

MAR 16 2026

SENATE 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

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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

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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

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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

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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

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27 WHEREAS, residents requesting minor accessibility
28 modifications may face significant personal costs; and
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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,
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6 BE IT RESOLVED by the Senate of the Thirty-third
7 Legislature of the State of Hawaii, Regular Session of 2026,
8 that the Department of Health is requested to establish a
9 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
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14 BE IT FURTHER RESOLVED that the working group is requested
15 to comprise the following members or their designees:
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- 17 (1) The Executive Director of the Disability and
18 Communication Access Board, who is requested to serve
19 as chair;
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- 21 (2) The Director of Commerce and Consumer Affairs;
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- 23 (3) The Director of the Executive Office on Aging;
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- 25 (4) The Executive Director of the Hawaii Civil Rights
26 Commission;
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- 28 (5) The President of the Hawaii Council of Associations of
29 Apartment Owners; and
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- 31 (6) Any other individual recommended by the chair; and
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33 BE IT FURTHER RESOLVED that the study is requested to
34 examine:
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- 36 (1) The prevalence and nature of accessibility-related
37 disputes between homeowners and condominium and
38 planned community associations;
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- 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



515, Hawaii Revised Statutes, relating to reasonable accommodations and reasonable modifications;

- (3) Whether state law adequately clarifies condominium association and planned community association responsibilities for accessibility modifications to common elements;
- (4) The effects of accessibility barriers on residents' ability to age in place;
- (5) The feasibility and potential benefits of a state matching assistance fund or grant program to help offset costs of access modifications;
- (6) Estimated annual state costs under various funding models, including income-based eligibility, cost-sharing ratios, or household caps; and
- (7) Potential long-term savings from reducing early institutionalization or displacement of residents with disabilities; and

BE IT FURTHER RESOLVED that the Department of Health is requested to submit a report of findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2027; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of Health, Director of Commerce and Consumer Affairs, Director of the Executive Office on Aging, Executive Director of the Disability and Communication Access Board, Executive Director of the Hawaii Civil Rights Commission, and President of the Hawaii Council of Associations of Apartment Owners.

OFFERED BY: _____


