
A BILL FOR AN ACT

RELATING TO THE LANDLORD TENANT CODE.

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

1 SECTION 1. Section 521-68, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) A landlord or the landlord's agent may, any time
4 after rent is due, demand payment thereof and notify the tenant
5 in writing that unless payment is made within a time mentioned
6 in the notice [~~, not less than five business days after receipt~~
7 ~~thereof,~~] the rental agreement will be terminated. If the
8 tenant cannot be served with notice as required, notice may be
9 given the tenant by posting the same in a conspicuous place on
10 the dwelling unit. If the tenant remains in default, the
11 landlord may thereafter bring a summary proceeding for
12 possession of the dwelling unit or any other proper proceeding,
13 action, or suit for possession. Upon award of possession by a
14 court under this subsection, the landlord may prohibit access to
15 the dwelling unit by the tenant including by changing the locks
16 to the dwelling unit and dispose of the tenant's personalty in
17 accordance with section 521-56."



1 SECTION 2. Section 521-71, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) Whenever the term of the rental agreement expires,
4 whether by passage of time, by mutual agreement, by the giving
5 of notice as provided in subsection (a), (b), (c), or (d) or by
6 the exercise by the landlord of a right to terminate given under
7 this chapter, if the tenant continues in possession after the
8 date of termination without the landlord's consent, the tenant
9 may be liable to the landlord for a sum not to exceed twice the
10 monthly rent under the previous rental agreement, computed and
11 prorated on a daily basis, for each day the tenant remains in
12 possession. The landlord may bring a summary proceeding for
13 recovery of the possession of the dwelling unit at any time
14 ~~[during the first sixty days of holdover. Should the landlord~~
15 ~~fail to commence summary possession proceedings within the first~~
16 ~~sixty days of the holdover, in the absence of a rental~~
17 ~~agreement, a month-to-month tenancy at the monthly rent~~
18 ~~stipulated in the previous rental agreement shall prevail~~
19 ~~beginning at the end of the first sixty days of holdover.]~~ after
20 the date of termination."



H.B. NO. 226

1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

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

6 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Mark J. Hall (BR)
JAN 19 2017



H.B. NO. 226

Report Title:

Landlord Tenant Code; Delinquent Rent; Holdover Tenants

Description:

Eliminates the five day notification requirement for the eviction of a tenant for delinquent rent. Allows a landlord to prohibit access to a dwelling unit, including by changing the locks to the dwelling unit, upon court awarding possession of the unit. Allows a landlord to dispose of the tenant's personal property.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

