

STAND. COM. REP. NO.

1364

Honolulu, Hawaii

APR 08 2015

RE: H.B. No. 279
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 279, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND
SALESPERSONS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the Real Estate Commission to take disciplinary action if a real estate broker or real estate salesperson for a seller or buyer of real estate acts in a manner that prohibits a prospective purchaser or seller from being able to retain a real estate broker or real estate salesperson.

Your Committee received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and Real Estate Commission. Your Committee received comments on this measure from the Hawaii Association of REALTORS.

Your Committee finds that this measure adds a new basis for disciplinary action against a real estate broker or salesperson who acts in a manner that prohibits a seller or purchaser of real estate from retaining the services of a real estate broker or salesperson. According to testimony received by your Committee, there may be instances where prospective buyers are prohibited from obtaining the services of a real estate broker or salesperson when purchasing real estate. This measure discourages these

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practices and protects consumers by focusing on the conduct of a real estate broker or salesperson acting on behalf of either the seller or the purchaser.

However, your Committee has questions regarding specific types of actions that this measure is intended to address and encourage further discussion on these matters as this measure moves through the legislative process.

Your Committee has amended this measure by:

- (1) Changing the effective date from November 1, 2015, to November 2, 2015; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 279, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 279, H.D. 2, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



