



**GOV. MSG. NO. 1129**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

May 5, 2015

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on May 5, 2015, the following bill was signed into law:

SB14 SD1 HD2

RELATING TO THE RESIDENTIAL LANDLORD-  
TENANT CODE  
**ACT 029 (15)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

*[Handwritten signature]*

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THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

SENATOR RONALD D. KOUCHI

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Approved by the Governor

on     MAY    5    2015    

THE SENATE  
TWENTY-EIGHTH LEGISLATURE, 2015  
STATE OF HAWAII

**ACT 029**  
**S.B. NO.** 14  
S.D. 1  
H.D. 2

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# A BILL FOR AN ACT

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

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

1           SECTION 1. The legislature finds that security deposits  
2 can help ensure tenants will timely pay their rent and maintain  
3 their rental property in an appropriate manner. The legislature  
4 further finds that security deposits, as defined in the  
5 residential landlord-tenant code under chapter 521, Hawaii  
6 Revised Statutes, can only be used by a landlord for accidental  
7 or intentional damages, cleaning the unit, or compensating for  
8 damages caused by a tenant who wrongfully quits the unit.  
9 However, the legislature also finds that landlords may rent  
10 their property to tenants who then take on obligations, such as  
11 sewer, water, and electricity expenses, that, if unpaid, could  
12 affect the property.

13           Accordingly, the purpose of this Act is to amend the  
14 residential landlord-tenant code to allow use of the security  
15 deposit for specific unpaid charges when a tenant moves out,  
16 including:



- 1 (1) Replacing keys, including key fobs, parking cards,
- 2 garage door openers, and mail box keys; and
- 3 (2) -Paying for utility service provided by the landlord
- 4 under the rental agreement but not included in the
- 5 rent.

6 SECTION 2. Section 521-8, Hawaii Revised Statutes, is  
 7 amended by adding a new definition to be appropriately inserted  
 8 and to read as follows:

9 "Utility service" means service for electricity, water,  
 10 sewer, and natural gas."

11 SECTION 3. Section 521-44, Hawaii Revised Statutes, is  
 12 amended by amending subsection (a) to read as follows:

13 "(a) As used in this section "security deposit" means  
 14 money deposited by or for the tenant with the landlord to be  
 15 held by the landlord to:

- 16 (1) Remedy tenant defaults for accidental or intentional
- 17 damages resulting from failure to comply with section
- 18 521-51, for failure to pay rent due, or for failure to
- 19 return all keys, including key fobs, parking cards,
- 20 garage door openers, and mail box keys, furnished by



- 1 the landlord at the termination of the rental
- 2 agreement;
- 3 (2) Clean the dwelling unit or have it cleaned at the
- 4 termination of the rental agreement so as to place the
- 5 condition of the dwelling unit in as fit a condition
- 6 as that which the tenant entered into possession of
- 7 the dwelling unit;
- 8 (3) Compensate for damages caused by a tenant who
- 9 wrongfully quits the dwelling unit; [and]
- 10 (4) Compensate for damages under subsection (b) caused by
- 11 any pet animal allowed to reside in the premises
- 12 pursuant to the rental agreement [-]; and
- 13 (5) Compensate the landlord for moneys owed by the tenant
- 14 under the rental agreement for utility service
- 15 provided by the landlord but not included in the
- 16 rent."

17 SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on November 1, 2015.

APPROVED this 5 day of MAY, 2015



GOVERNOR OF THE STATE OF HAWAII