 11, 2025

Dear Members of the House Committee on Commerce Protection,

We, at Maui Housing Hui, are writing to express our strong support for HB463. We believe that this bill is a crucial step toward ensuring fairness and preventing discrimination against tenants.

Eviction records have been a significant barrier to securing stable housing for tenants. When tenants prevail in court—proving that their eviction was unjust, illegal, or based on faulty grounds—they should not be penalized. Unfortunately, in practice, the presence of an eviction record, regardless of the court ruling, can severely limit a tenant’s ability to find housing. Landlords can use eviction records as a blanket justification for refusing tenancy, even in cases where the eviction was ruled in favor of the tenant. This results in tenants facing ongoing discrimination and hardship as they struggle to secure safe, affordable housing. It perpetuates cycles of poverty, instability, and homelessness by making it nearly impossible for tenants to overcome the stigma of having an eviction history, regardless of the legal outcome.

HB463 offers a straightforward, yet powerful solution: sealing eviction records for tenants who win their cases in court. Sealing records would allow these tenants to move forward without the burden of an unjust eviction following them throughout their lives. It would give tenants a fresh start, offering them the chance to secure housing based on their current ability to meet a landlord’s criteria—rather than penalizing them for past hardships they did not cause.

By passing HB463, the legislature would ensure that tenants are not unfairly punished for defending their rights in court. We believe this bill is a critical step toward promoting fairness, justice, and equality in our state’s housing market. It aligns with our collective goal of ensuring that all tenants—regardless of background, race, or income—have the opportunity to live in safe, stable, and affordable housing.

Thank you for your attention and consideration of this important issue. We are confident that passing this bill will make a significant, positive difference for countless tenants across the State of Hawai‘i.

Sincerely,
Maui Housing Hui