



The Judiciary, State of Hawai'i
Ka 'Oihana Ho'okolokolo, Moku'āina 'o Hawai'i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Wednesday, April 8, 2026 at 10:15 a.m.
State Capitol, Conference Room 211

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. 3, S.D. 1, Relating to Eviction Records.

Purpose: Requires the Judiciary to conduct a study to determine the ability, best approaches, various issues, and potential impacts of requiring courts to disassociate a residential tenant from an eviction proceeding brought by a landlord in certain circumstances. Requires a report to the Legislature. Appropriates funds. Effective 7/1/3000. (SD1)

Judiciary's Position:

The Judiciary appreciates the intent of House Bill No. 463, H.D. 3, S.D. 1 and the opportunity to examine the technical and operational implications of disassociating certain parties from eviction cases. This is a complex issue that requires careful analysis of the Judiciary's case management system, including data architecture, search indices, and public-access interfaces. Implementing disassociation functionality, particularly based on case outcomes or specific factual circumstances would require substantial programming evaluation to



House Bill No. 463, H.D. 3, S.D. 1, Relating to Eviction Records
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ensure data integrity, system performance, and compliance with recordkeeping and transparency requirements.

Stakeholder input is essential for this work, particularly from individuals with experience in system architecture, data governance, court operations, and landlord-tenant processes. To support a thorough and accurate assessment, the Judiciary respectfully suggests adding language allowing the Judiciary to invite individuals with relevant technical expertise to participate in the study.

Because these technical assessments are extensive and because this topic might be discussed by the existing landlord-tenant working group established by SCR 123 (2025) during the three years of its existence, the Judiciary also suggests providing a later reporting date of June 30, 2027 to allow the working group to review and consider the Judiciary's final report and recommendations.

Thank you for the opportunity to testify on this matter.



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Senate Committees on Judiciary and on Ways and Means
Re: **HB463 HD3 SD1 – Relating to Eviction Records**
Hawaii State Capitol & Via Videoconference
April 8, 2026 10:15 AM

Dear Chairs Rhoads and Dela Cruz, Vice Chairs Gabbard and Moriwaki, and Committee Members,

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, I am writing **in SUPPORT of HB463 HD3 SD1**, which requires the Judiciary to conduct a study to determine the ability, best approaches, various issues, and potential impacts of requiring courts to disassociate a residential tenant from an eviction proceeding brought by a landlord in certain circumstances, requires a report to the Legislature, and appropriates funds.

Eviction records create significant and unjust barriers to securing housing, particularly for parents with keiki. Families with eviction filings on their records, regardless of the case outcome, often struggle to find stable housing, forcing them into overcrowded conditions, extended stays in shelters, or even homelessness. The instability caused by eviction disproportionately affects keiki, particularly Native Hawaiians and Pacific Islanders, leading to disruptions in schooling, mental health challenges, and adverse long-term outcomes.

For parents, securing safe and stable housing is essential to the well-being of their children. When an eviction filing follows a family—even after the tenant wins in court—it can block them from accessing quality housing, pushing them into substandard living situations that may lack adequate space, reliable utilities, or proximity to their preferred school and childcare. Additionally, it can uproot families from their community, severing vital social support networks.

In addition, the fear of an eviction record often discourages parents from speaking up about critical habitability issues such as mold, pest infestations, or faulty electricity and plumbing — problems that pose direct risks to the health of families and keiki. Parents should not have to choose between advocating for safe housing and risking an eviction filing that could jeopardize their family's future housing opportunities. Disassociating eviction records when tenants prevail would empower families to stand up for their rights without fear of lasting consequences.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo
Director of Research and Economic Policy

April 8, 2026

The Honorable Karl Rhoads, Chair

Senate Committee on Judiciary
State Capitol, Conference Room 211 & Videoconference

The Honorable Donovan M. Dela Cruz, Chair

Senate Committee on Ways and Means

RE: House Bill 463, HD3, SD1, Relating to Eviction Records

HEARING: Wednesday, April 8, 2026, at 10:15 a.m.

Aloha Chair Rhoads, Chair Dela Cruz, and Members of the Joint Committees:

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, HD3, SD1, which requires the Judiciary to conduct a study to determine the ability, best approaches, various issues, and potential impacts of requiring courts to disassociate a residential tenant from an eviction proceeding brought by a landlord in certain circumstances. Requires a report to the Legislature. Appropriates funds. Effective 7/1/3000.

Court records are generally open to the public and maintaining access to court records ensures transparency and accountability in the process. In addition to allowing housing providers to review a tenant's full rental history, this access also enables tenants to check for any violations by housing providers.

In 2025, the Legislature passed Senate Concurrent Resolution 123, HD1, which established a three-year Landlord-Tenant Working Group, of which Hawai'i REALTORS® and other key stakeholders are members. The Working Group is currently conducting a comprehensive review of the Residential Landlord-Tenant Code, and HAR believes the issues addressed in this measure would be an important topic for discussion by the Working Group.

Mahalo for the opportunity to provide testimony on this measure.