
A BILL FOR AN ACT

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 Statutory material to be repealed is bracketed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 on July 1, 2050.



S.B. NO. 2209
S.D. 1

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. Effective 7/1/2050.
(SD1)

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