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## A BILL FOR AN ACT

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RELATING TO RENTAL DISCRIMINATION.

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

1       SECTION 1. The legislature finds that under federal law,  
2 landlords are not required to accept housing choice vouchers as  
3 a form of payment for rent. The practice of refusing to rent to  
4 voucher holders is known as "source-of-income discrimination",  
5 and disproportionately affects renters of color, renters with  
6 disabilities, elderly renters, and women. While the federal  
7 Fair Housing Act protects these groups from discrimination based  
8 on their identities, it does not protect them from  
9 discrimination based on their source of income.

10       The legislature further finds that chapter 368F, Hawaii  
11 Revised Statutes, establishes legal protections for individuals  
12 suffering from discrimination in a rental transaction based on  
13 source of income. However, existing law prohibits courts from  
14 awarding attorneys' fees in these cases, which disincentivizes  
15 attorneys from taking source-of-income discrimination cases and  
16 reduces the likelihood that parties will be able to secure legal  
17 representation.



1           Accordingly, the purpose of this Act is to allow the court  
2   to award attorneys' fees to a prevailing party in an action  
3   relating to discriminatory practices in a rental transaction  
4   based on source of income.

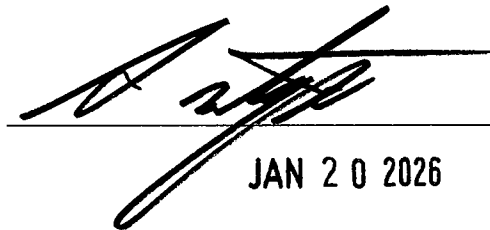
5           SECTION 2. Section 368F-4, Hawaii Revised Statutes, is  
6   amended by amending subsection (e) to read as follows:

7           "(e) ~~[No party shall be awarded attorney's]~~ The court may  
8   award attorneys' fees or costs to the prevailing party in any  
9   action under this section."

10          SECTION 3. Statutory material to be repealed is bracketed  
11   and stricken. New statutory material is underscored.

12          SECTION 4. This Act shall take effect upon its approval.

13  
INTRODUCED BY:

  
JAN 20 2026



# H.B. NO. 1646

**Report Title:**

Rental Discrimination; Income; Attorneys' Fees

**Description:**

Allows the court to award attorneys' fees to a prevailing party in an action relating to discriminatory practices in a rental transaction based on source of income.

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