
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A WORKING GROUP TO STUDY ACCESSIBILITY BARRIERS FOR MULTI-FAMILY HOUSING NOT COVERED BY THE FEDERAL FAIR HOUSING ACT AND GOVERNED BY CONDOMINIUM ASSOCIATIONS AND PLANNED COMMUNITY ASSOCIATIONS.

1 WHEREAS, the ability of kupuna and residents with
2 disabilities to remain in their homes and communities with
3 dignity and independence is essential to individual well-being
4 and community stability; and

5
6 WHEREAS, aging in place reduces reliance on institutional
7 care and may mitigate public costs associated with premature
8 placement in skilled nursing facilities or other institutional
9 care; and

10
11 WHEREAS, approximately twenty-one percent of the State's
12 residents are age sixty-five or older, and the elder population
13 is projected to grow substantially in the coming decades; and

14
15 WHEREAS, many condominium and planned community association
16 properties were built before federal and state accessibility
17 standards, such as the federal Fair Housing Act, resulting in
18 multi-family housing that often lack accessible features; and

19
20 WHEREAS, modifications to common areas in older
21 condominiums and planned communities may unintentionally create
22 or worsen barriers for residents with mobility limitations, and
23 disputes frequently arise regarding whether condominium and
24 planned community associations must install or fund
25 accessibility improvements; and

26
27 WHEREAS, residents requesting minor accessibility
28 modifications may face significant personal costs; and
29



1 WHEREAS, the State lacks comprehensive data on the
2 prevalence of these disputes, the financial impacts on
3 residents, and the statewide implications of addressing
4 accessibility gaps; now, therefore,
5

6 BE IT RESOLVED by the House of Representatives of the
7 Thirty-third Legislature of the State of Hawaii, Regular Session
8 of 2026, that the Department of Health is requested to establish
9 a working group to conduct a study on accessibility barriers for
10 multi-family housing not covered by the federal Fair Housing Act
11 and governed by condominium associations and planned community
12 associations; and
13

14 BE IT FURTHER RESOLVED that the working group is requested
15 to comprise the following members or their designees:
16

- 17 (1) The Executive Director of the Disability and
18 Communication Access Board, who is requested to serve
19 as chair;
20
- 21 (2) The Director of Commerce and Consumer Affairs;
22
- 23 (3) The Director of the Executive Office on Aging;
24
- 25 (4) The Executive Director of the Hawaii Civil Rights
26 Commission;
27
- 28 (5) The President of the Hawaii Council of Associations of
29 Apartment Owners; and
30
- 31 (6) Any other individual recommended by the chair; and
32

33 BE IT FURTHER RESOLVED that the study is requested to
34 examine:
35

- 36 (1) The prevalence and nature of accessibility-related
37 disputes between homeowners and condominium and
38 planned community associations;
39
- 40 (2) The interaction between multi-family housing not
41 covered by the federal Fair Housing Act and
42 obligations under the Fair Housing Act and chapter



- 1 515, Hawaii Revised Statutes, relating to reasonable
- 2 accommodations and reasonable modifications;
- 3
- 4 (3) Whether state law adequately clarifies condominium
- 5 association and planned community association
- 6 responsibilities for accessibility modifications to
- 7 common elements;
- 8
- 9 (4) The effects of accessibility barriers on residents'
- 10 ability to age in place;
- 11
- 12 (5) The feasibility and potential benefits of a state
- 13 matching assistance fund or grant program to help
- 14 offset costs of access modifications;
- 15
- 16 (6) Estimated annual state costs under various funding
- 17 models, including income-based eligibility,
- 18 cost-sharing ratios, or household caps; and
- 19
- 20 (7) Potential long-term savings from reducing early
- 21 institutionalization or displacement of residents with
- 22 disabilities; and
- 23

24 BE IT FURTHER RESOLVED that the Department of Health is

25 requested to submit a report of findings and recommendations,

26 including any proposed legislation, to the Legislature no later

27 than twenty days prior to the convening of the Regular Session

28 of 2027; and

29

30 BE IT FURTHER RESOLVED that certified copies of this

31 Resolution be transmitted to the Director of Health, Director of

32 Commerce and Consumer Affairs, Director of the Executive Office

33 on Aging, Executive Director of the Disability and Communication

34 Access Board, Executive Director of the Hawaii Civil Rights

35 Commission, and President of the Hawaii Council of Associations

36 of Apartment Owners.

37

38

39

OFFERED BY:

Irish LeChie

MAR 16 2026

